asked the Congress members to appeal to Nixon before the U.S.-Soviet talks close.

The Ukrainians said Nixon should wait for these Soviet concessions before approving any economic aid to Russia:

The Soviet government stop its arrests of Ukrainian intellectuals.

The Russians agree to release intellectuals who have been sentenced to concentration camps and "psychiatric wards" for the expression of their beliefs.

Brezhnev allows the Ukrainian people and other non-Russians living in the Soviet Union the basic human rights of freedom of religion and freedom to emigrate.

Before Brezhnev is given more United States credit, grain and technological aid, the Ukrainians said he must be forced to amend his internal policies.

The group said Brezhnev and other Soviet leaders were guilty of Cultural and ethnic genocide against Ukrainians and other non-Russians, including illegal arrests and trials, religious suppression and economic exploitation of many of its citizens.

MILITARY PROCUREMENT AUTHORIZATION

HON. DOMINICK V. DANIELS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, August 3, 1973

Mr. DOMINICK V. DANIELS. Mr. Speaker, in considering the military procurement authorization we had the opportunity to express the will of the Congress on the question of troop commitments in Europe. Mr. Speaker, I supported the O'Neill amendment and opposed the substitute because I felt we had an opportunity to break new ground in developing a rational foreign policy based on world realities. Regrettably, we apparently failed to develop the proper record to support the argument for troop reductions. Nevertheless, in providing for a study, we did not close the door on the issue.

Our present military strength and our commitment to European defense is an issue with which only Congress can and should come to grips. It is readily apparent from the testimony of the Secretary of Defense, James Schlesinger, before the House Committee on Armed Forces, that the administration is content to rely on the same old homilies relative to our relationship and commitment to Europe. The Defense Department relies on these homilies in spite of post-World War II and post-Vietnam war agreements which most recently include the SALT-I agreements, the Common Market and England's entry into it, as well as other economic, diplomatic, and military treaties and agreements which have changed the relative position of the United States to Europe. In spite of this change, we continue to operate as if the lessons of two decades had not been burned into our history.

The fact is that Europe, thanks to our subsidizing a major portion of its defense needs, is enjoying a boom economy while the United States, in large part due to an unfavorable balance of payments, is vainly attempting to fight off a severe recession. The balance-of-payments deficit due to our military forces in Europe alone will come to more than $1.5 billion in fiscal 1973. The security of this Nation or of any nation depends more on its internal political and economic stability than on outward appearances of strength. It is absurd to presume that we can bargain from an appearance of strength and assume the other side will be blinded by mirrors. In today's world, just as we are capable of making intelligent estimates as to the ability of the other side to wage war, they too are capable of making the same estimates as to our ability. And both sides look beyond the mirrors to domestic economics and politics.

In addition to economic considerations, the new ability of Europe to provide for its own defense, and developments on the diplomatic front which have changed the relationship between the United States, Europe, and the Soviet bloc, we are faced in this country with a major domestic issue. That question, which seems lately to arise on every foreign and domestic proposal presented to the Congress, is the tendency over the past 25 years of the Congress to acquiesce to the diminution of our powers in favor of the Executive.

As a result of the Congress willingness to permit the aggrandizement of power by the Presidency, we have created in that office an almost mythic quality which prevents us from considering rationally the proposals submitted to us by the executive branch. Indeed, we have acquiesced to such a degree that the executive branch no longer submits proposals to the Congress; rather it submits fiat accompli, leaving the Congress and the people to like it or lump it.

We still express incredulity over the Gulf of Tonkin resolution which was presented to the Congress without hearings and on the questionable assertions from the "best and the brightest" in the administration. Certainly the Vietnam war, whose escalation followed from that resolution, should have taught us that Congress, while it is not the repository of all wisdom, certainly is the repository of more collective wisdom than seems to pervade the executive branch. Proper congressional consideration of major questions of national policy are critical to the well-being of the Nation and are more reliable than the cool assertions of so-called experts in the Department of Defense.

Recently in testimony before the Senate Subcommittee on Arms Control, International Law and Organization of the Foreign Relations Committee, Senator MIKE MANSFIELD made a telling point. He stated that—

The fundamental difficulty in discerning semblance to America's policy abroad during the past 25 years is that the commitment and level of U.S. forces abroad has determined our policy rather than our policy determining the level of U.S. forces abroad. (Emphasis in original.)

Thus, we make war not because we have rationally thought out the consequences and then provide the troops, but we make war because we have the troops and then rationalize the consequences. That is the story of Vietnam and unless we face reality, that will be the story of the next war into whose quagmire we will become stuck. Congress must take the responsibility and provide only those resources necessary for the defense of the Nation.

HOUSE OF REPRESENTATIVES—*Wednesday, September 5, 1973*

The House met at 12 o'clock noon.

Msgr. James P. Cassidy, Ph. D., director of health and hospitals, Archdiocese of New York, offered the following prayer:

O Heavenly Father, we ask Your blessing upon this historic assemblage as it begins its deliberation. We ask you to bless them with the wisdom of Solomon, that they may legislate for the good of all the people of this land.

Bless them Lord, with the courage to ignore their own selves and to be sensitive to the needs of the people they have been elected to serve. May they be aware of the social, emotional, and health-care needs of the people of our country and the whole world.

Grant them the vision to see beyond themselves and beyond even their own country to the whole community of man which you have created. And may they look beyond this world to the next where we may all be joined together in Your wisdom and love forever and ever. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the proceedings of Friday, August 3, 1973, and announces to the House his approval thereof.

Without objection, the Journal stands approved.

There was no objection.

MESSAGES FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Mr. Geisler, one of his secretaries, who also informed the House that on the following dates the President approved and signed bills and joint resolutions of the House of the following titles:

On August 6, 1973:

H.R. 8152. An act to amend title I of the Omnibus Crime Control and Safe Streets Act of 1968 to improve law enforcement and criminal justice, and for other purposes.

On August 14, 1973:

H.R. 4083. An act to improve the laws relating to the regulation of insurance in the District of Columbia, and for other purposes;

H.R. 6713. An act to amend the District of Columbia Election Act regarding the times for filing certain petitions, regulating the primary election for Delegate from the District of Columbia, and for other purposes; and

H.R. 8658. An act making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1974, and for other purposes.

On August 16, 1973:

H.J. Res. 52. Joint resolution authorizing the President to proclaim August 26, 1973, as "Women's Equality Day";

H.J. Res. 466. Joint resolution authorizing the President to proclaim the second full week in October 1973 as "National Legal Secretaries' Court Observance Week";

H.R. 3630. An act to extend until September 30, 1975, the suspension of duty on certain dyeing and tanning products and to include logwood among such products;

H.R. 3867. An act to amend the act terminating Federal supervision over the Klamath Indian Tribe by providing for Federal acquisition of that part of the tribal lands described herein, and for other purposes;

H.R. 5649. An act to extend until November 1, 1978, the existing exemption of the steamboat *Delta Queen* from certain vessel laws;

H.R. 6370. An act to extend certain laws relating to the payment of interest on time and savings deposits, to prohibit depository institutions from permitting negotiable orders of withdrawal to be made with respect to any deposit or account on which any interest or dividend is paid, to authorize Federal savings and loan associations and national banks to own stock in and invest in loans to certain State housing corporations, and for other purposes;

H.R. 6676. An act to continue until July 1, 1976, the existing suspension of duty on manganese ore, and for other purposes;

H.R. 8510. An act to authorize appropriations for activities of the National Science Foundation, and for other purposes;

H.R. 8760. An act making appropriations for the Department of Transportation and related agencies for the fiscal year ending June 30, 1974, and for other purposes; and

H.R. 8947. An act making appropriations for public works, for water and power development, including the Corps of Engineers—Civil, the Bureau of Reclamation, the Bonneville Power Administration and other power agencies of the Department of the Interior, the Appalachian regional development programs, the Federal Power Commission, the Tennessee Valley Authority, the Atomic Energy Commission, and related independent agencies and commissions for the fiscal year ending June 30, 1974, and for other purposes.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 2282. An act to change the name of the New Hope Dam and Lake, North Carolina, to the B. Everett Jordan Dam and Lake.

The message also announced that the Vice President, pursuant to Public Law 84–689, appointed Mr. JACKSON, Mr. PELL, Mr. BAYH, Mr. EAGLETON, Mr. TUNNEY, Mr. BENTSEN, Mr. MANSFIELD, Mr. JAVITS, Mr. PEARSON, Mr. COOK, Mr. STEVENS, Mr. BUCKLEY, and Mr. HUMPHREY to be delegates, on the part of the Senate, to the North Atlantic Assembly to be held in Ankara, Turkey, October 21 to 27, 1973.

SWEARING IN OF MEMBER

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

WASHINGTON, D.C.,
September 5, 1973.

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

DEAR MR. SPEAKER: This is to advise that the Clerk's Office received today a certification of the Special Election held in the First Congressional District of Maryland to fill a vacancy created by the death of William O. Mills.

This certification indicates that ROBERT E. BAUMAN received the greatest number of votes cast and has been and is duly elected as Representative in the First Congressional District of Maryland.

The above mentioned certification is on file in the Clerk's Office.

With kind regards, I am

Sincerely,

W. PAT JENNINGS,
Clerk, House of Representatives.

The SPEAKER. The Representative-elect will present himself at the bar of the House for the purpose of having the oath of office administered to him.

Mr. BAUMAN presented himself at the bar of the House and took the oath of office.

COMMUNICATION FROM THE CLERK OF THE HOUSE

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

WASHINGTON, D.C.,
August 3, 1973.

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

DEAR MR. SPEAKER: Pursuant to the authority of the House granted on August 3, 1973, the Clerk received today from the Senate the following messages: That the Senate agree to the amendment of the House of Representatives to the amendment of the Senate numbered 6 to H.R. 8658; That the Senate agree to the amendments of the House of Representatives to the amendments of the Senate numbered 7, 21, 28, 33, and 44 to H.R. 8760; That the Senate agree to the amendments of the House of Representatives to S.J. Res. 25; and That the Senate agree to the amendment of the House of Representatives to the amendment of the Senate to the amendment of the House of Representatives to the bill (S. 1888) entitled "An Act to extend and amend the Agricultural Act of 1970 for the purpose of assuring consumers of plentiful supplies of food and fiber at reasonable prices.

With kind regards, I am

Sincerely,

W. PAT JENNINGS,
Clerk, House of Representatives.
By W. RAYMOND COLLEY.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair desires to announce that pursuant to the authority granted him on Friday, August 3, 1973, he did on Saturday, August 4, 1973, sign enrolled bills of the House, and an enrolled bill and joint resolution of the Senate as follows:

H.R. 8658. An act making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1974, and for other purposes;

H.R. 8760. An act making appropriations for the Department of Transportation and related agencies for the fiscal year ending June 30, 1974, and for other purposes;

S. 1888. An act to extend and amend the Agricultural Act of 1970 for the purpose of assuring consumers of plentiful supplies of food and fiber at reasonable prices; and

S.J. Res. 25. Joint resolution to authorize and request the President to issue a proclamation designating the fourth Sunday in September 1973, as "National Next Door Neighbor Day."

COMMUNICATION FROM THE CLERK OF THE HOUSE

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

WASHINGTON, D.C.,
August 31, 1973.

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

DEAR MR. SPEAKER: I have the honor to transmit herewith a sealed envelope from the White House, received in the Clerk's Office at 2:30 p.m. on Friday, August 31, 1973, and said to contain a message from the President transmitting a Federal Pay Comparability Alternative Plan.

With kind regards, I am

Sincerely,

W. PAT JENNINGS,
Clerk, House of Representatives.

FEDERAL PAY COMPARABILITY ALTERNATIVE PLAN—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 93–140)

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

To the Congress of the United States:

At a time when the rising cost of living is a major concern to us all, the Federal Government and its employees have a special obligation to avoid any action that would needlessly fan the flames of inflation. This obligation must not be taken lightly, even in cases when meeting it involves a reasonable element of self-denial.

It is in this spirit, and with the knowledge that the action I am taking will help to hold down the cost of living for all Americans, that I now recommend a sixty day deferral in the pending pay adjustment for Federal employees.

As required by law, I am also transmitting to the Congress an alternative plan designed to meet both the rightful needs of those who serve the Government and the common interest of the general public who must bear the burden of increased inflation.

Under this plan, a pay increase for all Federal employees based upon an appropriate comparability adjustment would become effective on the first pay period beginning on or after December 1, 1973. The level of the comparability adjustment will be determined during the next few weeks. My "agent" on Federal pay, the Director of the Office of Management and Budget and the Chairman of the Civil Service Commission, has recommended an average pay increase of 4.77 percent. This recommendation is now being reviewed by my advisory committee on pay, and this committee will make its own recommendations to me in late September. At that time, I will make my decision on the appropriate comparability adjustment.

I regret asking for this postponement of a Federal pay increase but there can be no doubt of its necessity. At a critical time in the economic health of our Nation, when many are being called on to

make sacrifices in order to hold down inflation, no one should enjoy special immunity. Thus far labor and management in the private sector have done their share by acting with commendable restraint in agreeing upon new wage increases. As one of the largest groups of workers in the country, Federal employees can do no less. In fact, Federal employees have a unique role to play in the fight against inflation because every dollar of their pay comes out of the Federal budget. It is especially important this year, as we seek a balanced, noninflationary budget, that Federal spending be held to a minimum.

I urge the Congress to support this action, not because it is politically expedient or the easy thing to do, but because it is in the best interest of all Americans.

The alternative plan is attached.

RICHARD NIXON.

THE WHITE HOUSE, *August 31, 1973.*

COMMUNICATION FROM THE CLERK OF THE HOUSE

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

WASHINGTON, D.C.,
August 14, 1973.

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

DEAR MR. SPEAKER: I have the honor to transmit herewith a sealed envelope from the White House, received in the Clerk's Office at 3:32 p.m. on Tuesday, August 14, 1973, and said to contain a message from the President transmitting the fifth annual report on national housing goals as required by section 1603 of the House and Urban Development Act of 1968.

With kind regards, I am

Sincerely,

W. PAT JENNINGS,
Clerk, House of Representatives.
By W. RAYMOND COLLEY.

FIFTH ANNUAL REPORT ON NATIONAL HOUSING GOALS—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 93–141)

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

To the Congress of the United States:

I am pleased to transmit herewith the fifth annual report on national housing goals, as required by section 1603 of the Housing and Urban Development Act of 1968.

RICHARD NIXON.

THE WHITE HOUSE, *August 14, 1973.*

TENTH ANNUAL REPORT ON SPECIAL INTERNATIONAL EXHIBITIONS CONDUCTED DURING FISCAL YEAR 1972—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

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

To the Congress of the United States:

As required by law, I herewith transmit to the Congress the Tenth Annual Report on Special International Exhibitions conducted during fiscal year 1972 under the authority of the Mutual Educational and Cultural Exchange Act of 1961 (Public Law 87–256).

This report covers exhibitions produced by the U.S. Information Agency and presented abroad at international fairs, expositions, and festivals, primarily in Eastern Europe and the Soviet Union. It also covers labor missions abroad, which are operated by the Department of Labor.

RICHARD NIXON.

THE WHITE HOUSE, *September 5, 1973.*

THIRD ANNUAL REPORT ON HAZARDOUS MATERIALS CONTROL AS REQUIRED BY THE HAZARDOUS MATERIALS TRANSPORTATION CONTROL ACT OF 1970—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

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

To the Congress of the United States:

I transmit herewith the Third Annual Report on Hazardous Materials Control as required by the Hazardous Materials Transportation Control Act of 1970, Public Law 91–458. This report has been prepared in accordance with Section 302 of the Act, and covers calendar year 1972.

RICHARD NIXON.

THE WHITE HOUSE, *September 5, 1973.*

FIFTH ANNUAL REPORT OF THE NATIONAL SCIENCE BOARD ENTITLED "SCIENCE INDICATORS 1972"—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

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

To the Congress of the United States:

I am pleased to submit to the Congress the Fifth Annual Report of the National Science Board entitled "Science Indicators 1972." It has been prepared in accordance with Section 4(g) of the National Science Foundation Act, as amended by Public Law 90–407.

This report represents an initial effort by the National Science Board to develop indicators of the state of science and technology in this country. As the Board observes, however, present indicators principally reflect the application of resources to science and technology and not the return that the Nation receives from its considerable investment in research and development. I strongly support the intention of the National Science Board to develop better measures of the outputs from our Nation's scientific and technical enterprise in contributing to the progress and welfare of the United States and its citizens.

RICHARD NIXON.

THE WHITE HOUSE, *September 5, 1973.*

REPORT OF FEDERAL ACTIVITIES IN JUVENILE DELINQUENCY, YOUTH DEVELOPMENT, AND OTHER RELATED FIELDS—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

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

To the Congress of the United States:

As required by section 408 of the Juvenile Delinquency Prevention and Control Act of 1968, I am submitting a report of Federal activities in juvenile delinquency, youth development, and related fields.

This report covers the period from July 1, 1971 to June 30, 1972 and evaluates the efforts and activities of the Youth Development and Delinquency Prevention Administration which is responsible for the program. This agency is under the jurisdiction of the Social and Rehabilitation Service of the Department of Health, Education, and Welfare. The report also describes the activities of other Federal agencies and departments in the field of juvenile delinquency.

I commend it to your careful attention.

RICHARD NIXON.

THE WHITE HOUSE, *September 5, 1973.*

ANNUAL REPORT BY THE DIRECTOR OF THE NATIONAL CANCER PROGRAM, A PLAN FOR THE PROGRAM DURING THE NEXT 5 YEARS, AND THE REPORT OF THE NATIONAL CANCER ADVISORY BOARD—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

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

To the Congress of the United States:

I am pleased to transmit to you the reports required by Section 410A(b) and Section 410B(g) of the National Cancer Act of 1971. These documents consist of the annual report by the Director of the National Cancer Program, a plan for the Program during the next 5 years, and the report of the National Cancer Advisory Board. We are still considering the review of present administrative processes and will transmit that to the Congress when our review is completed.

These reports reflect a great deal of studious consideration by many dedicated citizens, both consultants to the National Cancer Program and officials of the National Cancer Institute. Understandably, the documents do not present the cancer problem and its needs in the larger context of all health requirements. Nonetheless, I am transmitting these documents without delay to share with

Congress the information that has been generated thus far, intending to place the proposals of the National Cancer Program in the context of overall health requirements as future budgets are submitted. I emphasize the fact that my proposed budget for the Cancer Program in fiscal year 1974, at $500 million, is more than double the budget for these purposes in fiscal year 1971.

I am satisfied that the National Cancer Program begun this past year is proceeding very well. Both the spirit and the letter of the National Cancer Act of 1971 are being vigorously carried out. The leaders of the Program are innovative and dynamic. Funds are being used effectively and efficiently without raising public expectations that cannot be realized.

Of course, no one can control or predict when the objectives of the National Cancer Program will be attained. All the money and all the organization which the Federal Government can provide will not by themselves win this battle. Success ultimately depends upon the expertise and performance of the doctors, scientists, health professionals, and the volunteers who support them across America and around the world.

RICHARD NIXON.

THE WHITE HOUSE, *September 5, 1973.*

COMMUNICATION FROM THE CLERK OF THE HOUSE OF REPRESENTATIVES—ROBERT L. MAURO AGAINST W. PAT JENNINGS

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

WASHINGTON, D.C.,
August 13, 1973.

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

DEAR SIR: On this date I received an unattested copy of the Order granting the defendant's Motion for Summary Judgment and dismissing the action that was issued by the U.S. District Judge in the case of Robert L. Mauro v. W. Pat Jennings, Clerk of the U.S. House of Representatives, and Francis Valeo, Secretary of the U.S. Senate, Civil Action No. 447-73 (U.S.D.C. D. D.C.)

The unattested Order dismissing said action dated August 3, 1973 and issued in the U.S. District Court for the District of Columbia is herewith attached, and the matter is presented for such action as the House in its wisdom may see fit to take.

Sincerely,

W. PAT JENNINGS,
Clerk, House of Representatives.

DEPARTMENT OF JUSTICE,
Washington, D.C., August 10, 1973.

Hon. W. PATRICK JENNINGS,
Clerk of the House of Representatives, Washington, D.C.

DEAR MR. JENNINGS: Enclosed is a copy of an Order granting defendants' Motion for Summary Judgment in the matter of *Robert L. Mauro* v. *W. Pat Jennings, et al.*, U.S.D.C. D. D.C., Civil Action No. 447-73.

Thank you for your cooperation and assistance in this litigation. If I may be of further assistance to you, please do not hesitate to contact me.

Sincerely yours,

IRVING JAFFE,
Acting Assistant Attorney General.

[U.S. District Court for the District of Columbia—Civil Action No. 447-73—August 3, 1973]

ROBERT L. MAURO, PLAINTIFF, v. W. PAT JENNINGS, CLERK OF THE U.S. HOUSE OF REPRESENTATIVES, AND FRANCIS R. VALEO, SECRETARY OF THE U.S. SENATE, DEFENDANTS

ORDER

This matter having come before the Court on defendants' Motion to Dismiss or, in the Alternative, for Summary Judgment, and the Court having considered the pleadings and the briefs filed by the parties, and the Court having concluded that there is no disputed issue of material fact and that the defendants are entitled to judgment as a matter of law, it is hereby this 3rd day of August, 1973,

ORDERED

That defendants' Motion for Summary Judgment be and is hereby granted and Summary Judgment be and is hereby entered in defendants' favor and the action is dismissed.

———, *U.S. District Judge.*

TRIBUTE TO THE LATE HONORABLE TOBY MORRIS OF OKLAHOMA

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

Mr. STEED. Mr. Speaker, it is with great sadness that I announce the death of former Congressman Toby Morris, of Oklahoma, who passed away unexpectedly at Lawton on September 1.

Toby Morris served five terms as a Member of this House from the Sixth District of Oklahoma, from 1947 to 1953, and again from 1957 to 1961. He was a man of conscience and integrity whose highest ambition was to be of service to the people. He faithfully discharged that aim in life both as a Member of Congress and as a district judge in the State of Oklahoma, a position in which he held three separate tenures.

A native of Texas, Judge Morris was born at Granbury in Hood County on February 28, 1899. As a child of 7 he was brought to Oklahoma when his family moved there a year before statehood.

Brought up on a farm in Cotton County, he attended schools at Randlett, Temple, and Walters.

He left high school to enlist in the Army during World War I, seeing frontline service with the 110th Combat Engineers, 35th Division, as private, corporal, and then sergeant.

After the war he studied law in his father's office and was admitted to the bar in 1920.

His first public office was that of court clerk of Cotton County, to which he was elected at age 21. After 4 years in that position he held the office of county attorney for 4 years.

Private practice followed, and in 1937 he was named district judge after having moved to Lawton. He remained on the bench until his first election to Congress in 1946.

Judge Morris was a Democratic member of the 80th, 81st and 82d Congresses. In 1952 his district was largely combined with another in a change forced by the census. He lost in the subsequent primary, and returned to Oklahoma, where in 1954 he again was elected district judge.

Two years later he gained reelection to the House, where he was a Member of the 85th and 86th Congresses, serving on the Armed Services Committee.

After losing in the 1960 primary, he was named a judge of the Oklahoma State industrial court. Then, in 1966, he once more became district judge and continued in that capacity until his retirement in 1971.

Toby Morris was a Member of the House when I came here at the beginning of 1949. He was a hard-working member of our delegation and a loyal friend whom I will always remember. I am happy that the accidents of redistricting him made him my constituent during the last 6 years. Oklahoma can be proud of his record.

At a later time I will ask for a special order for appropriate remarks in his memory.

THE HONORABLE ROBERT E. BAUMAN

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

Mr. GUDE. Mr. Speaker, it is a great honor in returning from the recess of this session of Congress to be able to greet a new colleague and Member of this body, the distinguished gentleman representing the First District of Maryland. My distinguished colleague brings with him much knowledge and experience developed in his earlier years as a loyal and diligent member of the legislative staff of the House and as a page 20 years ago. He also brings a special understanding and familiarity with a large portion of the State of Maryland, and the experience of legislative representation as a member of the Maryland State Senate. I am pleased to welcome him here today.

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

Mr. GUDE. I yield to my colleague from Maryland (Mr. HOGAN).

Mr. HOGAN. Mr. Speaker, it is with great pleasure that I welcome Mr. ROBERT BAUMAN of the First District of Maryland to the membership of this body.

I have known BOB for many years and I know him to be an intelligent, articulate, and hard working individual. I am fully confident that he will render the type of outstanding service to his constituents in the First Congressional District of Maryland that they received under Rogers C. B. Morton and Bill Mills.

BOB has dedicated his life to government and politics. He began his political experience here on Capitol Hill where he served first as a page in the House beginning in 1953 and worked in various legislative capacities until 1955. He served as a member of the Maryland State Senate, until his recent election to the U.S. House of Representatives, and he was recognized by his colleagues there as a devoted and thoughtful legislator. I am confident that BOB will quickly gain the respect and admiration of his new colleagues in the House of Representatives as well.

I campaigned actively for BOB's recent election because I felt very strongly that his ability and dedication would make

him a tremendous asset to the House and be a significant advantage to the people of Maryland.

Mr. Speaker, as all of us who are privileged to serve here are aware, this is truly the People's House. The powers of this body are great and its traditions are very strong and deeply rooted in the history of our Nation. Mr. BAUMAN has been entrusted by the people of the First District of Maryland to represent them here and carry on in the traditions of the House. They selected him to help make those decisions that profoundly affect their lives and the future of their children and our country. This is a great responsibility and a deep privilege, I can assure the voters in Maryland's First Congressional District that they have elected an able and competent individual for the task. I know he will serve them ably and well.

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

Mr. GUDE. I yield to the distinguished minority leader, Mr. GERALD R. FORD.

Mr. GERALD R. FORD. Mr. Speaker, I join with the gentlemen from Maryland, Mr. GUDE and Mr. HOGAN, and others in the Maryland delegation in congratulating BOB BAUMAN.

He was a great help to us when he worked for the House, and we are delighted that he is now a Member of the House.

COOPERATION BETWEEN THE CONGRESS AND THE CHIEF EXECUTIVE

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

Mr. SIKES. Mr. Speaker, I congratulate the distinguished majority leader for his significant proposal for closer cooperation between Congress and the President. This is constructive thinking and a very necessary forward step. There is much that is needed in important legislation if America's progress is to be assured. Only by understanding and cooperation between the legislative and executive branches can the results be obtained that we both want.

Mr. O'NEILL's proposal can open the door to the passage of bills which are needed now. I trust that the administration will respond in kind.

MISSISSIPPI ARMY NATIONAL GUARD NO. 1 IN RETENTION AND RECRUITING OF PERSONNEL

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

Mr. MONTGOMERY. Mr. Speaker, it is with a great deal of pride that I rise to commend the Mississippi Army National Guard for being No. 1 in the Nation in the retention and recruiting of personnel as of June 30 of this year. The officers, and men of the Mississippi Army Guard are to be commended for their outstanding efforts which resulted in their reaching 106.6 percent of their authorized strength level.

I wish I could present as glowing a report for all the States in the Nation, but unfortunately many of them are continuing to experience problems in the retention and recruiting of personnel. Many of the States have attained only around 80 percent of their authorized strength level for the Army National Guard and a few are at the 70 percent level. Mr. Speaker, I think this points out the need for the Congress to act quickly on the package of incentives legislation I have introduced for the Guard and Reserves.

By providing retirement at age 55, survivors benefits, full-time life insurance coverage and enlistment and reenlistment bonuses, we can take an important step forward in assuring that the National Guard and Reserves are able to retain and recruit the men and women we need for national defense purposes.

LEAVE OF ABSENCE

Mr. HAMMERSCHMIDT. Mr. Speaker, on behalf of our distinguished colleague from Arkansas (Mr. MILLS) I ask unanimous consent that he receive an official indefinite leave of absence.

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

There was no objection.

CALL OF THE HOUSE

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

The SPEAKER. Evidently a quorum is not present.

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

A call of the House was ordered.

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

[Roll No. 433]

Alexander	Ford, William D.	Nelsen
Badillo	Gray	Owens
Bell	Gubser	Peyser
Blackburn	Gunter	Quillen
Blatnik	Guyer	Reuss
Boland	Hanrahan	Robison, N.Y.
Bolling	Hays	Rooney, N.Y.
Breaux	Hébert	Runnels
Breckinridge	Heckler, Mass.	Ruppe
Burke, Calif.	Henderson	Sandman
Cederberg	Holifield	Scherle
Chisholm	Jones, Ala.	Shipley
Clark	Jones, Tenn.	Shriver
Clawson, Del	Latta	Sisk
Cohen	McEwen	Stark
Collins, Tex.	McKay	Stephens
Conyers	McSpadden	Stubblefield
Corman	Mann	Taylor, Mo.
Cronin	Maraziti	Teague, Tex.
Davis, Ga.	Mathis, Ga.	Vander Jagt
Davis, S.C.	Metcalfe	Waldie
Delaney	Mills, Ark.	Walsh
Diggs	Mink	Wilson, Charles, Tex.
Dingell	Moorhead, Pa.	Wright
Eilberg	Mosher	Young, S.C.
Fascell	Murphy, Ill.	
Flood	Murphy, N.Y.	
Flowers		

The SPEAKER. On this rollcall 354 Members have recorded their presence by electronic device, a quorum.

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

CONFERENCE REPORT ON HOUSE JOINT RESOLUTION 512, EXTENSION OF HOUSING AND URBAN DEVELOPMENT PROGRAMS

Mr. PATMAN. Mr. Speaker, I call up the conference report on the joint resolution (H.J. Res. 512) to extend the authority of the Secretary of Housing and Urban Development with respect to the insurance of loans and mortgages, to extend authorizations under laws relating to housing and urban development, and for other purposes, and ask unanimous consent that the statement of the managers be read in lieu of the report.

The Clerk read the title of the joint resolution.

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

There was no objection.

The Clerk read the statement.

(For conference report and statement, see proceedings of the House of July 31, 1973.)

Mr. PATMAN (during the reading). Mr. Speaker, I ask unanimous consent that further reading of the statement be dispensed with.

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

Mr. GROSS. Mr. Speaker, reserving the right to object, does the gentleman from Texas propose to take some time to explain briefly the report?

Mr. PATMAN. Yes, I expect to.

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

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

There was no objection.

Mr. PATMAN. Mr. Speaker, the purpose of House Joint Resolution 512 is to extend the authority of the Secretary of Housing and Urban Development with respect to a number of expiring authorities and authorizations in the field of housing and urban development.

The conference report contains several major differences from the joint resolution passed by the House. I would like to describe these briefly.

First, the House resolution provided "open end" authorizations for fiscal year 1974 for the following HUD programs: urban renewal, model cities, open space, and neighborhood facilities. The Senate-passed resolution authorized specific amounts for these and other programs in lieu of the House's "open end" authorizations.

The conference report contains the following specific new authorizations for fiscal year 1974:

First, $140 million for annual contributions for the low rent public housing program;

Second, $664 million for the urban renewal program;

Third, $63 million for the open space program; and

Fourth, $40 million for the neighborhood facilities program.

Second, the Senate resolution required the HUD Secretary and the Administrator of the Farmers Home Administration to cease the suspension of Federal housing assistance programs or the withholding of funds for the current or any succeeding fiscal year, and to carry out such programs to the fullest extent possible pursuant to the contract authority

or other funds appropriated or otherwise made available by the Congress.

The conference report contains these Senate provisions. After extensive discussion, the conferees were of the opinion that the moratorium on these programs imposed by the administration early this year was contrary to the intent of the Congress. The conferees' opinion was reinforced by the decision of the Federal District Court for the Federal District Court of the District of Columbia, which ordered the Department of Housing and Urban Development to activate these programs as soon as possible.

And third, the Senate resolution authorized the HUD Secretary to make expenditures for correcting serious defects in one- and two-family homes financed under certain FHA mortgage insurance programs, if:

First, the original mortgage amount was no greater than the statutory ceiling permitted under the section 235 homeownership program;

Second, the defect is one which existed on the date of the insurance commitment;

Third, a proper inspection would have revealed the defect; and

Fourth, the mortgage was insured no earlier than 3 years prior to enactment of this resolution.

The conference report contains these provisions with two amendments. The first amendment clarifies the authority of the HUD Secretary to make expenditures to correct defects out of the insurance funds obligated for insurance of the mortgages involved. It also authorizes such appropriations as may be needed to reimburse the insurance funds for expenditures or anticipated expenditures. The second amendment makes clear that payments made to or on behalf of owners of homes with defects are to be used to pay the costs of correcting those defects, where correction is feasible, and not for other purposes.

These provisions were extraordinarily troublesome for House conferees. However, it must be borne in mind that the need to provide these reimbursements was brought on by the failure of FHA in recent years to adequately inspect homes prior to FHA approval. As a result, large numbers of low- and moderate-income families were permitted to buy overpriced and defective homes in reliance on supposedly competent FHA inspections. The conferees regard these provisions as adequate to compensate those victimized by FHA's inefficient procedures, and hopefully FHA will make more thorough inspections on homes in the future.

I urge adoption of the conference report.

Mr. Speaker, I reserve the balance of my time.

Mr. WIDNALL. Mr. Speaker, I yield 1 minute at this time to my colleague from Michigan, the distinguished minority leader (Mr. GERALD R. FORD).

LEGISLATIVE PROGRAM

Mr. GERALD R. FORD. Mr. Speaker, I take this time to ask a question of the distinguished majority leader.

Can the gentleman from Massachusetts indicate to the Members of the House what the legislative program is for the remainder of the week, and if there are any changes?

Mr. O'NEILL. Mr. Speaker, will the gentleman yield?

Mr. GERALD R. FORD. I am happy to yield to the gentleman from Massachusetts, the distinguished majority leader (Mr. O'NEILL).

Mr. O'NEILL. Mr. Speaker, I am happy to respond to the minority leader.

As the Members will note, on Wednesday, today, H.R. 7645, State Department authorization conference report, has been stricken from the schedule because of the fact that the gentleman from Ohio (Mr. HAYS), the subcommittee chairman who handles this bill, is ill, and we have taken it off at the request of Chairman MORGAN.

The program will be exactly the same until we come to Friday, Senate 1697, Emergency Eucalyptus Assistance. This has been taken off at the request of one of the sponsors, the gentleman from California (Mr. SISK).

As the Members know, we announced previous to our August vacation that it was the intent of the leadership, with the agreement of the minority leadership, that we will work Fridays until the session is completed. We hope the session is completed sometime during the middle of October, or the first of November at the latest. That is what we are striving for. Consequently, we have said that we would work on Fridays.

In view of the fact that there is but one bill on the schedule for Friday, H.R. 8547, Export Administration Act amendment, open rule, 1 hour of debate, we will put it on schedule at the end of Thursday, if it is at all possible. It is the intent of the leadership to finish the business for the week on Thursday, if possible.

Mr. WIDNALL. Mr. Speaker, at this time I yield myself such time as I may consume.

Mr. Speaker, the bill that we are considering today, House Joint Resolution 512, was passed by this House on May 21, 1973, as a simple 1-year extension of HUD's authority with respect to its mortgage insurance programs. Amendments in the other body add two provisions which would completely change the thrust of the House Joint Resolution 512. Amendment 9 would direct the Secretary of Housing and Urban Development to fund all section 235 and section 236 projects for which he has authority. Amendment 10 would add a major program requiring the Federal Government to pay for repairs of structural defects in certain houses which have FHA mortgages on them.

Since the conference committee agreed to retain these sections, we are now called up to extend HUD mortgage insurance authority and, at the same time, enact ill-considered provisions into law. The House should vote down the conference report and save itself the ordeal of an assured veto. Then we can deal with the issue of extending mortgage insurance by itself as it should be.

After we have extended HUD's mortgage insurance authority, which everyone agrees is of utmost importance, we then can consider amendments 9 and 10 on their own merits. We should not enact these two provisions if they cannot stand on their own two feet, but must ride on the coattails of another, more viable proposal. All too often Congress has bought a pig-in-the-poke on housing.

It seems to me that the adding of these two amendments was both misguided and precipitous. Because of these two provisions, passage of the resolution was delayed and HUD's mortgage insurance authority lapsed for over a month. It has disrupted a program which is vital to the housing goals of the country. In addition, it places the future of this program in doubt because its worth is drastically decreased if it is to be held hostage for undesirable proposals, and subjected to a stop-and-go existence.

In addition, these provisions have not been adequately considered; no hearings have been held on them and no explanations have been advanced as to why they are the best or the most appropriate solutions to the problems they address. By this stratagem, we are forced to consider these proposals in a fashion that is necessarily rushed and straitjacketed.

The two proposals are similar in one major respect: each seizes on a single approach to a serious problem in the housing field and mandates the adoption of this approach without considering any alternatives. To deal with the problems of subsidized housing, amendment 9 would require that the old section 235 and 236 programs be reinstituted. We are all aware of the problems these programs have caused, and I for one cannot see mandating their use. If anyone here wishes to mandate their use, I would trust that he has not been critical of them in the past.

Amendment 10 at least embodies a new proposal which might conceivably prove somewhat useful within the limitations imposed by its many shortcomings. However, we are on the eve of receiving the administration's housing proposals, which are due Friday. We surely should wait and see what suggestions are made by those designated to administer this Nation's Federal housing programs. It is inconceivable that anyone would wish to create or reinstitute programs, especially when their enormous costs are considered, unless all the weaknesses are examined and alternative approaches evaluated. The method chosen to advance these proposals deliberately precludes such an examination and evaluation.

Mr. PATMAN. Mr. Speaker, I yield such time as he may consume to the gentleman from Pennsylvania (Mr. BARRETT).

Mr. BARRETT. Mr. Speaker, this conference report is urgently needed to extend certain HUD authorizations, and particularly the authority of the FHA to insure mortgages.

As Members know, this conference report was not acted upon during the week before the summer recess because of the need to expand the FHA authority quickly so as not to produce havoc in the mortgage credit. Both House and Senate

leaders felt that certain provisions of House Joint Resolution 512 might have produced another delay in extending FHA's authority. Consequently, the FHA authority was separately extended to September 30, 1973. The conference report would extend that authority to June 30, 1974.

The conference report also makes specific dollar authorizations for several HUD programs, orders the secretaries of HUD and Agriculture to reactivate the Federal housing subsidy programs, and expands the authority of HUD to correct defects in homes financed under certain FHA programs where a reasonable inspection of the property would have disclosed the defects. The statement of managers accompanying the conference report contains a full explanation of these provisions.

The Senate conferees simply would not recede on these provisions, and after extensive discussion the House conferees receded with amendments. The Senate-passed dollar authorizations were reduced by nearly half; and the HUD authority to correct defects was clarified and tightened. The chairman, my esteemed colleague from Texas, has adequately explained these amendments.

I urge the House to adopt the conference report so that these HUD programs can be fully carried out by HUD.

Mr. PATMAN. Mr. Speaker, I yield 5 minutes to the gentleman from Ohio (Mr. ASHLEY).

Mr. ASHLEY. I thank the chairman.

I should like, Mr. Speaker, if I might, to have the attention of the distinguished minority leader of the committee, Mr. WIDNALL, for the purpose of asking him some questions.

On the basis of the comments of the gentleman from the floor just a moment ago, I take it that his opposition to the conference report is based upon the inclusion of two provisions, namely the reimbursement provision, and, secondly, the mandating of the expenditure of funds by the Secretary of Housing and Urban Development; is that correct?

Mr. WIDNALL. That is correct.

Mr. ASHLEY. In other words, the fact that the House bill was essentially an "open end" authorization bill, whereas the Senate bill contained specific line item amounts, and the fact that there was a compromise on that, as the gentleman knows, in conference bear no relation to his opposition; that is not the basis of his opposition?

Mr. WIDNALL. Mr. Speaker, I believe the gentleman knows that I did not sign the conference report.

Mr. ASHLEY. I know he did not, but what I am trying to do is isolate the reasons for his opposition.

Mr. WIDNALL. If the gentleman is suggesting that I am opposing authorization, I have not opposed that.

Mr. ASHLEY. Very fine. Then, Mr. Speaker, if I might, let me address myself to the two areas of opposition which the distinguished gentleman from New Jersey has directed attention to.

The first, as I recall the order of his proceeding, was with respect to reimbursement. Now, the gentleman knows, of course, that this body, as well as the Senate, and, indeed, the President, has gone on record through previous legislation which has been signed into law to provide for reimbursement where there were substantial structural defects in section 235 housing; is that not so?

Mr. WIDNALL. That is so.

Mr. ASHLEY. Now, is it not also a fact that all that the inclusion of the reimbursement section in this conference report does is to say that with respect to low-cost housing, housing under sections 221(d)(2) and 203(b) essentially under $24,000, where there are the same kinds of structural defects which should have been discovered by FHA inspection, the same situation applies, and that the same remedy should be available; is that not a fact?

Mr. WIDNALL. Mr. Speaker, I do not believe it works out that way.

Mr. ASHLEY. I would like to address the question——

Mr. WIDNALL. I say, I do not believe it works out that way.

Mr. ASHLEY. Mr. Speaker, will the gentleman explain that? As a matter of actual fact, the reimbursement provision in this only goes back 3 years.

Mr. WIDNALL. By "235" the gentleman is talking about really low-income people; is that correct?

Mr. ASHLEY. Well, yes, we certainly are. But by the provisions of the Stevenson amendment adopted on the floor of the Senate, the same things applied to the 221(d) housing and the 203(b) programs. There are families that are in housing with substantial defects and which have cost $25-, $28-, $30,000, but they cannot be beneficiaries of this provision. Only those families that are in the lower cost housing, just as in the section 235 program, can; so the same income group will benefit.

Mr. WIDNALL. Mr. Speaker, the gentleman is referring to lower cost housing?

Mr. ASHLEY. The gentleman is correct.

Mr. WIDNALL. Now, the fact that individuals and families are in lower cost housing does not mean they are low-income families.

Mr. ASHLEY. Well, ordinarily, these homes have been in older, declining urban areas. The ceiling on the cost of the home at about $24,000 assures that. Beyond that there can be no reimbursement.

The SPEAKER. The time of the gentleman has expired.

Mr. PATMAN. Mr. Speaker, I yield the gentleman 5 additional minutes.

Mr. ASHLEY. My point, Mr. Speaker, is simply to point out that the reimbursement provision that is objected to by the gentleman from New Jersey is not new to us. We voted for it before. What we said was where the FHA inspection was ineffective and dishonest, as it has been in many cases, and where the FHA inspection should have produced knowledge of structural defects, the purchasing family is entitled to some measure of relief.

If that is true, and it is, Mr. Speaker, what the Stevenson amendment says is this: with respect to the other forms of lower cost housing, the same remedy should be available. So there is nothing new in this.

This is the first thing on which the gentleman from New Jersey has based his argument asking that the conference report be voted down.

The second is equally without foundation. He says that the conference report should not be approved by this body if it contains a provision mandating the expenditure of funds. This strikes me as a peculiar position to take inasmuch as this body and the other body have already voted for anti-impoundment legislation.

What on earth is new about this? The fact is that I took the position—and others did, too—in the conference that this provision is not necessary. It is not necessary, in my view, for two reasons: first, we have already legislated in this area; and second, the courts have gone on record as finding to be in violation of law the impoundment of funds for the programs in question in the conference report. So my position in the conference was—and I fought for the House position—that we do not need this.

The other body voted on this very specifically. They were stubborn and unyielding. After several meetings the House Members said in effect, "For heaven's sake, this has already been passed upon by the House and the Senate in anti-impoundment legislation. This only repeats that." Therefore, the House conferees did accede to the Senate.

My point is very much the same as the one I just sought to make with respect to reimbursement. These are not grounds that are sufficiently meaningful on which to base total opposition to the conference report. After all, it does contain an FHA extension to June 1974. This is very important, as everybody knows. It contains the basic authorization for programs that are essential in terms of community development and in terms of housing. For the gentleman from New Jersey to take the floor and base his argument on these superficial and, in my view, flimsy bases he has propounded simply does not make sense to me.

On that note I would urge the Members of this body to approve the conference report with all possible expedition.

Mr. FRENZEL. Will the gentleman yield?

Mr. ASHLEY. I yield.

Mr. FRENZEL. I take it from your discussion you are saying this is nothing new. In paragraph (2)(B) of this amendment it indicates that this insurance covers any mortgage insured under section 203, which, as I take it, is any standard FHA mortgage. If I own an FHA mortgage, as long as the mortgage was not greater than the maximum under section 235, I could be stuck for the cost of this new insurance. The Secretary under (3) in the lower part of that same paragraph also could require from me an agreement to reimburse him for any defect. Is that not correct? That is the whole law.

Mr. ASHLEY. This is the basic authority of the law.

Mr. FRENZEL. This embraces every

sale under FHA of mortgaged houses in this country.

Mr. ASHLEY. No. On the contrary, it does not. There is a stipulation——

Mr. FRENZEL. Wait a minute. It says under 2(b) that it is covered by a mortgage——

The SPEAKER. The time of the gentleman has expired.

Mr. WIDNALL. Mr. Speaker, I yield 6 minutes to the gentleman from California (Mr. ROUSSELOT).

Mr. ROUSSELOT. Mr. Speaker, the gentleman from New Jersey, Congressman WIDNALL, has constructively outlined the overall weaknesses of the provisions added by the other body to House Joint Resolution 512. I agree with much of what he has said and would like to associate myself with his remarks. I would also like to, in greater detail, on amendment No. 9, point out several flaws in that proposal.

Amendment No. 9 would order the Secretary of Housing and Urban Development to reinstitute immediately any suspended Federal housing assistance programs and to expend all available funds for such programs. The Secretary is directed to carry out these programs to the fullest extent possible pursuant to the contract authority made available by Congress.

There is no doubt that there is a problem trying to provide decent housing for those in this country who could not otherwise afford it. However, amendment No. 9 will not solve this problem; it will only waste large amounts of money. It has become common practice here in Washington to throw money at a problem in the hope that the problem will go away. Unfortunately, it is only the money that goes away. However, this situation differs slightly in that it would require the Government to throw large sums of money at a problem knowing full well that the money will not solve the problem. Actually, it may exacerbate the problem instead.

The shortcomings of the housing programs are so numerous that I will only mention a few. In the first place, they are full of inequities. They are "vertically inequitable" in that they do not benefit those people whose need is the greatest. Many more moderate income families, both numerically and proportionately, are benefited by the 235 and 236 programs than are people with lower incomes that need help far more. This would not be serious if we were doing an adequate job of fulfilling the needs of our low income families. We could then look with pride on benefiting moderate income families with the 235 and 236 programs. However, this is not the case; the 235 and 236 mechanisms divert limited funds away from low income housing into moderate income housing.

Horizontal inequity exists too, because the programs do not treat those with equal needs equally. These programs serve only a very few of the numerous potentially eligible beneficiaries. Less than 5 percent of those eligible have been benefited by these programs thus far. And these percentages will not be significantly increased by reinstituting the programs. Gross inequities are inevitable under a system in which such a small percentage is selected out of the total. On the basis of an almost random type of selection, some people are selected and awarded generous subsidies, averaging almost $1,000 per unit per year under some programs. Further, HUD estimates that approximately 20 percent of all 235 and 236 units will be foreclosed or will fail. Surely any program with this kind of track record must be reevaluated.

There are also specific problems with each of the two programs. The impact of section 235 has largely been that construction of subsidized units has replaced planned unsubsidized units. According to HUD, the indication is that for every 100 section 235 units constructed, between 80 and 90 previously planned unsubsidized housing starts were abandoned. In addition, ownership under section 235 has often had devastating effects on families who are not ready for home ownership.

Section 236 has failed by the most basic test of all: efficiency. Again, according to HUD figures, projects constructed under section 236 have cost, on the average, approximately 20 percent more than similar unsubsidized units. Thus, one effect of section 236 has been to pay for inefficiency with Federal money.

At a time when inflation is running at an extraordinary annual rate, mandating use of existing housing programs would add fuel to the fires of inflation. And the costs would not be limited to spurring inflation today; the Government will be paying for these projects annually for up to 40 years. For all that period of time, the Federal budget will be weighted down by payments estimated at between $6.2 and $15 billion.

Finally, it is most inappropriate for the Congress to decree at this time that HUD shall deal with the problems of low-cost housing by reinstituting these programs. The President has directed an across-the-board evaluation of the entire housing situation and this evaluation, along with recommendations that grow out of it, are to be forwarded to the Congress this week. I am hopeful that the President's recommendations will contain proposals that will deal with the problem of providing decent housing for low-income families in an equitable, noninflationary way. But, at this time, we do not know whether his recommendations will provide the most satisfactory answer to this problem. Therefore, the most appropriate and responsible course of action for us at this time is to postpone action on low-cost housing until we have had a chance to study the President's proposal's. If they prove satisfactory, there is no reason to direct the wholesale reinstitution of the section 235 and 236 programs. And, even if we disagree with the President's recommendations, it is surely better to determine their comparative values first before we resume throwing money away as proposed in amendment No. 9.

Mr. WIDNALL. Mr. Speaker, at this time I yield 3 minutes to the gentleman from Minnesota (Mr. FRENZEL).

Mr. FRENZEL. Mr. Speaker, the gentleman from Ohio (Mr. ASHLEY) and I were engaged in a discussion, and I should like to regenerate that discussion. If the gentleman from Ohio would be good enough to answer, is it not true that the Stevenson amendment favors mortgages of all kinds, subject to the limitation that in each case the original mortgage cannot exceed the limit which applies to 235?

Mr. ASHLEY. No, the gentleman does not accurately state the matter. The Stevenson amendment covers only two FHA programs, new programs, namely under section 203(b) and 221(d)(2). There are three conditions which exist combined together before the Stevenson amendment would have application.

In the first place, the amount of the mortgage cannot exceed generally $24,000. There is a formula, and that is the reason that I say "generally."

Second, the Department of Housing and Urban Development must find that the defect involved in the particular home existed at the time of the sale and should have been revealed by the FHA inspection. Those are the conditions that have to combine together.

Mr. FRENZEL. I thank the gentleman. I believe I understand what he has covered.

Mr. Speaker, in my judgment, this does open up a new situation of mortgage insurance that covers a great many FHA sales and resales on existing housing. If the original FHA mortgage is less than $24,000, when you sell your home, you will accept liabilities under this particular insurance provision, which are, of course, unknown, but possibly substantial. The Secretary of Housing and Urban Development has the authority to enter into an agreement with the seller. That is, he may not guarantee a mortgage until the seller agrees to reimburse against this insurance requirement. None of us may be able to sell our homes if they happen to be under this mortgage requirement.

If somebody alleges a defect, I do not know how one proves a defect in existing housing unless he is there with a camera and 25 witnesses.

It seems to me this would put us into what we might call a lawyers' paradise in trying to decide whether a defect existed before or whether it existed later.

Mr. FRENZEL. Mr. Speaker, this conference report on House Joint Resolution 512 reflects another imposition on the House by the Senate of features not even considered in the House. It is nice occasionally to improve a product with outside inputs, but it is ridiculous to have a continuous stream of nongermane, and germane, but unreasonable, amendments foisted on the House by the Senate.

The Proxmire and Stevenson amendments contained in the conference report may be germane to the subject, but I believe we look pretty silly letting them be tacked on to a simply FHA extension bill.

I cannot predict the effect of the Proxmire amendment, but I personally cannot imagine how it may work. New commitments are likely to require appropriations in years well beyond fiscal 1974. To hurry commitments would invite more scandals in a scandal-torn program. If Congress was really serious

about housing, it could pass a housing bill. That is the best way around the current freeze.

The Stevenson amendment is more serious. Since it covers sales under all FHA mortgages—subject to mortgage size limits—made within 3 years, it could affect thousands of sales, including those already made and about which buyer and seller have no knowledge.

It contains an unstated and unknown appropriation to cover costs of insurance on such sales. If ever there were a case of unwarranted backdoor spending, this is it. However, the Secretary of Housing and Urban Development is also authorized to force payments to cover insurance from sellers of homes. Sellers would never know what their liability might be. This authority could restrict the sale of homes more seriously than the high cost of mortgage money.

Finally this amendment opens up a "lawyer's paradise." It is pretty difficult to prove whether defects existed at time of sale, or not. One person's definition of a serious defect may be considerably different from another's, especially if one is a buyer and the other is a seller.

Because of these defects, but mostly because the Senate has overdecorated our simple FHA extension, I urge this House to support the motion to recommit this report to the conference committee. There, the extraneous amendments can be excised, and our FHA extension can be reaffirmed.

Mr. WIDNALL. Mr. Speaker, I yield 3 minutes to the gentleman from Ohio (Mr. J. WILLIAM STANTON).

Mr. J. WILLIAM STANTON. Mr. Speaker, this conference report we have under consideration before us at the present time was signed, as Members will notice, by only one Member on the minority side. I believe this reflects the attitude of a great many Members of the House in that all of us feel a great sense of obligation, once the House has passed legislation, to fulfill our obligation in conference and to back up the House position. We will have similar legislation coming tomorrow as far as the Small Business Administration. On that I was in the minority but I signed the conference report. There was a House vote on a particular provision I am against but I signed the conference report and I will refer to that and reflect my position on that tomorrow. But what we have here is an important principle and I would like to direct the attention of the Members to two points.

First of all, under the leadership of the House subcommittee chairman, the distinguished gentleman from Pennsylvania (Mr. BARRETT), a meeting was called on April 17 for the purpose of, and I quote "providing necessary extensions and authorizations for Federal HUD and Farmers Home Administration programs."

I am sure the gentleman from Pennsylvania will agree with me it was the intention of our subcommittee to hold off any meaningful amendments by Members of the House until such time as we could meet on a further date. This is not reflected in the conference report before us today.

We have in this a very important and meaningful amendment from the gentleman from Illinois in the other body. If we are going to accept these kinds of amendments without the House first having an opportunity to exercise its will under the leadership of our chairman, then I think we are totally off base.

I believe we should send this legislation back to the conference because there is a question raised by the gentleman from Wisconsin in the other body who smilingly said that we have got to have this mandatory spending amendment.

I will say this on behalf of the Members of the House on both the Republican and Democratic side as far as the conferees are concerned. We equally fought against this amendment. We felt it was unnecessary and should not be there but we encountered stubbornness on the part of a couple Members of the other body which flew in the face of the House, and it was said that the House had to act positively upon this necessary and meaningful legislation.

I urge my fellow Members to seriously consider sending this back to conference, because that is where it belongs, and let us stick by the House provisions of the bill.

Mr. WIDNALL. Mr. Speaker, I yield such time as he may consume to the gentleman from Michigan (Mr. BROWN).

Mr. BROWN of Michigan. Mr. Speaker, I was very interested this morning to read in the Washington Post that the majority leader of the House, the gentleman from Massachusetts (Mr. O'NEILL), said he thought it was about time that the Congress stopped promoting, assisting, or permitting confrontations with the White House and that rather the Congress should start spending its time and making greater effort for cooperation, conciliation if necessary, I guess, but in any case to work with the White House so that the necessary business of this Nation could be accomplished. I commend the gentleman from Massachusetts, the distinguished majority leader, for these comments.

I think he is absolutely right. A confrontation between the Congress and downtown does nothing for the American people. I think right here, as we return from this recess and to this first piece of legislation, we really can do that which the majority leader has said we should do. The Members will have the opportunity to do that when the motion to recommit is offered so that this piece of legislation can go back to conference and the only two areas of contention, those two areas which have been imposed on the House by the other body, can be eliminated and we can go forward with an extension of the very necessary FHA and housing programs.

Now, what is wrong with the conference report? The gentleman from Ohio pointed them out in his colloquy with the gentleman from New Jersey. The only two areas with which we have trouble are the mandatory spending provision imposed by the Senate, the amendment of the gentleman from Wisconsin in the other body, which says that all contract authority, all funding available to the President shall be spent irrespective of its impact on the economy; irrespective of whether it can be effectively used; irrespective of any considerations that are relevant to these programs.

This provision in the conference report should be deleted, and it can be if we recommit the conference report to the conference.

The second provision with which we have difficulty—once again, neither of these provisions was acted upon by the House—the so-called Stevenson amendment of the other body, proposes to extend, as the gentleman from Ohio has pointed out earlier, a provision, a very special provision in the 235 housing program to other FHA insurance programs. It even extends it to the conventional 203 program.

However, since even the other body recognized the inappropriateness of such a provision, it put a maximum on the amount of the mortgage to which the provision did apply, but that still is a conventionally FHA insured mortgage. It is not a subsidized mortgage. It is not a mortgage that involves any of our other subsidized or special Government programs.

We recognized, when we put this provision in and made it applicable to the 235 program, that a special problem existed in the 235 program. The Government has a very great and special interest in that program. The Government is subsidizing the cost of financing of the housing under that program; in fact all of the cost of the financing above 1 percent. Not only does the Government have a greater stake, the person involved in a 235 mortgage is a low income person who does not have the financial capacity to go out and find money, save money, to make the repairs that might be needed in that housing and which repairs may have been needed at the time of the writing of the mortgage. However, to extend that very special program to other FHA insured mortgages is absolutely wrong. In fact, it almost brings us to the point where we are adopting a different philosophy with respect to FHA insured housing.

FHA insurance, as my colleagues know, was intended to insure the lender insofar as the mortgage is concerned. There are many who have argued that this insurance covers the condition of the security as well as the loan. However, the law is clear that this argument is invalid, in fact there is a Supreme Court case on the very question.

Under the law, the buyer, when he is using FHA insurance, is required to be advised and to be informed that the appraisal done by FHA is an appraisal solely to protect the Government's interest in the item insured; that is, the mortgage, not the home.

Now, to ignore this basic principle is to twist reality. The U.S. Supreme Court has so expressly ruled. In *U.S.* v. *Neustadt*, 366 US 696 (1961), the Court held that the objective of the appraisal system is to protect the Government, and the Government only.

Referring to the legislative history, the Court stated:

It was repeatedly emphasized that the primary and predominate objective of the appraisal system was the "protection of the Government and its insurance funds";

The Court continued:

that the mortgage insurance program was not designed to insure anything other than the repayment of loans made by lender-mortgagees;

And the Court continued:

and that "there is no legal relationship between the FHA and the individual mortgagor." Never once was it even intimated that, by an FHA appraisal, the Government would, in any sense, represent or guarantee to the purchaser that he was receiving a certain value for his money.

Mr. J. WILLIAM STANTON. Mr. Speaker, will the gentleman yield?

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

Mr. J. WILLIAM STANTON. I appreciate the gentleman in the well yielding.

I believe it would be worthwhile for the Members of the House to listen to the summary of what Housing and Urban Development officials had to say about the Stevenson amendment the gentleman is discussing.

As finally adopted by the Senate, Senator STEVENSON'S amendment neither in all probability reflects the ideas of its supporters nor does it make much sense technically.

I consider it important to point out, on the merits of the Stevenson amendment, the very important fact that we are accepting something we in the House in our committee can work on, whatever problem we do have in this field.

Mr. BROWN of Michigan. I thank the gentleman for his comments.

May I conclude as I began. There are two problems with this conference report. Both of those problems were imposed upon the House by the other body. Both were opposed by many Members of this body, if not most, in the conference.

Those two provisions are the mandatory spending provision and the so-called Stevenson amendment and probably adoption of either and clearly adoption of both will provoke a veto of this needed legislation.

If we are going to carry out and really show that we believe in what our majority leader has said about avoiding confrontations with the White House as he was quoted this morning in the Washington Post—and I am speaking to the Members on this side of the aisle primarily—I suggest the action of this House should be to recommit this conference report, to send it back to conference.

Let us adopt the FHA extensions. Let us get on with the housing program, and consider other provisions when it is appropriate to do so.

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

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

Mr. WILLIAMS. I should like to join with the gentleman in his opposition to this conference report.

Let me call the attention of Members to the material contained on page 4 of the conference report.

We already know that if anybody purchases a home with a mortgage of $24,000 or less under the 235 program they can be reimbursed for any serious defects existing in the house at the time of purchase.

The conference report we have before us right now would extend that to all FHA mortgages. If anyone were to buy a $40,000 house, with $16,000 down, 2 years later they could attack that sale and say there were serious defects existing at the time and be reimbursed by the FHA.

I can tell the Members there is no program that has been a greater disappointment than the 235 program, and now we are going to extend reimbursing families for defects in homes covered by regular FHA mortgages.

Mr. Speaker, this makes this conference report a little more than a travesty, and it certainly should be defeated.

Mr. BROWN of Michigan. Mr. Speaker, let me just conclude again by saying that in referring this conference report back to the conferees so that we can work out these problems and come forward in the spirit of cooperation about which the majority leader spoke, we are doing no harm. The FHA programs are extended already until October 1. We will have time to work out a better conference report; we will have time to give further consideration, if necessary, to these two problem areas, and, in any event, the will of the majority leader will prevail.

The SPEAKER. The time of the gentleman from Michigan (Mr. BROWN) has expired.

Mr. PATMAN. Mr. Speaker, may I inquire if the minority has finished its time?

The SPEAKER. The time of the minority has expired.

Mr. PATMAN. Mr. Speaker, I yield 3 minutes to the gentleman from Ohio (Mr. ASHLEY) to conclude the debate.

Mr. ASHLEY. Mr. Speaker, I do not suppose that there is any reason for surprise that my associates on the other side of the aisle continue to resist the idea of mandating the expenditure of funds.

In the week before the recess occurred, this matter was considered; it came before this body, and it was adopted by this body. Since the House has acted in this matter, there is nothing new in this conference report that has not been approved by this body. The fact that the House conferees acceded to the Senate with respect to this provision cannot be considered as being inconsistent with the will of the House of Representatives as reflected and expressed no longer ago than in the week immediately prior to recess.

Second, I suppose there is no reason for surprise that there is embarrassment for many of us here with respect to the caliber of FHA inspections. When we talk about reimbursement, Mr. Speaker, let us make it clear that we are talking about reimbursing families earning between $6,000 and $12,000 for the cost of structured defects that FHA inspectors should have caught and in many cases would have caught if it were not for the fact that they were dishonest.

Mr. Speaker, those are strong words, but the fact of the matter is that FHA inspectors in many parts of the country, particularly here in the East, are under indictment at this very time. Court cases are proceeding because the inspections these men have performed have been deliberately dishonest and fraudulent.

Is it the position of this body that the victims of fraud and deception in such cases should have no recourse other than to the dishonest conspiracy that existed between the FHA inspector and the beneficiary of the fraud?

What we say, Mr. Speaker, is that whether the FHA inspection was deliberately or unintentionally ineffective and bad, the families earning between $6,000 and $12,000, families who cannot afford to come back after the fact and make good on the structural defect, should have and should be provided this measure of relief.

Mr. ROSTENKOWSKI. Mr. Speaker, as the House of Representatives today considers this conference report to extend the insuring authority for the Federal Housing Authority, I would hope that my colleagues would pay particular heed to the section of the legislation that would provide certain reimbursement costs to owners of section 203(b) and section 221(d)(2) nonsubsidized housing.

This provision would help to rectify a situation under existing law that has inflicted much hardship upon purchasers of certain FHA housing in the center cities. In addition to helping purchasers of this housing, this provision could greatly reduce the overall costs of HUD by limiting the situations in which the Department would have to "make good" on defaulted mortgages.

As I stated in a letter to the House conferees, urging them to acecpt this Senate-inserted provision, "I am convinced that language of some type must be incorporated in the final bill to insure that consumers who buy housing supported by the FHA are receiving true value for their money."

Too often, a purchaser discovers that his newly bought home, presumably approved by the FHA, is structurally substandard and will require an additional expenditure of more than he can afford to bring it up to local building standards. As a result, he moves out and defaults on his mortgage, causing a loss both to himself and to the FHA who must now fulfill its insuring agreement by paying the mortgagee all sums legally due to him by the defaulting mortgagor.

Hopefully, the legislation before us for final approval today will rectify this exasperating and expensive problem. The language agreed upon by the House and Senate conferees would require the FHA to reimburse the owner of section 203(b) and section 221(d)(2) housing for the cost of repairs necessary to correct structural defects that seriously impair the use and livability of his new home. Hopefully, this will force the Department of Housing and Urban Development to more carefully inspect 203(b) and 221(d)(2) housing for potential violations of the local building code before it agrees to insure the mortgage on such property.

While this provision will thus impose

a heavier burden of inspection on the FHA than has been the case in the past, it is only in keeping with the guarantee provisions of these FHA insurance programs. In addition, in those cases where structural defects still appear despite FHA investigatory efforts, it will be far less expensive for the Government to reimburse the homeowner for the costs necessary to make his house acceptable to local standards than it would be to assume the entire mortgage if the mortgagor elected to default.

The objections raised by those who oppose these reimbursement provisions do not, in my opinion, appear justified in light of the history of defaulted mortgages in these FHA programs. In addition, these amendments should not be discussed in terms of what they themselves will cost the Government in expenditures, but rather in terms of to what extent they will reduce the overall Federal insuring cost of these housing programs.

In closing, Mr. Speaker, much has been said in this Chamber with regard to a forthcoming "major overhaul" of all Federal housing programs and why it is necessary that we wait until this overhaul is completed rather than attempt to adjust individual sections of the existing program. While this might well be the most logical method in which to develop a totally new coordinated approach to federally sponsored housing, it does little to aid those persons who have become victims of the weaknesses inherent in the existing program. As I have often told my colleagues on the Housing Subcommittee, I will support any substantive revision of the Federal role in housing that they determine is best suited for the national interest. But, at the same time, I do not feel that I can ignore the impact of our existing programs on the people in our cities. It is for this reason that I strongly support the conferees' action in accepting the Senate reimbursement amendments and urge my colleagues to do likewise.

Mr. PATMAN. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

MOTION TO RECOMMIT OFFERED BY MR. WIDNALL

Mr. WIDNALL. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the conference report?

Mr. WIDNALL. I am opposed to it in its present form, Mr. Speaker.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. WIDNALL moves to recommit House Joint Resolution 512 to the committee on conference.

Mr. PATMAN. Mr. Speaker, I move the previous question on the motion to recommit.

The previous question was ordered.

The SPEAKER. The question is on the motion to recommit.

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

Mr. GERALD R. FORD. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device; and there were—yeas 202, nays 172, not voting 60, as follows:

[Roll No. 434]

YEAS—202

Abdnor	Frenzel	O'Brien
Anderson, Ill.	Frey	Parris
Andrews, N.C.	Fuqua	Passman
Andrews, N. Dak.	Gilman	Pettis
	Ginn	Powell, Ohio
Archer	Goldwater	Price, Tex.
Arends	Goodling	Pritchard
Armstrong	Green, Oreg.	Quie
Ashbrook	Griffiths	Railsback
Bafalis	Gross	Rarick
Baker	Grover	Regula
Bauman	Gubser	Rhodes
Beard	Guyer	Roberts
Bennett	Haley	Robinson, Va.
Bevill	Hammer-schmidt	Rogers
Bray		Rose
Brinkley	Hansen, Idaho	Rousselot
Broomfield	Harsha	Ruppe
Brotzman	Harvey	Ruth
Brown, Mich.	Hastings	Sarasin
Brown, Ohio	Heinz	Satterfield
Broyhill, N.C.	Hicks	Saylor
Broyhill, Va.	Hillis	Schneebeli
Buchanan	Hinshaw	Sebelius
Burgener	Hogan	Shoup
Burke, Fla.	Holt	Shriver
Burleson, Tex.	Hosmer	Shuster
Butler	Huber	Sikes
Byron	Hudnut	Skubitz
Camp	Hunt	Smith, N.Y.
Carter	Hutchinson	Snyder
Casey, Tex.	Ichord	Spence
Chamberlain	Jarman	Staggers
Clancy	Johnson, Colo.	Stanton, J. William
Clausen, Don H.	Johnson, Pa.	
	Jones, N.C.	Steelman
Cleveland	Keating	Steiger, Ariz.
Cochran	Kemp	Steiger, Wis.
Collier	Ketchum	Symms
Conable	King	Talcott
Conlan	Kuykendall	Taylor, N.C.
Conte	Landgrebe	Teague, Calif.
Coughlin	Landrum	Teague, Tex.
Crane	Latta	Thomson, Wis.
Daniel, Dan	Lott	Thone
Daniel, Robert W., Jr.	Lujan	Thornton
	McClory	Towell, Nev.
Davis, Ga.	McCloskey	Treen
Davis, Wis.	McCollister	Vander Jagt
Dellenback	McDade	Veysey
Dennis	McKinney	Waggonner
Derwinski	Madigan	Walsh
Devine	Mahon	Wampler
Dickinson	Mallary	Ware
Dorn	Maraziti	Whitehurst
Downing	Martin, Nebr.	Widnall
Duncan	Martin, N.C.	Wiggins
du Pont	Mathias, Calif.	Williams
Edwards, Ala.	Mazzoli	Wilson, Bob
Erlenborn	Michel	Winn
Esch	Milford	Wyatt
Eshleman	Miller	Wylie
Findley	Minshall, Ohio	Wyman
Fish	Mitchell, N.Y.	Young, Fla.
Fisher	Mizell	Young, Ill.
Flynt	Montgomery	Young, S.C.
Ford, Gerald R.	Moorhead, Calif.	Zion
		Zwach
Forsythe	Myers	
Fountain	Nichols	
Frelinghuysen		

NAYS—172

Abzug	Bowen	Collins, Ill.
Adams	Brademas	Cotter
Addabbo	Brasco	Cronin
Anderson, Calif.	Breaux	Culver
	Brooks	Daniels, Dominick V.
Annunzio	Brown, Calif.	
Ashley	Burke, Calif.	Danielson
Aspin	Burke, Mass.	de la Garza
Badillo	Burlison, Mo.	Dellums
Barrett	Burton	Denholm
Bergland	Carey, N.Y.	Dent
Biaggi	Carney, Ohio	Donohue
Biester	Chappell	Drinan
Bingham	Chisholm	Dulski
Boggs	Clay	Eckhardt
Edwards, Calif.	Long, La.	Rooney, Pa.
Eilberg	Long, Md.	Rosenthal
Evans, Colo.	McCormack	Rostenkowski
Evins, Tenn.	McFall	Roush
Fascell	Macdonald	Roy
Flood	Madden	Roybal
Foley	Mailliard	Ryan
Ford, William D.	Matsunaga	St Germain
	Meeds	Sarbanes
Fraser	Melcher	Schroeder
Froehlich	Mezvinsky	Seiberling
Fulton	Minish	Slack
Gaydos	Mitchell, Md.	Smith, Iowa
Gettys	Moakley	Stanton, James V.
Giaimo	Mollohan	
Gibbons	Morgan	Steed
Gonzalez	Moss	Steele
Grasso	Murphy, N.Y.	Stokes
Gray	Natcher	Stratton
Green, Pa.	Nedzi	Studds
Gude	Nix	Sullivan
Hamilton	Obey	Symington
Hanley	O'Hara	Thompson, N.J.
Hanna	O'Neill	Tiernan
Harrington	Patman	Udall
Hawkins	Patten	Ullman
Hechler, W. Va.	Pepper	Van Deerlin
Heckler, Mass.	Perkins	Vanik
Helstoski	Pickle	Vigorito
Holtzman	Pike	Whalen
Horton	Poage	White
Howard	Podell	Whitten
Hungate	Preyer	Wilson, Charles H., Calif.
Johnson, Calif.	Price, Ill.	
Jones, Okla.	Randall	Wolff
Jordan	Rangel	Wydler
Karth	Rees	Yates
Kastenmeier	Reid	Yatron
Kazen	Reuss	Young, Alaska
Kluczynski	Riegle	Young, Ga.
Koch	Rinaldo	Young, Tex.
Kyros	Rodino	Zablocki
Lehman	Roe	
Lent	Roncalio, Wyo.	
Litton	Roncalio, N.Y.	

NOT VOTING—60

Alexander	Hansen, Wash.	Owens
Bell	Hays	Peyser
Blackburn	Hébert	Quillen
Blatnik	Henderson	Robison, N.Y.
Boland	Holifield	Rooney, N.Y.
Bolling	Jones, Ala.	Runnels
Breckinridge	Jones, Tenn.	Sandman
Cederberg	Leggett	Scherle
Clark	McEwen	Shipley
Clawson, Del	McKay	Sisk
Cohen	McSpadden	Stark
Collins, Tex.	Mann	Stephens
Conyers	Mathis, Ga.	Stubblefield
Corman	Mayne	Stuckey
Davis, S.C.	Metcalfe	Taylor, Mo.
Delaney	Mills, Ark.	Waldie
Diggs	Mink	Wilson, Charles, Tex.
Dingell	Moorhead, Pa.	
Flowers	Mosher	Wright
Gunter	Murphy, Ill.	
Hanrahan	Nelsen	

So the motion to recommit was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Hébert for, with Mr. Rooney of New York against

Mr. Blackburn for, with Mr. Holifield against.

Mr. Del Clawson for, with Mr. Moorhead of Pennsylvania against.

Mr. Hanrahan for, with Mr. Waldie against.

Mr. McEwen for, with Mr. Murphy of Illinois against.

Mr. Cohen for, with Mr. Blatnik against.

Mr. Bell for, with Mr. Conyers against.

Mr. Quillen for, with Mr. Dingell against.

Mr. Scherle for, with Mr. Hays against.

Mr. Taylor of Missouri for, with Mr. Gunter against.

Mr. Cederberg for, with Mr. Clark against.

Mr. Nelsen for, with Mr. Delaney against.

Mr. Collins of Texas for, with Mrs. Hansen of Washington against.

Mr. Henderson for, with Mr. Corman against.

Mr. Davis of South Carolina for, with Mr. Metcalfe against.

Until further notice:

Mr. Alexander with Mr. Owens.
Mr. Boland with Mr. Breckinridge.
Mr. Mosher with Mr. Flowers.
Mr. Mayne with Mr. Diggs.
Mr. Sandman with Mr. Jones of Alabama.
Mr. Peyser with Mr. Mann.
Mr. Stubblefield with Mr. Leggett.
Mr. Jones of Tennessee with Mr. McKay.
Mr. Mathis of Georgia with Mrs. Mink.
Mr. Mills of Arkansas with Mr. Stark.
Mr. Wright with Mr. Sisk.
Mr. Shipley with Mr. Robison of New York.
Mr. Charles Wilson of Texas with Mr. Stephens.
Mr. Stuckey with Mr. McSpadden.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

LEAD-BASED PAINT POISONING PREVENTION ACT AMENDMENTS

Mr. LONG of Louisiana. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 504 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 504

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 8920) to amend the Lead Based Paint Poisoning Prevention Act, and for other purposes. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Banking and Currency, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit. After the passage of H.R. 8920, the Committee on Banking and Currency shall be discharged from the further consideration of the bill S. 607, and it shall then be in order in the House to move to strike out all after the enacting clause of the said Senate bill and insert in lieu thereof the provisions contained in H.R. 8920 as passed by the House.

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

Mr. LONG of Louisiana. Mr. Speaker, I yield the usual 30 minutes to the minority to the distinguished gentleman from Nebraska (Mr. MARTIN) pending which I yield myself such time as I may consume.

Mr. Speaker, House Resolution 504 provides for an open rule with 1 hour of general debate on H.R. 8920, a bill to extend and amend the Lead-Based Paint Poisoning Prevention Act.

House Resolution 504 provides that after the passage of H.R. 8920, the Committee on Banking and Currency shall be discharged from the further consideration of the bill S. 607, and it shall then be in order in the House to move to strike out all after the enacting clause of S. 607 and insert in lieu thereof the provisions contained in H.R. 8920 as passed by the House.

Title I of H.R. 8920 authorizes grants for the detection and treatment of children with high lead levels in their blood. Title II authorizes grants for programs to eliminate the hazards of lead-based paint poisoning and title III authorizes Federal research and demonstration programs. The bill permits titles I and II grants to be made to private nonprofit and community organizations as well as public agencies. Section 6 of the bill amends the act by changing the definition of lead content in paint from 1 percent lead by weight to 0.5 percent lead by weight. H.R. 8920 also increases the maximum Federal share of title I programs to 90 percent—the present figure is 75 percent.

The cost of H.R. 8920 will be approximately $52.5 million for each of fiscal years 1974 and 1975.

Mr. Speaker, I urge the adoption of House Resolution 504 in order that we may debate and discuss H.R. 8920.

Mr. MARTIN of Nebraska. Mr. Speaker, as the gentleman from Louisiana (Mr. LONG) has said, House Resolution 504 provides for an open rule and 1 hour of debate on this legislation. He has adequately explained the bill itself.

It came out of the Committee on Banking and Currency unanimously, and came out of the Rules Committee unanimously. I know of no opposition to the rule, and reserve the balance of my time.

Mr. LONG of Louisiana. Mr. Speaker, I have no further requests for time.

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

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. PATMAN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 8920) to amend the Lead-Based Paint Poisoning Prevention Act, and for other purposes.

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

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 8920, with Mr. THOMPSON of New Jersey in the chair.

The Clerk read the title of the bill.

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

The CHAIRMAN. Under the rule, the gentleman from Texas (Mr. PATMAN) is recognized for 30 minutes, and the gentleman from New Jersey (Mr. WIDNALL) is recognized for 30 minutes.

The Chair recognizes the gentleman from Texas (Mr. PATMAN).

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

Mr. Chairman, H.R. 8920, a bill to amend the Lead-Based Paint Poisoning Prevention Act would provide for the continuation of a very important program that the Congress enacted in 1970 to provide assistance for the detection and elimination of a serious manmade childhood disease, lead paint poisoning.

The Lead-Based Paint Poisoning Prevention Act was sponsored by our distinguished colleague who is a member of the Banking and Currency Committee, BILL BARRETT of Pennsylvania, and the distinguished member from New York, the late Congressman William Fitts Ryan.

Lead paint poisoning in children is a problem experienced in many of our older urban areas across the United States. Small children usually from the ages of 1 to 6 years ingest paint chippings which contain amounts of lead which when ingested cause serious damage to the central nervous system causing mental retardation and causing serious damage to the blood system of these children. The Congress recognized this problem in 1970 and enacted the Lead-Based Paint Poisoning Prevention Act. This act provided for grants by the Secretary of Health, Education, and Welfare to local communities to eliminate lead-based paint poisoning. Second, it provided grants to local communities for the detection and treatment of lead-based paint poisoning; and finally, it provided for a Federal demonstration and research program to determine the nature and extent of lead-based paint poisoning in the United States. This act also defined the term "lead-based paint" to mean any paint containing more than 1 percent lead by weight. H.R. 8920 would continue these programs by providing for additional authorizations totaling $105 million over the next 2 fiscal years and would provide for a new definition of lead content in paint at a new lower level of 0.5 percent lead by weight.

Mr. Chairman, this bill was reported out of the Committee on Banking and Currency by a 25-to-0 vote and I believe merits the strong support of the Members of the House. I urge its adoption.

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

Mr. Chairman, I want to commend the gentleman from Pennsylvania (Mr. BARRETT) for his untiring, consistent hard work in seeking to eliminate the dreadful threat of poisoning in infants caused by the ingestion of lead-based paint, recognizing the national urgency—the continuing cost in loss of life and suffering—he has dedicated himself to the study of the problem and a search for solutions. He is due great credit for bringing this bill forward. I am sure there will be full agreement and support as we consider the bill, H.R. 8920.

Over a long period of study, the committee has learned a great deal about the cause, effect, and incidence of poisoning resulting from the ingestion of lead-based paint.

It is a widely dispersed, manmade, but preventable situation that we are dealing with. Remnants and residues of dangerous lead-based paint products, mostly in old structures, are the cause for an alarming number of tragic poisonings. The actual number of victims is, of course, one of the problems we must pursue. The fact that there are continuing new cases of lead poisoning is ample cause for alarm. Most frequently the contaminating material is old paint—a type which was in use some 30 years ago

containing as much as 50 percent basic carbonate of lead. Paint applied at that time is now deteriorating with age and is commonly found to be cracking and peeling in houses still in use from that period.

We are informed that the contaminant is sweet in taste and attractive to the inquisitive child's interest. With the source so readily available, ingestion occurs quite naturally. When such practice is unobserved or allowed to continue by unsuspecting adults it may yield a consequence of either death or irreversible disability to the child. Recognized disabilities resulting from lead poisoning include mental retardation, cerebral palsy, convulsive seizures, blindness, behavioral disorders, and other neurological handicaps.

Truly, the loss and suffering associated with such poisonings are beyond measure. It is imperative that effective actions and adequate resources be marshaled to eliminate this insidious threat to the children of our Nation. In this circumstance, a directed and fully coordinated Federal effort is clearly essential.

Speaking in general terms, we know a great deal about what must be done. We know how to screen and diagnose lead poisoning. We know that the environment of greatest risk is common to certain areas such as urban, inner-city, pre-World War II construction.

However, there are many things about the present situation that we do not know. We need to fix acceptable levels of lead content in paint. We need to find acceptable means for removing concentrations of lead contaminants. And, we need to apply this new knowledge in the elimination of hazards and the prevention and treatment of lead poisoning.

Mr. Chairman, I believe all of these points are recognized in H.R. 8920—the proposal now before us. We can do no greater service to this Nation than to recognize the dangers and prevent future loss and disability among our children.

We can certainly do no less than to support the proposal now before us.

Mr. PATMAN. Mr. Chairman, I yield 5 minutes to the gentleman from Pennsylvania (Mr. BARRETT).

Mr. BARRETT. Mr. Chairman, I am pleased to be able to present to the House the bill, H.R. 8920, to amend the Lead-Based Paint Poisoning Prevention Act.

This bill was approved by the Banking and Currency Committee on June 28 by a vote of 25 to 0. Before proceeding to discuss this bill, I would like to take this opportunity to commend the distinguished gentleman from New Jersey (Mr. WIDNALL) and the distinguished gentleman from Michigan (Mr. BROWN) for the fine cooperation and suggestions they made in our consideration of the lead paint bill. Their suggestions and amendments were adopted by the committee, and I believe have made the lead paint bill a noncontroversial bill and, of course, has greatly improved the bill.

I would like to comment on highlights of the bill. First of all, this bill would authorize $105 million over the next 2 fiscal years for the three grant programs—detection and treatment, elimination, and research—under the Lead-Based Paint Poisoning Prevention Act. Authorizations for this program expired on June 30 of last year. If the lead-based paint poisoning prevention program is to continue, we need to provide additional authorizations. I believe this figure is reasonable and well below the $400 million authorization contained in the Senate-passed lead paint bill.

Second, the bill would change the definition of lead content in paint from the existing 1 percent lead by weight to 0.5 percent lead by weight immediately upon the enactment of this bill. In the bill that we considered in subcommittee there was an additional definition of lead paint to be implemented on January 1, 1974. This definition was 0.06 percent lead by weight. After considerable discussion in the subcommittee and with consultation with the Secretary of Health, Education, and Welfare, we determined that this should be stricken from the bill, that the Secretary be afforded adequate time to determine a new definition of lead in paint and to report back to the Congress on December 31, 1974, with his new findings.

Third, the bill would authorize the Secretary of Housing and Urban Development to establish procedures to eliminate, as far as practicable, the hazards of lead-based paint poisoning to any existing housing which may present such a hazard and which is covered by an application for mortgage insurance or housing assistance payments under a program administered by HUD. Such procedures would apply to all housing constructed prior to 1950.

Finally, the bill contains a provision that was in last year's housing bill to provide for a Federal preemption of all State and local laws regarding requirements, prohibitions, and standards relating to lead content in paints.

Mr. Chairman, I believe that this bill is a relatively noncontroversial bill and it should be approved by the House.

Mr. Chairman, in conclusion, I would like to highlight the importance of this bill. Coming as I do from one of the older and larger cities of this country, the city of Philadelphia, I have had personal experience with families of children who have been afflicted with this manmade disease, lead paint poisoning. The committee report points out 400,000 children are believed to be suffering from high blood levels of lead poisoning each year. Ingestion by young children of paint chips from peeling walls in older buildings has caused severe damage to the central nervous system, as well as mental retardation and brain damage. The Federal Government does not provide the needed assistance that is embodied in this bill. It will cost this Nation approximately $200 million annually for treatment, education, and institution care for those children that have been afflicted by this lead paint, if the provisions of this bill are not enacted into law.

Mr. Chairman, I urge adoption of this bill.

Mr. MOSS. Will the gentleman yield?

Mr. BARRETT. I yield to the gentleman.

Mr. MOSS. I would like first of all to compliment the gentleman and the members of the committee on reporting this legislation.

However, I do have two questions.

Section 506 appears to preempt State and local laws regarding the lead content of paints which would conflict with the provisions of this bill. Am I correct in assuming that this section does not apply to State laws outside the scope of this bill?

Mr. BARRETT. That is absolutely correct.

Mr. MOSS. Mr. Chairman, if the gentleman would yield further, am I correct in assuming that section 506 is not an attempt to modify the provisions of the Federal Hazardous Substances Act which deal with the setting of safe levels of lead in paints and State activities with regard to such levels?

Mr. BARRETT. That is also absolutely correct.

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

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

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

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

Mr. ROSENTHAL. Mr. Chairman, I rise in support of H.R. 8920—which amends Public Law 91-695, the Lead-Based Paint Poisoning Prevention Act—and to offer three amendments which I feel will strengthen the battle against childhood lead poisoning.

This bill is aimed at detecting, curing, and preventing a disease which currently afflicts some 400,000 children. Less than 16,000 of these young victims actually receive treatment and half of them are left mentally retarded. About 200 youngsters die each year from lead poisoning.

In my city of New York, there are 30,000 children who each year suffer from lead poisoning, but fewer than 1,000 cases are reported each year. Lead poisoning is a disease endemic to the slums. Although the city outlawed the use of lead in interior paints more than 10 years ago, leaded paint still remains on walls which have been covered with newer nonleaded coats.

Nearly 2½ million children are vulnerable to lead poisoning because they live in substandard housing with leaded paint peeling off interior walls. Many mothers are unaware of the dangers of eating lead chips and are not prepared to indicate to the physician that such dangers exist in the home. What is more, the early symptoms of lead poisoning are vague—nausea, lethargy, and crankiness—consequently both parent and physician have a difficult time attributing the symptoms to their proper cause.

Even hospital treatment to remove the lead is not a completely effective means to combat lead poisoning. Simply sending a deleaded child back to a leaded environment where he can once more swal-

low peeling chips of lead-based paint is as ridiculous as curing a man of pneumonia and then forcing him out into a freezing rainstorm with no shoes, no hat, and no coat.

This spring, the other body unanimously passed a similar bill, S. 607. The principal differences between the House and Senate versions are the permissible level of lead in paint, the amount of funding authorized and the preemption of Federal law. Because I believe the Senate bill is the more desirable of the two, my amendments attempt to bring the House bill in line with those provisions.

First. Federal preemption: H.R. 8920 amends title V of the Lead-Based Paint Poisoning Prevention Act by declaring null and void "any and all laws" of States and local governments relating to lead content in paints "which differ from the provisions of this act." My amendment would have the provisions of the act supersede only those State and local laws and regulations which are less stringent than those of H.R. 8920. In other words, this bill defines a safe level of lead in paint at 0.5 percent. Without my amendment, a city like Chicago, which sets the lead level at 0.06 percent, would find its standards undermined. My amendment will permit Chicago to keep its stronger standards while preventing others from setting weaker standards than the federally-set lead level for paint.

Second. Lead content: Section 6 of H.R. 8920 defines lead-based paint as that containing 0.5 percent or more lead by weight—the same standard set by FDA regulations. The Senate bill goes one step further, lowering the acceptable lead content to 0.06 percent after December 31 of this year unless the Secretary of Health, Education, and Welfare determines that a higher level, not to exceed 0.5 percent, is safe. My amendment is essentially in line with the Senate language except that it requires the Secretary to hold public hearings prior to making his determination. This will help preclude hasty and secret decisions.

The 0.06-percent level is feasible. The FDA Commissioner, in an order published in the Federal Register—March 11, 1972, 37 F.R. 5299—noted that the National Paint & Coatings Association had notified him that it anticipated its members can produce by 4 months from now interior products not exceeding the 0.06-percent maximal lead level, and by January 1975, make exterior products meeting this same requirement.

The American Academy of Pediatrics and U.S. Public Health Service recommended the 0.06-percent level. The Senate report on S. 607 stated:

Government scientists working with experts in the field of toxicology concluded that paint containing more than 0.06% lead, dried on wall surfaces, may endanger the health of young children.

Under my amendment, the 0.06 percent standard will go into effect January 1, 1974, unless the Department of Health, Education, and Welfare, following public hearings, provides justification for implementing a different lead level content. If a different level is justified, it cannot exceed 0.5 percent lead content in interior residential paints.

Third. Funding: Section 7 of H.R. 8920 authorizes spending $105 million over the next 2 years, compared to $300 million over 4 years in S. 607. My amendment would adopt the spending authorization of the Senate bill.

Title I of the House bill authorizes $20 million for fiscal year 1974 and 1975 for grant assistance in the detection and treatment of lead-based paint poisoning; my amendment would provide $30 million a year for the next 4 years.

Title II of H.R. 8920 authorizes $30 million for each of the 2 fiscal years for grant assistance in the elimination of lead-based paint poisoning; my amendment would increase the authorization to $40 million a year over 4 years.

Title III authorizes $2.5 million for the 2 fiscal years for research and demonstration programs to find the best methods to remove lead-based paint from interior and exterior surfaces of residential homes; my amendment would provide $5 million a year for the 4 years.

Enactment of this measure will stand as a tribute to our late colleague William Fitts Ryan of New York, who for many years fought for this type of legislation and to whom much of the credit must be given for the current awareness in the Congress and in the Nation about lead poisoning.

Mr. WIDNALL. Mr. Chairman, at this time I yield 5 minutes to the gentleman from Pennsylvania (Mr. WILLIAMS).

Mr. WILLIAMS. Mr. Chairman, I, too, want to join in commending Mr. BARRETT for bringing out such a fine bill as H.R. 8920. I want to call the Members' specific attention to two provisions in the bill. One appears on page 4, section 301, paragraph (b).

The Secretary of Health, Education, and Welfare shall conduct appropriate research on multiple layers of dried paint film, containing the various lead compounds commonly used, in order to ascertain the safe level of lead in residential paint products. No later than December 31, 1974—

Just the end of next year—

the Secretary shall submit to Congress a full and complete report of his findings and recommendations. . . .

I should also like to call the Members' attention to page 6 under "Federal Housing Administration Requirements":

SEC. 6. Section 501(3) of the Lead-Based Paint Poisoning Prevention Act is amended by striking out "1 per centum lead by weight" and inserting in lieu thereof "five-tenths of 1 per centum lead by weight".

This actually cuts in half the amount of lead which is permitted in paint under the Lead-Based Paint Poisoning Prevention Act.

I will have to respectfully disagree with my esteemed colleague, the gentleman from New York (Mr. ROSENTHAL) to the effect that paint should have a percentage of six-hundredths of 1 percent by weight. Having had some experience in quantitative chemical analysis, I can tell the Members that it would be almost impossible to determine whether or not lead paint contains six-hundredths of 1 percent of lead.

Another thing, too, it is generally recognized that in the manufacture of paint a small amount of lead is necessary, and one-half of 1 percent is half of what is permitted now, and with less than that it would be impossible to make a paint that would really do the job it is supposed to do.

Having lived very close to Mr. BARRETT'S district—which adjoins mine—I am familiar with the older homes where the paint is peeling and the children are actually eating the paint containing lead. However, in that paint the lead percentage is 30, 40, and 50 percent, and sometimes even more.

So I have no objection to Mr. ROSENTHAL'S amendment about instructing HEW to have public hearings, but I definitely object to reducing the amount of lead to six-hundredths of 1 percent. It is an amount too small to do any good, and it is an amount too small to even be measured.

With the exception of that I do not object to the other amendment which the gentleman from New York (Mr. ROSENTHAL) has mentioned, such as public hearings to be held by HEW, I strongly urge Members to support fully H.R. 8920 as presented.

Mr. PATMAN. Mr. Chairman, I yield 2 minutes to the gentlewoman from New York (Ms. ABZUG).

Ms. ABZUG. Mr. Chairman, it has been estimated that 400,000 children are affected by high blood levels of lead each year. The Department of Health, Education, and Welfare has reported that 16,000 young children require medical treatment each year for lead poisoning resulting from the children eating paint and plaster chips; 3,200 children suffer moderate to severe brain damage from this disease. Another 800 have brain tissue deterioration which requires permanent institutionalization. Another 200 die annually from lead poisoning.

Childhood lead poisoning is a devastating disease. Its symptoms may appear insidiously or suddenly. The child, whose gums may become blue, may lose his appetite for food, vomit, become less alert and more irritable, have temper tantrums or develop a clumsy staggered walk. The child may experience abdominal pains which can become so severe that he doubles up from spasm of the bowel. Lead can cause tiny hemorrhages in the brain leading to convulsions and coma. It may also interfere with the functioning of nerves in the arm and leg, causing a paralysis called wrist or foot droop.

Mr. Chairman, I rise in support of H.R. 8920, the Lead-Based Paint Poisoning Prevention Act amendments, a fine piece of legislation which carries on the work and the spirit of my late and distinguished colleague from New York, William Fitts Ryan. The act has been drafted with sensitivity to the needs of our Nation's poorer citizens who pay the heaviest price for this terrible disease. I

also support the proposed amendments as I believe they will considerably strengthen this legislation. The poor, in this time of severe housing shortages across the country are condemned to the oldest and most decrepit dwelling units available. Their housing is often covered with hazardous lead-based paint. Although many units have since been repainted with low lead paints now mandated by law, every time a leak or crack appears causing surface abrasion, the original dangerous high lead paint becomes exposed and conditions are ripe for a new case of childhood lead poisoning.

The legislation and the amount authorized are necessary to deal with the magnitude of the national lead poisoning problem we are facing today. Albeit even more money should be authorized as did the other body.

The legislation also provides for grants to private nonprofit community organizations for treatment of lead poisoning and elimination of the problem. Community groups often have a greater awareness of community problems than do local units of Government. This is the first time that community groups have been encouraged to extend their programs through Federal funding and I am pleased at the possiblities unearthed through this provision.

It is often said that the hope of our Nation lies in our children. Many challenges remain ahead for generations to come. We cannot afford to pay the price of childhood damage, death, and disease caused by lead poisoning. I urge support of this critically needed legislation.

Mr. ZWACH. Mr. Speaker, I rise in support of H.R. 8920, the amendments to the Lead-Based Paint Poisoning Prevention Act.

On March 20, 1973, I introduced H.R. 5905 providing for a "five-tenths of 1 per centum" level in lead-based paints. FDA has recommended the 0.5 percent, which is considered to be 20 times the margin of safety for children.

Senator KENNEDY'S bill, S. 607, calls for a 0.06 percent, a figure that is unrealistic to manufacturers and not backed by any proven scientific facts.

The days of old lead paint, such as linseed oil base, are gone. Today the function of lead in paint is not color pigment, but rather it is a drying agent. The 0.5-percent level allows for use of lead for drying, while at the same time provides the necessary margin of safety for children.

H.R. 8920 also provides for Federal research by HEW in order to ascertain the safe level of lead in residential paint products. A full report would be due by December 31, 1974. If we need a level of lead content in paint lower than five-tenths of 1 percent let us wait until we have the research to support that level, and not unduly place an unbearable extra burden on the backs of paint manufacturers.

H.R. 8920 also contains a section establishing full Federal preemption to create one nationwide lead content standard. Because of interstate commerce in the paint industry we need a uniform national standard, not State-to-State standards.

I would like to commend the Banking and Currency Committee, especially the Housing Subcommittee, for the leadership displayed in handling this legislation, and recommend favorable support for this bill by my distinguished colleagues.

Mr. ROYBAL. Mr. Chairman, I rise in support of H.R. 8920 which extends and improves the resources available for detecting and combating the effects of lead-based paint poisoning. This bill is similar though not precisely identical to H.R. 1081 which I introduced on the first day of Congress. Although I would prefer a stronger bill, there is great need for this legislation at the present time and I commend the bill to all my colleagues.

Lead-based paint poisoning is an illness that primarily affects children aged 1 to 6 who live in the urban inner city. Many of the buildings in our Nation's largest cities are of pre-World War II vintage. At that time it was common for people to use a paint that may have contained as much as 50-percent basic carbonate of lead. Today, this paint is peeling off the walls and ceilings of these dwellings in small chips. Small children often eat these paint chips with disastrous consequences.

Lead poisoning damages the central nervous system of small children and often leads to mental retardation, blindness, and severe damage to the blood system. It is estimated that 200 children die each year and that another 400,000 children suffer from high blood levels due to this type of poisoning.

The bill contains a number of major provisions. First, it authorizes grants of $20 million for fiscal years 1974 and 1975 to be utilized in the detection and treatment of lead-based paint poisoning. It also raises the Federal share of program costs to 90 percent from the current 75 percent level.

Second, the bill authorizes the expenditure of $60 million over the next 2 years for grant assistance in the elimination of lead-based paint poisoning. These grants would be utilized to establish procedures to remove all interior and exterior surfaces of residential housing in which lead-based paint has been used.

Next, there is a $5 million authorization over the next 2 years for a study of the most effective methods to remove lead-based paint from interior and exterior surfaces of residential homes. It also directs the Secretary of HEW to conduct research on multiple layers of dried paint film in order to ascertain the safe level of lead in residential paint products.

The bill also changes the definition of lead content in paint from the existing 1 percent lead by weight to 0.5 percent lead by weight. The bill also calls for the Secretary of HEW to do research on a new definition of lead in paint and report his finding to Congress on December 31, 1974.

Fifth, the bill authorizes the Secretary of HUD to establish procedures to eliminate the hazards of lead-based paints to housing which is covered by an application for mortgage insurance or housing assistance payments under a HUD-administered program. This provision applies to all housing constructed prior to 1950.

Finally, the bill contains a preemption clause with respect to all State and local laws regarding requirements relating to lead contents in paint.

I am convinced that this bill is absolutely necessary to protect the children of our Nation from a serious illness. I hope that we can pass this bill today with an overwhelming majority so that the administration is aware of Congress commitment to the eradication of this problem.

Mr. WIDNALL. Mr. Chairman, I have no further request for time.

Mr. PATMAN. Mr. Chairman, I have no further request for time.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

H.R. 8920

Be it enacted by the Senate and House of Representatives of the United States of America in Congress Assembled, That (a) section 101(a) of the Lead Based Paint Poisoning Prevention Act is amended by striking out "units of general local government in any State" and inserting in lieu thereof "public agencies of units of general local government in any State and to private nonprofit organizations in any State".

(b) Section 101(b) of such Act is amended by striking out "75 per centum" and inserting in lieu thereof "90 per centum".

(c) Section 101 of such Act is amended by adding at the end thereof the following new subsection:

"(e) The Secretary is also authorized to make grants to State agencies for the purpose of establishing centralized laboratory facilities for analyzing biological and environmental lead specimens obtained from local lead based paint poisoning detection programs.".

(d) Section 101 of such Act is further amended by adding at the end thereof the following new subsection:

"(f) No grant may be made under this section unless the Secretary determines that there is satisfactory assurance that (A) the services to be provided will constitute an addition to, or a significant improvement in quality (as determined in accordance with criteria of the Secretary) in, services that would otherwise be provided, and (B) Federal funds made available under this section for any period will be so used as to supplement and, to the extent practical, increase the level of State, local, and other non-Federal funds that would, in the absence of such Federal funds, be made available for the program described in this section, and will in no event supplant such State, local, and other non-Federal funds.".

SEC. 2. (a) Section 201 of the Lead Based Paint Poisoning Prevention Act is amended by striking out "units of general local government in any State" and inserting in lieu thereof "public agencies of units of general local government in any State and to private nonprofit organizations in any State".

(b) Section 201(a)(2) of such Act is amended to read as follows:

"(2) the development and carrying out of procedures to remove from exposure to young children all interior surfaces of residential housing, porches, and exterior surfaces of such housing to which children may be commonly exposed, in those areas that present a high risk for the health of residents because of the presence of lead based paints. Such programs should include those surfaces on which non-lead-based paints have been used to cover surfaces to which lead based paints were previously applied; and".

(c) Section 201 of such Act is amended by adding at the end thereof the following new subsection:

"(c) Any public agency, of a unit of local

government or private nonprofit organization which receives assistance under this Act shall make available to the Secretary and the Comptroller General of the United States, or any of their duly authorized representatives, for purposes of audit and examination, any books, documents, papers, and records that are pertinent to the assistance received by such public agency of a unit of local government or private nonprofit organization under this Act."

SEC. 3. Section 301 of the Lead Based Paint Poisoning Prevention Act is amended to read as follows:

"FEDERAL DEMONSTRATION AND RESEARCH PROGRAM

"SEC. 301. (a) The Secretary of Housing and Urban Development, in consultation with the Secretary of Health, Education, and Welfare, shall develop and carry out a demonstration and research program to determine the nature and extent of the problem of lead based paint poisoning in the United States, particularly in urban areas, including the methods by which the lead based paint hazard can most effectively be removed from interior surfaces, porches, and exterior surfaces of residential housing to which children may be exposed.

"(b) The Secretary of Health, Education, and Welfare shall conduct appropriate research on multiple layers of dried paint film, containing the various lead compounds commonly used, in order to ascertain the safe level of lead in residential paint products. No later than December 31, 1974, the Secretary shall submit to Congress a full and complete report of his findings and recommendations as developed pursuant to such programs, together with a statement of any legislation which should be enacted or any changes in existing law which should be made in order to carry out such recommendations."

SEC. 4. (a) Title III of the Lead Based Paint Poisoning Prevention Act is amended—

(1) by adding at the end thereof the following:

"FEDERAL HOUSING ADMINISTRATION REQUIREMENTS

"SEC. 302. The Secretary of Housing and Urban Development (hereafter in this section referred to as the 'Secretary') shall establish procedures to eliminate as far as practicable the hazards of lead based paint poisoning with respect to any existing housing which may present such hazards and which is covered by an application for mortgage insurance or housing assistance payments under a program administered by the Secretary. Such procedures shall apply to all such housing constructed prior to 1950 and shall as a minimum provide for (1) appropriate measures to eliminate as far as practicable immediate hazards due to the presence of paint which may contain lead and to which children may be exposed, and (2) assured notification to purchasers of such housing of the hazards of lead based paint, of the symptoms and treatment of lead based paint poisoning, and of the importance and availability of maintenance and removal techniques for eliminating such hazards. Such procedures may apply to housing constructed during or after 1950 if the Secretary determines, in his discretion, that such housing presents hazards of lead based paint. The Secretary may establish such other procedures as may be appropriate to carry out the purposes of this section. Further, the Secretary shall establish and implement procedures to eliminate the hazards of lead based paint poisoning in all federally owned properties prior to the sale of such properties when their use is intended for residential habitation."; and

(2) by inserting after "PROGRAM", in the caption of such title, a semicolon and the following: "FEDERAL HOUSING ADMINISTRATION REQUIREMENTS".

(b) The amendments made by subsection (a) of this section become effective upon the expiration of ninety days following the date of enactment of this Act.

SEC. 5. Section 401 of the Lead Based Paint Poisoning Prevention Act is amended by inserting ", in consultation with the Secretary of Housing and Urban Development," after "Secretary of Health, Education, and Welfare".

SEC. 6. Section 501(3) of the Lead Based Paint Poisoning Prevention Act is amended by striking out "1 per centum lead by weight" and inserting in lieu thereof "five-tenths of 1 per centum lead by weight".

SEC. 7. (a) Section 503(a) of the Lead Based Paint Poisoning Prevention Act is amended (1) by striking out the word "and" and inserting in lieu thereof a comma, and (2) by inserting before the period a comma and the following: "and $20,000,000 for each of the fiscal years 1974 and 1975".

(b) Section 503(b) of such Act is amended (1) by striking out the word "and" and inserting in lieu thereof a comma, and (2) by inserting before the period a comma and the following: "and $30,000,000 for each of the fiscal years 1974 and 1975".

(c) Section 503(c) of such Act is amended (1) by striking out the word "and" and by inserting in lieu thereof a comma, and (2) by inserting before the period a comma and the following: "and $2,500,000 for each of the fiscal years 1974 and 1975".

(d) Section 503(d) of such Act is amended by striking out all matter after the semicolon and inserting in lieu thereof "and any amounts authorized for one fiscal year but not appropriated may be appropriated for the succeeding fiscal year.".

(e) Title V of the Lead Based Paint Poisoning Prevention Act is amended by adding at the end thereof the following new sections:

"ELIGIBILITY OF CERTAIN STATE AGENCIES

"SEC. 504. Notwithstanding any other provision of this Act, grants authorized under sections 101 and 201 of this Act may be made to an agency of State government in any case where State government provides direct services to citizens in local communities or where units of general local government within the State are prevented by State law from implementing or receiving such grants or from expending such grants in accordance with their intended purpose.

"ADVISORY BOARDS

"SEC. 505. (a) The Secretary of Health, Education, and Welfare, in consultation with the Secretary of Housing and Urban Development, is authorized to establish a National Childhood Lead Based Paint Poisoning Advisory Board to advise the Secretary on policy relating to the administration of this Act. Members of the Board shall include residents of communities and neighborhoods affected by lead based paint poisoning. Each member of the National Advisory Board who is not an officer of the Federal Government is authorized to receive an amount equal to the minimum daily rate prescribed for GS-18, under section 5332 of title 5, United States Code, for each day he is engaged in the actual performance of his duties (including traveltime) as a member of the Board. All members shall be reimbursed for travel, subsistence, and necessary expenses incurred in the performance of their duties.

"(b) The Secretary of Health, Education, and Welfare, in consultation with the Secretary of Housing and Urban Development, shall promulgate regulations for establishment of an advisory board for each local program assisted under this Act to assist in carrying out this program. Two-thirds of the members of the board shall be residents of communities and neighborhoods affected by lead based paint poisoning. A majority of the board shall be appointed from among parents who, when appointed, have at least one child under six years of age. Each member of a local advisory board shall only be reimbursed for necessary expenses incurred in the actual performance of his duties as a member of the board.

"EFFECT UPON STATE LAW

"SEC. 506. It is hereby expressly declared that it is the intent of the Congress to supersede any and all laws of the States and units of local government insofar as they may now or hereafter provide for a requirement, prohibition, or standard relating to the lead content in paints or other similar surface-coating materials which differs from the provisions of this Act or regulations issued pursuant to this Act. Any law, regulation, or ordinance purporting to establish such different requirement, prohibition, or standard shall be null and void.".

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

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

There was no objection.

AMENDMENT OFFERED BY MR. ROSENTHAL

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

The Clerk read as follows:

Amendment offered by Mr. ROSENTHAL: Page 6, strike out lines 20 through 23 and insert in lieu thereof the following:

SEC. 6. Section 501(3) of the Lead Based Poisoning Prevention Act is amended to read as follows:

"(3) the term 'lead based paint' means—

"(A) prior to December 31, 1973, any paint containing more than five-tenths of 1 per centum lead by weight (calculated as lead metal) in the total nonvolatile content of liquid paints or in the dried film of paint already applied;

"(B) after December 31, 1973, any paint containing more than six one-hundredths of 1 per centum lead by weight (calculated as lead metal) in the total nonvolatile content of liquid paints or in the dried film of paint already applied, except that if prior to December 31, 1973, the Secretary, based on studies conducted in accordance with section 301(b) of this Act, determines after public hearings that another level of lead, not to exceed five-tenths of 1 per centum, is safe, then such other level shall be effective after December 31, 1973.".

Page 4, line 20, strike out "December 31, 1974" and insert in lieu thereof "December 31, 1973".

Mr. ROSENTHAL. Mr. Chairman, section 6 of the bill under consideration merely retains the existing FDA standards for amount of lead in paint and makes no progress in reducing or eliminating the amount. The bill defines lead-based paint as that containing 0.5 percent lead by weight—the same standard set by FDA regulations. My amendment, which conforms to the Senate bill, goes one step further by lowering the acceptable lead content to 0.06 percent after December 31 of this year unless studies by the Secretary of Health, Education, and Welfare show that a higher level, not to exceed the current 0.5 percent limit, is safe.

The 0.06 percent level is not only desirable but it is feasible. The FDA Commissioner, in an order published in the Federal Register—March 11, 1973, 37 F.R. 5299—noted that the National Paint and Coatings Association had notified him that it anticipated its members can

produce by 4 months from now interior products not exceeding the 0.06-percent maximum lead level, and by January 1975, exterior products meeting this same requirement.

The American Academy of Pediatrics and the U.S. Public Health Service recommends the 0.06-percent level. The Senate report on S. 607 stated:

> Government scientists working with experts in the field of toxicology concluded that paint containing more than 0.06 percent lead, dried on wall surfaces, may endanger the health of young children.

I propose striking out all of section 6 on page 6 and inserting the language of S. 607 defining lead-based paint.

Under my amendment, a limit of 0.5 percent lead in paint is established prior to December 31, 1973. On January 1, 1974, the maximum level of lead will be 0.06 percent by weight unless the studies by the Secretary of Health, Education, and Welfare indicate otherwise.

My amendment would also change the date those studies are due. Under S. 607 that deadline is October 1, 1973, less than 4 weeks from now; the bill before us sets that deadline at December 31, 1974. I propose setting the date—in section 3, line 20, page 4—at December 31, 1973.

My amendment to section 6 of H.R. 8920 is identical to the Senate bill except that it requires the Secretary to hold public hearings prior to making this determination. This will help preclude hasty and secret decisions.

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

Mr. Chairman, I want to bring to the attention of the House what lead poisoning really is, because we talk about it in the abstract. I suspect most Members in this Chamber have never seen a child who has lead poisoning. I have. I have seen children in the city of New York with lead poisoning and because the poor in the city of New York are overwhelmingly nonwhite, most of the children who are involved happen to be black or Latin. I have seen how a child looks when he has lead poisoning. Let me describe it for the Members of the House.

The child may have an enlarged head. The head will actually be outsize and he may have a moronic look, depending on the stage of the lead poisoning. In some cases, that child can become a vegetable. Lead poisoning is irreversible at a certain stage, and when one reaches that point that child may have to be institutionalized and to institutionalize a child costs about $10,000 a year. These children do not necessarily have short lives, and merely assuming a longevity of 25 years in an institution, that would be $250,000 just for that child, and that child may be a vegetable. He is institutionalized away from his home. He is not going to be someone who is going to contribute to society. He will be a drain on the taxpayer for life.

The amendment of my good friend from New York (Mr. ROSENTHAL) does not do something startling. It merely puts in the House bill that which is already in the Senate bill and that which the industry has said it can do. Therefore, what he is asking and what I am supporting is that we require of the industry what it says it can do, and by so doing so prevent lead poisoning and prevent thousands of lives from being destroyed and prevent millions of taxpayers' dollars from having to be spent.

This is an amendment which is helpful not only to the child—and that is the most important aspect—but it is also helpful to the country from every point of view.

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

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

Mr. Chairman, I shall support this legislation. From what I read, 400,000 children in the United States suffer the hazards of lead poisoning because of ingestion of lead-based paints in their homes.

However, I am a little bit alarmed by the amounts of money appropriated for these years. I notice under section 503, section 7(a) provides $20 million for 1974 and $20 million for 1975, and section 7(b) provides $30 million for 1974 and $30 million for 1975.

Mr. Chairman, it is my feeling that money should be expended in this area. Definitely, I want no child to suffer from lead poisoning. But I have long maintained that in the area of health expenditures should be determined by the morbidity, mortality, and economic impact of the disease.

I point out that for diabetes we spend a greal deal less money each year than would be provided under this particular bill, that we are authorizing here today. Funds spent on diabetes would amount to something between $8 million and $15 million, yet approximately 5 to 10 million people in our country are affected by diabetes today.

There are some 14 million people, at least, in our country who are affected by arthritis, yet we spend only $4 million or $5 million for research and treatment in this area.

We have the possibility that 400,000 children may be affected by lead poisoning from ingestion of paint. Certainly I want to do everything I can to prevent it. But I would point out we are not reasoning, we are not using commonsense. We should use the proportionate part of our expenditures on health in this area as we do in others. It should bear the same proportion or the same ratio as we spend for diabetes, as we spend for arthritis and for other diseases, as to the number of people affected.

In other words, Mr. Chairman, our expenditures should be based upon mortality, morbidity, and economic impact. Let us not forget this, and let us wisely spend our funds. We are going overboard in this bill, which calls for the expenditures of some $100 million.

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

Mr. CARTER. I am happy to yield to the gentleman for a question.

Mr. BARRETT. It is not a question. I want to point out that the cost to the Government is about $200 million annually in treating these children.

Mr. CARTER. I have yielded for a question, but the gentleman does not ask a question. I have read that, but I have also read it is possibly some 400,000 children. No one has more empathy for those children than I have, but that is "possibly."

I want to do something about it. I am going to support this legislation. But we are not reasoning, really, when we authorize such a great expenditure in this particular field.

We have done this in every other area. It is sort of a white horse for some of us to ride.

We should give the same emphasis to each disease according to impact, not just this one, but to all according to mortality, morbidity, and economic impact.

Mr. BROWN of Michigan. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, the amendment proposed asks us to amend section 6 of the committee bill, which would, as written, tighten the Lead-Based Paint Poisoning Prevention Act's definition of lead-based paint from 1 percent lead by weight to five-tenths of 1 percent by weight. The proposed amendment would further reduce the standard to .06 percent of lead by weight.

I would consider adoption of such an amendment ill-advised, irresponsible, and to a certain extent impulsive. The .06 standard is not based on meaningful, relevant evidence, yet this amendment proposes to adopt it as the industrywide standard of safety.

Mr. Chairman, the Committee on Banking and Currency debated this question at length and concluded that it should not be incorporated into the Lead-Based Paint Poisoning Prevention Act as the definitive standard. Rather, the Committee concluded that the 0.5 standard should be adopted until further evidence is in, and as I will point out in a few minutes, the evidence will be forthcoming shortly in volume.

First, however, let me suggest why the 0.06 standard is irrelevant to the question to which the entire act is addressed. The research from which the .06 figure was extrapolated was conducted by Dr. Kehoe of the Kettering Laboratory of the University of Cincinnati. In his study Dr. Kehoe used various amounts of lead acetate, a highly water soluble lead compound, which is no longer used as an element in manufacturing paint, mixed with water. He gave this solution to adult males and measured their physical reactions to various levels of concentration. From this basic data, as the proponents of the amendment have suggested, the American Academy of Pediatrics extrapolated once again the effects and determined .06 lead by weight as the "safe" level of lead paint.

Mr. Chairman, let me digress for a moment and suggest that no lead in paint is probably the safest level. So what is a "safe" level is relatively insignificant from the standpoint of saying what level is "safe", since it is obvious if .06 is safe, .05 would be safe, .04 would be safe, and .00 obviously would be the safest.

But that does not mean that any figure above these based upon present scientific data, is not "safe."

Remember, Mr. Chairman, we are talking also about a prospective standard here, not one that will do anything at all about old lead-based paint that might already cover the walls of tenement buildings. Thus, we have to look at the elements of paint manufactured today.

Thus at least three of the elements of Dr. Kehoe's research are inapplicable to the question at hand. He used water soluble lead acetate mixed with water and given to adults. We are concerned with dried paint, containing only insoluble lead compounds ingested by children. Yet this is to be the basis or the amendment would be the basis for a standard of safety for the entire paint industry.

It is obvious to me, and was readily apparent to the members of the Committee on Banking and Currency, that any responsible standard of safety must be based on as much scientific evidence as it is possible to develop.

This brings me to my second point: that additional evidence is being adduced right now. There are currently in progress no less than four studies of this precise question, and all of them appear to be using more appropriate methods than the study of Dr. Kehoe.

Those inquiries are: The National Paint and Coatings Association lead paint ingestion study, being conducted by the Midwest Research Institute of Kansas City, Mo.; the New York City study being conducted by the New York University Medical Center, Tuxedo, N.Y.; the Federal Drug Administration study being conducted by the New York University Medical Center, Tuxedo, N.Y., started in July of this year; and fourth, the Bureau of Community and Environmental Management study, which is the study of the Department of Health, Education, and Welfare.

This latter study has been started, and the Department has advised us that it will probably not be completed, and they probably will not have any real probative evidence until next year.

Now, on the basis of these studies and what I have said, it is obvious to me that a great amount of scientific evidence will be forthcoming shortly. To adopt the .06 standard at this time would serve to ignore this rush of research activity or pretend that nothing of substance will be produced by it.

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

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

Mr. BROWN of Michigan. The 0.05 standard was adopted by the committee not as a definitive standard, but as one that is safe based on current and past research on this subject and will permit the results of the further research I have described to be thoroughly considered.

I yield to the gentleman from Pennsylvania.

Mr. BARRETT. Mr. Chairman, I rise in opposition to the amendment and wish to associate myself with the remarks of the gentleman from Michigan. He is an excellent member of our committee and very knowledgeable. We worked on this matter together.

We were doubtful as to the content in lead paint and whether it should be 0.06 percent or 0.5 percent. We asked the Department of HEW to inform us on this and recessed long enough to get the word back from them. They said 0.5 would be acceptable. They asked that they be given time to extend their research for 18 months, and we agreed on that.

What we are talking about now is what the gentleman has already spoken about; namely, the hard layers of lead-based paint on walls and ceilings where it is chipped and peels and falls to the floor and a child picks it up and ingests it. What we are trying to do is save as many as 400,000 children from being afflicted with lead poisoning and hopefully do it immediately.

I join the gentleman and hope the amendment offered by the gentleman will be voted down.

Mr. BROWN of Michigan. I thank the gentleman for his remarks and wish to add that some may say, in effect, if you adopt the 0.5 rather than the 0.06 standard, you have weakened the bill. It was suggested by the proposer of the amendment. There is no one who wants to weaken the bill from the standpoint of protecting children, but I could just as well propose an amendment to make it 0.00 and say that his 0.06 amendment is a weakening proposal. In doing so I might be politically wise but scientifically ignorant.

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

Mr. Chairman, I, too, am concerned by the tremendous increase in spending proposed under this bill. It is my understanding that in fiscal year 1972 and fiscal year 1973 there was appropriated for the purposes set forth in this program $7.5 million or a total of $15 million for those 2 fiscal years. This bill proposes to spend $52.5 million in the present fiscal year and $52.5 million in fiscal year 1975. What is the justification for this many-times-over increase in spending for this purpose?

Mr. BARRETT. Will the gentleman yield?

Mr. GROSS. I yield.

Mr. BARRETT. You know, I was so interested in what you were saying that I lost track of what you were talking about. But let me point out the amount you are speaking of came through the Public Health Service. The $7 million appropriated came through the Public Health Service, which gave no consideration to or took no action with respect to what this bill has done.

We are asking for $105 million for the 2 years against the $400 million which is asked by the Senate, and which has been passed in the Senate.

I do not believe we are extravagant in this bill. I do not feel, frankly, that one can measure dollars against the health of these children. Out of those 400 I think the gentleman from Michigan can also tell you right now that possibly 200 of them will die every year, over 200.

Mr. GROSS. I have read the bill and the report. Those figures probably were accurate when the report was written, so let us dispense with that.

But what is the justification for going from $7.5 million in each of the past 2 fiscal years to $52.5 million in the next 2 fiscal years?

Mr. BARRETT. Will the gentleman yield further?

Mr. GROSS. Yes, I am glad to yield further to the gentleman from Pennsylvania.

Mr. BARRETT. That is a very good point. And the reason is that we are looking into all the structures that have been built prior to 1950. We are finding in those areas a very heavy lead paint on the walls of these old structures, and we are trying through research, and through demonstration, to prove that we can clean these areas up and make them more healthful for the children in these communities.

Mr. GROSS. I am unable to understand why the Federal Government is in this program at all, except, perhaps, to set standards for the country. Why is the financing not a responsibility of the States and the local subdivisions of government? The State of Pennsylvania and the city of Philadelphia, for example, should deal with this paint situation instead of coming and asking for funds from the Federal Treasury. Why should not the States and local subdivisions of government do this? Surely they are competent to deal with this situation.

Mr. BARRETT. Will the gentleman yield further?

Mr. GROSS. Yes, I yield further to the gentleman from Pennsylvania.

Mr. BARRETT. Let me talk about Philadelphia, because I know a little about the situation there, and I can associate with it with ease.

Let me say to the gentleman from Iowa that in the city of Philadelphia, not too far from where my office is, they had a child upon whom they performed surgery, and they took a ball of lead out of that child that was about the size of a dollar.

Philadelphia has been working hard on this. Philadelphia would like to be the model for all the other cities in cleaning up these conditions. Philadelphia has put its own money into this program, but we need additional Federal money to assist the States and other cities throughout the country.

Mr. GROSS. Why do they need Federal money? The States have more money than does the Federal Government, which is in debt head over heels.

I repeat, this program is a responsibility of the States and the local subdivisions of government, including the counties and the municipalities, and not of the Federal Government.

Mr. Chairman, I am not opposed to eliminating lead poisoning but there is no reason why the financing of this program should be loaded on all the taxpayers, and this is an unconscionable increase over the past 2 years. Moreover, it makes no sense at all a 2-year expenditure of $105 million—an increase of some 85 percent over the last 2 years—simply because the Senate has approved a bill calling for an expenditure of $400 million.

Additionally, the States, counties and municipalities should use the funds they obtained from the revenue-sharing program to solve this problem. I cannot support this bill in its present form.

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

The amendment was rejected.

AMENDMENT OFFERED BY MR. ROSENTHAL

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

The Clerk read as follows:

Amendment offered by Mr. ROSENTHAL: Strike out line 24 on page 6 and all that follows down through line 14 on page 7, and insert in lieu thereof the following:

SEC. 7. (a) Section 503(a) of the Lead Based Paint Poisoning Prevention Act is amended (1) by striking out the word "and" and inserting in lieu thereof a comma, and (2) by inserting before the period a comma and the following: "and $30,000,000 for the fiscal year ending June 30, 1974, and for each of the next three succeeding fiscal years".

(b) Section 503(b) of such Act is amended (1) by striking out the word "and" and inserting in lieu thereof a comma, and (2) by inserting in lieu thereof a comma, and the following: "and $40,000,000 for the fiscal year ending June 30, 1974, and for each of the next three succeeding fiscal years".

(c) Section 503(c) of such Act is amended (1) by striking out the word "and" and by inserting in lieu theerof a comma, and (2) by inserting before the period a comma and the following: "and $5,000,000 for the fiscal year ending June 30, 1974 and for each of the next three succeeding fiscal years".

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

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

Mr. PATMAN. The gentleman indicated he had another amendment. I wonder if he would consider asking unanimous consent to consider them en bloc.

Mr. ROSENTHAL. I think not, because the other amendment is of a different subject matter.

This amendment, Mr. Chairman, which conforms with S. 607, represents a compromise between these two measures by authorizing the spending of $300 million over 4 years. Section 7 of H.R. 8920 authorizes spending $105 million over the next 2 years.

Mr. Chairman, when I introduced lead-paint-poisoning-prevention legislation of my own this spring, I patterned it after legislation which passed the other body in the 92d Congress and which envisioned a $400 million program over 4 years.

The legislation before us today authorizes funding of barely 25 percent of that which my bill called for and gives the law only half the 4-year lifespan I sought.

My amendment, which conforms with S. 607, represents a compromise between these two measures by authorizing the spending of $300 million over 4 years. Section 7 of H.R. 8920 authorizes spending $105 million over the next 2 years.

H.R. 8920, title I, authorizes $20 million for fiscal years 1974 and 1975 for grant assistance in the detection and treatment of lead-based-paint poisoning; my amendment would provide $30 million a year for the next 4 years.

Title II of H.R. 8920 authorizes $30 million for each of the 2 fiscal years for grant assistance in the elimination of lead-based-paint poisoning; my amendment would increase the authorization to $40 million a year over 4 years.

Title III authorizes $2.5 million for the 2 fiscal years for research and demonstration programs to find the best methods to remove lead-based paint from interior and exterior surfaces of residential homes; my amendment would provide $5 million a year for the 4 years. I would agree with the gentleman that, if we could get down to zero percent of lead, it would be the safest thing.

What I propose here, by increasing some of the authorizations, is that much can be done in terms of treatment and detection.

In many cases, particularly in the city of New York, they do not determine or detect this disease until it is much too late, until the situation is beyond recall, and medical treatment is obviously helpless at that point. By increasing this kind of money where there are 200 deaths a year, all we are going to do is try to do something about finding out by research and development methods of getting paint off the walls, detection methods, providing money for local community, city, and State governments so that they can screen these kids, so that they can have medical resources and facilities available, so that detection can be a meaningful thing.

I can sympathize with my very good friend, the gentleman from Kentucky, Dr. CARTER, who says there ought to be some kind of relationship between this disease and others. I, for one, would be perfectly willing to substantially increase the authorization and appropriations for heart and cancer and for kidney disease and diabetes, but those bills are not before us today.

We have a situation where there are 400,000 youngsters involved with this kind of disease. There are 200 deaths a year. There is no way of equating the financial worth of a life. The testimony before the committee is that $200 million a year is lost in terms of productivity, medical expenses, hospitalization, and things like that. It would seem to me that, notwithstanding all the grievous problems, budgetary problems, this Nation has, to spend this kind of money in an effort to save 200 lives a year and help in the health and well-being of 400,000 youngsters is a very useful and proper thing to do.

I very seriously urge the adoption of this amendment.

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

Mr. ROSENTHAL. I should be happy to yield to the gentleman from New York.

Mr. KOCH. Mr. Chairman, I support the gentleman's amendment, and I point out that while we are talking about 200 deaths a year, we are also talking about those children of the 400,000 who become mentally retarded and some of whom turn into vegetables. And it is the taxpayers who will have to pick up the cost of medical care and institutionalization.

On the one hand we say to the people of this country—the poor—we are not going to build adequate housing for you; we are not going to provide the millions of dollars necessary to create safe and habitable housing. On the other hand we also say to them we are not going to do anything about the substandard miserable houses and apartments that they are presently living in. We are not going to help make them safer. We are going to continue to let their children suffer the effects of lead poisoning.

That is not reasonable. That is not compassionate. That is not humane. That does not enhance the reputation of this House.

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

Mr. Chairman, as I recall I have not voted against a bill involving health except one time since 1964. As I said, I have great empathy for these children and I want to do everything possible to help them, but the expenditure, as my distinguished friend, the gentleman from New York, has said of $300 million over a period of 3 years is beyond the realm of reason. Really we want to do everything we can and we think it can be done much less expensively than that.

As far as limiting the amount of lead in paint, I would go along with that and that can be done under the Product Safety Act, as the distinguished gentleman from Texas (Mr. ECKHARDT) told me a little while ago.

But just to compare the different diseases, for instance, for sickle cell anemia we have 50,000 people who are afflicted with that disease and 2,000,000 who carry the trait, but there is much less money authorized for that. For Cooley's anemia, and that is another disease from which more deaths occur than we have from lead poisoning, 200,000 persons carry the gene, but we have much less money spent in the fight against it. We are totally out of proportion and out of line in this proposal.

I am going to support some legislation along this line, but let us get our figures down within the realm of reason. We must act according to the mortality rates, the morbidity and the impact against our people. We must deal with the stress of the disease and its effect upon our people.

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

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

Mr. ROSENTHAL. Mr. Chairman, I wonder if the gentleman sees a distinction between this ailment and other diseases. Other diseases are not caused necessarily by the manufacture and use of home products, as this disease was caused by the production of paint. I somehow see a different sense of responsibility where society has overtly helped cause the disease.

Mr. CARTER. I yielded for a question. I thank the gentleman for his contribution. He never asked the question and I decline to yield any further.

Mr. Chairman, I regret very much that our children have this trouble and I think we can accomplish our purpose with much less money. Certainly I want to support legislation to help them, but $300 million is again beyond the realm of reason.

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

Mr. Chairman, I pointed out in my statement that the committee acted on this bill I think very wisely. We explored every facet, economics of the bill as well. We voted this out 25 to 0. Everybody had an opportunity to weigh and evaluate the economics of it. We felt that $105 million would be adequate.

Mr. Chairman, we do not want to destroy the possibility of getting a bill through the executive branch by adding this kind of money to it. I hope the gentleman from New York will go along with us so we can get this bill out and on the statute books so we may protect these children.

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

The amendment was rejected.

AMENDMENT OFFERED BY MR. ROSENTHAL

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

The Clerk read as follows:

Amendment offered by Mr. ROSENTHAL: Page 9, lines 17 and 18, strike out "which differs from the provisions of this Act" and insert in lieu thereof "which is less stringent (as determined by the National Bureau of Standards) than the corresponding requirement, prohibition, or standard provided by this Act".

Page 9, line 20, strike out "different" and insert in lieu thereof "less stringent".

Mr. ROSENTHAL. Mr. Chairman, section 7 of the bill under consideration prohibits States and local governments from establishing stronger standards of protection against the danger of lead poisoning. This, to me, is Federal preemption at its worst.

My amendment would require that Federal standards prevail only in jurisdictions which have weaker standards. It does so by striking out on lines 17 and 18 of page 9 the words "which differs from the provisions of this act" and inserting in lieu thereof "which is less stringent—as determined by the National Bureau of Standards—than the corresponding requirement, prohibition or standard provided by this act"; and by striking out on line 20 the word "different" and inserting in lieu thereof "less stringent."

This is necessary to protect cities like Chicago which define the permissible level of lead in paint as lower than that set forth in this bill. H.R. 8920 permits 0.5 percent lead in paint; Chicago says paint cannot contain more than 0.06 percent lead. That, incidentally, is the level set by the Senate-passed bill, effective December 31, 1973.

In our effort to eliminate lead poisoning, it would be self-defeating and wrong for us to discourage those States and local governments which have the desire to establish strong standards.

The determination of whether standards set by a State or local government are more or less stringent than those set federally by the Congress would be left to the capable expertise of the National Bureau of Standards. This concept was embodied in Section 1102 of H.R. 16704, last year's housing bill, as reported to the House by the Committee on Banking and Currency. Therefore, I would expect the committee and the bill's managers to find this amendment familiar and hope it is acceptable.

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

Mr. Chairman, I would like to call attention to the provisions of the Consumer Product Safety Act—Public Law 92-573—of 1972, which serves as the basic law in regulation of product safety requirements. Among other things, the act directs that:

Whenever a consumer product safety standard under this act is in effect and applies to a risk of injury associated with a consumer product, no State or political subdivision of a State shall have any authority either to establish or to continue in effect any provision of a safety standard or regulation which prescribes any requirements as to the performance, composition, contents, design, finish, construction, packaging, or labeling of such product which are designed to deal with the same risk of injury associated with such consumer products, unless such requirements are identical to the requirements of the Federal standard.

In recognition of this, I submit that the question of granting such rights is preempted.

Mr. BROWN of Michigan. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I quite concur with what the gentleman from New Jersey (Mr. WIDNALL) has said. Furthermore, I wish to point out that if there was any doubt in the minds of those of us who have supported the 0.5 percent standard, that it was inadequate, we might be concurring with the gentleman that a stricter standard should apply, but we think the 0.5 percent standard is adequate and the scientific evidence available today established that it is adequate.

I think the gentleman is aware, since he has been a Member of this House for some time and has supported meat inspection standards which provided that there could be no deviation from the standards applied by the Federal Government and the gentleman is aware of Federal maritime sanitation standards, where other laws were preempted and no other standards were permitted even though more restrictive—that preemption has become the rule rather than the exception in these regulatory areas.

This does create problems for some States because they might like to adopt stricter standards, but this is one Nation and we have an interstate commerce clause in our Constitution which prohibits encroachments or infringements and impediments upon the free flow of commerce in this Nation.

The gentleman is well aware that standards of this nature are appropriate to be adopted for all of the States. I think in this case it is especially appropriate.

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

Mr. Chairman, there are only about six paint manufacturers in the country, and we would be causing a condition that would be very difficult for them to comply with as far as nationwide uniformity if we were to exempt any of the States.

The Department of Health, Education, and Welfare said they would like to have 18 months to make a thorough study on the ingestion of the lead-based paints. They would, after a reasonable length of time, find out exactly what is an appropriate level. We asked them if they could report back to us sooner than 18 months, and they said they would do it as quickly as possible. If that comes back recommending a lower level we will immediately offer an amendment to lower the lead content in paint.

I hope the amendment will be defeated.

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

I rise in support of the amendment, and I should like to take out of the realm of controversy, as to whether it should be the standard my good friend from New York (Mr. ROSENTHAL), has suggested, which the House unfortunately defeated, or the standard now in the bill. I believe that fight is over for today. We lost that battle.

But there is something much more fundamental, and that is, does this House want to find itself on every occasion assuming that it knows best in every area, that there is no possibility that a city legislature or a State legislature might better deal with a local situation and decide for its residents what it wants to set as a standard as for example in its housing, so long as that standard is higher than the Federal floor.

I point this out with respect to the city of New York or the city of Chicago. In the city of Chicago they have a higher standard, and they are getting paint. It is not as though suppliers will have to manufacture some new paint which does not exist. They are getting paint meeting their standard.

Does that mean the legislators representing the city of Chicago have to say, "We do not know what we are doing. The Federal Government knows everything. They are going to tell us what the maximum standards should be, because when one goes to Congress he becomes omnipotent, he becomes so much better than a State legislator or a city legislator and he knows so much more about local problems"?

I do not believe that is the point of view of most Members of the House. Most of us believe, yes, we are going to set certain standards below which no one shall fall, but we are not going to say that we are so wise that we will prevent a particular area in some matters, and not in every case, from saying, "We can do better. We in Chicago—if Chicago happens to be the leader as is the case here—"can do better." Are we going to say to Chicago, "No, you will have to do as bad as the rest of us"?

I do not believe we should put ourselves in that situation.

Are we discriminating if we permit Chicago or Boston or New York City to set a higher standard, no we are permitting initiative to take place, and we are permitting the competitive market forces to prevail. We are going to get better paint not just for Chicago but even for the area of the gentleman from Michigan (Mr. BROWN) because when we have competition, when we have people competing to sell their paint, having a higher standard in Chicago we are going to have every paint manufacturer saying, "We can do it, too."

What do they do now? Do they not even now say, "Our paint lasts for 15 years," or "Our paint is termite proof or whatever"? Will it not be nice when a paint manufacturer says, "Our paint is lead poison proof and it will not hurt your children."?

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

Mr. KOCH. I am happy to yield to the distinguished chairman.

Mr. BARRETT. I want to point out to the gentleman there is nothing in this bill that prevents a State or city having a lower content than 0.5 percent.

Mr. KOCH. If that were only true there would be no problem. It happens that the legislation preempts in this area. I defy the gentleman to establish it does not.

Let me put it another way. If the gentleman and the chairman of the committee and those on the other side of the House will say this bill does not preempt, and I believe that would be terrific, I would accept the gentleman's statement.

Is that what the gentleman is saying?

Mr. BARRETT. Mr. Chairman, it does preempt. It does, but we do not say that if they are using a lower content than 0.5 percent, there is no reason to interfere with them.

I believe our committee would like to see no lead in paint.

Mr. KOCH. I know, but the preemption, as it stands——

Mr. BARRETT. But if they go beyond 0.5, then they are told what to do.

Mr. KOCH. This legislation prohibits higher local standards.

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

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

Mr. GROSS. Mr. Chairman, may I ask the gentleman, does not the city of New York get revenue sharing? What is the purpose of revenue sharing if not to solve some of the problems of the States and municipalities?

Mr. KOCH. Mr. Chairman, I have a high regard for the gentleman from Iowa, and what he is talking about is the amendment that was defeated a little while ago. The amendment that is on the floor now has nothing to do with a single dollar that the gentleman from Iowa wants to protect, All it says is that if a State wants to have a higher standard, the Federal Government ought not to interfere with that. I believe the gentleman has always been agreeable to permitting States to do what is reasonable.

Mr. GROSS. Yes. I just wish they would do it.

The CHAIRMAN. The time of the gentleman from New York (Mr. KOCH) has expired.

(On request of Mr. BROWN of Michigan and by unanimous consent, Mr. KOCH was allowed to proceed for 1 additional minute.)

Mr. BROWN of Michigan. Mr. Chairman, will the gentleman yield?

Mr. KOCH. Yes, of course I will yield to the gentleman.

Mr. BROWN of Michigan. Mr. Chairman, at the outset, I would like to say that I do not think I have ever been more surprised to find such an unexpected advocate of States rights as the gentleman in the well.

Mr. KOCH. I support States rights. If the gentleman has listened to my statements in the past it would not come as a shock to the gentleman that I have supported States rights on the floor.

Mr. BROWN of Michigan. Mr. Chairman, did the gentleman support the Federal Maritime Sanitation Standards? I am sure he did.

Mr. KOCH. I believe I did.

Mr. BROWN of Michigan. There is preemption in that law.

Mr. Chairman, did the gentleman support the recent Federal Meat Inspection Standards?

I am sure that he did. Preemption occurs there.

Mr. KOCH. Mr. Chairman, I am not an expert in this area, but my understanding of the protections to be afforded for the shipping of beef are that of a floor and not a ceiling.

Mr. BROWN of Michigan. Mr. Chairman, the gentleman is wrong. In the State of Michigan there were more stringent standards in effect than those established by the Federal Government, yet though the State of Michigan fought the preemption in the courts the more stringent standards in the State of Michigan were held to be unenforceable due to the Federal preemption.

Mr. KOCH. At any rate, I assure the gentleman that I do support his State's right to have a higher meat standard, the Federal Government should have standards below which no State can fall but should not limit higher standards States may seek to impose in their area.

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

The amendment was rejected.

AMENDMENT OFFERED BY MR. BIAGGI

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

The Clerk read as follows:

Amendment offered by Mr. BIAGGI: Page 5, line 19, insert after the word "purchasers" the following: "and tenants".

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

Mr. BIAGGI. I am delighted to yield.

Mr. BARRETT. Mr. Chairman, we have had an opportunity to go over this amendment. We are of the opinion that the amendment would improve the bill, and if it is all right with the other side, we would gladly accept it.

The CHAIRMAN. The gentleman from New York (Mr. BIAGGI) still has the floor.

Does any other Member wish to be heard?

Mr. BROWN of Michigan. No, Mr. Chairman, I believe the gentleman should be heard.

Mr. BIAGGI. Mr. Chairman, section 4 of this bill is a new section which requires the Secretary of Housing and Urban Development to establish procedures to eliminate, as far as practicable, the hazards of lead-based paint poisoning in any existing housing which may present such a hazard, and which is covered by an application for mortgage insurance or housing assistance payments administered by the Secretary.

These requirements, as written in this bill, pertain only to the purchasers of such housing units, and make no mention of those individuals who are presently tenants. For this bill to have any substantive effect in New York City and other urban areas, this amendment should be adopted. In New York for example, the problems of lead-based poisoning are particularly acute. This amendment would simply assure that tenants exposed to the dangers of lead-based paint would at least be notified of this danger and advised of steps for treatment and prevention of lead poisoning.

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

Mr. BIAGGI. I yield to the gentleman from New Jersey.

Mr. WIDNALL. Mr. Chairman, I do not see anything objectionable in that amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York.

The amendment was agreed to.

AMENDMENT OFFERED BY MR. BROWN OF MICHIGAN

Mr. BROWN of Michigan. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BROWN of Michigan: Page 4, line 16, under section 3, delete "the Secretary of Health, Education, and Welfare" and enter, "the Chairman of the Consumer Product Safety Commission".

Page 4, lines 20 and 21, delete "Secretary" and enter "Chairman".

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

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

Mr. BARRETT. I thank the gentleman for yielding.

We have no objection to the gentleman's amendment. We talked about this before, and we would be glad to accept the amendment.

Mr. BROWN of Michigan. I thank the gentleman for his support and endorsement of the amendment.

Mr. Chairman, through communications with HEW and the Chairman of the Product Safety Commission, it has come to my attention that section 3 of the proposed bill would assign responsibility to the Secretary of HEW for matters previously assigned to the Chairman of the Consumer Product Safety Commission. My amendment is intended to correctly assign responsibility so that it will be consistent with existing organizational structure in the executive branch.

Specifically, section 3 of the proposed bill would introduce a new requirement for a research program to ascertain the safe level of lead in residential paint products. The bill proposes to assign responsibility for such research to the Secretary of Health, Education, and Welfare.

The need for such research is not in question and I am pleased to support such a proposal.

However, the responsibility and authority for such an effort should properly rest with the Chairman of the Consumer Product Safety Commission.

Mr. Chairman, I refer to the Consumer Product Safety Act of 1972—Public Law 92-573. The act vested authority and responsibility with the Chairman of the Consumer Product Safety Commission to protect the public from hazardous consumer products. Part of that agency's current efforts are directed to the determination of a safe level of lead and other heavy metals in paint. In the in-

terest of consistency in management it would be an unwise decision to assign identical responsibilities to both the Secretary of Health, Education, and Welfare and the Chairman of the Consumer Product Safety Commission. In the interest of efficient use of funds and expediency in completion of the proposed research it would also be most unfortunate to assign the proposed task to the Secretary of Health, Education, and Welfare.

Mr. Chairman, I want to emphasize that there is no intent to discourage mutual support of common interests between these agencies. It is to be hoped that such considerations are properly given. It is important, however, that the executive branch be given clear and consistent direction so that accountability and performance can be properly credited.

I offer this amendment at the specific request of the Chairman of the Consumer Product Safety Commission.

I know of no opposition and I move for passage of the amendment as proposed.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan.

The amendment was agreed to.

Mrs. BURKE of California. Mr. Chairman, I would like to ask the Members of this Chamber to consider for a moment the consequences of a serious medical problem that needlessly afflicts over 400,000 children annually. Each year lead paint poisoning causes 200 children to die; it leaves over 800 children with brain damage severe enough to require permanent institutionalization and another 3,000 with moderate to severe damage.

Among the Nation's pediatric public health problems, probably none is more senseless or susceptible to cure than lead paint poisoning. The disease is caused when children eat peeled or chipped lead-based paint in old buildings. Thus, as the late Representative William F. Ryan said last year in Senate hearings on the subject:

> Lead poisoning is not some rare malady waiting for a miracle cure. It is totally man-made and a totally preventable disease. It exists only because we let it exist. The failure of this Nation to meet the menace of childhood lead poisoning has sentenced thousands of young children to lives of misery, disease, and even death. It is a stain on our national conscience.

In 1971, the Lead-Based Paint Poisoning Prevention Act was enacted. It received low funding, however, and even lower political priority. Last year, the Senate voted to strengthen the programs, but the House acquiesced and took no action. The Congress must act today to salvage the very lives of thousands of our children who would otherwise be doomed to the most miserable of fates.

In looking back on the past, we cannot escape the fact that one of the reasons the Nation has never mounted a serious public health campaign against lead paint poisoning is that the disease mostly affects the poor, the black, the Spanish-speaking, and others who must often endure the conditions of slum housing. The Department of Health, Education, and Welfare, for example, suggested in a recent study of New York City that as many as 86 percent "of the reported cases of lead poisoning have occurred among black and Spanish-speaking persons."

Yet, if our national conscience cannot be aroused because "only the poor are being victimized," perhaps the economic arguments can be more compelling: HEW estimates that lead paint poisoning costs the Nation over $200 million annually, a sum that does not include the incalculable value of the lives of our children. In passing this legislation, we will only be affirming the stated goals of the President in his 1971 health message to the Congress. In that message, he stated:

> If more of our resources were invested in *preventing* sicknesses and accidents, fewer would have to be spent on costly cures . . . In short, we should build a true "health system", not a "sickness system" alone. We should work to maintain health, not merely to restore it.

Unless we act now, the needless poisoning will go on, leaving in its wake thousands of fatalities and incapacitated minds. Simple humanity dictates that we do no less.

The CHAIRMAN. If there are no further amendments, under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker having resumed the Chair, Mr. THOMPSON of New Jersey, chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H.R. 8920) to amend the Lead Based Paint Poisoning Prevention Act, and for other purposes, pursuant to House Resolution 504, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

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

Mr. BARRETT. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 368, nays 11, present 1, not voting 54, as follows:

[Roll No. 435]

YEAS—368

Abdnor	Andrews, N.C.	Armstrong
Abzug	Andrews, N. Dak.	Ashley
Adams	Annunzio	Aspin
Anderson, Calif.	Archer	Badillo
Anderson, Ill.	Arends	Bafalis
Barrett	Fulton	Baker
Bauman	Fuqua	Minshall, Ohio
Beard	Gaydos	Mitchell, Md.
Bennett	Gettys	Mitchell, N.Y.
Bergland	Giaimo	Mizell
Bevill	Gibbons	Moakley
Biaggi	Gilman	Mollohan
Biester	Ginn	Montgomery
Bingham	Goldwater	Moorhead, Calif.
Boggs	Gonzalez	Moorhead, Pa.
Bowen	Goodling	Morgan
Brademas	Grasso	Moss
Brasco	Gray	Murphy, N.Y.
Bray	Green, Oreg.	Myers
Breaux	Green, Pa.	Natcher
Brinkley	Griffiths	Nedzi
Brooks	Grover	Nelsen
Broomfield	Gubser	Nichols
Brotzman	Gude	Nix
Brown, Calif.	Guyer	Obey
Brown, Mich.	Haley	O'Brien
Brown, Ohio	Hamilton	O'Hara
Broyhill, N.C.	Hammer-schmidt	O'Neill
Broyhill, Va.	Hanley	Parris
Buchanan	Hanna	Passman
Burgener	Hansen, Idaho	Patman
Burke, Calif.	Hansen, Wash.	Patten
Burke, Fla.	Harrington	Pepper
Burke, Mass.	Harsha	Perkins
Burleson, Tex.	Harvey	Pettis
Burlison, Mo.	Hastings	Peyser
Burton	Hawkins	Pickle
Butler	Hechler, W. Va.	Pike
Byron	Heckler, Mass.	Poage
Carey, N.Y.	Helstoski	Podell
Carney, Ohio	Henderson	Powell, Ohio
Carter	Hicks	Preyer
Casey, Tex.	Hillis	Price, Ill.
Chamberlain	Hinshaw	Pritchard
Chappell	Hogan	Quie
Chisholm	Holt	Railsback
Clancy	Holtzman	Randall
Clark	Horton	Rangel
Clausen, Don H.	Hosmer	Rees
Clay	Howard	Regula
Cleveland	Huber	Reid
Cohen	Hudnut	Reuss
Collier	Hungate	Rhodes
Collins, Ill.	Hunt	Riegle
Conable	Hutchinson	Rinaldo
Conlan	Ichord	Roberts
Conte	Jarman	Robinson, Va.
Cotter	Johnson, Calif.	Rodino
Coughlin	Johnson, Colo.	Roe
Cronin	Johnson, Pa.	Rogers
Culver	Jones, N.C.	Roncalio, Wyo.
Daniel, Dan	Jones, Okla.	Roncallo, N.Y.
Daniel, Robert W., Jr.	Jordan	Rooney, Pa.
Daniels, Dominick V.	Karth	Rose
Danielson	Kastenmeier	Rosenthal
Davis, Ga.	Kazen	Rostenkowski
Davis, Wis.	Keating	Roush
de la Garza	Kemp	Roy
Dellums	Ketchum	Roybal
Denholm	King	Ruppe
Dennis	Kluczynski	Ruth
Dent	Koch	Ryan
Derwinski	Kuykendall	St Germain
Devine	Kyros	Sandman
Dickinson	Latta	Sarasin
Donohue	Leggett	Sarbanes
Dorn	Lehman	Satterfield
Downing	Lent	Saylor
Drinan	Litton	Schneebeli
Dulski	Long, La.	Schroeder
Duncan	Long, Md.	Seiberling
du Pont	Lott	Shoup
Eckhardt	Lujan	Shriver
Edwards, Ala.	McClory	Shuster
Edwards, Calif.	McCloskey	Sikes
Eilberg	McCollister	Skubitz
Erlenborn	McCormack	Slack
Esch	McDade	Smith, Iowa
Eshleman	McFall	Smith, N.Y.
Evans, Colo.	McKinney	Snyder
Fascell	Macdonald	Spence
Findley	Madigan	Staggers
Fish	Mahon	Stanton, J. William
Fisher	Mailliard	Stanton, James V.
Flood	Mallary	Steed
Flynt	Maraziti	Steele
Foley	Martin, Nebr.	Steelman
Ford, Gerald R.	Martin, N.C.	Steiger, Wis.
Ford, William D.	Mathias, Calif.	Stokes
Forsythe	Matsunaga	Stratton
Fountain	Mayne	Stuckey
Fraser	Mazzoli	Studds
Frelinghuysen	Meeds	Sullivan
Frenzel	Melcher	Symington
Frey	Mezvinsky	Talcott
Froehlich	Michel	Taylor, N.C.
	Milford	Teague, Calif.
	Miller	

Teague, Tex.	Walsh	Wyatt
Thompson, N.J.	Wampler	Wydler
Thomson, Wis.	Ware	Wylie
Thone	Whalen	Wyman
Thornton	White	Yates
Tiernan	Whitehurst	Yatron
Towell, Nev.	Whitten	Young, Alaska
Treen	Widnall	Young, Fla.
Udall	Wiggins	Young, Ga.
Ullman	Williams	Young, Ill.
Van Deerlin	Wilson, Bob	Young, S.C.
Vander Jagt	Wilson,	Young, Tex.
Vanik	Charles H.,	Zablocki
Veysey	Calif.	Zion
Vigorito	Winn	Zwach
Waggonner	Wolff	

NAYS—11

Ashbrook	Gross	Rousselot
Camp	Landgrebe	Steiger, Ariz.
Cochran	Price, Tex.	Symms
Crane	Rarick	

ANSWERED "PRESENT"—1

Sebelius

NOT VOTING—54

Addabbo	Flowers	Murphy, Ill.
Alexander	Gunter	Owens
Bell	Hanrahan	Quillen
Blackburn	Hays	Robison, N.Y.
Blatnik	Hébert	Rooney, N.Y.
Boland	Heinz	Runnels
Bolling	Holifield	Scherle
Breckinridge	Jones, Ala.	Shipley
Cederberg	Jones, Tenn.	Sisk
Clawson, Del	Landrum	Stark
Collins, Tex.	McEwen	Stephens
Conyers	McKay	Stubblefield
Corman	McSpadden	Taylor, Mo.
Davis, S.C.	Madden	Waldie
Delaney	Mathis, Ga.	Wilson,
Dellenback	Metcalfe	Charles, Tex.
Diggs	Mills, Ark.	Wright
Dingell	Mink	
Evins, Tenn.	Mosher	

So the bill was passed.

The Clerk announced the following pairs:

Mr. Hébert with Mr. Alexander.

Mr. Rooney of New York with Mr. Davis of South Carolina.

Mr. Breckinridge with Mr. Flowers.

Mr. Waldie with Mr. Diggs.

Mr. Hays with Mr. Collins of Texas.

Mr. Blatnik with Mr. Robison of New York.

Mr. Murphy of Illinois with Mr. Del Clawson.

Mr. Holifield with Mr. Dellenback.

Mr. Dingell with Mr. Cederberg.

Mr. Gunter with Mr. Quillen.

Mr. Metcalfe with Mr. Delaney.

Mr. Conyers with Mr. Madden.

Mr. Corman with Mr. Hanrahan.

Mr. Shipley with Mr. Blackburn.

Mr. Boland with Mr. Scherle.

Mr. Mathis of Georgia with Mr. Bell.

Mrs. Mink with Mr. Heinz.

Mr. Evins of Tennessee with Mr. McEwen.

Mr. Addabbo with Mr. Mosher.

Mr. Jones of Alabama with Mr. Mills of Arkansas.

Mr. Jones of Tennessee with Mr. Landrum.

Mr. McKay with Mr. Sisk.

Mr. Stark with Mr. Wright.

Mr. Stephens with Mr. McSpadden.

Mr. Owens with Mr. Taylor of Missouri.

Mr. Charles Wilson of Texas with Mr. Stubblefield.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

The SPEAKER. Pursuant to the provisions of House Resolution 504, the Committee on Banking and Currency is discharged from the further consideration of the bill S. 607.

The Clerk read the title of the Senate bill.

MOTION OFFERED BY MR. PATMAN

Mr. PATMAN. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Motion offered by Mr. PATMAN: Strike out all after the enacting clause of S. 607 and insert in lieu thereof the provisions of the bill H.R. 8920, as passed, as follows:

That (a) section 101(a) of the Lead Based Paint Poisoning Prevention Act is amended by striking out "units of general local government in any State" and inserting in lieu thereof "public agencies of units of general local government in any State and to private nonprofit organizations in any State".

(b) Section 101(b) of such Act is amended by striking out "75 per centum" and inserting in lieu thereof "90 per centum".

(c) Section 101 of such Act is amended by adding at the end thereof the following new subsection:

"(e) The Secretary is also authorized to make grants to State agencies for the purpose of establishing centralized laboratory facilities for analyzing biological and environmental lead specimens obtained from local lead based paint poisoning detection programs.".

(d) Section 101 of such Act is further amended by adding at the end thereof the following new subsection:

"(f) No grant may be made under this section unless the Secretary determines that there is satisfactory assurance that (A) the services to be provided will constitute an addition to, or a significant improvement in quality (as determined in accordance with criteria of the Secretary) in, services that would otherwise be provided, and (B) Federal funds made available under this section for any period will be so used as to supplement and, to the extent practical, increase the level of State, local, and other non-Federal funds that would, in the absence of such Federal funds, be made available for the program described in this section, and will in no event supplant such State, local, and other non-Federal funds.".

SEC. 2. (a) Section 201 of the Lead Based Paint Poisoning Prevention Act is amended by striking out "units of general local government in any State" and inserting in lieu thereof "public agencies of units of general local government in any State and to private nonprofit organizations in any State".

(b) Section 201(a)(2) of such Act is amended to read as follows:

"(2) the development and carrying out of procedures to remove from exposure to young children all interior surfaces of residential housing, porches, and exterior surfaces of such housing to which children may be commonly exposed, in those areas that present a high risk for the health of residents because of the presence of lead based paints. Such programs should include those surfaces on which non-lead-based paints have been used to cover surfaces to which lead based paints were previously applied; and".

(c) Section 201 of such Act is amended by adding at the end thereof the following new subsection:

"(c) Any public agency, of a unit of local government or private nonprofit organization which receives assistance under this Act shall make available to the Secretary and the Comptroller General of the United States, or any of their duly authorized representatives, for purposes of audit and examination, any books, documents, papers, and records that are pertinent to the assistance received by such public agency of a unit of local government or private nonprofit organization under this Act."

SEC. 3. Section 301 of the Lead Based Paint Poisoning Prevention Act is amended to read as follows:

"FEDERAL DEMONSTRATION AND RESEARCH PROGRAM

"SEC. 301. (a) The Secretary of Housing and Urban Development, in consultation with the Secretary of Health, Education, and Welfare, shall develop and carry out a demonstration and research program to determine the nature and extent of the problem of lead based paint poisoning in the United States, particularly in urban areas, including the methods by which the lead based paint hazard can most effectively be removed from interior surfaces, porches, and exterior surfaces of residential housing to which children may be exposed.

"(b) The Chairman of the Consumer Product Safety Commission shall conduct appropriate research on multiple layers of dried paint film, containing the various lead compounds commonly used, in order to ascertain the safe level of lead in residential paint products. No later than December 31, 1974, the Chairman shall submit to Congress a full and complete report of his findings and recommendations as developed pursuant to such programs, together with a statement of any legislation which should be enacted or any changes in existing law which should be made in order to carry out such recommendations."

SEC. 4. (a) Title III of the Lead Based Paint Poisoning Prevention Act is amended—

(1) by adding at the end thereof the following:

"FEDERAL HOUSING ADMINISTRATION REQUIREMENTS

"SEC. 302. The Secretary of Housing and Urban Development (hereafter in this section referred to as the 'Secretary') shall establish procedures to eliminate as far as practicable the hazards of lead based paint poisoning with respect to any existing housing which may present such hazards and which is covered by an application for mortgage insurance or housing assistance payments under a program administered by the Secretary. Such procedures shall apply to all such housing constructed prior to 1950 and shall as a minimum provide for (1) appropriate measures to eliminate as far as practicable immediate hazards due to the presence of paint which may contain lead and to which children may be exposed, and (2) assured notification to purchasers and tenants of such housing of the hazards of lead based paint, of the symptoms and treatment of lead based paint poisoning, and of the importance and availability of maintenance and removal techniques for eliminating such hazards. Such procedures may apply to housing constructed during or after 1950 if the Secretary determines, in his discretion, that such housing presents hazards of lead based paint. The Secretary may establish such other procedures as may be appropriate to carry out the purposes of this section. Further, the Secretary shall establish and implement procedures to eliminate the hazards of lead based paint poisoning in all federally owned properties prior to the sale of such properties when their use is intended for residential habitation."; and

(2) by inserting after "PROGRAM", in the caption of such title, a semicolon and the following: "FEDERAL HOUSING ADMINISTRATION REQUIREMENTS".

(b) The amendments made by subsection (a) of this section become effective upon the expiration of ninety days following the date of enactment of this Act.

SEC. 5. Section 401 of the Lead Based Paint Poisoning Prevention Act is amended by inserting ", in consultation with the Secretary of Housing and Urban Development," after "Secretary of Health, Education, and Welfare".

SEC. 6 Section 501(3) of the Lead Based Paint Poisoning Prevention Act is amended by striking out "1 per centum lead by weight" and inserting in lieu thereof "five-tenths of 1 per centum lead by weight".

SEC. 7. (a) Section 503(a) of the Lead Based Paint Poisoning Prevention Act is amended (1) by striking out the word "and" and inserting in lieu thereof a comma, and (2) by inserting before the period a comma and the following: "and $20,000,000 for each of the fiscal years 1974 and 1975".

(b) Section 503(b) of such Act is amended (1) by striking out the word "and" and inserting in lieu thereof a comma, and (2) by

inserting before the period a comma and the following: "and $30,000,000 for each of the fiscal years 1974 and 1975".

(c) Section 503(c) of such Act is amended (1) by striking out the word "and" and by inserting in lieu thereof a comma, and (2) by inserting before the period a comma and the following: "and $2,500,000 for each of the fiscal years 1974 and 1975".

(d) Section 503(d) of such Act is amended by striking out all matter after the semicolon and inserting in lieu thereof "and any amounts authorized for one fiscal year but not appropriated may be appropriated for the succeeding fiscal year.".

(e) Title V of the Lead Based Paint Poisoning Prevention Act is amended by adding at the end thereof the following new sections:

"ELIGIBILITY OF CERTAIN STATE AGENCIES

"SEC. 504. Notwithstanding any other provision of this Act, grants authorized under sections 101 and 201 of this Act may be made to an agency of State government in any case where State government provides direct services to citizens in local communities or where units of general local government within the State are prevented by State law from implementing or receiving such grants or from expending such grants in accordance with their intended purpose.

"ADVISORY BOARDS

"SEC. 505. (a) The Secretary of Health, Education, and Welfare, in consultation with the Secretary of Housing and Urban Development, is authorized to establish a National Childhood Lead Based Paint Poisoning Advisory Board to advise the Secretary on policy relating to the administration of this Act. Members of the Board shall include residents of communities and neighborhoods affected by lead based paint poisoning. Each member of the National Advisory Board who is not an officer of the Federal Government is authorized to receive an amount equal to the minimum daily rate prescribed for GS-18, under section 5332 of title 5, United States Code, for each day he is engaged in the actual performance of his duties (including traveltime) as a member of the Board. All members shall be reimbursed for travel, subsistence, and necessary expenses incurred in the performance of their duties.

"(b) The Secretary of Health, Education, and Welfare, in consultation with the Secretary of Housing and Urban Development, shall promulgate regulations for establishment of an advisory board for each local program assisted under this Act to assist in carrying out this program. Two-thirds of the members of the board shall be residents of communities and neighborhoods affected by lead based paint poisoning. A majority of the board shall be appointed from among parents who, when appointed, have at least one child under six years of age. Each member of a local advisory board shall only be reimbursed for necessary expenses incurred in the actual performance of his duties as a member of the board.

"EFFECT UPON STATE LAW

"SEC. 506. It is hereby expressly declared that it is the intent of the Congress to supersede any and all laws of the States and units of local government insofar as they may now or hereafter provide for a requirement, prohibition, or standard relating to the lead content in paints or other similar surface-coating materials which differs from the provisions of this Act or regulations issued pursuant to this Act. Any law, regulation, or ordinance purporting to establish such different requirement, prohibition, or standard shall be null and void.".

The SPEAKER. The question is on the motion of the gentleman from Texas (Mr. PATMAN).

The motion was agreed to.

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

A similar House bill (H.R. 8920) was laid on the table.

GENERAL LEAVE

Mr. PATMAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill just passed, and also on the motion to recommit on House Joint Resolution 512.

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

There was no objection.

EXPANDING NATIONAL FLOOD INSURANCE PROGRAM

Mr. PEPPER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 494 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 494

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 8449) to expand the national flood insurance program by substantially increasing limits of coverage and total amount of insurance authorized to be outstanding and by requiring known flood-prone communities to participate in the program, and for other purposes. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Banking and Currency, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

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

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

Mr. Speaker, House Resolution 494 provides for an open rule with 1 hour of general debate on H.R. 8449, a bill to expand the national flood insurance program by substantially increasing limits of coverage and by requiring known flood-prone communities to participate in the program.

H.R. 8449 substantially increases the available limits of both subsidized and unsubsidized flood insurance coverage for all types of properties.

It also requires the purchase of flood insurance in communities where such insurance is available, before receiving any form of Federal "financial assistance for acquisition or construction purposes" in an area which has been designated as being flood prone. The bill requires the Secretary of Housing and Urban Development to notify flood-prone communities, and give them an opportunity to join the program or show that they should not be designated "flood prone." Mr. Speaker, today there is a paramount need for greater coverage under the national flood insurance program. I urge adoption of House Resolution 494 in order that we may discuss and debate H.R. 8449.

Mr. LATTA. Mr. Speaker, today we are considering House Resolution 494 which provides for the consideration of H.R. 8449, the Flood Disaster Protection Act of 1973, under an open rule with 1 hour of general debate.

The primary purpose of H.R. 8449 is to expand the national flood insurance program by increasing the limits of coverage and the total amount of insurance authorized and by requiring flood-prone communities to participate in the program. Being one of the sponsors of this legislation and having introduced H.R. 6571 on April 4, 1973, to accomplish the same purposes as H.R. 8449, I support the rule and the bill. This legislation is most important to the people of my district living in the vicinity of Lake Erie in particular as it increases, among other things, the limits of coverage on single-family dwellings by 100 percent.

More specifically, this bill makes flood insurance available on all types of buildings in increased amounts. Contents are also insurable, independently of whether the structure in which they are located is insured, but they are generally insurable only while within the enclosed structure described in the policy.

The bill requires the purchase of flood insurance, where available, in order to receive Federal financial assistance for acquisition or construction purposes in any area designated by the Secretary as being flood prone. If the assistance received is in the form of a loan, insurance need not be maintained in excess of the outstanding balance or beyond the term of the loan. However, where a grant is made in a flood-prone area, flood insurance is required for the entire useful life of the assisted project, and for the full value of the property, up to the amount of insurance available.

Federal instrumentalities regulating banks are required to issue regulations, requiring that people receiving approved mortgage loans, also purchase flood insurance, if the property is located in a flood-prone area where insurance is available.

Flood insurance would also be required on existing structures receiving Federal financial assistance in a flood-prone area, but with the increased amounts of subsidized coverage available under this bill, it is not anticipated that this requirement will cause hardship.

The bill increases the limitation on the total amount of flood insurance outstanding at any one time from the present $6 to $10 billion.

Section 201 requires the Secretary to notify flood-prone communities, and give them an opportunity either to enter the flood insurance program or establish that they are not flood prone.

Section 202 denies Federal financial assistance, as described above, approved after July 1, 1975, for areas identified by

the Secretary as having special flood hazards, unless the community in which the area is located is by then participating in the national flood insurance program so that flood insurance will be available to the project.

Mr. Speaker, I urge the adoption of this rule and the passage of the bill.

Mr. PEPPER. Mr. Speaker, I have no further requests for time, and I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. PATMAN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 8449) to expand the national flood insurance program by substantially increasing limits of coverage and total amount of insurance authorized to be outstanding and by requiring known flood-prone communities to participate in the program, and for other purposes.

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

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 8449, with Mr. THOMPSON of New Jersey in the chair.

The Clerk read the title of the bill.

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

The CHAIRMAN. Under the rule, the gentleman from Texas (Mr. PATMAN) will be recognized for 30 minutes, and the gentleman from New Jersey (Mr. WIDNALL) will be recognized for 30 minutes.

The Chair recognizes the gentleman from Texas (Mr. PATMAN).

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

Mr. Chairman, during the past year and a half a number of sections of this country have experienced the worst series of flooding episodes in our Nation's history. After every major flood disaster this country has experienced in the past 30 years, the Congress has always responded with immediate flood assistance programs to assist those who have experienced losses that have resulted in these floods.

In 1968, the Congress enacted the Federal flood insurance program which provided, for the first time, a federally subsidized program of flood insurance. Flood insurance has never been offered by major insurance companies because of the lack of actuarial basis upon which such insurance could be written and because of the catastrophic losses involved.

The bill which we are considering today greatly expands the Federal flood insurance program. H.R. 8449, the proposed amendments to the flood insurance program, would double all the limits of insurance coverage, both subsidized and unsubsidized.

Under existing law the present subsidized insurance coverage is $17,500; this would increase to $35,000 under the present bill. It would also increase to $70,000 for nonsubsidized coverage. Insurance coverage would also increase for contents coverage from the existing $5,000 to $10,000. The bill would also increase the total amount of flood insurance coverage to be made available from the current $6 billion amount to $10 billion.

Land use requirements would be retained in order for a community to be eligible for the flood insurance coverage, and the studies to identify and determine actuarial rates for flood-prone communities would be greatly accelerated. The provision in existing law providing for the denial of Federal Government disaster relief to those who could have purchased flood insurance for a year or more, but did not do so, would be eliminated and replaced by a requirement that flood insurance, if available, must be purchased in connection with federally related financing of projects in identified flood-prone areas as a condition of the Federal assistance. Communities having been identified as flood-prone areas would be notified and required to participate in the flood insurance program by July 1, 1975, or be denied federally related financing for projects in these flood-prone areas.

H.R. 8449 would also direct the Secretary of the Department of Housing and Urban Development to also establish procedures assuring adequate consultation with elected public officials relating to notification to and identification of flood prone areas and application of criteria for land use. The bill would also provide for an appeals procedure through the Federal district court for any local community aggrieved by any final determination of the Secretary invested in him by the Flood Insurance Act.

Mr. Chairman, I would also point out that this bill is strongly supported by the administration, and I would urge all Members to support this important bill to expand flood insurance protection.

Mr. PATMAN. Mr. Chairman, I yield 5 minutes to the gentleman from Pennsylvania (Mr. BARRETT).

Mr. BARRETT. Mr. Chairman, I am pleased to present to the House the bill, H.R. 8449, the Flood Disaster Protection Act of 1973. This bill was approved by the Committee on Banking and Currency unanimously on June 19. This bill basically expands the existing Federal flood insurance program that was enacted in 1968 as part of the Housing and Urban Development Act of that year which provided for the first time flood insurance for those areas of the country designated as flood-prone areas.

H.R. 8449 would double all the limits of flood insurance coverage, both subsidized and unsubsidized. You will note on page 7 of the committee report the existing figures on the insurance coverage and the increased coverage provided for under the bill before you for consideration. The total amount of flood insurance coverage that can be written would increase from $6 billion to $10 billion.

Land use requirements would be retained and studies to identify and to determine actuarial rates for flood-prone communities would be greatly accelerated. The provision under the existing flood insurance program denying disaster relief to those who could have purchased flood insurance for a year or more, but did not do so, would be eliminated and replaced by a requirement that flood insurance, if available, must be purchased in connection with federally related financing of projects in identified flood-prone areas as a condition of any Federal assistance. Communities which have been identified as flood-prone areas would be notified and required to participate in the flood insurance program by July 1, 1975, or be denied federally related financing for projects in such areas.

Finally, the bill would direct the Secretary of Housing and Urban Development to establish procedures assuring adequate consultation with elected public officials relating to notification to and identification of flood-prone areas and the application of criteria for land use.

H.R. 8449 would also provide for an appeals procedure through the Federal district court for any local community aggrieved by any final determination of the Secretary invested in him by the Flood Insurance Act. This bill is strongly supported by the administration.

Mr. Chairman, I would urge all Members to support this important bill so that we may expand this much needed insurance protection.

I yield back the balance of my time.

Mr. WIDNALL. Mr. Chairman, I yield myself such time as I may require.

Mr. Chairman, I want to commend the gentleman from Pennsylvania for his very hard work in bringing this bill to the House.

He has provided a concise presentation of the content of the proposed legislation and I will not dwell upon those points.

I wish there was less need for this legislation, but 1973 has become the "Year of the Flood." Floods are becoming all too common and the number of homeless victims is ever increasing. Also, these problems are no longer limited to coastal areas. Tragedies have befallen many communities throughout large areas of the country and the future does not indicate any lessening of the threat.

In 1972, 48 Presidentially declared disasters were recorded; 45 of these were floods. Less than 5 percent of the $3 to $4 billion loss was covered by insurance. The balance was ultimately covered by disaster relief payments or restored through long-term indebtedness on the part of the property owner.

Property losses due to floods are rising tragically each year. Unless such losses result in a disaster declaration—by the President, the SBA Administrator, or the Secretary of Agriculture—or unless the flooding occurs in an area eligible for flood insurance—property owners must pay the cost themselve. Private flood insurance protection is simply unavailable.

Mr. Chairman, I take pride in having initiated the original proposal for a national Flood Insurance program in 1956 and in my association with the distinguished Members of this Chamber who have consistently worked to develop the

present program. Were it not for this program, there would be no property insurance protection against floods in this Nation.

The present program has been slow in reaching all areas of need. The Nation is not receiving the full benefits of the program. Property owners are continuing to build in flood-prone areas—in most cases they are unaware of their mistake—and the risk of losses to be compensated through disaster relief programs is being enlarged daily.

The national flood insurance program is the first and only Federal program with an effective sanction for regulatory flood hazard reduction measures. The proposed legislation will effectively foster safer and better development and building in flood hazardous areas.

Today, less than half of the Nation's flood-prone areas are actually eligible for flood insurance. In order to extend the program to a nationwide application and in order to provide the property owner with a viable, actuarially sound flood insurance program, we must strengthen the program. This legislation proposes to do these things. It has been carefully prepared and carries the unanimous support of the committee.

It also has strong support by the administration. I believe it properly balances the Federal largess, in subsidizing the insurance rates, with stringent land use controls. It is only in this way that we will have any hope of preventing greater losses in the future.

I strongly urge that the House enact H.R. 8449 as reported.

Mr. BARRETT. Mr. Chairman, I have no requests for time.

Mr. WIDNALL. Mr. Chairman, at this time I yield 3 minutes to the gentleman from Florida (Mr. BAFALIS).

Mr. BAFALIS. Mr. Chairman, I do not rise in opposition to this bill, but I think it is important that the Members of the House understand the ramifications of this piece of legislation. This legislation is quite different from the 1968 Flood Insurance Act that passed the Congress. The previous bill was not a mandatory piece of legislation. Under this legislation after July 1975 any community that refuses to accept the levels that have been set by HUD will lose the right and the people living within that community will lose the right to arrange financing through any lending institution that is federally insured. That means savings and loans, and that means banks.

In essence, under the mandatory controls communities are going to have to build within the levels set by HUD. I do not believe that there is a Member in this Chamber who wants taxpayers' dollars used in a time of disaster, and we should prohibit anyone from building in a flood-prone area below the levels that reasonably would be expected in any type of a flood. However, the problem is that there may be some 20,000 flood-prone areas in this Nation. And I am told by HUD that there is a possibility that each and every Member of this House has a flood-prone area within his or her congressional district.

The problem is that HUD has not identified all of those districts at the present time, therefore many of your local communities and your local people do not know whether or not they can live within the levels that will be set by HUD.

Mr. Chairman, my main objection to this bill is that local officials do not have the proper amount of input in setting realistic flood levels.

As we move into the amendment process several amendments will be offered. Hopefully those amendments will allow the local communities to participate and to participate strongly in setting reasonable flood levels. I hope that when the amendment process time arrives that this body will pay particular attention, because each and every Member of this House may be affected in their various communities.

Mr. GILMAN. Mr. Chairman, I rise in support of the Flood Disaster Protection Act which seeks to fulfill the urgent need for an effective insurance program throughout the flood prone sections of our country.

At the same time, I call to the attention of my colleagues a flagrant deficiency in our national insurance programs, a deficiency affecting the lifeblood of our Nation, our farmers.

The bill we are considering today provides flood coverage for a businessman's structures and for the contents of those structures, his inventory. This same bill also extends coverage to a farmer's structures and the contents of those structures. However, while the nonagricultural businessman's vulnerability to losses in his inventory lifeline can be controlled to the extent that he provides for storage within structures, the farmer's risk of uninsurable losses in his inventory lifeline, namely his crops, is far greater simply because he has no choice but to let his crops ripen out in the open field.

This bill which we are considering today is not a proper mechanism for providing insurance coverage for a farmer's crops out in the field, this was not the intent of the committee in preparing this legislation.

However, I am certain that many of my colleagues will agree that as we provide urgently needed, reasonably priced insurance for a businessman and his inventory in flood prone areas with the passage of this bill, there is an equally urgent need to provide a sound and feasible insurance program for the farmer and his inventory, for his crops in the field. We must assure farmers in flood areas the same protection as any businessman sustaining flood damages.

Those of us representing agricultural districts are aware of the Department of Agriculture's Federal Crop Insurance Program.

While the Crop Insurance Program is a worthy vehicle for the specific areas and the farmers it services, its limited budgetary restrictions prevent insuring farmers in flood prone areas.

Currently the Crop Insurance Program operates on a $12 million dollar annual budget. It is severely restrictive in both the types of insurable crops and the geographic areas entitled to insurance. Because of the severe limitations placed on the program administrators, the Federal Crop Insurance Program does not provide adequate coverage for a wide spectrum of farmers and farm areas.

In a recent letter, M. R. Peterson, manager of the Federal crop insurance program, stated:

> There has been gradual expansion of the crop insurance service since Congress placed it on an experimental basis in 1948. However, due to limited resources for this purpose, in recent years little expansion has been possible.

In considering today's flood insurance proposal, I call upon my colleagues to also consider the plight of our farmers, many of whom raise their crops in the choice rich acreage that are in flood regions. Our farmers need a realistic and reasonable flood insurance program.

I intend to investigate the possibility of providing adequate coverage for these farmers and invite assistance of my colleagues, many of whom represent farming districts in flood areas. In the interest of aiding our farmers, I am hopeful that we can find the necessary resources to provide for an effective disaster insurance program for our Nation's food producers.

Mr. BROTZMAN. Mr. Chairman, I rise in support of H.R. 8449, the Flood Disaster Protection Act of 1973, and I take this opportunity to commend the Members of the House Banking and Currency Committee for their efforts in bringing this legislation to the floor of the House today.

H.R. 8449 contains two features of particular importance to the Metropolitan Denver area on which I would like to comment.

First, the committee has increased both subsidized and total per-unit flood insurance coverage limits to more responsibly reflect the realistic costs attributable to flood damage. In an urban area such as Denver, where the Platte River joins several tributaries within a few miles of downtown, these limits are of essential importance to a speedy and full recovery of losses in the aftermath of a flood. These limits are equally important to those suburbs in the Denver area where residential, industrial and agricultural property line the Platte's banks. This action by the committee will mean adequate flood insurance protection for thousands of businesses and families along the course of the Platte in the years to come.

Secondly, I am happy to see that the committee has accepted the amendment offered by the gentleman from Georgia (Mr. BLACKBURN) which would encourage localities to establish conservation areas in flood plain lands. This is of particular interest to me because I have worked for the last few years on behalf of the city of Littleton, Colo., with the Corps of Engineers to have just such a so-called flood plain park created in the area south of Denver.

I believe that these parks will provide a very viable alternative to channelization and will give the people in the surrounding area a source of enjoyment and

recreation. It is an innovative idea and I am glad to see the committee take the position it has on this issue.

Once again, Mr. Chairman, I commend the members of the committee for their diligence in reporting this legislation to the floor of the House and I urge the passage of the bill.

Mr. McDADE. Mr. Chairman, I rise in support of the bill, H.R. 8449, to extend the National Flood Insurance program, and I commend the members of the Banking and Currency Committee for their action in bringing this bill to the floor today for our consideration.

My congressional district lay directly in the heart of the devastation wrought by Hurricane Agnes. I can attest to the overwhelming need for this legislation on a firsthand basis. I would like to stress to the Members that, while I support this bill, I also recognize that it is only a first step along the road to recovery for many flood victims. It is by no means the final solution to their long-range needs. But it is an important step.

In the aftermath of Hurricane Agnes, I spent many hours by helicopter and on foot crossing flood-wracked portions of my congressional district. Everywhere the story was the same. No one had insurance against flood damage, and even if they wanted coverage, they could not obtain it. For despite the overwhelming need to expand coverage, homeowners have been ineligible for flood insurance because their communities were unable to meet stringent Federal guidelines written into the Federal flood insurance program. Many more local officials were totally unaware of either the program or the necessary redtape required to make their communities eligible.

Because the 1968 Flood Insurance Act contained such stringent land use and zoning restrictions, communities were actively discouraged from admission to the program. Through increasing coverage on both subsidized and unsubsidized insurance on all types of properties, by authorizing additional total outstanding coverage from $6 to $10 billion, and by mandatory notification of all communities located in a flood-prone area, the tremendous communications gap between local communities and the vital benefits of the Federal program should be alleviated.

I mentioned that this bill is only a first step only because I believe that the long-range solution lies in a comprehensive program of self-insurance. This is the only answer to preventing the staggering losses of property which resulted from Hurricane Agnes from occurring again.

I have sponsored legislation, along with several of my colleagues in the House, to create a National Disaster Insurance Fund for flood damage by amending the Housing and Urban Development Act of 1968. My bill provides for an automatic inclusion of flood insurance coverage in each fire and property policy sold in the United States. It further provides for a 3-percent surcharge on premiums to be collected by every insurer on each fire and property insurance policy sold in the country, whether or not such policy includes flood insurance coverage. This money plus 1 percent of all sums paid on SBA and FHA disaster loans as well as any other sums appropriated by Congress would fund a National Disaster Insurance Fund. This fund would be used to make payments for the full amount of loss suffered by the victim of a flood during a presidentially declared natural disaster. In my opinion, this is the way to get the entire job done.

Mr. Chairman, the victims of flood and earthquake have suffered from two floods. One is a flood of bureaucratic redtape which drowned local governments. By removing that redtape, we can make a significant contribution to protect local communities against the staggering losses that accompany disasters of the magnitude of Hurricane Agnes. H.R. 8449 does this, and I am pleased to lend my support to its passage.

Mr. PRICE of Illinois. Mr. Chairman, all too frequently residents of the 23d District are faced with the problem of heavy rains and the consequent threat of severe flooding. Living along the banks of any body of water presents difficulties, but to make one's home at the convergence of the Mississippi and Missouri Rivers is to live with the threat of flooding and loss of crops, land, and personal belongings.

Fortunately, a levee system has been built which has helped to alleviate much of the problem. In addition, aid of many kinds has always been available to flood victims from various agencies after the fact and in the past few years the Federal Government has seen fit to initiate a flood insurance program to assure residents of flood-prone areas of help before disaster strikes.

The national flood insurance program, adopted in 1969, has aided many in the past years. However, with the rising costs of construction, land, and labor has come a need for more protection than the 1969 program can give. For this reason I would like to give my support to the passage of H.R. 8449, the Flood Disaster Protection Act of 1973, raising the amount of coverage provided in the 1969 legislation.

If enacted, this bill would double the current coverage allowable to purchasers of Federal flood insurance. Single-family residences could be insured for up to $35,000 with $10,000 contents coverage. Commercial structure coverage will be tripled to $100,000 coverage with an additional $100,000 for contents. This would be a boon to owners of commercial property who previously received only an unrealistic $5,000 for damaged merchandise.

In addition, the bill would limit the expenditure of Federal funds in flood-prone areas to only those projects which purchased flood insurance, thus providing a substantial savings of tax dollars.

The passage of this legislation is essential for protecting the hard-earned investments of homeowners and commercial property owners located in low-lying, flood-prone areas throughout the Nation. Land in these areas may now be developed, with Federal flood insurance acting as a regulator between the investor and possible financial ruin by floodwaters. This new program, then, will be of great help to the businessman and more importantly to the millions of individual citizens who may at some time in the future be faced with loss of their homes and personal belongings.

Mr. Chairman, this spring we witnessed one of the worst periods of flooding in our country's history. In all sections of the Nation we are still suffering the repercussions of this disaster. In my State alone over 1 million acres of farmland were flooded, crops were lost, families were left homeless, and millions of dollars in damages were incurred.

As my colleagues and I know, there are agencies at this moment working on flood control projects which will alleviate such disasters as those we have recently seen. However, until we are able to effectively control flooding, we must provide for the welfare of those who bear the brunt of the damage. Therefore, I urge my colleagues to join me in giving their full support to the passage of this most important act.

Mr. ESCH. Mr. Chairman, I rise today to strongly support H.R. 8449, the National Flood Insurance Expansion Act, legislation which would increase the coverage under the national flood insurance program.

Since the establishment of a nationwide flood insurance program in 1968, many homeowners and businesses throughout the country have been able to obtain insurance coverage never before available. Indeed, Monroe County in my own district in Michigan has been hard hit by continual flooding from Lake Erie and this program has demonstrated the need for such a program. It perhaps more importantly emphasizes the urgent necessity to expand this program.

Under the present law, the limit for coverage of a residential home is $17,500. Our experience in Monroe County has shown us the inadequacy of this limit. H.R. 8449 would increase that limit to $35,000. Likewise, whereas the limit on the coverage of the contents of a residential home is $5,000, H.R. 8449 would increase that figure to $10,000.

Mr. Chairman, these limits are realistic limits, limits fitted to the situation in which we now find ourselves. The people of Monroe County have invested their life savings in their homes and property. They are not wealthy and more often than not they are retired and on a fixed income. There situation is compelling testimony for the need of this legislation.

There is perhaps no more frustrating an experience than being unable to do everything necessary to alleviate the suffering of those who have been victims of the recent flooding. As a Congressman I can and have asked for a Presidential declaration of disaster; I can work with the Small Business Administration, the Office of Emergency Preparedness and other Federal agencies to insure that all potential assistance is made available. I can prod the Army Corps of Engineers to do their utmost to protect every home in a flood-prone area.

Yet to the many residents who call me with special problems and stories of extreme hardships, I often find myself saying I only wish it was within my power to do more.

Today there is an opportunity to do something more by supporting the legislation now before us. It is legislation whose worthiness and necessity recent experience overwhelmingly supports. I would urge all of my colleagues to join me in voting for this legislation.

Mr. MOORHEAD of Pennsylvania. Mr. Chairman, I rise in wholehearted support of H.R. 8449, the Flood Disaster Protection Act of 1973.

The Housing Subcommittee on which I serve worked laboriously on this important bill before sending to the full Banking and Currency Committee.

Our subcommittee membership is well-versed in the problems related to Federal flood insurance protection. In addition to our many hearings on the subject, both the subcommittee chairman, the ranking minority member, myself and other members of the subcommittee, are from States which were ravaged in recent years by floods and hurricanes. We have met and talked with thousands of constituents and dealt firsthand with those innocent victims who must piece together their lives following one of these catastrophes.

Under the proposed Flood Disaster Protection Act—

All limits of coverage, both subsidized and unsubsidized, would at least double, and total program size would increase from $4 billion to $10 billion;

Land use requirements would be retained, and studies to identify and determine actuarial rates for flood-prone communities would be accelerated;

The denial of disaster relief to those who could have purchased flood insurance for a year or more, but did not do so, would be eliminated and replaced by a requirement that flood insurance, if available, must be purchased in connection with federally-related financing of projects in identified flood-prone areas as a condition of the Federal assistance;

Communities having identified flood-prone areas would be notified and required to participate in the flood insurance program by July 1, 1975, or be denied federally-related financing for projects in such areas; and

Directs Secretary to establish procedures assuring adequate consultation with elected public officials relating to notification to and identification of flood-prone areas and the application of criteria for land use. Provides for an appeals procedure through Federal District Court for any local community aggrieved by any final determination of the Secretary invested in him by Flood Insurance Act.

I want to impress upon you that this bill before you today is a tough bill. But its strength is a reflection of the difficulties inherent in providing a Federal flood insurance program which is more, in the words of the Federal Insurance Administrator:

> Than a reckless and unjustifiable give-away program that could impose an enormous burden on the vast majority of American taxpayers without giving them any hope in return.

Our bill does a number of things, not the least of which is to increase the available limits of insurance coverage for all types of properties. Further, we authorize an increase in amounts of coverage outstanding from $4 billion to $10 billion.

Yet the controversy in this bill comes from language which I believe is absolutely necessary if we are to have a viable Federal flood insurance program.

This is the provision which prohibits Federal financing and assistance for acquisition or construction within flood-prone areas identified as such by the Secretary of HUD which refuse to participate in the flood insurance program and continue to permit building in flood planes.

It's a big stick but it's a vital one.

Much less through perfidy than naivete, individuals just have not purchased available Federal flood insurance. Yet when a catastrophe occurs, it is Uncle Sam who ultimately foots the bill.

I believe H.R. 8449 is a wise and completely justified improvement to the current Federal flood insurance program. I urge your support for this bill.

Mr. RARICK. Mr. Chairman, this legislation is being peddled as a necessary improvement on the existing Federal flood insurance program. Certainly, this has great public appeal especially in the light of this year's disastrous floods and the hurricane season being on us; however, this legislation goes far beyond merely improving the existing Federal flood insurance program—it approaches collectivization of private property.

The bill is designed to increase flood insurance coverage while minimizing potential losses by setting rigid land use standards controlling construction as well as building sites in flood-prone areas. The land use proposals are not only compulsory but so extreme that unless local officials comply on a community-wide basis, all Federal financing could be denied for any future progress or growth of the community. The determination as to what is or is not a flood-prone area and the land use regulations that must be met for a flood-prone area to qualify for flood insurance is left to the absolute authority of unelected bureaucrats in Washington. The right of appeal is given, not to any landowner, but only to the "governing body of the community." The bill also gives the Federal bureaucracy absolute authority to determine flood rise zones and minimal premium rates. This legislation is so stringent that if adopted there seemingly would be no future need for flood insurance because the land use restrictions would prevent any construction in a flood-prone area.

The bill before us, H.R. 8449, is land use legislation that is designed to aid the insurance companies carrying flood insurance to spread their risk by making the flood insurance program mandatory. A community which includes an area that has been designated flood-prone by Federal officials stands to lose all forms of Federal assistance if it refuses to enter the program. Thus, the chief beneficiary of this legislation is the insurance company, not the American people.

This bill gives the Federal bureaucrats yet another club to use on two important aspects of our society, the housing construction industry and the mortgage loan industry. In doing this, the legislation increases the power of the Federal Government over the local governing bodies. Land zoning and the establishment of prevailing building codes in a community have historically been under the control of the local governing body. This legislation transfers this power to unelected Federal bureaucrats with no established right of appeal given to the people themselves. People own land and it is people who desire flood insurance—not governing bodies of a community.

Furthermore, Mr. Chairman, this bill would allow the Federal Government to, in effect, control the growth of a community. Urbanization, and its accompanying problems, is the cause of many of the problems of our society, a problem which in reality can be solved only through expansion. The bill before us would limit this expansion and doom certain of our cities to an ever-increasing rise in urban problems. The city of New Orleans is but one example of this type of situation. Baton Rouge, the capital of Louisiana and the major city in my district, is another. According to information I have, a plan prepared by the Corps of Engineers places 90 percent of the parish in which the city of Baton Rouge is located within flood-prone areas. Thus, if this legislation is adopted as written, Baton Rouge would be limited in its growth. Housing construction in these flood-prone areas would be prohibitive in cost because of the mandatory requirements established by unelected Federal officials. Thus, the city—instead of growing and expanding normally—would be forced to grow and expand within certain areas. This can only lead to more and greater congestion and more difficult problems such as those that accompany increased urbanization.

It should be understood that the far-reaching effects of this so-called flood insurance bill are not limited in application to Louisiana or other low-lying areas and coastal States. Every congressional district may be affected with the identified flood-prone areas being estimated between 10,000 to 20,000 communities all over the United States.

Should land use programs as proposed by H.R. 8449, the Federal flood insurance bill, become law, private landowners may hold title to their property and pay taxes, but the use to which their land may be put will be determined by the collective decisions of others claiming to be acting for the common good of all—whatever that may be.

Mr. Chairman, the value of my people's liberty, freedom, and safety is too high a premium to pay for increased flood insurance coverage. My people recognize the need for revision of the present program to provide for increased coverage, especially in view of the inflationary trends. However, I cannot cast my people's vote for this land use legislation as written and urge our colleagues to vote it down.

Mr. J. WILLIAM STANTON. Mr. Chairman, the amendment of the gentleman from Florida (Mr. BAFALIS) points out an extremely important part of the legislation that is before us today. First of all, as the gentleman so rightly

pointed out, we are taking today a different procedure than we have in the past in regard to flood control legislation in removing it from the voluntary to the mandatory stage in this legislation. The effects on these communities in those who get it and those who do not get it down the road are going to be very serious.

At the time of the hearings before our committee on this, public officials from the State of Florida and certain cities in the flood plain States showed up and pointed out that really when the Secretary of HUD makes a determination, there is no loophole or route that a city or a community can take to overrule HUD's decision. The Secretary of HUD will make his determination based on material compiled by the Corps of Engineers.

I felt very strongly at the time that this is certainly a great power of life or death over the development of these communities. However, the trouble with the Bafalis amendment, as far as I can personally see, is that what it is mandating that HUD do is simply, first and foremost, that a public hearing has to be held in the community in which the problem exists, and that then the results of that hearing will be forwarded to the National Academy of Sciences.

What the administration worries about in this regard is that, first of all, they expect 10,000 or better applications in the next 6 months to come up for approval or disapproval.

What my amendment does is recognize that the Corps of Engineers and the Secretary should not necessarily be the final determinant, but any information that the community has can be brought to the attention of HUD, scientific data or otherwise, to overrule their jurisdiction within 20 days after the information is put in the Federal Register. Then the mechanism is such that the Secretary is required to review all this information, and any subsequent scientific data that he gets, he can either give to the National Academy of Sciences if he wants to, or he can handle it by hearings, or review it in any manner or with whatever flexibility he wants to, and I think this becomes extremely meaningful, especially under the legislation of the amendment that we passed here awhile ago of the gentleman from Illinois concerning the Great Lakes and cyclical levels of water.

The Secretary of HUD can use that, for example, in these areas around the Great Lakes to control flood insurance, to start with. Once all of this flexibility is taken, the data is assembled, and then it is clearly a case where these cities can take it to the district court involved in this legislation, and they have a right of review. All I have tried to do is be somewhat flexible, I believe, in some kind of review. I would certainly say to the gentleman from Florida (Mr. BAFALIS) that this hopefully is more acceptable to everybody involved, from what I have been told. Certainly, if it has not been acceptable, I certainly would have backed the gentleman's amendment because we do need this flexibility.

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

Mr. J. WILLIAM STANTON. I yield to the gentleman from Florida.

Mr. BAFALIS. I have several questions regarding the substitute. No. 1, how does the gentleman in this amendment cover the problem of communities that have already had flood levels set that they do not think are realistic? They do not have a right under this substitute. They do under the original amendment.

Mr. J. WILLIAM STANTON. I would say, first of all, that the amendment that the gentlewoman from New Orleans is going to offer that where new scientific data can be submitted where a judgment is already issued, HUD is required to reopen and reconsider that case. I would say that the gentleman has a point, and if the gentlewoman from New Orleans is going to offer her amendment, that would solve this particular problem.

Mr. BAFALIS. Will the gentleman yield further?

Mr. J. WILLIAM STANTON. I yield to the gentleman from Florida.

Mr. BAFALIS. There are two other sections that concern me. One allows the Secretary to take any other means as he deems appropriate. He does not have to go to the National Academy of Sciences. He can but it is not necessary. He can do whatever he wishes to do.

Then it says "until the conflict in data is resolved to the satisfaction of the Secretary," not to the satisfaction of both the community and the Secretary, but only to the Secretary.

So really what this substitute does is gut the original amendment because it puts the bill back in the posture it was in without the original amendment. It still leaves to the Secretary the full determination as to the flood levels.

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

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

Mr. J. WILLIAM STANTON. In answer to the gentleman all I can say is what I said before. I am in complete sympathy with the gentleman but I understand the administration's point of view is that they are locked in and have thousands of applications coming in. It might be a real monstrosity.

Mr. BAFALIS. If the gentleman will yield, I would think giving the communities the right to be heard would be much less expensive than having the local communities going to the courts. I think if judicial review is the only remedy, most communities would ask for judicial review.

Mr. J. WILLIAM STANTON. Under my amendment I think in certain cases it would be wise and maybe in most communities in Florida it would be best for them to hold public hearings but this binds them into holding public hearings. All I want is the flexibility. I hope I am right in that regard.

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

Mr. J. WILLIAM STANTON. I yield to the gentleman from Pennsylvania.

Mr. BARRETT. I think it makes it more acceptable to our side and we can agree and certainly we can move on with this amendment.

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

Mr. J. WILLIAM STANTON. I yield to the gentleman from Florida.

Mr. SIKES. Of course all of us are trying to establish the right of the community to be heard and then to develop a simple procedure for correcting an inequity if it is so that an inequity exists. I think the amendment offered by the gentleman from Florida provides a more simple and direct way of accomplishing this and it is a much more desirable substitute.

Mr. J. WILLIAM STANTON. I would like to ask the gentleman from Florida a question. The Administrator of this program has strong objections to the Bafalis amendment, according to my staff. I have been told this is not necessarily the case now and I do not know how we will solve that at this particular time but certainly we will in conference. I agree in principle with the Bafalis amendment.

Mrs. HOLT. Mr. Chairman, I rise to express my support for H.R. 8449, the Flood Disaster Protection Act of 1973. This bill is designed to meet the pressing need for a comprehensive insurance program for flood prone areas.

It will expand the national flood insurance program by increasing the limits of coverage and the total amount of insurance authorized. The devastation which occurred during the Hurricane Agnes dramatically brought home the need for an improved and revised national flood insurance program. I am sure that many of us still retain vivid mental pictures of the destruction wrought by that storm; vivid memories of huge losses in housing, personal belongings, business properties, and farmland.

This bill will not provide a panacea for the problems associated with flooding, but it is a step in the right direction. It strikes a fair balance between Government assistance and individual self-reliance, and I am pleased to have the opportunity to lend my support to its passage.

My colleague from New York (Mr. GILMAN) has identified one deficiency in this act, the failure to provide coverage for field crops. I fully concur with his remarks concerning the necessity for this body to consider additional legislation to protect the farmer's inventory.

In addition to crops produced on land, there is also a demonstrated need to provide catastrophic assistance to our shellfish industry. One of the effects of Agnes in my home State of Maryland was the deposition of huge amounts of contaminated silt and sediment in the Chesapeake Bay. The end result was contaminated shellfish products which were unfit for human consumption. The economic impact on those men who earn their living from the Bay was staggering.

Mr. Chairman, after passage of this bill today, I hope that this Congress will turn its attention to the formulation of a realistic and effective disaster protection program for those individuals who harvest food resources of both the land and the sea.

Mr. PATMAN. Mr. Chairman, since the minority has no further requests for

time, and we have no further requests for time, I would ask that the Clerk read the bill.

The CHAIRMAN. If there are no further requests for time, the Clerk will read.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Flood Disaster Protection Act of 1973".

FINDINGS AND DECLARATION OF PURPOSE

SEC. 2. (a) The Congress finds that (1) annual losses throughout the Nation from floods and mudslides are increasing at an alarming rate, largely as a result of the accelerating development of, and concentration of population in, areas of flood and mudslide hazards; (2) the availability of Federal loans, grants, guaranties, insurance, and other forms of financial assistance are often determining factors in the utilization of lands and the location and construction of public and of private industrial, commercial, and residential facilities; (3) property acquired or constructed with grants or other Federal assistance may be exposed to risk of loss through floods, thus frustrating the purpose for which such assistance was extended; (4) Federal instrumentalities insure or otherwise provide financial protection to banking and credit institutions whose assets include a substantial number of mortgage loans and other indebtedness secured by property exposed to loss and damage from floods and mudslides; (5) the Nation cannot afford the tragic losses of life caused annually by flood occurrences, nor the increasing losses of property suffered by flood victims, most of whom are still inadequately compensated despite the provision of costly disaster relief benefits; (6) it is in the public interest for persons already living in flood-prone areas to have both an opportunity to purchase flood insurance and access to more adequate limits of coverage, so that they will be indemnified for their losses in the event of future flood disasters; and (7) it is in the national interest to preserve, protect, develop, and (where possible) restore the flood capacity and resources of the Nation's flood plain areas and to maintain the natural environment of such areas.

(b) The purpose of this Act, therefore, is to (1) substantially increase the limits of coverage authorized under the national flood insurance program; (2) provide for the expeditious identification of, and the dissemination of information concerning, flood-prone areas; (3) require States or local communities, as a condition of future Federal financial assistance, to participate in the flood insurance program and to adopt adequate flood plain ordinances with effective enforcement provisions consistent with Federal standards to reduce or avoid future flood losses; (4) require the purchase of flood insurance by property owners who are being assisted by Federal programs or by federally supervised, regulated, or insured agencies in the acquisition or improvement of land or facilities located or to be located in identified areas having special flood hazards; and (5) provide for and encourage the establishment of conservation areas, and encourage the formulation of flood plain ordinances which to the fullest practicable extent give priority consideration to the natural flood capacity, soil conservation, and ground water replenishment functions of flood plains and to their natural scenic, inspirational, esthetic, and recreational values, their natural commercial fish and wildlife and timber values, and their historic, archeologic, ecologic, and other scientific values.

DEFINITIONS

SEC. 3. (a) As used in this Act, unless the context otherwise requires, the term—

(1) "Act" means the National Flood Insurance Act of 1968 (42 U.S.C. 4001–4127);

(2) "community" means a State or a political subdivision thereof which has zoning and building code jurisdiction over a particular area having special flood hazards;

(3) "Federal agency" means any department, agency, corporation, or other entity or instrumentality of the executive branch of the Federal Government, and shall include the following federally sponsored agencies: Federal National Mortgage Association and Federal Home Loan Mortgage Corporation;

(4) "financial assistance" means any form of loan, grant, guaranty, insurance, payment, rebate, subsidy, disaster assistance or grant, or any other form of direct or indirect Federal financial assistance, other than general or special revenue-sharing or formula grants made to States;

(5) "financial assistance for acquisition or construction purposes" means any form of financial assistance which is intended in whole or in part for the acquisition, construction, reconstruction, repair, or improvement of any publicly or privately owned building or mobile home, and for any machinery, equipment, fixtures, and furnishings contained or to be contained therein, and shall include the purchase or subsidization of mortgages or mortgage loans but shall exclude assistance for emergency work essential for the protection and preservation of life and property performed pursuant to the Disaster Relief Act of 1970;

(6) "Federal instrumentality responsible for the supervision, approval, regulation, or insuring of banks, savings and loan associations, or similar institutions" means the Board of Governors of the Federal Reserve System, the Federal Deposit Insurance Corporation, the Comptroller of the Currency, the Federal Home Loan Bank Board, the Federal Savings and Loan Insurance Corporation, and the National Credit Union Administration;

(7) "Secretary" means the Secretary of Housing and Urban Development; and

(8) "conservation area" means a portion of a flood plain which (A) can be efficiently utilized for floodwater flowage, detention, and storage, conservation of soil and water, scenic, greenspace, and recreational purposes, wildlife and timber production, nursery, rearing, and food supply of fishes, or scientific and educational purposes, and (B) has been designated by the appropriate State or local public body as an area to be so utilized without encroachment by flood-damageable developments.

(b) The Secretary is authorized to define or redefine by rules and regulations, any scientific or technical term used in this Act, insofar as such definition is not inconsistent with the purposes of this Act.

TITLE I—EXPANSION OF NATIONAL FLOOD INSURANCE PROGRAM

INCREASED LIMITS OF COVERAGE

SEC. 101. (a) Section 1306(b)(1)(A) of the National Flood Insurance Act of 1968 is amended to read as follows:

"(A) in the case of residential properties—

"(i) $35,000 aggregate liability for any single-family dwelling, and $100,000 for any residential structure containing more than one dwelling unit, and

"(ii) $10,000 aggregate liability per dwelling unit for any contents related to such unit;".

(b) Section 1306(b)(1)(B) of such Act is amended by striking out "$30,000" and "$5,000" wherever they appear and inserting in lieu thereof "$100,000".

(c) Section 1306(b)(1)(C) of such Act is amended to read as follows:

"(C) in the case of church properties and any other properties which may become eligible for flood insurance under section 1305—

"(i) $100,000 aggregate liability for any single structure, and

"(ii) $100,000 aggregate liability per unit for any contents related to such unit; and".

REQUIREMENT TO PURCHASE FLOOD INSURANCE

SEC. 102. (a) No Federal officer or agency shall approve any financial assistance for acquisition or construction purposes on and after July 11, 1973, for use in any area that has been identified by the Secretary as an area having special flood hazards and in which the sale of flood insurance has been made available under the Act, unless the building or mobile home and any personal property to which such financial assistance relates is, during the anticipated economic or useful life of the project, covered by flood insurance in an amount at least equal to its development or project cost (less estimated land cost) or to the maximum limit of coverage made available with respect to the particular type of property under the Act, whichever is less: *Provided,* That if the financial assistance provided is in the form of a loan or an insurance or guaranty of a loan, the amount of flood insurance required need not exceed the outstanding principal balance of the loan and need not be required beyond the term of the loan.

(b) Each Federal instrumentality responsible for the supervision, approval, regulation, or insuring of banks, savings and loan associations, or similar institutions shall by regulation direct such institutions on and after July 1, 1973, not to make, increase, extend, or renew any loan secured by improved real estate or a mobile home located or to be located in an area that has been identified by the Secretary as an area having special flood hazards and in which flood insurance has been made available under the Act, unless the building or mobile home and any personal property securing such loan is covered for the term of the loan by flood insurance in an amount at least equal to the outstanding principal balance of the loan or to the maximum limit of coverage made available with respect to the particular type of property under the Act, whichever is less.

FINANCING

SEC. 103. Subsection (a) of section 1309 of the National Flood Insurance Act of 1968 is amended by—

(a) inserting "without the approval of the President" after the words "such authority", and

(b) inserting a period in lieu of the comma after the figure "$250,000,000" and striking out all of the words that follow.

INCREASED LIMITATION OF COVERAGE OUTSTANDING

SEC. 104. Section 1319 of the National Flood Insurance Act of 1968 is amended by striking out "$6,000,000,000" and inserting in lieu thereof "$10,000,000,000".

FLOOD INSURANCE PREMIUM EQUALIZATION PAYMENTS

SEC. 105. Section 1334 of the National Flood Insurance Act of 1968 is amended by deleting subsection (b) and by redesignating subsection "(c)" as subsection "(b)".

DEFINITION OF FLOOD

SEC. 106. Section 1370(b) of the National Flood Insurance Act of 1968 is amended by inserting "proximately" before "caused".

TITLE II—DISASTER MITIGATION REQUIREMENTS

NOTIFICATION TO FLOOD-PRONE AREAS

SEC. 201. (a) Not later than six months following the enactment of this title, the Secretary shall publish information in accordance with subsection 1360(1) of the Act, and shall notify the chief executive officer of each known flood-prone community not already participating in the national flood insurance program of its tentative identification as a community containing one or more areas having special flood hazards.

(b) After such modification each tenta-

tively identified community shall either (1) promptly make proper application to participate in the national flood insurance program or (2) within six months submit technical data sufficient to establish to the satisfaction of the Secretary that the community either is not seriously flood prone or that such flood hazards as may have existed have been corrected by floodworks or other flood control methods. The Secretary may, in his discretion, grant a public hearing to any community with respect to which conflicting data exist as to the nature and extent of a flood hazard. If the Secretary decides not to hold a hearing, the community shall be given an opportunity to submit written and documentary evidence. Whether or not such hearing is granted, the Secretary's final determination as to the existence or extent of a flood hazard area in a particular community shall be deemed conclusive for the purposes of this Act if supported by substantial evidence in the record considered as a whole.

(c) As information becomes available to the Secretary concerning the existence of flood hazards in communities not known to be flood prone at the time of the initial notification provided for by subsection (a) of this section he shall provide similar notifications to the chief executive officers of such additional communities, which shall then be subject to the requirements of subsection (b) of this section.

(d) Formally identified flood-prone communities that do not qualify for the national flood insurance program within one year after such notification or by the date specified in section 202, whichever is later, shall thereafter be subject to the provisions of that section relating to flood-prone communities which are not participating in the program.

EFFECT OF NONPARTICIPATION IN FLOOD INSURANCE PROGRAM

SEC. 202. (a) No Federal officer or agency shall approve any financial assistance for acquisition or construction purposes on and after July 1, 1975, for use in any area that has been identified by the Secretary as an area having special flood hazards unless the community in which such area is situated is then participating in the national flood insurance program.

(b) Each Federal instrumentality responsible for the supervision, approval, regulation, or insuring of banks, savings and loan associations, or similar institutions shall by regulation prohibit such institutions on and after July 1, 1975, from making, increasing, extending, or renewing any loan secured by improved real estate or a mobile home located or to be located in an area that has been identified by the Secretary as an area having special flood hazards, unless the community in which such area is situated is then participating in the national flood insurance program.

REPEAL OF DISASTER ASSISTANCE PENALTY

SEC. 203. Section 1314 of the National Flood Insurance Act of 1968 is repealed.

ACCELERATED IDENTIFICATION OF FLOOD-RISK ZONES

SEC. 204. (a) Section 1360 of the National Flood Insurance Act of 1968 is amended by inserting the designation "(a)" after "SEC. 1360." and adding new subsections "(b)" and "(c)" at the end thereof to read as follows:

"(b) The Secretary is directed to accelerate the identification of risk zones within flood-prone and mudslide-prone areas, as provided by subsection (a)(2) of this section, in order to make known the degree of hazard within each such zone at the earliest possible date. To accomplish this objective, the Secretary is authorized, without regard to sections 3648 and 3709 of the Revised Statutes, as amended (31 U.S.C. 529 and 41 U.S.C. 5), to make grants, provide technical assistance, and enter into contracts, cooperative agreements, or other transactions, on such terms as he may deem appropriate, or consent to modifications thereof, and to make advance or progress payments in connection therewith.

"(c) The Secretary of Defense (through the Army Corps of Engineers), the Secretary of the Interior (through the United States Geological Survey), the Secretary of Agriculture (through the Soil Conservation Service), the Secretary of Commerce (through the National Oceanic and Atmospheric Administration), the head of the Tennessee Valley Authority, and the heads of all other Federal agencies engaged in the identification or delineation of flood-risk zones within the several States, shall, in consultation with the Secretary, give the highest practicable priority in the allocation of available manpower and other available resources to the identification and mapping of flood-hazard areas and flood-risk zones, in order to assist the Secretary to meet the deadline established by this section."

PRIORITY FOR ESTABLISHMENT OF CONSERVATION AREAS

SEC. 205. Section 1315 of the National Flood Insurance Act of 1968 is amended by adding at the end thereof the following new sentence: "In the formulation and adoption of such measures, priority consideration shall be given to the establishment and maintenance of conservation areas (as defined in section 3(a)(8) of the Flood Disaster Protection Act of 1973)."

AUTHORITY TO ISSUE REGULATIONS

SEC. 206. (a) The Secretary is authorized to issue such regulations as may be necessary to carry out the purpose of this Act.

(b) The head of each Federal agency that administers a program of financial assistance relating to the acquisition, construction, reconstruction, repair, or improvement of publicly or privately owned land or facilities, and each Federal instrumentality responsible for the supervision, approval, regulation, or insuring of banks, savings and loan associations, or similar institutions, shall, in cooperation with the Secretary, issue appropriate rules and regulations to govern the carrying out of the agency's responsibilities under this Act.

CONSULTATION WITH LOCAL OFFICIALS

SEC. 207. In carrying out his responsibilities under the provisions of this title and the National Flood Insurance Act of 1968 which relate to notification to and identification of flood-prone areas and the application of criteria for land management and use, the Secretary shall establish procedures assuring adequate consultation with the appropriate elected officials of general purpose local governments, including but not limited to those local governments whose prior eligibility under the program has been suspended.

SPECIAL STUDY

SEC. 208. The Secretary of Housing and Urban Development shall undertake a study and make recommendations to the Congress not later than one year after the date of the enactment of this Act with respect to economical and cost-effective methods of coordinating the improvement of land or facilities located or to be located in identified areas having special flood hazards with existing public facilities and improvements in such area.

TITLE III—APPEALS

SEC. 301. The National Flood Insurance Act of 1968 is amended by adding at the end thereof the following:

"Chapter V—APPEALS

"SEC. 1380. The governing body of any community aggrieved by any final determination of the Secretary made by virtue of authority invested in him by this Act, or by the Flood Disaster Protection Act of 1973, may appeal such determination to the United States district court for the district within which the community is located not more than sixty days after receipt of notice of such determination by the governing body."

Mr. PATMAN (during the reading). Mr. Chairman, I ask unanimous consent that further reading of the bill be dispensed with, that it be printed in the RECORD, and open to amendment at any point.

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

There was no objection.

AMENDMENT OFFERED BY MR. GONZALEZ

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

The Clerk read as follows:

Amendment offered by Mr. GONZALEZ: On page 8, line 21, add a new section to read as follows:

"(c) Notwithstanding the other provisions of this section, flood insurance shall not be required on any State-owned property that is covered under an adequate State policy of self-insurance satisfactory to the Secretary. The Secretary shall publish and periodically revise the list of States to which this subsection applies."

Mr. GONZALEZ. Mr. Chairman, I rise to offer an amendment that I am confident will receive the approval of all Members.

As a member of the subcommittee wherein the bill originated and as a strong supporter of this legislation, my attention was called to the need for this amendment by the Governor of Texas and his staff.

This is in reality a pro forma clause that should have been contained in the original draft of the bill.

It simply exempts those States with an adequate self-insurance program from unnecessary and costly federally mandated program.

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

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

Mr. PATMAN. Mr. Chairman, we have examined the gentleman's amendment. We know about it, and I believe the other side does. If the other side is willing to agree to it, we would agree.

Mr. GONZALEZ. I thank the distinguished Chairman. I believe that neither side represented on the committee will have any objection.

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

Mr. GONZALEZ. I yield to the gentleman from Pennsylvania.

Mr. BARRETT. Mr. Chairman, we have made a fair observation of the gentleman's amendment, and we are satisfied with it. We will accept it if the minority side will do so.

Mr. WIDNALL. Mr. Chairman, the minority has no objection.

Mr. BARRETT. Mr. Chairman, I ask for a vote on the amendment.

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

The amendment was agreed to.

AMENDMENT OFFERED BY MR. YATES

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

The Clerk read as follows:

Amendment offered by Mr. YATES: Page 9, after line 17, add the following new section:

EXTENSION OF FLOOD INSURANCE PROGRAM TO COVER LOSSES FROM EROSION AND UNDERMINING OF SHORELINES

SEC. 107. (a) Section 1302 of the National Flood Insurance Act of 1968 is amended by adding at the end thereof the following new subsection:

"(g) The Congress also finds that (1) the damage and loss which may result from the erosion and undermining of shorelines by waves or currents in lakes and other bodies of water exceeding anticipated cyclical levels is related in cause and similar in effect to that which results directly from storms, deluges, overflowing waters, and from other forms of flooding, and (2) the problems involved in providing protection against this damage and loss, and the possibilities for making such protection available through a Federal or federally sponsored program, are similar to those which exist in connection with efforts to provide protection against damage and loss caused by such other forms of flooding. It is therefore the further purpose of this title to make available, by means of the methods, procedures, and instrumentalities which are otherwise established or available under this title for purposes of the flood insurance program, protection against damage and loss resulting from the erosion and undermining of shorelines by waves or currents in lakes and other bodies of water exceeding anticipated cyclical levels.

(b) Section 1370 of such Act is amended by adding at the end thereof the following new subsection:

"(c) The term 'flood' shall also include the collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion of undermining caused by waves or currents of water exceeding anticipated cyclical levels, and all of the provisions of this title shall apply with respect to such collapse or subsidence in the same manner and to the same extent as with respect to floods described in paragraph (1), subject to and in accordance with such regulations, modifying the provisions of this title (including the provisions relating to land management and use) to the extent necessary to insure that they can be effectively so applied, as the Secretary may prescribe to achieve (with respect to such collapse or subsidence) the purposes of this title and the objectives of the program."

The CHAIRMAN. The gentleman from Illinois is recognized.

Mr. YATES. Mr. Chairman, the amendment I am offering today would extend the flood insurance program to cover losses which result from unusual erosion and the undermining of our shorelines. This amendment is urgently needed to protect coastal communities across the Nation from the tragic property damage that has been caused by the erosion of our shores.

Mr. Chairman, there is presently no Federal program that provides assistance to private property owners who suffer losses from the gradual erosion of our shorelines. While there are programs designed to provide relief for erosion damage that results from a specific flood or storm, there are no means available for property owners to protect themselves from the erosion which results from unexpected cyclical rise in water levels.

Yet erosion can cause as much—or more—damage as a serious flash flood or storm and the extent of the erosion problem is enormous. The Army Corps of Engineers' national shoreline study reports that 20,500 miles of shoreline suffers from significant erosion damage. And about two-thirds of this shoreline damage has accrued on property that is privately owned and not eligible for Federal assistance under the present law.

Moreover, Mr. Chairman, this problem is one that affects the entire Nation. The national shoreline study states that:

About 42% of the 37,000 miles of shoreline outside of Alaska is undergoing significant erosion. . . . The erosion is widely distributed, without respect for political boundaries or property lines. Private and public owners suffer alike. Shore protection programs are not keeping pace with needs and this is particularly evident where private owners are involved and public funds are not available.

Damage from erosion has amounted to hundreds of millions of dollars. The problem greatly exceeds the ability of many small property owners to pay out of their pockets for the massive damage that has occurred. In many cases, property in which an entire life savings has been invested has been washed away.

Mr. Chairman, the shores of the Great Lakes alone have suffered enormous damage due to unprecedented high water levels. Communities and property owners up and down the coastline are experiencing severe flooding and erosion problems. According to the national shoreline study, of the 3,700 miles of Great Lakes shoreline, 1,300 miles are subject to significant erosion. This includes 1,100 miles of privately owned land which is not covered by any existing Federal program.

In the city of Chicago, erosion damage due to the current high lake levels has caused extensive damage to homes, apartment buildings, and condominiums along the lakefront. Many property owners living in a condominium or cooperative on a fixed or limited income are now finding that their life's investment is in jeopardy and there is no protection available. Midwest magazine has estimated that in Chicago by early spring, $10 million of property damage will have resulted from this winter's extraordinary high lake levels and strong winds. The situation clearly requires immediate action.

Mr. Chairman, I firmly believe that the national flood insurance program is a most appropriate vehicle to protect property owners against losses due to erosion. My amendment would simply provide that property damage due to flooding which has been caused by unusual erosion become eligible for insurance protection under this act. This amendment is perfectly consistent with the purposes of the flood insurance program. In fact it would seem extremely inconsistent to specifically exclude damage due to erosion from this insurance coverage. The problems which result from flooding due to a flash flood and from the gradual erosion of our shorelines are, after all, virtually indistinguishable.

Mr. Chairman, the enormous damage which has resulted from the erosion of our Nation's shorelines has been thoroughly documented. The substantial losses which have occurred from the destruction of property cannot be sustained by property owners without Federal assistance. This amendment would provide urgently needed insurance coverage against erosion damage and would be a minimal expansion of the program which presently provides coverage for similar damage. I strongly urge support for my amendment.

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

Mr. YATES. I yield to the gentleman from Pennsylvania (Mr. BARRETT).

Mr. BARRETT. Mr. Chairman, we have no objection to the amendment. We have gone through the amendment carefully and if it is agreeable to the minority side we would accept it.

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

Mr. YATES. I yield to the gentleman from New Jersey.

Mr. WIDNALL. Mr. Chairman, the minority has no objection to the amendment.

Mr. YOUNG of Illinois. Mr. Chairman, will the gentleman yield?

Mr. YATES. I yield to the gentleman from Illinois (Mr. YOUNG).

Mr. YOUNG of Illinois. Mr. Chairman, would the wording the gentleman has added to this legislation, particularly the words "exceeding anticipated cyclical levels", will that standard be sufficient so that damages which have been caused by the current levels of Lake Michigan be a flood type of situation where loans could be extended under damage caused by that type of flooding?

Mr. YATES. It is my intention and the intention of this amendment to take care of such situations because the levels of Lake Michigan and the other Great Lakes are much higher than the expected cycles the Army Corps of Engineers had anticipated. The cycles of the levels of the lakes vary from year to year. At the present time they are the highest in the history of the country and have resulted in tremendous damage to the owners of apartments and condominiums and homes in my district along the shore of Lake Michigan. I am told the same situation prevails with respect to homeowners who have their homes on the shores of the other lakes. It would be the intention to take care of the situation the gentleman just described.

Mr. YOUNG of Illinois. I commend my colleague, the gentleman from Illinois (Mr. YATES), for introducing this amendment. I join him in support of it and I urge my colleagues to support it.

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

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

Mr. HOSMER. Mr. Chairman, does this apply to inland lakes only or also to ocean shores?

Mr. YATES. It could if the Army Corps of Engineers has records of the levels of coastlines. I suppose this would apply to that as well.

Mr. HOSMER. Will the gentleman yield again?

Mr. YATES. I yield to the gentleman from California (Mr. HOSMER).

Mr. HOSMER. Is this not a different kind of risk than the risk of a flood we would normally conceive of? I am not sure that we have not gotten apples and oranges we are trying to mix into one insurance pool that are not necessarily compatible.

Mr. YATES. I will tell the gentleman this takes care of an unusual situation such as a flood. With respect to ordinary situations where lake levels are at the levels—and I assume that is the point the gentleman has in mind—which are in accordance with the normal cycles of such waters, there would not be any damage that would occur.

Mr. HOSMER. This is the water damage, yes, but water damage that is in the bill now has to do with that which comes from the overflowing of the rivers. The water damage the gentleman is now speaking about is that which comes from the rise of levels of larger bodies of water and erosion that comes from that and these would be distinctly different processes.

Mr. YATES. No, it is an unusual kind of process, not the ordinary kind, and it causes just as much damage as the kinds of floods covered by the bill.

Mr. HOSMER. But the important thing from the insurance point is not the resulting damage but what causes the damage. That determines the insurability and the rates of insurance. These instances are two entirely different things.

Mr. YATES. The fact remains that the damage is caused by an unusual amount of water.

Mr. HOSMER. But the rate ought to be different in one case than in the other. The gentleman's amendment would cause the rates to be the same under subsidized insurance.

Mr. YATES. I assume the insurance corporation will take that into consideration.

Mr. J. WILLIAM STANTON. Mr. Chairman, will the gentleman yield?

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

Mr. J. WILLIAM STANTON. Mr. Chairman, I thank the gentleman for yielding. The gentleman did discuss this with me before. I think we should point out to the other Members that first of all these communities must qualify under basic flood insurance regulations before they are eligible for this.

We do have that general overall further protection?

Mr. YATES. Further protection.

Mr. J. WILLIAM STANTON. Protective measure.

Mr. YATES. That is correct.

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

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

Mr. BURLISON of Missouri. Mr. Chairman, I think in his colloquy with the gentleman from California the gentleman from Illinois has covered the erosion situation that evolves from an overflow of the lakes; flooding, so to speak, of the lakes and also of the ocean shores.

I think certainly the gentleman includes, or intends to include with his language, erosion and damage which may occur from the overflow of rivers as well. Isn't that obvious?

Mr. YATES. Mr. Chairman, I would anticipate that it would be covered if it were an unusual kind of erosion and not the kind that is gradual and takes place over the course of years.

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

(At the request of Mr. BURLISON of Missouri and by unanimous consent, Mr. YATES was allowed to proceed for 1 additional minute.)

Mr. YATES. Mr. Chairman, my amendment proposes to cover an unusual and unexpected kind of erosion, not the gradual type which occurs over many, many years.

Mr. BURLISON of Missouri. Mr. Chairman, I believe the language says "lakes and other bodies of water."

Mr. YATES. Correct.

Mr. BURLISON of Missouri. So it would include inland rivers and drainage ditches.

Mr. YATES. The gentleman is correct.

Mr. BURLISON of Missouri. Mr. Chairman, I thank the gentleman from Illinois for yielding.

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

The amendment was agreed to.

AMENDMENT OFFERED BY MR. ARCHER

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

The Clerk read as follows:

Amendment offered by Mr. ARCHER: Page 15, line 16, add the following new sections to chapter V:

SEC. 1381. Any person, the owner or lessee of real property which has declined in value or been adversely affected as the direct result of any final determination of the Secretary made by virtue of authority invested in him by this Act, or by the Flood Disaster Protection Act of 1973, may appeal such determination to the United States District Court for the district within which said property is located not more than sixty days after receipt of notice of such determination by the governing body of the community in which said property is located.

SEC. 1382. Appeals made under the authority of this chapter shall be treated as trials *de novo* for the purpose of making determinations of fact with regard to the existence of flood-prone areas within a given community and with regard to the specific boundaries of such flood-prone areas.

Mr. ARCHER. Mr. Chairman, I offer this amendment because I am concerned about the individual property owner whose property may lie within a flood plain as defined and delineated by the Secretary under authority granted him in this bill.

As this program is implemented throughout the country in each of our districts, there is going to be a great deal of conflict as to where the lines of the flood plain are, and there is going to be contradictory testimony and contradictory facts from different engineering firms and from the Corps of Engineers.

If an individual's property lies within the flood plain, it will be severely affected as to value because there will be limitations as to what can be built on it and how the structures can be built. I think that because this, in effect, is a taking comparable to a condemnation proceeding by act of the Secretary, that the individual should have the right to have his day in court if he disagrees with a decision by the Secretary.

My amendment simply gives him this right.

Mr. Chairman, I ask its adoption.

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

Mr. Chairman, I hate to do this to one of our very fine former members of our committee. This amendment, I am quite sure, if we were to adopt it, would cause a multiplicity of court suits and litigation. I do not think this is what the gentleman hopes to accomplish.

It would forestall the flood insurance program, due to the backlog of cases in the various courts.

I am opposed to the amendment.

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

Mr. BARRETT. I am glad to yield to the gentleman from Texas.

Mr. ARCHER. I have great respect for my colleague from Pennsylvania. I ask him if he does not believe that every individual who has the value of property taken away from him by Government action should be entitled to have his day in court, and whether an individual under this bill does have an opportunity, as it is presently written, to have his day in court.

Mr. BARRETT. The bill indicates any aggrieved person will have the right to sue.

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

Mr. BARRETT. I will be glad to yield after I make this one statement as to the appeal. The bill reads "the governing body of any community aggrieved by any final determination made by the Secretary by virtue of the authority invested in him by this Act, or by the Flood Disaster Protection Act of 1973, may appeal such determination to the United States District Court for the district within which the community is located."

Mr. ARCHER. That is my whole point. The right of appeal is given to the community, but the individual property owner has absolutely no legal right to a day in court under this legislation.

Mr. BARRETT. I should like to say to the gentleman that this would involve a multiplicity of litigation. The other way, according to the description in the bill, would cause less litigation. They would have a right to appeal to the district court.

Mr. ARCHER. If the gentleman will yield further, the condemnation type proceedings often have many suits involved, but the individual rights of a property owner at least are protected to where he has his day in court. I believe he should have that under this bill also.

Mr. BARRETT. The local governing body would take care of that.

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

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

Mr. ROUSSELOT. I appreciate the gentleman from Pennsylvania yielding. I know how anxious he is for this bill to pass. I cannot understand why the gentleman, whom I know is in favor of every single individual having his day in court, would object to this fine amendment

offered by the gentleman from Texas, who is merely trying to protect the right of an individual to be able to go to court. I really do not understand the gentleman's reasoning as to why this amendment should be opposed, knowing how thoroughly he believes in the right of everybody to have a day in court.

Mr. BARRETT. If the gentleman were using a proper procedure in this case he would go to the local governing body, and they would go to court. The gentleman's amendment indicates there would be a multiplicity of cases.

Mr. ROUSSELOT. If what the gentleman said was correct I would agree, but that is not the case. That is what the good gentleman from Texas is trying to do. He is a good attorney, and he is trying to make sure that the right of an individual to go to court is preserved, for the little homeowner. That is why I cannot understand why the gentleman from Pennsylvania does not with open arms accept this fine amendment.

Mr. BARRETT. The gentleman from Pennsylvania has long arms, and up to this point they have been pretty sturdy, but I do not want to distort the harmony in this bill and the flood control program by putting in multiple litigations which would tie up the flood insurance program.

Mr. ROUSSELOT. This will not tie up the bill.

Mr. BARRETT. It would tie up the program for a number of years.

Mr. ROUSSELOT. This will not tie up the program. This will merely protect the right of an individual.

I rise in support of the amendment, and I believe it should be supported by all those who believe in the civil right of every individual to go to court.

Mr. BARRETT. Mr. Chairman, I do not yield further, and I hope the amendment will be voted down.

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

The amendment was agreed to.

AMENDMENT OFFERED BY MR. BAFALIS

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

The Clerk read as follows:

Amendment offered by Mr. BAFALIS: Page 11, after line 10, insert the following new subsection:

(e) If any community objects on scientific grounds to the Secretary's determination of the flood level for land use purposes of such determination for such community or within 60 days of the enactment date of this legislation, the Secretary, in cooperation with the local community, shall conduct public hearings within a reasonable time in such community, giving reasonable notice and opportunity for hearings and taking a record of all oral and written evidence submitted at such hearing. The Secretary shall then refer such record to the National Academy of Science for that body's review. The Academy shall study this record and issue a report either 1) sustaining the Secretary's initial determination or 2) advising the Secretary to commission a new study based on the information presented by the community. This shall be done under an arrangement under which the actual expenses incurred by such Academy in conducting such review will be paid by the Secretary. Upon receipt by the Secretary of the report of the Academy, the Secretary shall make any new determination of such flood level as required based on the report of the Academy. Until the Secretary has made such determinations as necessary, the provisions of section 202 of this Act shall not apply with respect to the community.

Mr. BAFALIS. Mr. Chairman, as I mentioned earlier, my main concern with this legislation is that local communities do not have a chance to participate.

The gentleman from Georgia (Mr. GINN) and I have offered this amendment, and I must tell the Members that this is a bipartisan effort. A letter explaining this amendment went out this morning, but I am afraid many of the Members have not received it yet.

The bill that was passed in 1968 was not a mandatory piece of legislation, and only some 250,000 homeowners have come under that bill during the last 4 or 5 years.

Mr. Chairman, the problem with this particular legislation that we are now considering is that it is mandatory. After July 1, 1975, every person who wants to build in a flood-prone area is going to have to buy flood insurance, and that community is going to have to comply with the levels, not set by an elected public official, but set by the Secretary of HUD, who is an appointed official.

Now, for those of us who believe the best government is that government which is closest to the people, in essence, local government, must support this amendment, because it gives the local government, our local officials in each and every community, the right to participate in determining reasonable flood levels, and it takes away from the Secretary the arbitrary position which he can take in setting levels that are ludicrous in some cases.

Let me give the Members some examples. I have some counties in my district that never during the last 125 years had a flood level anywhere near the level that has been set by HUD in those communities. Under the present legislation, houses that have been built in those communities where a level has already been set are not going to be allowed to get flood insurance because the owners did not realize at the time they built those houses that the community had refused to accept the levels set by HUD.

Mr. Chairman, all we are saying in this amendment is that if a community, based on scientific data, within 60 days after the Secretary's determination appeals that determination, the Secretary must hold a public hearing. The data from that public hearing is submitted to the National Academy of Sciences. The National Academy reviews that material and makes a determination either that the Secretary's original level is correct or that the Secretary must go back and reexamine the facts. It gives our local people, our local governments, the chance to participate in determining those levels that are being set. It does prohibit Washington from telling us "This is the level you must live with."

Mr. Chairman, I believe it is a very reasonable amendment, and I hope the Chairman will accept the amendment.

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

Mr. BAFALIS. I yield to the gentleman from Florida.

Mr. SIKES. Mr. Chairman, I wish to endorse the statement made by my distinguished colleague from Florida.

The amendment very simply assures that each community will have the right to have a hearing.

Mr. BAFALIS. That is correct.

Mr. SIKES. In addition, it establishes the right of appeal after the hearing, and it outlines the procedure by which a community may appeal the decision; is that correct?

Mr. BAFALIS. That is absolutely correct.

Mr. SIKES. Surely every community has that right. I would hope that the distinguished gentleman from Pennsylvania, who is managing the bill, would see fit to accept the amendment.

I have, as he knows, the very highest respect and greatest regard for him. I feel sure he and the committee will want a procedure by which the respective communities can have a voice in a matter of such great importance to each of them. Without the amendment offered by the gentleman from Florida it is obvious the community has little voice in what HUD decides is the proper level.

Mr. BAFALIS. If I may respond to that, under the present bill, the community does have the right to tell the Secretary of HUD that they think the level is too high but the Secretary does not have to listen to the community under this legislation.

Mr. SIKES. And under the gentleman's amendment there would be a hearing by which corrective measures can be taken.

Mr. BAFALIS. Yes, sir. The procedures are spelled out very specifically in this amendment.

Mr. BARRETT. Will the gentleman yield to me?

Mr. BAFALIS. I yield to the distinguished chairman of the subcommittee.

Mr. BARRETT. We pointed out—and it is in the bill—that the community or any group which has a hearing and feels they are aggrieved by the Secretary, of course, has the right to appeal to the district court.

Mr. BAFALIS. Mr. Chairman, I must tell you it is a travesty, I believe, to tell the local officials the only recourse they have is to go to court. They should have recourse at the time these decisions are being made, and the bill only gives them recourse through the courts.

Mr. KAZEN. Will the gentleman yield?

Mr. BAFALIS. I yield to the gentleman.

Mr. KAZAN. What is the recommendation the gentleman proposes in his amendment? Is it an appeal to the Secretary himself?

Mr. BAFALIS. No. It is an appeal from the findings and the Secretary would have to hold a public hearing and all information at that hearing would go to the National Academy of Sciences for a determination. They would do one of two things: either sustain the level set by the Secretary or else tell the Secretary to completely investigate and re-

view the original level that he had determined. All of that information can be made public and used at a later time, if necessary.

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

Mr. Chairman, I rise in support of the amendment offered by the gentleman from Florida.

I had the opportunity to sit through much of the hearings on this legislation. I believe that the element that the gentleman from Florida has introduced by bringing in the National Academy of Sciences introduces a proper balance and is a prevention against the arbitrary use of power by the Secretary of HUD. I do not believe the present Secretary Mr. Lynn would do that, but I do believe it properly gives the local community the right to introduce additional information and data from other scientific bodies than just the Corps of Engineers. I think it is a proper protection given to a local body.

In the case of Los Angeles, for example, we have a flood control district. The Los Angeles Flood Control Administration is staffed with very substantial people who have been engaged for years in determining flood levels in a scientific manner. In many cases they might be in honest disagreement with a decision of the Corps of Engineers, when the corps is called upon by the Secretary to make a decision.

I think the National Academy of Sciences is a proper place to decide differences that might exist and yet still give us adequate protection to make sure that we do not get away from the effort to try to eliminate improper building in flood plains as we have in the past.

The gentleman from Florida, who I know worked very hard with many local agencies that are concerned about this problem, has done an excellent job in providing a thoughtful amendment to bring about a balance in this legislation.

I hope that all my colleagues will be inclined to support this thoughtful amendment.

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

Mr. Chairman, the Flood Disaster Protection Act of 1973 is a good bill in many respects, but it also presents some problems that demand very serious consideration by this body.

I believe it is very important that we all understand two things about this bill.

First, this bill would make Federal flood insurance mandatory in thousands of communities throughout the Nation. Insurance would be mandatory in any area that HUD determines to be flood prone. HUD says that there is at least one flood-prone area in every congressional district in the Nation.

Second, this bill, for the first time in American history, gives HUD the power to set building codes for local communities. We are giving a Federal agency the unrestrained authority to tell thousands of local governments that they must in effect change their local building codes to suit the Department of Housing and Urban Development.

I, for one, am very much opposed to this concept. I do not believe enough research has been done in this area. Even HUD cannot to this day tell me how many flood-prone areas there are in the Nation. They only have estimates.

This amendment is, in my opinion, a very moderate effort to build some safeguards into this sweeping new program.

The heart of HUD's power in this bill is that the Secretary is given the authority to set ground levels for home and office construction. If you build below that level, you cannot get a mortgage loan.

This will be a huge program and there will be errors made by honest men in determining these flood levels. I have seen that happen in my own district in Chatham County, Ga. I can assure you that any errors in this level can be tremendously disruptive to community development.

Under this amendment, if a flood-prone community believes that the flood level set by HUD is not fair, then the community has 60 days in which to object to the ruling. If they file an objection, HUD must come down to the local area and hold public hearings. The local community has the opportunity to tell why they think HUD was wrong, and HUD has the opportunity to say why it thinks it is right.

When the hearings are over, HUD sends the hearing record to the National Academy of Sciences. The Academy studies any questions involving the scientific accuracy of the HUD flood level. The Academy has a great deal of expertise in this matter, and I am sure it will make a good and impartial review.

The National Academy then issues its opinions, and HUD is required to issue a new ruling on the flood level, taking into consideration any new information learned during the hearings or review.

That is all. HUD still controls its program. I suppose it could ignore the local community and ignore the National Academy. But it would do so with the knowledge that the local community could then go to court, and go to court armed with the ammunition to prove that it has been wronged.

Essentially, this whole procedure would simply insure that HUD would make no arbitrary and capricious judgments in setting flood levels.

In my own district, HUD set a flood level at one point of 6 feet above sea level. Then they raised it to more than 13 feet. Now we have heard unofficially that they are going to raise it again.

This causes me to believe that we must have safeguards. This is going to be a huge new Federal program. The Federal Insurance Administration has a very small staff. They will be overloaded and have to shoot from the hip many times. Many times they will make mistakes. I think it is essential that we build into this bill some kind of procedure so that the local communities can defend themselves from the mistakes of the bureaucracy.

Finally, let me simply ask you to remember that this is historic legislation. We are surrendering in this bill the right of many local communities to set their own building codes. If you believe that it is necessary that we do so, then so be it. But let me appeal to you to put some kind of safeguard in this legislation to give our local people a fighting chance to insure that the actions of the Federal Government will be fair and impartial.

Mr. BURLISON of Missouri. Mr. Chairman, I rise in support of the amendment of the gentleman from Florida (Mr. BAFALIS) and the gentleman from Georgia (Mr. GINN). The restrictions in the bill which permit the Secretary of HUD to terminate Federal programs within a community which does not qualify for flood insurance are too stringent for districts which have significant numbers of flood-prone communities. This amendment gives some relief in this regard, and, therefore, I intend to vote for it. The amendment permits the submission of evidence by the local community with respect to what the flood-prone level determination should be. It also requires a decision made by the Secretary, to which the local community objects, to be submitted to an independent scientific body, to wit: The National Academy of Sciences, for that body's review. These are important safeguards.

It does not, however, go far enough. For that reason I intend to support, and hope the House will agree to, the Rarick amendment, which will be subsequently offered, which strikes from the bill those provisions which empower the Secretary to terminate Federal funding programs in those areas which fail to comply with the regulations of the Secretary, and, therefore, fail to qualify for flood insurance.

SUBSTITUTE AMENDMENT OFFERED BY MR. J. WILLIAM STANTON FOR THE AMENDMENT OFFERED BY MR. BAFALIS

Mr. J. WILLIAM STANTON. Mr. Chairman, I offer a substitute amendment for the amendment offered by the gentleman from Florida (Mr. BAFALIS).

The Clerk read as follows:

Substitute amendment offered by Mr. J. WILLIAM STANTON for the amendment offered by Mr. BAFALIS: In vieu of the language offered by the gentleman from Florida (Mr. BAFALIS) insert the following:

"In establishing projected flood elevations and flood-risk zones with respect to any community pursuant to sections 1360(2) and 1361 of the National Flood Insurance Act of 1968, the Secretary shall give consideration to any technical or scientific information timely submitted by the community that tends to negate or contradict the information upon which he proposes to act. Such data shall be deemed timely submitted if it is received by the Secretary within 30 days after notice of his proposed determination is published in the Federal Register. Upon receipt of such data, the Secretary shall resolve the conflict in data by consultation with the parties and agencies involved, by administrative hearing, by submission of the conflicting data to an independent scientific body (such as the National Academy of Sciences) for advice, or by such other means as he may deem appropriate. Until the conflict in data is resolved to the satisfaction of the Secretary and he makes a final determination on the basis of his findings in the Federal Register, and so notifies the governing body of the community, flood insurance previously available within the community shall continue to be available, and no person shall be denied the right to purchase such insurance at chargeable rates. The reports and other information used by the Secretary in making his final determination shall be made available

for public inspection and shall be admissible in a court of law in the event the community seeks judicial review as provided by this section."

Mr. BAFALIS. Mr. Chairman, I rise in opposition to the substitute amendment and I ask this House to bear with me for a moment while I read from languge which totally destroys the original amendment. It says that any conflicting data may be sent by the Secretary to the National Academy of Sciences for advice or may take any other means as he may deem appropriate. That does not give to the local community the right to appeal to a third uninterested party. It goes on to say:

Until the conflict in data is resolved to the satisfaction of the Secretary—

And that is what we are attempting to stop, to take that away from the Secretary, the sole determining power to set these flood levels. Therefore I must oppose the substitute amendment.

The CHAIRMAN. The question is on the substitute amendment offered by the gentleman from Ohio (Mr. J. WILLIAM STANTON), to the amendment offered by the gentleman from Florida (Mr. BAFALIS).

The question was taken; and the chairman being in doubt, the Committee divided, and there were—ayes 21, noes 34.

So the substitute amendment offered by the gentleman from Ohio (Mr. J. WILLIAM STANTON) to the amendment offered by the gentleman from Florida (Mr. BAFALIS) was rejected.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida (Mr. BAFALIS).

The amendment was agreed to.

AMENDMENT OFFERED BY MRS. BOGGS

Mrs. BOGGS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mrs. BOGGS: Page 14, line 15, after "use" insert "including criteria derived from data reflecting new developments that may indicate the desirability of modifying elevations based on previous flood studies,".

Mrs. BOGGS. Mr. Chairman, this has to do with the section where the Secretary consults with local officials in the application and setting forth of criteria upon which land use and management will be based. It has become apparent, especially in our area, and particularly in the last dreadful flooding of the Mississippi River, that the actuarial rates which were set by a Corps of Engineers' study assumed that the levees of the Mississippi were really just paper levees. Yet, they held against the longest period of time and highest flood pressure in history.

They have now agreed to restudy this criteria and come up with new actuarial rates based on this reevaluation.

What we would like to do is extend this type of review to all areas where new scientific data is gathered and new protection is provided for the people in those areas. For instance, we have a large coastal protection project going on now whereby each year, as each lock and each levee is completed, there will be many coastal areas that will be better protected.

We would hope that as this protection is provided, that the land use and management criteria will be reviewed and new rates can be set in an ongoing situation.

Mr. Chairman, I would hope that this amendment would be agreed to.

Mr. BARRETT. Mr. Chairman, we have no objection to this amendment. It is agreeable on this side of the aisle.

Mr. WIDNALL. Mr. Chairman, we concur in the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from Louisiana (Mrs. BOGGS).

The amendment was agreed to.

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

Mr. Chairman, I shall not speak but briefly, but I did want to express my appreciation to the committee for bringing forward this legislation which is going to be such a great benefit to so many homeowners in so many areas throughout this Nation. It is going to be particularly helpful to the residents in both my congressional districts, the one I had last week and the one I got this week by virtue of a court ordered reapportionment.

About a third to a half of each of those areas is in a flood plain. I have worked very hard to obtain the cooperation of the Corps of Engineers and others to install flood control facilities, but we all know that those take a long time and we had many of these predicted floods or opportunities that have been calculated, and many of these floods are well within the periods before which these additions to the flood control facilities can be completed.

I very much urge complete support for this bill.

AMENDMENTS OFFERED BY MR. TREEN

Mr. TREEN. Mr. Chairman, I offer amendments.

The Clerk read as follows:

Amendments offered by Mr. TREEN: H.R. 8449 is amended—

1. In line 15, on page 7, by striking the date "July 11, 1973" and inserting in lieu thereof "December 31, 1973";

2. In line 10, on page 8, by striking the date "July 1, 1973" and inserting in lieu thereof "December 31, 1973";

3. After line 21, on page 8, by adding a new section to read as follows, and renumbering the following sections accordingly:

"ESTABLISHMENT OF CHARGEABLE RATES

"SEC. 103. Section 1308 of the National Flood Insurance Act of 1968 is amended by striking subsection (c) thereof and inserting in lieu thereof the following new subsection:

'(c) Notwithstanding any other provision of this title, the chargeable rate with respect to any property, the construction or substantial improvement of which the Secretary determines has been started after December 31, 1973, or the effective date of the initial rate may published by the Secretary under paragraph (2) of section 1360 for the area in which such property is located, whichever is later, shall not be less than the applicable estimated risk premium rate for such area (or subdivision thereof) under section 1307 (a) (1).';

4. After line 13, on page 9, by adding a new section to read as follows, and renumbering the following sections accordingly:

"EMERGENCY IMPLEMENTATION OF PROGRAM

"SEC. 106. Subsection (a) of section 1336 of the National Flood Insurance Act of 1968 is amended by striking the date 'December 31, 1973' and inserting in lieu thereof 'December 31, 1975'.".

The CHAIRMAN. Does the gentleman wish to ask unanimous consent that the amendments be considered en bloc?

Mr. TREEN. Yes, Mr. Chairman. I ask unanimous consent, in view of the fact that they are all related to the same subject, that the amendments be considered en bloc.

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

There was no objection.

Mr. TREEN. Mr. Chairman, this amendment has bipartisan support, and I hope it will have the support of both the majority and minority members of the Committee. This amendment has been worked out in consultation with Mrs. BOGGS, of the Second District of Louisiana, and I am also instructed to say with Mr. HÉBERT, who represents the First District of Louisiana, and Mr. BREAUX, who represents the Seventh District of Louisiana, also join in this amendment. This represents the entire coast of Louisiana.

Mr. Chairman, this amendment would make three necessary and noncontroversial technical changes in the bill reported by the committee, plus one major change that subsequent public and congressional reaction has shown to be desirable and that we believe will be welcomed by all Members whose districts contain one or more flood-prone areas that would be affected by the bill.

Two of the technical changes would simply change the effective date for the mandatory purchase of flood insurance—in connection with the receipt of Federal or federally related assistance for projects in flood-prone areas—from July 1973 to December 1973, in recognition of the delays which have been incurred by this bill, in bringing it to the floors of both Houses.

The third technical change would simply extend the emergency flood insurance provision under which communities can enter the program immediately and without waiting for a time-consuming ratemaking study to be completed, for another 2 years—from December 31 of this year to December 31 of 1975, in order to permit a continuation of the rapid expansion of the program which began subsequent to Hurricane Agnes. By December of 1975 it is hoped and it is expected that most of HUD's ratemaking studies will have been completed, so that a further extension of time will not be necessary.

The major change that would be made by this amendment is to give realistic recognition to the fact that not only have most communities not participated in the program in the past but also to the fact that most of the 2,400 communities that have participated do not have the necessary technical data available on which to base minimum first-floor elevations in their land-use measures.

Thus, persons who build or who have built in identified special flood hazard areas may subject themselves to prohibitively expensive actuarial flood insurance rates, even though they are in compliance with local building codes at

the time the construction takes place. I understand that some of these rates go up to as high as $11 per $100 of insurance.

Similarly, many persons, even within those communities where sufficient technical data existed to enable the establishment of a 100-year flood elevation early in the program, appear to have been unaware of the implications of that standard at the time of construction—largely because of the failure of local officials to adequately enforce their land-use commitments in the early stages of the program—with the result that they, too, are now subject under the act to the payment of prohibitively expensive flood insurance rates.

Mr. Chairman, the unintentional adverse effects of this provision of the existing National Flood Insurance Act did not become sufficiently clear until the committee had already reported out H.R. 8449 and the flood-prone communities began to focus on the financial effect of requiring flood insurance in connection with Federal or federally related financial assistance in special flood hazard areas of communities that, for example, would suddenly be identified for the first time, or that had been identified some time ago but had failed adequately to enforce the 100-year flood standard. In New Orleans, for example, numerous homes were built only to the 50-year flood elevation, based in part on a lower standard previously enforced by FHA within HUD itself, and the builders are in some cases experiencing difficulty in selling their houses because the FHA purchasers must purchase flood insurance at the time of acquisition,

The CHAIRMAN. The time of the gentleman from Louisiana (Mr. TREEN) has expired.

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

Mr. TREEN. Mr. Chairman, what these amendments would do is to enable HUD to offer subsidized rates to all construction that has already occurred and that will occur up until the December 31 effective date of the amendments so that builders of houses already in existence will not be penalized by an elevation requirement that they did not know about or sufficiently understand at the time of construction. The amendments would also defer the effective date for the application of actuarial rates for future construction until the 100-year flood elevation data has been provided to the community by HUD, rather than to have it apply—as under the present act—as soon as the existence of a special hazard area within the community has been determined.

Mr. Chairman, I urge the adoption of the amendments.

Mr. WIDNALL. Mr. Chairman, the minority has had an opportunity to examine these amendments, and we concur and are willing to accept them on this side.

The CHAIRMAN. The question is on the amendments offered by the gentleman from Louisiana (Mr. TREEN).

The amendments were agreed to.

AMENDMENT OFFERED BY MR. LONG OF LOUISIANA

Mr. LONG of Louisiana. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. LONG of Louisiana: Page 9, after line 17, insert the following new section:

SUBSIDIZED COVERAGE FOR PROPERTIES IN AREAS WHERE FLOODING IS CAUSED BY FEDERAL FLOOD CONTROL PROJECTS

SEC. 107. (a) Part A of chapter II of the National Flood Insurance Act of 1968 is amended by adding at the end thereof the following new section:

"SUBSIDIZED COVERAGE FOR PROPERTIES IN AREAS WHERE FLOODING IS CAUSED BY FEDERAL FLOOD CONTROL PROJECTS

"SEC. 1337. Notwithstanding any other provision of law, any property located in an area which (as determined in accordance with regulations prescribed by the Secretary in consultation with local officials as provided in section 207 of the Flood Disaster Protection Act of 1973) has special flood hazards as a result of the construction or operation of a water resources project by the Secretary of the Army acting through the Corps of Engineers or by the Secretary of the Interior acting through the Bureau of Reclamation, but which would not otherwise be an area having special flood hazards, shall be eligible for flood insurance under the program under this title (if and to the extent it is eligible for such insurance under the provisions of this title other than this section) without payment of any premium by the owner or lessee of such property. The Secretary shall develop, establish, and promulgate such procedures as may be appropriate to provide for the payment of the premiums due in such cases, on behalf of the insured owners or lessees of the properties involved (either pursuant to premium waiver or by way of reimbursement), from the National Flood Insurance Fund established by section 1310."

(b) Section 1310(a) of such Act is amended—

(1) by striking out "and" at the end of paragraph (4);

(2) by striking out the period at the end of paragraph (5) and inserting in lieu thereof "; and"; and

(3) by adding at the end thereof the following new paragraph:

"(6) for the payment of insurance premiums for subsidized coverage under section 1337."

(c) The amendments made by this section shall apply with respect to policies of flood insurance executed on or after the date of the enactment of this Act.

Mr. PATMAN (during the reading). Mr. Chairman, I ask unanimous consent that further reading of the amendment be dispensed with and that it be printed in the RECORD.

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

There was no objection.

Mr. LONG of Louisiana. Mr. Chairman, I have discussed this matter, which is designed to correct small inequitable situations but which, so far as I am informed, applies only to my congressional district out of all the areas in the entire country. I have discussed the matter with Members of the minority and the majority, and I hope they will be willing to accept my amendment, which is designed to correct this inequitable situation.

Mr. PATMAN. Will the gentleman yield?

Mr. LONG of Louisiana. I will be happy to yield to the gentleman from Texas.

Mr. PATMAN. We have discussed it on this side and are familiar with the hearings held by the subcommittee on this subject. We are convinced it is all right, and we are for it on this side of the aisle.

Mr. WIDNALL. Will the gentleman yield?

Mr. LONG of Louisiana. I am happy to yield to the distinguished gentleman from New Jersey.

Mr. WIDNALL. I would like to ask the gentleman a question in connection with the amendment.

Does this apply only to existing structures?

Mr. LONG of Louisiana. It was not my intention, Mr. Chairman, in drawing the amendment to have it apply only to existing structures. It was my intention simply to give a measure of compensation to landowners where the Corps of Engineers or the U.S. Government, by affirmative action, cause an area to be flood prone that had not been flood prone prior to that time. I see no reason to say just because that situation developed in the past that these people should be penalized, and consequently it would not be my intention that the amendment would apply only to existing structures.

Mr. WIDNALL. The purpose of my question is this: In a discussion with the gentleman about this in the past I have had the understanding, though it was not spelled out by the gentleman, that it only covered existing structures.

It seems to me, with respect to new structures, knowing the conditions, I should think it would be plain to people who intend to go in to build these structures.

Mr. LONG of Louisiana. I would be inclined to agree with the gentleman from New Jersey. However, I think there is one point of difference. For example, what usually happens now is the Corps of Engineers takes the property of an individual to build a project, and they know it is going to cost them some money so they consider the cost of the land to be a part of the cost of the project. I see no reason why it should be any different when, by building a project which creates a flood-prone area they in effect take someone's property, and that taking is going to either deny the owner the right to use the property or, at least penalize them in their right to use it.

Mr. WIDNALL. That is all the questions I have.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Louisiana (Mr. LONG).

The amendment was agreed to.

AMENDMENTS OFFERED BY MR. RARICK

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

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

There was no objection.

The Clerk read as follows:

Amendments offered by Mr. RARICK: Strike out section 102 (beginning on page 7, line 12, and ending on page 8, line 21); and re-

designate the succeeding sections accordingly.

Page 10, strike out lines 5 through 22.

Page 10, line 23, strike out "(c)" and insert "(b)".

Page 11, strike out lines 3 through 10 and insert the following:
such additional communities.

Strike out section 202 (beginning on page 11, line 11, and ending on page 12, line 4); and redesignate the succeeding sections accordingly.

Mr. RARICK. Mr. Chairman, I assure the Members that being from the capital city of Louisiana, a flood-prone area, that my people and I support a flood insurance program. However, we have serious reservations toward a compulsory land-use program such as this bill before us proposes.

Several weeks ago the City-Parish Council of Baton Rouge considered qualifying for the new compulsory Federal flood insurance program. At that time, the council members learned that if this bill was passed, they would be required to come up with a federally accepted program including a land-use control plan. At that time the council members rejected considering the proposal saying that they did not believe that the Federal Government should have the power to coerce anybody to comply with land-use provisions in order to qualify for Federal flood insurance. Eventually they were told that if they did not adopt the land-use program, all Federal funds would be cut off.

At that time my district office started to be deluged with inquiries about what kind of Congress we are running which would authorize bureaucrats to force people into programs which the people want and which the taxpayers themselves are financing, but which they feel should be controlled at the local level by their elected officials.

We have heard enough discussion today for everyone to be aware that this is controversial legislation.

There have been some perfecting amendments, yet the real oppressive provision of the bill, the compulsory forcing of people living in flood-prone areas to accept a Federal flood insurance program, remains in the bill.

My amendment would merely strike out section 102 which contains the mandatory provisions requiring that those citizens who live in areas designated as flood prone qualify for and purchase Federal flood insurance.

Another part of my amendment would delete section 202 which is the Federal blackjack, which prevents any Federal officer or agency from approving any financial assistance in areas which have failed to submit to Washington's directives on land use.

For those Members who are interested as to what constitutes financial assistance that would be cut off by this bill, I suggest they turn to page 4, line 18, under "Definitions". Here they will see that "financial assistance means any form of loan, grant, guaranty, insurance, payment, rebate, subsidy, disaster assistance or grant, or any other form of direct or indirect Federal financial assistance, other than general or special revenue-sharing or formula grants made to States."

This could include highway funds, Small Business Administration loans, grants to education, disaster assistance, money for health facilities, welfare assistance, VA benefits and pensions, and most other forms of Federal moneys which now benefit local communities. This Federal club is clearly intended to bludgeon local communities into submission to Federal edict. This moves far beyond the original intent of a Federal flood protection program which I have in the past supported.

I can assure the Members, that having studied it, these amendments that I have offered would not strip the Federal flood insurance bill or render it ineffective. They will bring it back to the existing provisions of law, and make it acceptable to the people.

I for one believe we should allow the local governments and the local people themselves to have as much control over their flood protection as possible.

Loss of private property rights is too high a price to pay for increased flood insurance coverage.

Mr. Chairman, I would urge the adoption of the amendments.

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

Mr. RARICK. I yield to the gentleman from Pennsylvania.

Mr. BARRETT. Mr. Chairman, I want to agree with the gentleman from Louisiana in indicating that these amendments do not hurt the bill, they do not hurt it, they just scuttle the bill. They tear the guts out of the bill. What the gentleman from Louisiana has asked us to do here would destroy everything we have done this afternoon. These amendments would take everything entirely out of the bill, land control, everything else.

And if there are any amendments that should be opposed—and as much as I love the gentleman from Louisiana—I have to say that everybody in this House ought to get up on their hind legs and vote against these amendments.

Mr. RARICK. Would the gentleman not agree that what these amendments would do is to allow the program to remain voluntary as to participation by the local communities, and simply remove the club whereby the Federal Government can threaten to cut off all Federal funds for failing to bow down to Washington edict?

The existing program has been accepted in over 2,000 communities. Certainly I have done nothing to disembowel the flood insurance program. The people themselves can still participate voluntarily without land use regimentation.

Is that correct?

Mr. BARRETT. We will go down in history today destroying one of the most human pieces of legislation ever brought in this House. This would do nothing but scuttle and gut the bill. I do hope the House will vote this down and vote it down immediately.

The CHAIRMAN. The question is on the amendments offered by the gentleman from Louisiana (Mr. RARICK).

The amendments were rejected.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. THOMPSON of New Jersey, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H.R. 8449) to expand the national flood insurance program by substantially increasing limits of coverage and total amount of insurance authorized to be outstanding and by requiring known flood-prone communities to participate in the program, and for other purposes, pursuant to House Resolution 494, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

Mr. WIDNALL. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 359, nays 21, not voting 54, as follows:

[Roll No. 436]

YEAS—359

Abdnor	Chamberlain	Ford, Gerald R.
Abzug	Chappell	Ford, William D.
Adams	Chisholm	Forsythe
Addabbo	Clancy	Fountain
Anderson, Calif.	Clark	Fraser
Andrews, N.C.	Clausen, Don H.	Frelinghuysen
Andrews, N. Dak.	Cleveland	Frenzel
Annunzio	Cohen	Frey
Archer	Collier	Froehlich
Arends	Collins, Ill.	Fulton
Armstrong	Conable	Gaydos
Ashley	Conlan	Gettys
Aspin	Conte	Giaimo
Badillo	Cotter	Gibbons
Bafalis	Coughlin	Gilman
Baker	Crane	Ginn
Barrett	Cronin	Goldwater
Bauman	Culver	Gonzalez
Beard	Daniel, Dan	Goodling
Bennett	Daniel, Robert W., Jr.	Grasso
Bergland	Daniels, Dominick V.	Gray
Biaggi	Danielson	Green, Oreg.
Biester	Davis, Ga.	Green, Pa.
Bingham	de la Garza	Griffiths
Boggs	Dellenback	Grover
Bowen	Dellums	Gubser
Brademas	Denholm	Gude
Brasco	Dennis	Guyer
Bray	Dent	Haley
Breaux	Derwinski	Hamilton
Brinkley	Devine	Hanley
Brooks	Dickinson	Hanna
Broomfield	Donohue	Hansen, Idaho
Brotzman	Dorn	Hansen, Wash.
Brown, Calif.	Downing	Harrington
Brown, Mich.	Drinan	Harsha
Brown, Ohio	Dulski	Harvey
Broyhill, N.C.	Duncan	Hastings
Broyhill, Va.	du Pont	Hawkins
Buchanan	Eckhardt	Hébert
Burgener	Edwards, Calif.	Hechler, W. Va.
Burke, Calif.	Eilberg	Heckler, Mass.
Burke, Fla.	Erlenborn	Heinz
Burke, Mass.	Esch	Helstoski
Burleson, Tex.	Eshleman	Henderson
Burlison, Mo.	Evans, Colo.	Hicks
Burton	Fascell	Hillis
Butler	Findley	Hinshaw
Byron	Fish	Hogan
Carey, N.Y.	Fisher	Holt
Carney, Ohio	Flood	Holtzman
Carter	Foley	Horton
Casey, Tex.		Hosmer
		Howard

Huber	Moss	Shuster
Hudnut	Murphy, N.Y.	Sikes
Hungate	Myers	Skubitz
Hunt	Natcher	Slack
Hutchinson	Nedzi	Smith, Iowa
Jarman	Nelsen	Smith, N.Y.
Johnson, Calif.	Nichols	Snyder
Johnson, Colo.	Nix	Spence
Johnson, Pa.	Obey	Staggers
Jones, N.C.	O'Brien	Stanton,
Jones, Okla.	O'Hara	J. William
Jordan	O'Neill	Steed
Karth	Parris	Steele
Kastenmeier	Passman	Steelman
Kazen	Patman	Steiger, Ariz.
Keating	Patten	Steiger, Wis.
Kemp	Pepper	Stokes
Ketchum	Perkins	Stratton
King	Pettis	Stuckey
Kluczynski	Peyser	Studds
Koch	Pickle	Sullivan
Kyros	Pike	Symington
Latta	Poage	Talcott
Leggett	Podell	Taylor, N.C.
Lehman	Preyer	Teague, Tex.
Lent	Price, Ill.	Thompson, N.J.
Litton	Price, Tex.	Thomson, Wis.
Long, La.	Pritchard	Thone
Long, Md.	Quie	Tiernan
Lott	Railsback	Towell, Nev.
Lujan	Randall	Udall
McClory	Rangel	Ullman
McCloskey	Rees	Van Deerlin
McCollister	Reid	Vander Jagt
McCormack	Reuss	Vanik
McDade	Rhodes	Veysey
McFall	Riegle	Vigorito
McKay	Rinaldo	Walsh
McKinney	Roberts	Wampler
Macdonald	Robinson, Va.	Ware
Madden	Robison, N.Y.	Whalen
Madigan	Rodino	White
Mahon	Roe	Whitehurst
Mailliard	Rogers	Widnall
Mallary	Roncallo, Wyo.	Wiggins
Maraziti	Roncallo, N.Y.	Williams
Martin, Nebr.	Rooney, Pa.	Wilson, Bob
Martin, N.C.	Rose	Wilson,
Mathias, Calif.	Rosenthal	Charles H.,
Matsunaga	Rostenkowski	Calif.
Mayne	Roush	Winn
Mazzoli	Rousselot	Wolff
Meeds	Roy	Wright
Melcher	Roybal	Wyatt
Mezvinsky	Ruppe	Wydler
Milford	Ryan	Wylie
Miller	St Germain	Wyman
Minish	Sandman	Yates
Minshall, Ohio	Sarasin	Yatron
Mitchell, Md.	Sarbanes	Young, Alaska
Mitchell, N.Y.	Satterfield	Young, Fla.
Mizell	Saylor	Young, Ga.
Moakley	Schneebeli	Young, Ill.
Mollohan	Schroeder	Young, S.C.
Moorhead,	Sebelius	Young, Tex.
Calif.	Seiberling	Zablocki
Moorhead, Pa.	Shoup	Zion
Morgan	Shriver	Zwach

NAYS—21

Ashbrook	Hammer-	Ruth
Bevill	schmidt	Symms
Camp	Landgrebe	Thornton
Cochran	Mann	Treen
Davis, Wis.	Montgomery	Waggonner
Edwards, Ala.	Powell, Ohio	Whitten
Flynt	Rarick	
Gross	Regula	

NOT VOTING—54

Alexander	Flowers	Murphy, Ill.
Anderson, Ill.	Fuqua	Owens
Bell	Gunter	Quillen
Blackburn	Hanrahan	Rooney, N.Y.
Blatnik	Hays	Runnels
Boland	Holifield	Scherle
Bolling	Ichord	Shipley
Breckinridge	Jones, Ala.	Sisk
Cederberg	Jones, Tenn.	Stanton,
Clawson, Del	Kuykendall	James V.
Clay	Landrum	Stark
Collins, Tex.	McEwen	Stephens
Conyers	McSpadden	Stubblefield
Corman	Mathis, Ga.	Taylor, Mo.
Davis, S.C.	Metcalfe	Teague, Calif.
Delaney	Michel	Waldie
Diggs	Mills, Ark.	Wilson,
Dingell	Mink	Charles, Tex.
Evins, Tenn.	Mosher	

So the bill was passed.

The Clerk announced the following pairs:

Mr. Rooney of New York with Mr. Alexander.
Mr. Breckinridge with Mr. Flowers.
Mr. Hays with Mr. Anderson of Illinois.
Mr. Waldie with Mr. Clay.
Mr. Blatnik with Mr. Charles Wilson of Texas.
Mr. Murphy of Illinois with Mr. McEwen.
Mr. Holifield with Mr. Hanrahan.
Mr. Dingell with Mr. Bell.
Mr. Gunter with Mr. Quillen.
Mr. Metcalfe with Mr. Delaney.
Mr. Conyers with Mr. McSpadden.
Mr. Corman with Mr. Fuqua.
Mr. Shipley with Mr. Cederberg.
Mr. Boland with Mr. Collins of Texas.
Mr. Mathis of Georgia with Mr. Teague of California.
Mrs. Mink with Mr. Kuykendall.
Mr. Stark with Mr. Mosher.
Mr. Sisk with Mr. Taylor of Missouri.
Mr. Jones of Alabama with Mr. Del Clawson.
Mr. Evins of Tennessee with Mr. Blackburn.
Mr. Diggs with Mr. Mills of Arkansas.
Mr. Davis of South Carolina with Mr. Scherle.
Mr. Ichord with Mr. Michel.
Mr. Landrum with Mr. Jones of Tennessee.
Mr. Owens with Mr. Stephens.
Mr. James V. Stanton with Mr. Stubblefield.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. PATMAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include any relevant extraneous matter on the bill just passed.

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

There was no objection.

AUTHORIZING CLERK TO MAKE CORRECTIONS IN ENGROSSMENT OF H.R. 8449

Mr. PATMAN. Mr. Speaker, I ask unanimous consent that in the engrossment of the bill the Clerk be authorized to correct section numbers, punctuation, and cross references, to reflect the actions of the House in amending the bill H.R. 8449.

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

There was no objection.

NCIC ADVISORY COMMITTEE MEETING: AN OPEN AND SHUT CASE

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

Mr. OBEY. Mr. Speaker, given the refusal of the State of Massachusetts to plug its criminal history files into the Federal Bureau of Investigation's National Crime Information Center—NCIC—until safeguards against potential abuse have been guaranteed, it is worth noting that the NCIC Advisory Policy Board will hold a public meeting next week in Kansas City, Mo.

However, the board advises that "a portion of the meeting dealing with the operational aspects of NCIC will be, of necessity, closed to the public," and I should like to point out that neither the Federal Advisory Committee Act nor the Freedom of Information Act recognizes a simple assertion of "necessity" as justification for closing part of a meeting.

I am including the Board's meeting announcement from the Federal Register, a list of the Board's 15 members I received from the FBI on August 31, and a source-list of articles about the Massachusetts refusal that was prepared for me by the Congressional Research Service. Note that the Board now has three fewer members than it did when FBI Director Clarence Kelley submitted a Board roster to Senator MATHIAS during his confirmation hearings. Kelley's own name no longer appears, nor do those of John R. West of Boston or William L. Reed of Tallahassee.

[From the Federal Register, Aug. 29, 1973]

NATIONAL CRIME INFORMATION CENTER ADVISORY POLICY BOARD—NOTICE OF MEETING

[Department of Justice, Federal Bureau of Investigation]

The National Crime Information Center Advisory Policy Board will meet on September 13 and 14, 1973, at the Prom Sheraton Hotel in Kansas City, Missouri. The meetings will begin at 9:30 a.m. and conclude at 4:30 p.m.

The purpose of this meeting will be to review the minutes of the previous meeting, to consider suggestions concerning NCIC and discuss matters presented as new business.

The meeting will be open to the public. Persons who wish to make statements and ask questions of the Board Members, must file written statements or questions at least twenty-four hours prior to the opening of each meeting. These statements or questions shall be delivered to the person of the Designated Federal Employee or the Assistant Director, Computer Systems Division of the FBI.

To the extent that time permits, public discussion is invited regarding agenda items.

A portion of the meeting dealing with the operational aspects of NCIC will be, of necessity, closed to the public.

The NCIC Advisory Policy Board is constituted according to Public Law 92–463 and its membership is composed of law-enforcement representatives from throughout the United States.

Further information may be obtained from Mr. Norman Stultz, Section Chief, Computer Systems Division, FBI HQ, Washington, D.C.

Minutes of those portions of the meeting which are open to the public will be available 30 days from the date following the adjournment on September 14, 1973, upon request of the above designated FBI Official.

WASON G. CAMPBELL,
Assistant Director,
Computer Systems Division.

[FR Doc.73–18257 Filed 8–28–73;8:45 am]

NCIC ADVISORY POLICY BOARD

Colonel James J. Hegarty, Director, Arizona Department of Public Safety, Post Office Box 6638, Phoenix, Arizona, 85005.

Mr. O. J. Hawkins, Assistant Director, Identification and Information Branch, California Department of Justice, Post Office Box 608, Sacramento, California 95803.

Colonel Ray Pope, Director, Department of Public Safety, Post Office Box 1456, Atlanta, Georgia 30301.

Mr. L. Clark Hand, Superintendent, Idaho State Police, Post Office Box 34, Boise, Idaho 83707.

Mr. Robert K. Konkle, Superintendent,

Indiana State Police, Indiana State Office Building, 100 North Senate Avenue, Indianapolis, Indiana 46204.

Colonel John R. Plants, Director, Department of State Police, 714 South Harrison Road, East Lansing, Michigan 48823.

Colonel D. B. Kelly, Department of Law and Public Safety, Division of State Police, Box 68, West Trenton, New Jersey 08625.

Mr. William E. Kirwan, Superintendent, New York State Police, Public Security Building 22, State Campus, Albany, New York 12226.

Dr. Howard M. Livingston, Director, Police Information Network, Department of Justice, 111 East North Street, Raleigh, North Carolina 27602.

Colonel Robert M. Chiaramonte, Superintendent, Ohio State Highway Patrol, Columbus, Ohio 43205.

Major Albert F. Kwiatek, Director, Bureau of Technical Services, Pennsylvania State Police, Post Office Box 2771, Harrisburg, Pennsylvania 19107.

Colonel Walter E. Stone, Superintendent, Rhode Island State Police Headquarters, Post Office Box 185, North Scituate, Rhode Island 02857.

Captain J. H. Dowling, Communications Bureau, Police Department, 128 Adams Avenue, Memphis, Tennessee 38103.

Mr. George P. Tielsch, Chief of Police, Seattle, Washington 98104.

Colonel R. L. Bonar, Superintendent, West Virginia State Police, 725 Jefferson Road, South Charleston, West Virginia 25309.

SOURCE-LIST OF ARTICLES ABOUT MASSACHUSETTS REFUSAL TO JOIN THE NATIONAL CRIME INFORMATION CENTER (NCIC)

DATE, NEWSPAPER, HEADLINE

Dec. 28, 1972—New York Times; FBI Data Bank Held Wasteful.

Jan. 16, 1973—Harold News, Fall River, Mass.; Agency Shielding State Records.

Jan. 16, 1973—Enterprise, Brockton, Mass.; (no headline available).

Jan. 16, 1973—Gazette, Worcester, Mass.; Records of Criminals are Put Off Limits.

March 3, 1973—Boston Globe (m); 42 State and U.S. Agencies Denied Access to Bay State Police Files.

March 29, 1973—Sun Chronicle, Attleboro, Mass.; Given Access to Police Arrests.

March 29, 1973—Times, Gloucester, Mass.; Four More Agencies Can View Records.

March 29, 1973—News, Springfield, Mass.; Secret Criminal Records Available to 50 Agencies.

April 6, 1973—Union, Springfield, Mass.; Secrecy Shrouds Crime Records.

April 6, 1973—Boston Globe (m); Privacy Council Votes to Probe Access to Crime Files.

April 9, 1973—Union, Springfield, Mass.; Time for the Hatter to Pour Tea.

April 11, 1973—The Real Paper, Boston; Crime Stoppers: Programming People.

April 12, 1973—Boston Evening Globe; Battle Looms Over Access to State Criminal Records.

April 15, 1973—Boston Globe (m); Computer Spies, Beware.

April 15, 1973—New York Times Magazine; Marked for Life: Have You Ever Been Arrested?

April 12, 1973—Telegram, Worcester, Mass.; State to Give U.S. Agencies Police Data.

May 16, 1973—Boston Globe; U.S. May Sue State to Breach Statute.

May 16, 1973—Transcript-Telegram, Holyoke, Mass.; Suit considered to Define Precedents Between State Laws and Federal Rules.

May 21, 1973—Gazette, Taunton, Mass.; View From the Capitol Dome (editorial column).

May 21, 1973—Sun Chronicle, Attleboro, Mass.; Collision Course Seen Over Criminal Offender Records.

May 21, 1973—Enterprise, Marlboro, Mass.; State on Collision Course.

June 9, 1973—Transcript-Telegram, Holyoke, Mass.; Government Sues Massachusetts to Open Crime Files.

June 14, 1973—News-Tribune, Waltham, Mass.; Criminal Record Rules May Delay U.S. Aid to State.

June 14, 1974—Boston Herald-American; Bay State Ruling Delays Federal Aid.

June 14, 1973—Boston Globe; U.S. Asks Court to Open Up Crime Files.

June 15, 1973—Boston Evening Globe; Sargent Hits FBI Links; Senate Considers New Plan.

June 17, 1973—Washington Post; FBI and Domestic Spying; What Was and Is Its Role.

June 20, 1973—Standard Times, New Bedford, Mass.; Right to Know, But. . . .

July 5, 1973—Village Voice, New York City; A July 4 Salute to Massachusetts.

July 11, 1973—Computerworld, Newton, Mass.; Governor Doubts Privacy For Records Tied to NCIC.

July 23, 1973—Washington Post; U.S. Programs in Massachusetts Said Hurt By Law.

July 25, 1973—Computerworld; FBI's NCIC Has Problems.

July 28, 1973—Boston Globe; Richardson to Re-study State Crime Files Suit.

August 1, 1973—Computerworld; Iowa Imposes Tight Restrictions On Use of Its Crime Data Bank.

August 1, 1973—The Real Paper, Boston; Drug Data Banks for Kids.

August 5, 1973—Boston Globe; The Right to Be Left Alone (editorial).

GHOST VOTING

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

Mr. CRANE. Mr. Speaker, on Thursday, August 30, 1973, the nationally syndicated column by Jack Anderson carried a serious allegation concerning the integrity of this body and its Members. I refer to the Anderson allegations concerning "ghost voting" under the electronic system here in the House of Representatives. I include the column in the RECORD at this point.

HOUSE VOTING VIOLATIONS INDICATED

(By Jack Anderson and Les Whitten)

There is compelling evidence to indicate that some congressmen are using the new computer at the House of Representatives to falsify votes on important legislation.

The voting computer—which has cut the once-lengthy House roll call procedure to 15 minutes—is activated when a member inserts his personal card into a terminal on the House floor. The computer immediately registers the congressman's name and vote.

A number of congressmen and their staffers now charge that votes have been recorded for members who were not present during the roll call, a violation of House floor rules which do not allow proxy votes.

Yet congressmen have confided to us that their colleagues have been seen putting more than one card into the computer terminals. Our sources also say that pages have been seen inserting cards for absent members.

One of our informants in the House believes that illegal voting took place during the tally on three important measures: the Erlenborn amendment to hold down minimum wage increases, the Symms bid to roll back the debt ceiling which failed 206–205 on July 25, and the Crane amendment to legalize the ownership of gold.

"I can't prove any cheating, but I'm sure of it," one veteran congressman told us. "I first came to suspect it last month. One day this summer, a roll call vote reached 421 (out of the 435 members in Congress.) I can't remember any other time except opening day when that many congressman voted."

The voting totals for 1973 are, indeed, peculiarly higher than in past years. The average number of members voting on bills this year between the July 4 recess and the August vacation was 405. In the recent past, average votes for the same period have never been over 382.

Comparing computerized voting to the old voice vote system, a congressman pointed out that "It's easier to slip someone's card in than it is to answer for him by voice. I've heard a little cloakroom talk about hanky-panky, but it's the darnest thing to catch." House tally clerks will only concede that cheating the machine is "not impossible."

Lately, some congressmen, including members of the conservative Republican "Steering Committee," have been murmuring about privately monitoring suspected cheaters so they can be quietly warned before their behavior creates a House scandal.

Meanwhile, one waggish critic recalled the tradition that the ghosts of Henry Clay and John Quincy Adams still stalk the marble halls of the House. That's nothing, he quipped. Present-day wraiths are recording votes in the House computers while their bodies are out recording golf scores at Congressional Country Club.

Quite frankly, I read this article with more than passing interest because one of the votes in which Anderson specifically alleges ghost voting took place, was that on the so-called Crane amendment concerning the right of American citizens to buy, sell, or hold gold. You will recall, Mr. Speaker, that this amendment failed of passage on a tie vote, 162–162.

As a member of the Committee on House Administration which had the original jurisdiction over the installation of the electronic voting system, I remember well one of the alternatives which we considered in that committee was the possibility of including thumbprints on the electronic voting card, which would then be matched by the live thumbprint of the Member being recorded electronically at the voting station itself, specifically to prevent instances of fraud such as that which Mr. Anderson alleges. At that time, I shared the concern of many of my colleagues on the committee who believed that to institute such a procedure would be to question the integrity of the House itself.

Today, however, when the integrity of the executive branch of government has been shaken by allegations with which we are all familiar, it ill behooves us here in the House of Representatives, the peoples' body, to stick our head in the sand and claim that possibilities such as Mr. Anderson alleges cannot occur here.

Therefore, Mr. Speaker, I would urge you to exercise your own prerogative under House rule 774b, which says that the Speaker may order the calling of the names of Members on a rollcall vote at his discretion by a standard rollcall rather than by electronic voting. It would seem to be particularly important that live rollcalls take place on any vote which might in any way be considered a close vote here in the House, so that, no matter what the outcome, further allegations cannot be made and the integrity of the House cannot be questioned. At the same time, I have today addressed a letter to the chairman of my own committee, the

Committee on House Administration, asking that the procedure under which Members identify themselves in electronic voting be open for reconsideration and for possible modification.

These are but two options which are open to us at this time, Mr. Speaker, and I would urge you to give them full consideration. I am not in a position either to substantiate or to deny the allegations Mr. Anderson has made. However, I certainly would point out that the seriousness of those allegations which call into question the very integrity of this body, and which deserve more than passing attention from this body.

WHERE'S THE ACTION ON BUSING?

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

Mr. HUDNUT. Mr. Speaker, having made some remarks last March about the importance of quality education in neighborhood schools, I regret that it is necessary for me to speak once again about a subject that is causing considerable turmoil and dislocation for the public school systems in and around Indianapolis, Ind. That subject is the forced busing of children to achieve arbitrary and artificial racial balance in our schools.

On July 20, 1973, Judge S. Hugh Dillin, a former Democrat State Senator, of the U.S. District Court for the Southern District of Indiana dealt yet another blow to quality public education, in many people's opinion, when he handed down a decision requiring the State of Indiana and 18 suburban school districts, several of which are not even in Marion County, to come up with a "metropolitan" plan of education. While such a metropolitan plan was being worked out, Judge Dillin ordered the Indianapolis school board to bus approximately 4,500 black students to the suburbs in Marion County and five surrounding counties. While Judge Dillin later granted a year's delay in this one-way busing of black youngsters across school district and county lines, the Judge continued to insist that the Indianapolis school board immediately come up with a better racial mix in the city schools.

Finally, on August 20, 1973, in what many people in my district regard as a willful arrogation unto himself of power and authority completely beyond his legitimate scope, he took that responsibility out of the hands of our elected school board, the body that will have to raise somehow the tremendous sums of money busing will cost, and appointed a two-man commission to prepare a desegregation plan for the 1973–74 school year. The Commission's plan to bus about 11,000 elementary students within the city was approved by Judge Dillin on August 30, 1973. In short, there will be substantial busing of our youngsters for racial purposes this year. To cite but one example, I personally know of a family in Indianapolis where five children, aged 15 to 8, are being bused to five different schools.

Legislators, taxpayers, parents, and civic leaders throughout Indiana have reacted to these latest developments in the Indianapolis case with a mixture of outrage, resentment and bewilderment—outrage over the obvious financial and social costs of busing large numbers of schoolchildren, resentment at having something forced down their throats through judicial fiat that they simply do not like, and bewilderment that a single Federal judge has the power to disregard the contrary judgments of elected school boards, bodies which by Indiana law are vested with the responsibility to run our public schools.

These concerns are shared by citizens across the country who ask: When will this Congress, controlled by a Democrat majority, do something about busing? When will hearings be held? When will a chance for debate be provided to vote this matter up or down? When will the voice of the American people speaking through their elective representatives be heard? When will positive action be initiated on a subject of vital concern to millions of Americans? When will the 85 percent or so in our country who, according to the polls, oppose forced busing, see their concern channeled into legislation?

On June 19, 1973, I submitted a bill to limit the power of the Federal courts concerning the forced busing of schoolchildren. On June 25, 1973, I signed discharge petition No. 1 to bring House Joint Resolution 286 to the floor of the House. This resolution seeks to amend the Constitution to end forced busing. Yet, both measures are bottled up in Democrat controlled committee and I understand that House action concerning busing has come to a standstill.

The same appears to be true in the other body where the Democrats are also in control. I would hope that their Judiciary Committee might hold hearings on this vital and vexing matter and support legislation or a constitutional amendment to stop busing, which is the same hope I hold for the House Judiciary Committee.

The simple point is that the American people want action from their elected representatives in Washington now. The time has come for the Congress to take decisive steps to end forced busing to achieve arbitrary racial quotas in our Nation's public schools.

We should not cast upon public schools and young children the burden of solving what busing advocates must concede is the root of racial imbalance in our schools, namely, racial imbalance in our neighborhoods. Those who plead for a fixed mathematical quota of black and white children in every school in the system should ponder one simple question: Do you want young children to be bused across the city simply because there are differences in the racial makeup of our communities? The removal of artificial barriers to employment and housing are the real solutions to this problem, not a dangerous experimentation with young lives and tampering with an institution as delicate as the urban school system. If the Indianapolis school system is viewed in this larger context, you will see an elected school board which is doing the best job it possibly can under difficult circumstances typical of large urban centers. Busing advocates are asking our schools to do too much—much more than the high percentage of the public can, should, or will tolerate.

EMERGENCY MEDICAL SERVICES SYSTEMS ACT

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

Mr. MOLLOHAN. Mr. Speaker, on September 12, the House of Representatives will have an opportunity to confirm the role of the Congress in the establishment of national priorities when it considers and votes upon the motion to override the President's veto of S. 504, the Emergency Medical Services Systems Act.

The alternative is to abdicate our constitutional responsibilities, deny the American public the emergency health services which it so badly needs; and indirectly to accept responsibility for the extensive loss of life that occurs annually because of inadequate medical evacuation and emergency treatment systems, personnel, and facilities.

Without a strong federally directed program to assist and encourage communities—urban, suburban, and rural—to establish coordinated ambulance and rescue services and effective emergency treatment facilities, hundreds of accident victims will continue to be picked up in funeral home vehicles, attended by untrained personnel and eventually reach a medical facility too late to survive.

This measure is the outgrowth of over 2 years work, initiated in my office and continued most effectively in the Interstate and Foreign Commerce Committee under the able leadership of our distinguished colleagues, PAUL ROGERS and HARLEY STAGGERS.

The President in his veto message said that the bill authorized more money than could be prudently used and that it infringes on an area that is traditionally the concern of State and local governments. On the contrary, it is a sound bill. It authorizes a modest 185 million dollars to initiate a 3-year program to support the planning and establishment of local and regional services where none now exists or where present systems are inadequate. It deprives local authorities of none of their prerogatives as the President suggests. Instead, it provides Federal assistance for local programs which meet reasonable and constructive Federal standards.

The President's second reason for veto was the prohibition contained in the bill against the closing of seven Public Health Service hospitals. It should be noted that a Federal District Court Judge has, in a preliminary injunction, halted plans to close these hospitals "without congressional approval." I question the desirability of closing established public health facilities at a time when improved health service is one of our Nation's greatest needs.

Within my home State of West Virginia, emergency medical service is provided by more than 110 agencies staffed by personnel not yet trained to meet the minimum standards set by the American College of Surgeons. Sixty-one percent of these agencies are funeral homes, 14 percent are Government or nonprofit agencies, 13 percent are commercial firms and 12 percent are volunteer organizations. I do not question the integrity or motivation of any of these organizations, but I do contend that they need Federal assistance to do the job.

This measure has strong popular support from veterans organizations, labor unions, and civic leaders. Should we fail at this time to clearly establish humanitarian needs as one of our highest national priorities we will be not only ignoring the wants of our people but we will also be foregoing our obligation to determine those priorities.

The intent of the Congress has been clearly stated. The House accepted the conference report on S. 504 by a vote of 306 to 111. The Senate approved the conference report 97 to 0. The Senate has voted to override the veto by 77 to 16. I urge your support to enact S. 504 into law.

FOREIGN INVESTORS WOULD TAKE OVER CONTROL AND MANAGEMENT OF U.S. DEFENSE AND ENERGY INDUSTRIES

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

Mr. MOSS. Mr. Speaker, as chairman of the Subcommittee on Commerce and Finance of the House Committee on Interstate and Foreign Commerce, I am deeply concerned over the trend which is fast developing, because of the devaluation of the dollar and for other reasons, for foreign nationals to undertake to acquire control and management of U.S. corporations through the process of tender offers to purchase the stock of these corporations.

This trend is particularly disturbing in regard to the long range adverse effects it can well have on American labor, and the more immediate effects it can have on our defense and energy industries. Our able colleagues JOHN DENT and JOSEPH GAYDOS have cosponsored a bill H.R. 8951, which may be helpful in solving this problem—and they have on July 23 and July 30, and on August 2 this year called the attention of the House to this matter, and have made particular reference to the activities of citizens of Japan and Canada in their undertaking to acquire control of U.S. corporations. In fact, they have brought to our attention the effort being made by the Canadian Government itself, through its Government-owned Canada Development Corp., to acquire Texasgulf, Inc., a major U.S. natural resources developer and supplier.

And, during the recent recess, I have learned through the press that CEMP Investments Ltd., of Canada, and other associated foreign nationals have made a takeover bid, through the tender offer process, for control of a California based corporation, the Signal Companies, Inc., which is an important U.S. defense contractor, and a major U.S. energy supplier—through its wholly owned subsidiaries, the Garrett Corp. and Signal Oil and Gas Co. I understand that the Signal Companies have taken this matter to court, and are currently seeking injunctive relief to halt the proposed takeover of their management. Mr. Speaker, I believe you will share my hope that their appeal to the court is successful, and my belief that the takeover of the control and management of any such U.S. corporation, by foreign nationals, would not be in the national interest of the United States. National security is involved here, in the broadest sense.

It is my intention to schedule hearings before my subcommittee on H.R. 8951 at a very early date, and I am hopeful that the Congress will soon provide a legislative solution to this problem of foreign takeovers of the managements of vital U.S. corporations through tender offers made to their stockholders.

MRS. LUCI NUGENT RECEIVES APOLLO AWARD

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

Mr. PICKLE. Mr. Speaker, at its recent annual congress, the American Optometric Association gave its highest honor to a great American and dear personal friend of mine, Mrs. Luci Johnson Nugent. The Apollo Award was given to Mrs. Nugent in recognition of 8 years service in the Volunteers for Vision program.

While still carrying on her responsibilities as a teenager with school work and such, as well as official duties as daughter of the President of the United States, Mrs. Nugent accepted the post of honorary chairman of the Volunteers for Vision. At that time the organization was a screening vision adjunct of the Headstart program; in 1967 it became an independent, lay vision screening program.

Mrs. Nugent is second vice president and board member of Volunteers for Vision. She organized the first local chapter in Austin and has kindly agreed to help organize chapters that have sprung up in other Texas communities. In addition, she has helped in organizing lay vision screening organizations in Arizona, California, Colorado, Kentucky, Missouri, and Virginia. Since those early years in Washington as a teenager, this dedicated young woman has personally screened thousands of children.

Through these efforts and through her personal example of a person who discovered a visual problem and overcame it to increase her contribution to society, Mrs. Nugent is an inspiration to all visually disadvantaged.

Mrs. Nugent's own visual problem was discovered and treated at an early date. Despite healthy eyes and 20/20 visual acuity, she still had some difficulty with the meaning of written words. Optometric vision training reduced the problems caused because of poor ocular coordination and subnormal hand-eye and general coordination.

In praising the Washington optometrist who aided her, Dr. Robert Kraskin, Mrs. Nugent credited him for pointing to an avenue in which I could reach out to others and say "I care" in a way that I would have never known without him.

Mrs. Nugent has often mentioned the great pleasure she finds in her work—and seeing thousands of children find out that their problem really was not that they were slow or lazy, but their problem was simply a visual problem that had not been diagnosed and treated.

In presenting the award to Mrs. Nugent, Dr. J. C. Tumblin, outgoing president of the 17,800-member AOA, said:

> It would be difficult to find anyone who could equal the dedication, determination and unselfish service to the visual welfare of others that has been demonstrated by Mrs. Nugent.

Luci Johnson Nugent has contributed well beyond her years to the visual welfare of this Nation. She continues to share her time, her energies to insure that children will not be forced to come in second-best due to undetected vision handicaps, that all children will be able to truly see.

Mr. Speaker and distinguished colleagues, I know that Mrs. Johnson takes great pride and satisfaction in the work of her daughter. I also know President Johnson was deeply gratified to see his daughter continuing the great family tradition of public service.

I am sure my distinguished colleagues join me in recognizing a truly great American, Mrs. Luci Johnson Nugent.

THE 175TH ANNIVERSARY OF CHENANGO COUNTY

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

Mr. HANLEY. Mr. Speaker, this Saturday, September 8, the citizens of Chenango County will celebrate the 175th anniversary of the founding of their county.

I would like to spend a few moments in tribute to this county and its people, for there is much to be learned from them about the heritage of the United States and the development of the spirit of this land.

Since the first settlers arrived to clear the land in 1785 until today, Chenango County has retained and respects its agrarian heritage and its quiet, purposeful rural life. Besides its agrarian efforts, Chenango County is marked by a variety of commercial and industrial pursuits, and the citizens have devoted themselves to a wide variety of civic and charitable activities and to vigorous local governments.

Ever since Tuscarora Chief Thick Neck defended the area's enviable deer herds from invading Oneida hunters, this has been a happy hunting ground for thou-

sands of nimrods each fall and thousands of sightseers in early spring when the deer gather along Chenango highways, feeding on the first patches of green under melting snow.

Named for the river which bisects it, Chenango means pleasant river flowing through the land of the bull thistle, a plant which has become the county symbol. It's not inappropriate. It suggests our ties with the early settlers and the clearing of lands which have made it one of the top dairying counties in the State.

At the same time, spectacular shades of red and yellow in the fall offer a clue to newcomer that in springtime, this is also one of the top maple producing counties in the State.

Besides the Chenango River down its middle, Chenango boasts the trout-filled Otselic on its extreme west, and on the east, the Unadilla which feeds into the historic Susquehanna at the county's southeast corner.

These assets undoubtedly were among the reasons people of sturdy stock, moving from the east, settled permanently here on their post-revolutionary trek westward. Chenango was formed from Herkimer and Tioga counties on March 15, 1798 and included 11 of the "Twenty Towns" in the "Governor's Purchase" which were deeded to the State of New York in a treaty achieved through Governor George Clinton on September 22, 1788.

A little more than a decade later, Chenango County was organized and now consists of 21 towns, 7 villages and 1 city. Incorporated in 1914, the city of Norwich is the county seat, with its historic courthouse, remarkably preserved, with an architectural stature drawing national interest and reputation.

It is not inconceviable that the famed Indian leader Joseph Brant may have touched on Chenango soil in prerevolutionary days when General Herkimer was called to Sidney in bordering Delaware County in a military action.

But Chenango had famous names of its own. The Mormon leaders, Joseph Smith and Brigham Young, once lived in the county before moving west and to greatness. Thurlow Weed, the fighting newspaper man who, after the turn of the 19th Century, got his start as an editor in Norwich and went on to put William Henry Harrison and Zachary Taylor in the White House. Anson Burlingame, Lincoln's ambassador to China, was a native of New Berlin and opened up the Orient. From Afton came Congressman Bert Lord who ably served in this body until his death in 1939. Gail Borden, developer of the process for condensed milk, boon to both health and nutrition as well as dairying, was born and raised in Chenango County.

Even before the turn of the century, the county was thriving. It was here the world-renowned Maydole hammers were made. Norwich was at one time the division home of the booming New York, Ontario Western Railway Company when the steam locomotive was adding growth and color to our national picture. In 1885, an itinerant minister made a $3 loan with Oscar G. Bell and started what became the Norwich Pharmacal Co. which later prospered with Doctor Jeffrey's spectacular ointment still marketed the world over as Unguentine.

Today, the county also produces a wide variety of goods including knit shirts and underwear, parts for space craft which carried men to the moon, fireplace equipment and accessories, shoes, dog food, bandages, forklift trucks and other material handling equipment, plastic products, pre-cut homes and log cabins ready to assemble, just to give an idea of the industrial diversity that flourishes there.

This is also the land of the square dance, both barn and modern, of country auctions, antique sales, church suppers and bazaars, of band pageants and concerts, art shows and musicals and crafts and country fairs.

With vast State forestlands and the expansion of our parks, the development of Rogers Conservation Education Center at Sherburne, swimming facilities, sportsmen's clubs, snowmobile and hiking and bicycle paths and campgrounds, the area is attracting an increasing number of tourists as well as urban people who find "life in the country" the realization of their impossible dream.

In the years ahead Chenango's people can be expected to keep on living, working and building, continuing to add their share for the glory of God and Country. In celebrating their anniversary we are in a very real sense celebrating and reaffirming the goals and ideals that have made this country great. I am sure you will agree that Chenango County is one of those special places in both its heritage and its hopes for the future, and I am sure all of you will join me in congratulating the people of Chenango County on their 175th anniversary.

HOUSING AND URBAN DEVELOPMENT ACT OF 1973

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

Mr. BARRETT. Mr. Speaker, I introduce today, along with our colleague from Ohio (Mr. ASHLEY) the Housing and Urban Development Act of 1973.

This bill represents an effort on our part to develop an improved system of Federal assistance for housing and community development activities. Its enactment would enable communities of all sizes more effectively to carry out housing and community development activities within a framework of national goals and objectives.

The Housing Subcommittee began the task of reforming existing HUD programs during the 92d Congress. As Members know, the omnibus housing bill that failed to clear the Rules Committee late last year contained three far-reaching chapters which completely revised the laws governing the FHA mortgage insurance programs, the low-rent public housing program, and the urban renewal program.

These revisions would have provided a streamlined statutory framework for these important activities which would have enabled the Congress to evaluate the basic objectives and results of Federal assistance without being diverted by the often special purpose, conflicting and duplicatory, and obsolete provisions of existing laws. At the same time, these three chapters would have made possible more flexible and responsive administration by HUD to the benefit of both the users of the programs—homebuilders and developers, lending institutions, and local governmental units—and the individuals and families and communities that are their ultimate beneficiaries.

Despite the controversy over many of the provisions in the 1972 bill, the basic reforming thrust of these chapters was widely praised. The bill we introduce today continues that thrust and extends it to the Federal housing assistance programs.

Part I of the bill would establish a program of 3-year block grants to general purpose local governments to help finance community development and housing assistance programs. These new block grant programs, which would take effect on July 1, 1975, would replace the major HUD community development programs—the urban renewal, model cities, open space, neighborhood facilities, and water and sewer facilities programs—and the several housing assistance programs, the sections 235 homeownership and 236 rental assistance programs, the rent supplement and low-income public housing programs, and the rehabilitation loan and grant programs.

We regard the housing block grant program as the most important innovation contained in the bill. It is a necessary and indispensable supplement to the bill's community development provisions, which in 1972 were not only noncontroversial, but were strongly supported on both sides of the aisle in both the House and Senate.

As Members know, under the community development block grant program nearly approved by the Congress in 1972—

First. Existing categorical grant programs for community development—each with its own limited focus, grant formula, and unique program requirements—would have been consolidated into a single flexible tool for community development;

Second. Funds would have been allocated to communities on a uniform and equitable basis, taking into account both objective need factors and established program levels;

Third. Application and planning requirements would have been greatly simplified in order to avoid delay and uncertainties in the execution of community development activities; and

Fourth. Local elected officials, rather than special purpose agencies, would have been given principal responsibility for determining community development needs, setting priorities, and allocating resources.

We regard these basic elements of the community development program as

equally applicable to federally assisted housing. Federal assistance for housing as well as community development, should be distributed on the basis of objective need factors; it should be provided, promptly and with a minimum of redtape, in a manner that permits localities to use that assistance in a way that meets their unique needs; and it should be administered so as to permit local elected officials, acting within a framework of Federal priorities, to make the critical decisions concerning the type of housing to be built or rehabilitated, the income groups to be served, and the cost and general location of that housing.

Part II of the bill would substantially revise the low-rent public housing program and, most importantly, authorize a major new program of modernization and renovation of existing public housing units. The modernization program would be designed to make substantial improvements in the thousands of public housing units built in the early years of the program—those built to the unduly austere standards of the 1940's and 1950's; and those that no longer meet local health and safety standards. In addition, modernization funds would be used to make physical alterations to projects to provide greater security to thousands of low-income tenants.

We believe the need for this major modernization and renovation program is overwhelming. Thousands of public housing units have, for a variety of reasons, fallen below present-day standards for decent housing accommodations. Yet with a reasonable expenditure of funds, these units can be brought up to present standards and made capable of serving thousands of individuals and families for years to come. Their continued deterioration will cost many times more in public funds, as the planned demolition of the Pruitt-Igo housing project in St. Louis demonstrates.

Part III of the bill would revise the law governing the Federal Housing Administration's programs of mortgage insurance, generally along the lines of the 1972 housing bill but with some major new features.

Most importantly, this part would structure the FHA mortgage insurance program to serve primarily the needs of middle-income families; that is, families with incomes above eligibility for direct subsidies, but who are being increasingly priced out of the conventional housing market. The bill would provide that interest rates on FHA-insured mortgages would be set by the Secretary of Housing and Urban Development at such levels as are necessary to avoid discounts of more than four points. In addition, when the interest rate is set by the Secretary at more than 7 percent, the interest rate on mortgages covering lower cost housing would remain generally at 7 percent, but in no event more than 1 percent lower than the regular interest rate. HUD would be required—through the Government National Mortgage Association—to use the "tandem plan" to support the lower interest rate mortgages at the price of not less than 96—that is, at a discount to the seller or builder of not more than four points.

These provisions are extremely important. They would help to serve the housing needs of millions of middle-income families in two ways: First, by keeping the cost of mortgage credit at reasonable levels; and second, by supporting the construction of lower cost housing during periods of rising interest rates and tight money.

Of course, the FHA would continue to provide mortgage credit for assisted housing, to be built or rehabilitated under the housing block grant program, and would be encouraged to continue and expand its activities in the inner-city areas of our large urban centers. These critical functions of the FHA must be strengthened if we are to meet our housing needs and help rebuild the deteriorated and deteriorating areas of our cities.

Part III also includes authority for the FHA to continue the sections 235 homeownership and 236 rental assistance programs, in revised form, for use during the transition to the new housing block grant program and afterward as residual programs for areas not being adequately served by the new program.

My colleague, Mr. ASHLEY, will present a full explanation of these proposals to the House in his statement on the bill. At this point, I wish to thank him for his outstanding role in developing this major reform of our Federal housing and urban development programs. I believe that this effort, coming closely after his development of the Urban Growth and New Communities Development Act of 1970, and the metropolitan housing block grant proposal, places him in the top rank of experts in the housing urban development field.

In closing, I would add two additional points. First, our advocacy of new housing and community development block grant programs does not imply, in any way, an endorsement of the views of the administration on existing HUD programs.

We believe the administration's public stance on housing programs as voiced over the past 4 years amounts to demagoguery of the worst kind—claiming credit for the hundreds of thousands of units produced under these programs, on the one hand, and, when confronted with program abuses resulting from lax and often dishonest administration, condemning them as ill-conceived and inherently defective, on the other. The effrontery of the claim by Kenneth Cole of the Domestic Council that the housing subsidy programs cannot be administered "even with the most advanced management techniques" defies belief. Members are well aware of the numerous examples of singularly inept administration of these programs by the FHA over the past 4 years, a disgraceful record that needs no repetition.

The fact is that the administration was and is intent on ending programs for which it could claim no real credit; programs which required substantial outlays of funds needed for its own foreign and domestic initiatives; and, most importantly, programs which it judged politically unpopular among the middle-income groups it seeks to convert to the Republican Party. If it were truly desirous of working with the Congress to develop new program approaches to serve our housing needs more effectively, it would not have taken the outrageous step of suspending the housing subsidy programs—an "unlawful act" in the view of a recent Federal district court decision—before viable program alternatives were available.

The new programs offered by this bill seek to employ the approaches contained in existing programs—developed by many Congresses and implemented by administrations of both parties—in a more efficient and flexible manner, under which communities may deal effectively with their particular housing and community development problems. They do so, primarily, by placing responsibility squarely on local elected officials to make the basic decisions concerning the determination of needs, the setting of priorities among those needs, and the selection of program tools needed to meet those needs. We believe the advantages offered by these new approaches can make significant contributions to the ability of our communities to solve their housing and community development problems.

Second, I would emphasize as strongly as possible the crucial difference between the block grant approaches contained in the bill and the administration's special revenue sharing approach as contained in the Better Communities Act.

The Better Communities Act is a thinly veiled effort by the administration to move toward a general revenue sharing approach for important categorical grant programs. Under its bill, a community is free to use Federal funds in any manner it deems fit so long as the funds are spent on an eligible activity specified in the bill. The activities specified are, of course, very broad, ranging from land acquisition and clearance of slum and blighted areas—carried on now under the basic urban renewal program—to the construction of any kind of public works and facilities—carried on now under certain grant programs and the public facilities loan program.

Consequently, a community could use the Better Communities Act funds solely for the construction of a major public work—such as an airport or sports coliseum—or a series of park and recreational areas throughout the city. There would be no HUD review or approval required of the community's proposed use of funds, apart from assurances that the equal opportunity requirements of recent Civil Rights Acts were adhered to and that the funds were, in fact, being used for the purposes outlined in the community's statement of proposed activities. The administration takes the position that the eligible activities permitted under the Better Communities Act are all consistent with national objectives and that HUD should not "second-guess" the community's evaluation of its community development needs.

The block grant approach is significantly different. Communities of 50,000 or over would be required to use their community development funds to undertake balanced programs which, first, eliminate or prevent slums and blight; second, provide housing for low- and moderate-income families; and third, provide improved community facilities and services. The housing block grants are made available to these communities to carry out the housing component of their community development programs.

Furthermore, HUD would be required to review carefully, prior to the approval of block grant funds, the community's overall community development and housing program—determining whether the community's proposed use of funds addresses the problems identified in the community's application; and whether the community has the capacity efficiently to carry out the program. Significantly, the bill makes clear that the amount of funds a city may receive pursuant to the formula represents a "maximum" entitlement only, and that HUD is expected to reduce the entitlement for any community that is not reasonably addressing its needs, in the context of the bill's national priorities, or not making sufficient progress in carrying out its program each year.

We view the block grant approaches as evolutionary in nature, moving gradually from a dominant Federal role in the carrying out of community development and housing activities to one in which the community is the principal actor, and HUD exercises a more qualitative review and evaluation function. We believe that the cities, particularly those of over 50,000 population which have had substantial experience in the housing and community development field, are capable of assuming these increased responsibilities and that HUD would be far more effective in its new role if it were not so heavily involved in the constant monitoring of projects.

I urge all Members to give careful consideration to this comprehensive legislation. We believe the new tools it would provide to communities throughout the country would significantly assist in the provision of housing and the revitalization of our communities.

Mr. ASHLEY. Mr. Speaker, the legislation which Mr. BARRETT, the chairman of the Housing Subcommittee, and I are introducing today addresses some of the most critical problems the 93d Congress faces: The moratorium on Federal housing and community development programs; the problems that in large part brought on the moratorium; and, most importantly, the nature and extent of future Federal efforts in housing and community development.

We believe that enactment of this legislation would help resolve many of the difficulties involved in our existing programs; that it would provide a significantly improved system of Federal assistance for housing and community development; and that it would enable us to resume the task of providing decent housing in revitalized communities throughout the country.

HIGHLIGHTS OF THE BILL

PART I—COMMUNITY DEVELOPMENT AND HOUSING ASSISTANCE BLOCK GRANTS

Authorizes 3-year programs of block grants to communities to help finance community development and housing assistance programs. For the first 3-year period, $8.25 billion would be allocated for community development and $2.25 billion for housing assistance. The housing and community development programs would be required to be mutually supportive.

First, programs replaced. The community development block grant would replace the following HUD categorical programs: Urban renewal—including neighborhood development and code enforcement programs—model cities, water and sewer facilities, neighborhood facilities, advance acquisition of land, and open space-urban beautification-historic preservation programs.

The housing assistance block grant would replace the following housing programs: section 235 homeownership assistance, section 236 rental and cooperative housing assistance, rent supplements, public housing, section 312 rehabilitation loans, and section 115 rehabilitation grants. Rural housing programs administered by the Farmers' Home Administration would not be affected.

Second, distribution of block grants—community development. Metropolitan areas would receive 80 percent of the funds and 20 percent would be allocated to nonmetropolitan areas. Funds would be allocated among metropolitan areas on the basis of a four-factor formula—population, housing overcrowding, poverty counted twice, and past program experience. Out of each metropolitan area allocation the same formula would be used to allocate funds to metropolitan cities—generally over 50,000 population—in the metropolitan area. The remainder of each metropolitan area's allocation and the nonmetropolitan area allocation would be distributed to States and other local governments. A priority in the distribution of these latter funds would be given to urban counties, localities whose programs were in accord with any State development policies or priorities, and localities which combined to conduct a unified community development program where coordination of activities among two or more localities was needed for effective implementation of a program. Metropolitan cities would be eligible to receive grants in excess of the amount allocated to them by the formula if their average annual grant under the replaced categorical programs over a previous 5-year period was higher than their annual formula share.

Housing assistance. Seventy-five percent of the funds would be allocated to metropolitan areas and 25 percent to nonmetropolitan areas. A three-factor formula—population, poverty counted twice, and housing overcrowding—would be used to allocate funds to metropolitan areas and to metropolitan cities in the metropolitan area. A priority in the distribution of the funds would be given to urban counties, smaller localities that combined with each other to conduct a single housing assistance program, and localities whose programs were in accord with any State development policies or priorities.

Eligibility to receive grants. Applicants for formula and discretionary grants would be required to demonstrate compliance with a number of requirements designed to assure furtherance of national policies, standards of performance, and balanced programs serving a variety of needs. Recipients of grants would also have to demonstrate a continuing capacity to conduct their programs effectively. An application for grants would be required for each 3-year period, but the Secretary of HUD would monitor the conduct of community development and housing assistance programs and require reports and audits.

Third, application requirements—community development. The application would have to show that the applicant:

Has specified short- and long-term community development objectives which are consistent with comprehensive local and areawide development planning and with national urban growth policies;

Has described the proposed activities, their estimated costs and general location;

Has formulated a program to meet the housing needs of low- and moderate-income persons who are residing or employed in the community or may reasonably be expected to reside in the community;

Has provided satisfactory assurances that the Civil Rights Acts of 1964 and 1968 will be complied with;

Has provided for adequate citizen participation and public hearings prior to submission of the application; and

In the case of a city eligible to receive a formula grant has developed a comprehensive program to eliminate or prevent slums and to develop adequate community facilities, public improvements, and supporting health, social and similar services.

Housing assistance. The application would have to show that the applicant:

Has surveyed the condition of the existing housing stock in the community and has assessed the housing needs of low- and moderate-income persons who are residing or employed in the community or may reasonably be expected to reside in the community;

Has formulated a program which takes into account the needs of a range of income levels and which provides for a balanced use of the existing housing stock and the construction of new units within the community depending on local conditions;

Has described the types of assistance to be provided, the estimated annual and long-range costs, the general location of projects, and the financing methods to be used;

Has indicated how the housing program relates to and furthers the objectives of any community development program carried out by the applicant;

Has provided satisfactory assurances that the Civil Rights Act of 1964 and

1968 will be complied with and has provided for citizen participation and public hearings in connection with the development of the program;

Has formulated activities designed to avoid undue concentrations of assisted persons in areas containing a high proportion of low-income persons;

Has coordinated the location of housing projects with the availability of adequate public facilities and services; and

Has described the commitment of State and local resources to be available in carrying out the program.

Fourth, activities—community development. The following activities could be financed out of community development funds:

The acquisition of land which is blighted, undeveloped or inappropriately developed; or which is necessary for historic preservation, beautification, conservation, or the guidance of urban development; or which is to be used for the provisions of public facilities and improvements eligible for assistance; or which is to be used for other public purposes;

The construction, acquisition or installation of specified public facilities and improvements which generally are eligible for assistance under the replaced categorical programs;

Code enforcement;

Demolition or rehabilitation of buildings and improvements;

Payments to housing owners for rental losses incurred in holding units vacant for displacees—by both community development and housing assistance programs;

Provision of health, social, counseling, training, and similar services necessary to support both the community development and housing assistance program;

Financing the local share of other federally assisted projects approved as part of a community development program;

Relocation payments for both housing and community development programs; and

Management, evaluation, and planning activities for both housing and community development programs.

Housing assistance. The following activities could be financed out of housing assistance funds:

Grants to bring owner-occupied single-family housing up to code standards and loans to finance repair or rehabilitation of privately owned residential property, where repairs or rehabilitation are conducted on a neighborhood basis or as an integral part of a community development program;

Loans to finance the purchase, rehabilitation, the resale of one- to three-family dwellings as part of a neighborhood rehabilitation program;

Periodic grants to reduce mortgage payments—principal, interest, taxes, hazard insurance, and mortgage insurance premiums—by up to 50 percent on one- to three-family houses purchased and occupied by the owner;

Periodic grants to reduce rentals to tenants and occupancy charges to members of a cooperative in both privately owned and publicly owned projects;

Loans to finance the construction or purchase with or without rehabilitation or repair of rental or cooperative projects;

Reduction of rentals in dwelling units leased by a public body or agency; and

Seed money loans to nonprofit organizations.

The following general requirements would apply:

Assisted homeowners would be required to pay a minimum of 20 percent of their incomes toward mortgage payments;

Assisted renters or cooperative members would have to pay a minimum of 20 percent of their incomes toward rents or occupancy charges;

Assisted housing units would be subject to prototype cost estimates developed in connection with FHA insured housing under part III of the bill, unless waived by the Secretary because of high land or site improvement expenses;

Persons receiving the benefits of assistance would be required to have incomes not in excess of 80 percent of the median income for the area, but at least 50 percent of the persons assisted during the 3-year program would have to have incomes within the lower half of those persons eligible for assistance;

The Secretary of HUD would define income uniformly for all areas; and

The consumer protections applicable to FHA insured housing would be applicable to State or local financed housing.

Fifth, debt financing—community development. Federally guaranteed obligations could be issued by States or localities to finance land acquisition.

Housing assistance. Rehabilitation loans and the construction, rehabilitation or acquisition of rental and cooperative projects which are likely to house assisted persons over a long period of time could be financed from funds obtained through the issuance of federally guaranteed State or local bonds. Tax-exempt financing could be used in connection with projects to be owned by a public body or agency and taxable bonds with 30 percent interest reduction grants would be required in connection with privately owned projects. FHA insured financing would also be permitted for housing assisted under the block grant program.

Sixth, effective date. Both the community development and housing assistance programs would become effective July 1, 1975.

Seventh, residual Federal programs. Considerably revised federally administered homeownership and rental assistance programs would remain available for use in areas in which the Secretary determined that housing assistance funds were not being utilized to meet the housing needs in those areas.

PART II—PUBLIC HOUSING

No new projects would be developed or units leased under the 1937 act after the effective date of the housing block grant program—July 1, 1975. However, a major new program of modernization and renovation of existing public housing units would be authorized. The modernization program would include bringing housing units up to local code standards, correcting obsolescence, and making physical alterations to provide greater security to residents. An additional $45 million in contract authority would be provided for this purpose, with appropriation act approval required. Existing projects would continue to be eligible for operating subsidies up to $300 million annually.

In addition, substantial improvements in the operation of existing public housing projects would be made, carrying over many of the provisions of the 1972 House bill, including opportunities for homeownership through conversions of existing projects, the conditioning of the availability of Federal operating subsidies on adoption of more effective management policies, the adoption of tenant selection policies likely to achieve a greater income mix, and the imposition of average minimum rentals of 20 percent of aggregate tenant incomes. A minimum per unit rental would also be imposed equal to 20 percent of the operating expenses attributable to the unit. Tenants receiving welfare assistance, like all other tenants, would be charged rentals not in excess of the greater of one-quarter of income or 20 percent of the operating costs attributable to their units. No requirement would be imposed on public welfare agencies as to the amount of assistance given to public housing tenants.

PART III—FHA MORTGAGE INSURANCE

This part would include a substantial revision of the FHA mortgage insurance program along the lines of the consolidation proposal contained in the 1972 House bill, but with several changes designed to improve the operation of the mortgage insurance programs.

SIGNIFICANT CHANGES

First, mortgage limits. Limits would be established on the basis of prototype cost estimates developed periodically by the Secretary for each housing market area in place of current statutory dollar limits. Subsidized mortgages would not exceed 110 percent of prototype cost and unsubsidized mortgages 180 percent.

Second, interest rates. Rates would be established by the Secretary at levels to avoid discounts in excess of four points. When the interest rate is established in excess of 7 percent, the interest rate on mortgages up to 130 percent of the prototype cost would remain at 7 percent. However, this lower rate would be increased as necessary to keep the differential with the regular rate at 1 percent. GNMA would be required to use the "tandem" plan to support the lower rate mortgages at a price not less than 96.

Third, downpayments. Higher loan-to-value ratios would permit insured mortgages to be made at more than 95 percent of value up to $35,000.

Fourth, FHA inner city activities. Various conditions would be imposed on FHA insurance in inner city areas, including a tie-in with community development activities designed to revitalize the area. A variety of new uses of mortgage insurance would be allowed involving refinancing, repairs, and the transfer of ownership of existing projects.

Fifth, subsidized programs. Sections 235 and 236 would be substantially revised for use during the transition to

housing block grants and afterward as residual programs. Section 235 would be restructured along the lines of the homeownership component of the housing block grant program. Section 236 and rent supplements would be integrated into one program with features designed to encourage an economic mix in each project.

The maximum subsidy in the homeownership program would be the lesser of the difference between 20 percent of the homeowner's income and the payments due under the mortgage for principal, interest, taxes, insurance, and mortgage insurance premium or an amount equal to 50 percent of the mortgage payments. In the rental program, a minimum rental of 20 percent of income would be required. The maximum subsidy would be an amount sufficient to reduce rentals charged on the basis of 1 percent mortgage by 20 percent—35 percent in the case of a project designed primarily for the elderly. An economic mix would be required in the project and at least one-half of the tenants in a project—other than a project designed for the elderly—would at the initial renting be required to have incomes sufficient to meet rentals charged on the basis of a 1-percent mortgage with no more than 20 percent of their incomes.

Persons eligible for assistance under either program would be required to have incomes not exceeding 80 percent of the median income for the area. In addition, a family qualifying for homeownership assistance must be financially unable to afford new or existing homes available in adequate supply in the area with the assistance of unsubsidized mortgage insurance.

In order to provide Members of Congress a full understanding of this comprehensive bill, I intend to review the course of recent events and the problems, particularly in housing, that make new program approaches necessary; and then set forth how these new approaches can assist in achieving our national housing and community development goals.

BACKGROUND

In my opinion, the most convenient starting point is August 1, 1968, the date of enactment of the Housing and Urban Development Act of 1968. As Members know, that act, called by the late President Lyndon B. Johnson the Magna Carta of housing, committed the Nation to the production and rehabilitation of 26 million housing units over a 10-year period, of which 6 million were to be subsidized by the Federal Government in order to serve low- and moderate-income families. To achieve this goal of 6 million subsidized units, the Congress created two major new programs: the section 235 homeownership assistance program and the section 236 rental assistance program.

These programs—under which market interest rates were to be subsidized to a level as low as 1 percent—were intended to serve families of moderate income; that is, those with incomes ranging from $4,000 to $8,000. These new programs supplemented two older housing programs which served generally lower income groups—the low-income public housing program enacted in 1937, and the rent supplement program enacted in 1965. Together these four programs represented the basic Federal tools needed to meet the 1968 act's subsidized housing goal.

The Johnson administration was not alone in its enthusiasm for the new tools provided by the 1968 act. Both the incoming Nixon administration and the Congress demonstrated a full commitment to the new programs by providing full funding for 3 consecutive fiscal years—fiscal years 1970–72. Substantial funding was provided for the older programs as well. As a result, between August 1, 1968, and the end of fiscal year 1972, more subsidized housing was produced for low- and moderate-income families—largely through the new programs—than during the preceding three decades of federally assisted housing programs.

Yet as significant progress was being made in achieving the "production goal" of the 1968 act, the problems which accompanied rapid production came sharply into focus. These problems—inappropriate and often controversial locational decisions, the mounting annual cost of subsidies, the often poor quality of construction, and the inability of the Federal Housing Administration to maintain effective administrative controls during the high production period—were seldom discussed during the deliberations leading to enactment of the 1968 act.

This was scarcely surprising, for in 1968 the homebuilding industry was just emerging from one of its worst recessions in history. During the extraordinary tight money period of late 1966 and early 1967, homebuilding starts had declined to an annual rate of just over 1,000,000 units, the lowest rate in many years. The need for increased production to serve a growing population—and particularly families of low- and moderate-income—simply overshadowed these and other critical questions.

This is not to say that none of these concerns were raised in 1968 by Members of Congress or the general public. I believe it fair to say, however, as one of the ranking members of the Housing Subcommittee, that the Congress paid insufficient attention to all of these matters in the climate of crisis then affecting the homebuilding industry.

Just 4 years later, in late 1972, a major housing and urban development bill which would have, in part, extended the housing subsidy programs with only minor modifications failed to obtain clearance by the Rules Committee. There were, of course, numerous reasons for the Rules Committee's actions; however, it is undeniable that the general controversy surrounding the housing subsidy programs, which made many House Members reluctant to vote to continue them in an election year, were among the basic reasons for the Rules Committee's action. Thus, despite the progress being made in achieving the record production levels intended by the 1968 act, by late 1972 congressional and public discussion focused almost exclusively on a series of major problems associated with the programs and, deemed by many, to be inherent in the basic design of the programs themselves

PROBLEMS WITH THE EXISTING PROGRAMS

Although much of this discussion involved issues of a minor nature or was based upon inaccurate information and inadequate understanding of the facts and issues, several overriding problems appear to be the basic causes for the unpopularity of the programs. In my opinion, these problems—taken as a whole—set the stage for the suspension of the programs by the administration on January 5, 1973.

The first, and probably most critical, problem was the issue of site location of federally assisted housing. Like the low-rent public housing and rent supplement programs before them, the new sections 235 and 236 programs were quickly priced out of the market for land in the central cities where hundreds of thousands of lower cost units were needed. In other areas of the city and in the broader metropolitan area, vacant land was available at prices which were not prohibitive; but these areas were often withheld from lower cost housing use because of the fear that large enclaves of lower cost housing would depress property values. Local resistance was, of course, much greater where occupants of the proposed housing might be of a race different from the inhabitants of the area. Thus, the critical problem of finding suitable sites for lower cost housing became increasingly difficult and politically controversial.

Responses to the site selection problem have taken various forms—significantly, all involve greater degrees of participation in housing by locally elected officials: First, legislation sponsored by many Members of Congress providing for local governing body approval of the location of federally assisted housing projects; second, legislation sponsored by a number of members of the Housing Subcommittee providing for the approval by locally elected officials, acting through metropolitan housing agencies, of the general location of assisted housing projects in accordance with a regional 3-year housing plan; and third, administrative action by the Department of Housing and Urban Development giving priority for the very popular water and sewer facilities grants to communities that were willing to provide low- and moderate-income housing in their communities. This latter policy was short-lived due to its politically controversial reception.

A second major set of problems involved the cost to the Federal Government of subsidizing such large numbers of housing units and the overall quality of that housing.

The interest-subsidy technique authorized for the new sections 235 and 236 programs was eagerly embraced by the Congress in 1968 as a method of limiting to acceptable amounts the large annual outlays for assisted housing to be re-

flected in the Federal budget. However, by 1971 both the administration and Members of Congress were raising serious alarms concerning the total costs involved in providing subsidies for the 6 million units called for by the 1968 act. Annual outlays were estimated at $6 to $8 billion by fiscal years 1976 and 1977, and total outlays over a 30 to 40 year period—covering the terms of subsidized mortgages and annual contributions contracts—were estimated at $60 to $100 billion. Although these estimates were based on widely differing assumptions as to the expected rise in incomes of subsidy recipients and the corresponding reduction in their need for subsidy, all estimates were sufficiently huge as to concern supporters, as well as opponents, of the programs.

Furthermore, the site location and cost issues were raised against a background of widespread publicity concerning the often poor quality of housing constructed under the sections 235 and 236 programs and the virtually substandard housing provided thousands of inner-city poor families under the limited authority contained in the 1968 act to subsidize existing units under the section 235 homeownership program. Investigations by various congressional committees and by the Office of the Inspector General of the Department of Housing and Urban Development provided ample evidence of inept and often dishonest administration by FHA officials and of irresponsible and corrupt practices by private developers and realtors.

Significantly, the HUD investigative reports placed principal responsibility for this wide range of abuses on a "production at all costs" psychology of senior Department officials. As Members know, Congress is still grappling with the extent of the Federal Government's responsibility to reimburse the thousands of lower-income families victimized as a result of such shortsighted administration.

Thus, to many observers the Federal Government was incurring obligations of billions of dollars in subsidy costs for poor quality housing of which it would be required, in all too many cases, to become the owner as well. Combined with the political controversies involved in hundreds of locational decisions being made throughout the country, it is not surprising that many Members of Congress were relieved not to have had to vote to extend the programs in late 1972.

A third set of problems involved the very nature of the programs themselves. Nationally established requirements as to income eligibility, maximum mortgage limits governing the cost of housing, maximum subsidy per unit, and the mix between new and existing housing to be assisted, served to reassure the Congress as to the use of Federal funds, but served in too many instances to straitjacket communities in their attempt to deal with unique local housing needs.

Examples in this area are numerous and familiar, yet their importance would not be underestimated. For example:

Income limits for the new sections 235 and 236 programs are set at a certain percentage of public housing income limits which are often out-dated and which vary widely among often contiguous communities in the same metropolitan area. As a result, families with generally similar incomes may be eligible for housing subsidies in one community, but ineligible in nearby communities.

Maximum mortgage limits for the section 235 program—set at $18,000 per unit, or up to $21,000 and $24,000 in certain cases—make the program virtually inoperative in some major metropolitan areas and central cities, while providing for relatively high-cost housing on the outskirts of metropolitan areas and in rural areas.

Maximum subsidy costs per unit, which are set under the new programs at the difference between monthly payments at market interest rates and payments at a 1 percent rate, provide, relatively, too much subsidy for certain moderate-income families and too little for those of the lowest income. This latter point—that of too little subsidy for those of very low incomes—is involved not only in the new programs authorized by the 1968 act, but in the older public housing and rent supplement programs as well. The nearly annual congressional deliberations over the Brooke amendment, contained originally in the 1969 Housing Act, basically revolve around the question of how much subsidy per unit is to be made available on behalf of the very lowest income groups in our society.

The mix between new and existing units to be subsidized—set by the Congress in both the section 235 homeownership program and the low-rent public housing program to favor strongly the production of new or substantially rehabilitated housing—coupled with the applicability of mortgage limits which are too low to permit construction in high-cost areas, aggravates efforts to provide urgently needed housing in many areas of the country where a substantial stock of lower cost existing housing can be utilized for thousands of lower income families. The result is that housing subsidies flow, in all too many cases, to areas of the country which need lower income housing relatively less than others.

The fourth set of problems affecting the subsidy programs involves the nearly complete divorce of responsibility for overall community development from responsibility for providing housing.

Local elected officials at community and county levels are responsible for controlling the pace and timing of physical development in their areas, building schools, water and sewer lines, and other public facilities in a manner consistent with the physical and financial needs of their communities. Yet—apart from the largely negative tool of zoning—they have little or no responsibility for or control of the development of housing, which is a critical ingredient in the growth of their communities.

The Federal urban renewal program, for example, has been a key factor in the development of hundreds of communities over the past two decades. The urban renewal law requires communities to provide sites for the development of housing, particulrly for low- and moderate-income families. Yet, apart from the limited help available to them through the public housing program, communities are virtually powerless to assure that their renewal plans with respect to such housing will be carried out. In many cases, adequate housing subsidy funds are not available, or not available in a timely fashion; in others, there is a lack of competent sponsors to carry out the complex and time-consuming projects; and in yet others, the rigid national requirements contained in the subsidy programs themselves—maximum mortgage limits, for example—serve to frustrate and delay the best of efforts. At the present time, both the New York City and the District of Columbia redevelopment agencies hold large amounts of land available for urgently needed housing which cannot be built bceause of the lack of housing subsidy funds.

On the other hand, private builders, private nonprofit groups, and, in many cases, virtually autonomous local housing authorities control not only the kind of housing to be provided—large or small units, single or rental, and so on—the location of that housing, and, by virtue of the above decisions, its cost to the Federal Government, but whether housing will be provided at all. If a city lacks nonprofit groups capable of sponsoring projects, a local building industry willing to tackle difficult inner-city projects, or an aggressive and politically accepted local housing authority, subsidized housing simply will not be provided when and where it is needed.

In short, with respect to housing, the most critical decision of a public nature are entrusted primarily to private individuals and organizations, while the public officials most responsible for the orderly development of their communities are virtually by-passed, left to exercise largely negative powers, such as impeding housing development altogether, or compelling minor and often harmful modifications in projects being carried on by others. The current "no growth" and "phased growth" movements are in no small part the reaction of local elected officials to development that does not properly accommodate their public management responsibilities.

ADDITIONAL PROBLEMS

Two other problems are an integral part of the crisis affecting Federal housing programs.

The first involves the less critical but worsening housing needs of middle-income families; that is, families with incomes ranging from $8,000 to $15,000.

The tremendous increases in the cost of land, labor, materials, and mortgage credit over the past decade have priced substantial numbers of these families out of the new, and increasingly the used, housing markets. In early 1970, then HUD Secretary George Romney told the House Banking and Currency Committee that approximately 80 percent of all families in the country could not afford with 20 percent of their monthly income the median-priced new home then being produced. Three years of the worst inflation in the country's history, culminating in the record high interest rates of recent weeks, have, of course, made

homeownership and reasonably priced apartments a dream for all but the highest-income groups in the country.

As a result, the housing needs of millions of middle-income families have placed great pressure on the Congress to expand the range of incomes eligible for Federal housing subsidies. During the 92d Congress, the administration proposed a substantial increase in the income limits applicable to the housing subsidy programs to accommodate these pressures, despite its own argument that, in view of expected funding levels, only a tiny portion of the families eligible for subsidy could reasonably hope to receive them. Members of the Housing Subcommittee rejected the proposal on the ground that increasing the number of families eligible for subsidy would reduce even further the amount of subsidy funds available for the country's lowest income groups, whose housing needs were the most serious of all.

These middle-income families were being ignored not only by the subsidized programs and conventionally built housing, but by the FHA unsubsidized programs as well. As increases in housing costs continued annually, the FHA single-family mortgage limit of $33,000 became an anachronism in the country's large metropolitan centers, where land and construction costs were very high. The FHA's share of the unsubsidized housing market declined sharply, and its basic single-family program is now regional in nature, all but inoperative in the high-cost Northeast, Middle West, and Far Western States.

This development raised basic questions about the future of the FHA, long the Federal Government's principal tool for expanding homeownership opportunities through a national system of mortgage credit. If the traditional FHA homeownership program was not serving its intended purpose, what should the FHA be doing, if anything at all? Could not the expanding private mortgage insurance system serve the country's middle-income families, leaving the subsidy programs as FHA's sole concern?

Second, and at the other extreme, there emerged into public focus—partly through the subsidy programs themselves and partly through the general plight of the Nation's central cities—the extraordinarily difficult problems of financing housing development in the declining inner-city neighborhoods of our great metropolitan areas. These neighborhoods—victims of years of social and economic decline, the flight of the affluent, often federally aided, to suburban areas, the changing location of employment opportunities, and land speculation of the most vicious and irresponsible kind—were the targets of both administrative and legislative mandates to the FHA to provide the mortgage credit considered so desperately needed to arrest further decay and begin the task of rebuilding.

Unfortunately, the FHA was neither prepared by experience nor motivation to deal sensitively with such an array of problems. The evidence—in terms of outrageous mortgage credit abuses and high foreclosure rates on the one hand, and further bitterness and alienation on the other—is all around us and rebukes our Nation's will and determination in this area.

THE PRESENT

The abrupt suspension of federally assisted housing programs by the President on January 5, 1973, ratified these increasingly negative views of the programs. They were, for the first time, officially condemned as "wasteful, inefficient, and inequitable" by then Secretary Romney, by Kenneth Cole of the Domestic Council, and by the President himself.

For the administration, it was extraordinarily convenient to take this arbitrary step of suspending the programs. It was faced with a serious short-term budget situation which would be worsened by further commitments under the programs. Overall housing production would continue at high levels because of the then ample supply of mortgage credit and the assisted units already committed and in the pipeline. And finally, and most important, the administration had begun to question—in the face of record housing production levels on the one hand, and increasing political problems affecting the subsidy programs on the other—the basic need for Federal housing subsidies at all.

Today, 8 months later, it would be difficult to maintain that the administration misread the mood and temper of the American people and the Congress.

The outcry against the moratorium has been, on the whole, a mild one; and even those who rightly condemn the moratorium for its disastrous effect on planned projects and the hopes of thousands of families appear to agree that a basic rethinking of Federal housing efforts is long overdue.

We agree with this latter position. The moratorium will have a disastrous impact on the amount of housing available to low- and moderate-income families in the immediate years ahead. The loss in units will run to hundreds of thousands before the Congress enacts and the administration is able to implement a new set of Federal housing tools. Even if the existing programs were reactivated, the increased cost of land, labor, materials and financing will render many projects economically infeasible. It is ironic that an administration which prides itself on introducing the most efficient management practices to government can have produced such a monumental management blunder.

Thus we seem to have returned to certain critical years in the history of housing legislation—1937, 1949, 1965, and 1968—about to debate once again the extent of our Nation's housing needs, the proper role of Government and private enterprise in fulfilling those needs, and the precise techniques to be used to produce and conserve housing at reasonable cost, efficiently, and equitably.

HOUSING NEEDS AND HOUSING PROBLEMS

We do not intend to participate in such a debate. We believe there is widespread agreement within the Congress and in the country as a whole that:

The need is substantial for additional actions to produce housing and to preserve and upgrade the existing housing stock, whether or not that need can be quantified at precisely 26 million units; millions of middle-income families are being priced out of the housing market and the housing needs of low- and moderate-income families remain at critical levels; we need policies and programs that promote both greater production of new units and upgrading of existing ones and more effective demand for housing among low- and moderate-income families.

Government at all levels and the private homebuilding industry have critical roles to play in meeting our housing needs; the Federal Government has recognized its housing responsibilities for nearly four decades; the thousands of local public housing authorities established since 1937 testify to the commitment of our cities; and, more recently, the rapid expansion of State housing finance agencies demonstrates the commitment of State government in this area; private enterprise simply cannot meet our housing needs without substantial assistance from Federal, State, and local governments; and

The precise techniques needed to build and preserve housing must be constantly reviewed and modified in order to meet changing needs and to meet established needs more effectively; there are numerous ways of providing assistance for housing at reasonable cost; and we should not hesitate to move to new approaches, so long as we do so in an orderly manner.

However, we must recognize certain realities concerning housing if we are to frame more effective approaches to meeting our needs.

First, our housing needs are of such a magnitude that they are not likely to be met in a short period of time without a massive commitment of the Nation's resources. Yet in view of other equally pressing social needs—in providing improved health services, quality education, and a cleaner environment—housing simply will not receive a priority claim on the Nation's resources. Consequently, we must face the necessity of striving for, and accepting, only incremental improvments in housing conditions. To promise more is to raise false hopes among those we most wish to help.

Second, there is no inexpensive way of providing housing assistance to low-income families. If we wish to serve individuals and families with the greatest housing needs, we must be prepared to provide substantial subsidies to them or on their behalf. To limit arbitrarily the amount of subsidy to any family often means to exclude automatically the neediest families. In view of the substantial Federal tax benefits that are realized annually by millions of homeowners on their home mortgages, excluding admittedly needy families, housing assistance cannot be justified.

And third, any program that applies limited resources to problems of great magnitude must in some respects appear to be inequitable to some and preferential to others. The equity problem raised by the administration with respect to the new housing programs created by the

1968 act—that millions of families are technically eligible for Federal subsidies, yet only a select few are likely ever to receive them—is a case in point. Yet few Federal—or State or local—programs are able, because of limited resources, to serve all of those technically eligible for assistance; choices must be made, and in creating programs Congress usually directs the administering agencies to establish priorities of one kind or other. In all but a few cases, the resulting inequity is inevitable.

Mr. Speaker, for the information of the Members I have compiled a summary of this legislation which I think will be of a great deal of help.

PART I—COMMUNITY DEVELOPMENT AND HOUSING ASSISTANCE BLOCK GRANTS

The details of the community development and housing assistance block grant part of the bill were previously described. I would like here to discuss some of our thinking on these programs.

Community development.—The proposed program of grants to localities for community development programs is almost identical to the proposal reported by the Banking Committee last year. There was general agreement then as to the desirability of consolidating various HUD categorical grant programs into block grants to give communities more flexibility in the use of funds to meet local needs and priorities.

The administration proposed a version of this consolidation of programs in 1971 and again this year which it called "special revenue sharing." The special feature of the administration's proposal is that the money flows out automatically to communities on the basis of a formula. There would be no Federal review of the effectiveness of the community's programs in meeting national goals of eliminating slums and blight and providing decent housing. We strongly object to the administration's approach. The reduction of redtape is not a goal which should override our concern that Federal funds be used effectively to meet national objectives.

Our proposal does not provide money automatically to local governments. It allocates funds to communities by a formula, but this allocation merely tells communities how much money they are eligible to receive if they meet certain requirements and national priorities and if they demonstrate a capacity on a continuing basis to carry out programs effectively. Under our proposal a community may receive in any year all of its formula allocation, a portion of it, or none of it depending on the quality of its development program and the community's performance in carrying out that program.

The administration's proposal falls far short of acceptability in another area. It continues the old approach of treating community development and housing separately. If there is anything we have learned in the last few years, it is that we cannot have sound community development without a close tie-in with housing assistance and that we cannot have effective housing programs without local governments providing adequate facilities and services and a healthy community environment for housing.

We believe that a coordinated program of community development and housing block grants is a sound approach toward meeting the needs in both areas.

Of course, until the effective date of the new community development program—July 1, 1975—existing programs should be funded by the Congress and carried out by HUD. The Congress is currently acting on funding authorizations for HUD's community development programs for fiscal year 1974. We expect similar congressional action on authorizations needed for fiscal year 1975.

Housing assistance.—The specific purposes of the housing block grant program are as follows: First, to provide housing funds to communities on the basis of objective need factors; second, to enable communities to plan and carry out unified community development and housing programs; and third, to provide communities the flexibility needed to use program tools in ways that enable them to meet local housing conditions. All of the provisions of the bill relating to housing block grants are intended to accomplish these purposes.

Allocation of funds.—Funds would be distributed to communities in substantially the same manner as under the community development block grant program: 75 percent of the funds would be allocated among the country's metropolitan areas and within them to metropolitan cities—generally cities over 50,000—pursuant to a three-part formula based on population, amount of poverty, and housing condition; 25 percent of the funds would be allocated to rural, nonmetropolitan areas—these funds would be in addition to the assistance provided rural areas under the Farmers Home Administration housing programs—State agencies, counties, and smaller communities could apply for discretionary funds available in each metropolitan area and in rural areas.

The Secretary would, of course, be given flexible authority to reallocate funds from metropolitan cities to other communities in metropolitan areas, and vice versa, after periodic determinations by him that funds allocated to certain communities are not likely to be utilized. Such flexible authority is essential to permit communities capable of using additional funds to do so expeditiously.

Authorization for grants.—Up to $2.25 billion would be authorized for grants during the first 3-year period of the housing block grant program. An amount to cover the full 3 years could be approved in an appropriation act prior to the first program year. Annual grants would be made up to $400 million the first year, $750 million the second year, and $1.1 billion the third year.

The Secretary of Housing and Urban Development would reserve a community's share of the 3-year amount in accordance with the community's maximum entitlement under the formula allocation provisions. The actual amount of funds approved for distribution to the community would depend on the community's meeting application requirements and demonstrating its capacity to utilize the funds.

It is anticipated that a portion of a community's annual grant would be used for short-term commitments, such as rehabilitation grants, leasing of units, or subsidizing tenants in existing projects. A substantial portion of the funds would be used in connection with long-term subsidy arrangements, such as those involved in constructing or acquiring projects to be occupied primarily by assisted persons. Thus, a portion of the second year's grant would provide second-year funding for projects begun in the first year, and a portion of the third year's grant would continue to subsidize projects begun in the first 2 years.

The amount of the authorization would continue to increase in this manner, reflecting the actual annual cost of the program. Long-term subsidy commitments would be supported by Federal guarantees of local bonds, FHA mortgage insurance, and the commitment of State and local funds.

UNIFIED COMMUNITY DEVELOPMENT PROGRAMS

Metropolitan cities would be entitled to receive an allocation of housing block grant funds in conjunction with their community development grant distributions. This would enable a community's application for community development and housing funds to be formulated, submitted, and acted upon by HUD simultaneously, so that the housing activities to be undertaken and the amount of housing funds to be available—over the 3-year period of the program—would be known by the community at an early stage. With this kind of coordination, the community would know immediately how many housing units would be assisted and families and individuals served and in what areas housing could be made available for persons to be displaced by community development activities.

It would also be able to coordinate the location of new housing units with existing or planned public facilities and services, such as schools, transportation, police and fire protection, and also with employment opportunities. Under existing programs, housing projects often have been located conveniently for the developer but for no one else.

States, counties, and small communities would apply for housing block grants—out of the discretionary funds available to the Secretary—in conjunction with their applications for community development funds or, where community development funds are not available to them, separately. These applicants would also be required to submit 3-year housing plans.

It should be noted that housing assistance would also be available directly through HUD in communities which do not apply for community development or housing funds, do not receive them because of the shortage of discretionary funds available to the Secretary, or are not fully utilizing funds available to them. In these localities, the residual homeownership and rental assistance programs—described in part III—would be available to serve housing needs.

Flexible use of funds.—Housing block

grants could be used by localities to finance the kinds of assistance currently available under the HUD housing subsidy programs; that is, to reduce interest rates on home and multifamily mortgages, to supplement rents paid by lower income families and individuals to make rehabilitation loans and grants, and to make "seed money" loans to nonprofit sponsors.

Use of these funds would be subject to important Federal requirements relating to maximum income and mortgage limits, minimum income contribution requirements, and, most importantly, the mix of income groups to be assisted. With respect to this latter requirement, the bill provides that persons receiving the benefits of housing assistance would be required to have incomes below 80 percent of the median income for the area, but at least 50 percent of those assisted during a community's 3-year program would have to have incomes within the lower half of those eligible for assistance in the community. This requirement would assure that a greater portion of our Federal housing assistance would be available to the lowest income families and individuals.

There would be no Federal requirement, however, as to the mix between new construction, rehabilitation, and use of the existing housing, other than the bill's requirement that a locality's 3-year program provide for a balanced use of the existing stock and the construction of new units. Communities with an ample supply of housing but with many older rundown units may wish to concentrate a substantial portion of their funds on rehabilitating and repairing the older units. Other communities, with expanding populations and vacant lands, may well allocate most of their funds toward the construction of new units. This is the kind of program flexibility needed for sound housing programs and what is largely missing in the existing array of Federal programs.

Two additional points should be made in conjunction with this new program.

First, the new program provides significant encouragement to States to expand their roles in providing housing to their residents. States have in recent years vigorously expanded their roles in meeting the housing needs of their residents, generally providing lower-cost tax-exempt financing which is further subsidized through the availability of sections 235 and 236 subsidies. The bill, by making housing block grants available for use in connection with publicly financed housing, furthers State efforts in this area. In addition, the bill provides a priority for applications from localities—other than metropolitan cities—where housing—and community development—activities are consistent with State development priorities. States would also be permitted to apply for housing development—block grants to carry on programs on behalf of smaller communities. We believe these provisions of the bill will serve to expand significantly State efforts in housing and community development.

And second, the bill provides communities with the opportunity to obtain long-term financing of housing activities at significantly lower interest rates, by encouraging the use of taxable municipal bonds with 30 percent interest subsidies. Such lower-cost, long-term financing of housing development will enable communities to maximize their use of subsidy funds and enable them to serve lower income families, at a substantial gain to the Federal Treasury, through the use of taxable, rather than tax-exempt, borrowing.

We believe the country's cities have the capacity to develop and carry out the housing assistance programs called for in the bill. Four-fifths of the nearly 500 metropolitan cities are involved in either the low-rent public housing program, the urban renewal program, or both. More than half of these cities are currently involved in both programs.

These figures demonstrate that our metropolitan cities have substantial experience in carrying out housing activities to their community development programs. We believe that with sensitive and understanding policy guidance from HUD and with the full support of the Congress, our cities will be able to translate that experience into more effective housing activities.

PART II—PUBLIC HOUSING ASSISTANCE PROGRAM

After July 1, 1975, the effective date of the housing block grant program, resources devoted to the existing low-rent public housing program would be concentrated on improving and modernizing the existing public housing stock and enhancing homeownership opportunities for public housing tenants.

At the end of 1972, more than 1¼ million public housing units were under long-term annual contributions contracts, of which slightly more than 1 million were under management. More than 3 million Americans—approximately 1½ percent of our total population—live in public housing. By fiscal year 1973, aggregate annual Federal outlays for public housing subsidies exceeded $1 billion for the first time. By any standard the low-rent public housing program represents an enormous public commitment, both moral and financial, toward the goal of achieving decent housing for our lowest income families.

In order to protect the substantial investment of Federal and local resources in the public housing stock, the bill would initiate a major new 3-year program designed to improve and modernize older public housing units. Current authority would be authorized providing $15 million annually for a 15-year period. This amount is the absolute minimum needed to preserve a major national asset worth in dollars many times that figure and, in fact, irreplaceable today in many communities at any cost.

The portion of the public housing stock that most requires upgrading ranges in age from 15 to 35 years. Units built prior to 1950 were financed, for the most part, with debentures to be paid out over a 60-year amortization period ending from 1998 to about 2010. Units built from 1950 to 1960 were financed on 40-year debt amortization schedules ending during the 1990's. This older housing stock must be upgraded to serve at least for the period required to amortize the debt incurred for it.

Most of the public housing built prior to 1960 was designed to meet the then minimum standards for space and facilities and densities. It was generally sturdy, but austere; architecturally repetitious and institutional in appearance. It was characterized by small rooms, small dining areas and open shelving in the kitchens, no doors on the closets, bare concrete floors, painted concrete block interior walls, exposed concrete ceilings, small refrigerators—often without freezer units—kitchen sinks without base cabinets, lack of adequate storage space, minimum heating equipment, and so on. Such austerity was justified in the name of economy, and it was expected that, with routine maintenance, these units would hold up under constant and hard usage for 40 to 60 years.

Needless to say, those expectations are not being realized. Beginning in the 1960's, the Federal Government began to understand the consequences of these shortsighted policies and started the process of adjusting its policies and standards to the normal requirements for decent and comfortable family living and to the hard fact that low-cost construction often means high-cost maintenance and early obsolescence.

The adjustment process has been slow and painful. Yet the public housing built in recent years is a vast improvement, in terms of amenities and livability, over that built during the first 20 years of the program. The fact remains, though, that we have on hand a large stock of housing from 15 to 35 years old that needs upgrading if it is to be made decent and livable and remain so for its remaining economic life.

The modernization funds proposed in this legislation would be restricted to three categories of use:

First. To correct obsolescence by bringing the older units up to present HUD standards for public housing;

Second. To bring units up to local building code standards; and

Third. To finance physical alterations necessary to provide better security for residents and the projects themselves.

These funds are not intended to be used for ordinary maintenance of units, nor to provide services associated with the everyday management and operation of public housing.

The nearly $100 million made available by the Congress since 1969 for the existing public housing modernization has been inadequate to carry out a meaningful program of improving the units most in need of modernization. The annual program level of $20 million is spread much too thinly over the many authorities which could use the funds effectively; and much of the funds have been used for ordinary maintenance and for tenant services activities that ought to be financed from maintenance and operating expense budgets.

There is a clear and urgent need for a substantially larger and more effective program of physical improvements to these older units. We believe that the

funds proposed in the bill are the very minimum needed to preserve and upgrade these units, which, if lost to the public housing stock, would be prohibitively expensive to replace at today's land and financing costs. We estimate that this authorization would serve approximately 225,000 units at an average cost of $2,000 per unit.

Not only must funds be provided to upgrade existing public housing units, but substantial improvements must be made in the operation of these projects.

The bill would carry over many of the provisions relating to public housing contained in the 1972 housing bill. The subsidy structure for the public housing program would be revised so as to provide a more effective statutory framework for the new operating subsidy authorizations enacted by Congress in 1969 and 1970. However, no additional operating subsidies would be provided. The sum of $300 million for such subsidies would be available under the bill, approximately the level currently being utilized.

In order to promote more efficient management of projects by local housing authority officials, the bill directs the Secretary of Housing and Urban Development to insure, as a condition to the granting of annual operating subsidies, that: First, sound management practices will be followed in the operation of projects; second, effective tenant-management relationships will be established, and third, satisfactory tenant safety and maintenance standards are established. We believe these provisions are necessary to strengthen the legal authority of the Secretary to promote more efficient management practices which are responsive to the needs of tenants as well as the financial interests of Federal and local governments.

The bill also contains provisions designed to expand homeownership opportunities for tenants of public housing. There is adequate authority in the public housing law providing for the purchase of units by tenants; however, the bill would direct the Secretary to encourage the development by local housing authority managements of viable homeownership opportunity programs for their upper-income tenants.

The development of such programs is a difficult but essential aspect of effective and responsive public housing management. It is difficult because the responsibilities of ownership should not be thrust upon tenants without careful preparation. Yet, making such opportunities available is essential if the tenants are to have a credible commitment toward the efficient operation and success of their projects. Such a commitment can only be engendered by providing these tenants with a meaningful prospect of homeownership, that permanent stake in something of their own, which the vast majority of their fellow Americans enjoy.

PART III—MORTGAGE CREDIT ASSISTANCE

This part would completely rewrite the National Housing Act, the law governing the FHA mortgage insurance programs, along the lines approved by the Banking Committee during the 92d Congress. However, it would make several important changes in the committee's 1972 bill in order to enable the FHA mortgage insurance system more effectively to serve middle-income families and to provide for an orderly transition to the new housing block grant program.

The principal features of the revised FHA system would be as follows:

Insurance authorities. All mortgages and loans would be insured under the following authorities—title III—loans for home improvements, mobile homes, and historic preservation; title IV—unsubsidized—section 401—and subsidized—section 501—and subsidized—section 502—multifamily mortgages; health facilities—section 503; supplemental loans—section 504; and land development—section 505.

Flexible mortgage amounts. In place of various statutory dollar limitations on mortgage amounts, the Secretary of Housing and Urban Development would determine the development cost of prototype units in each housing market area; the maximum insurable mortgage amount for a subsidized dwelling unit could not exceed 110 percent of development cost; for unsubsidized housing, the maximum insurable mortgage could not exceed 180 percent of development cost.

Flexible interest rates. The Secretary would be directed to establish interest rates for FHA-insured mortgages at levels at which discounts in excess of four points could be avoided; when the FHA interest rate was established at a rate in excess of 7 percent, the interest rate on mortgages in amounts up to 130 percent of development cost would be set at 7 percent, or a higher rate but not more than 1 percent below the regular FHA interest rate; HUD would be required—through the Government National Mortgage Association—to use the "tandem plan" to support the lower interest rate mortgages at a price of not less than 96.

Insurance risks. There would be a single standard of insurability for all mortgages insured by the Secretary: Insurable risk; furthermore, the assets and liabilities of the existing insurance funds used under the National Housing Act would be transferred to a single general insurance fund under which all future FHA operations would be carried out.

Home mortgages—unsubsidized. Maximum loan-to-value ratios could not exceed 97 percent of the first $25,000 of appraised value, 90 percent of value between $25,000 and $35,000, and 80 percent of value over $35,000; the minimum downpayment required would be 3 percent of acquisition costs plus closing costs.

Multifamily mortgages—unsubsidized. Unsubsidized multifamily mortgages would be insured under one authority with uniform statutory terms, and could cover residential rental projects, cooperative and condominium housing, and mobile home courts; no statutory dollar limit on the amount of the project mortgage would be imposed; minimum equity requirements would be generally similar to those prescribed in existing law: for new construction, 10 percent of replacement cost; for rehabilitation, 10 percent of the cost of rehabilitation plus the value of the property before rehabilitation.

Subsidized programs. The sections 235 homeownership and 236 rental assistance program would be continued—under sections 402 and 502, respectively, of the Revised National Housing Act—in modified form for use during the transition to the new housing block grant program, and afterward as residual programs for areas not being adequately served by the new block grant program.

The FHA mortgage insurance programs, unsubsidized as well as subsidized, have encountered serious problems in recent years, calling into question the basic justification for a once widely accepted system of providing mortgage credit for residential construction.

As FHA's resources were increasingly devoted to meeting the problems of inner-city declining areas and the assisted housing goals of the 1968 act, dissatisfaction mounted with FHA's performance in its basic unsubsidized programs. Processing of applications for the basic single and multifamily programs was alleged to be too slow and burdensome for two principal reasons: First, the diversion of FHA's manpower and resources into the socially oriented housing programs; and second, the imposition on FHA of the equal opportunity requirements of the Fair Housing Act of 1968 and the environmental protections resulting from the Environmental Quality Act of 1969.

Other important factors contributed to the declining position of the FHA in the residential finance market. Chief among these was the Congress unwillingness to maintain FHA's availability in the country's high-cost areas—through increases in the maximum amount of mortgages that could be insured—and to reduce downpayment requirements in the face of the rising costs of housing that could be built. As a result, the private mortgage insurance system expanded rapidly, offering rapid processing of low-downpayment mortgages—5 percent on mortgages up to $36,000 and 10 percent on mortgages up to $45,000.

By 1971, HUD Under Secretary Richard Van Dusen proposed consideration of a privately owned FHA, similar to the Federal National Mortgage Association as approved by the 1968 act. The Mortgage Bankers Association called for the restructuring of the FHA within the executive branch by providing it an independent status and a return to its previous role of serving primarily middle-income unsubsidized families.

We disagree strongly with these proposals. We believe that despite the recent sharp decline in FHA's share of the resident market, the FHA has an essential role to play in providing mortgage credit for residential construction.

FHA-insured mortgages remain widely accepted credit instruments, traded freely on the secondary mortgage market, which help to provide an adequate supply of mortgage funds, particularly in periods of credit stringency. The FHA system is financially sound, capable of withstanding all but the most disastrous

economic declines, in contrast to the young and largely untested private mortgage insurance industry. FHA remains an essential source of mortgage funds for assisted housing to be built and rehabilitated under the housing block grant program and for the urgent residential needs of inner-city declining areas. And finally, FHA's promotion of minimum property standards applied to location, design, materials, and construction methods continues to benefit consumers of FHA-financed housing directly, and by virtue of its impact on the market conventionally financed housing as well.

We believe that FHA's most crucial role in the years ahead is to assist in the construction of moderately-priced housing for families of middle income. As stated earlier, these families, particularly those with incomes from $8,000 to $12,000, simply cannot afford, without additional assistance, the median-priced new homes being built throughout the country; and are finding it increasingly difficult, due to the recent rampant inflation, to purchase existing homes as well.

The bill contains several provisions to enable FHA to assist middle-income families.

First, it provides for an increase in maximum insurable mortgage amounts which will result in more realistic limits for both unsubsidized and subsidized mortgages so that all FHA programs can be fully operational throughout the country.

Second, it provides for the setting of the interest rate applicable to lower-cost housing—that is, housing covered by mortgages not exceeding 130 percent of development cost—at a rate which generally does not exceed 7 percent, and in no event higher than 1 percent lower than the regular FHA interest rate. For example, if the FHA rate is set at 7½ percent, the rate on these lower-cost home mortgages would be set at 7 percent; if the rate is set at 8½ percent, the rate on lower-cost mortgages would be set at 7½ percent. HUD—through the Government National Mortgage Association—would be required to support the lower interest on these mortgages at a price of not less than 96—that is, at a discount to the builder or mortgage seller of not more than four points.

And third, it provides for a substantial reduction in downpayments required of purchasers. Under the bill, the principal obligation of any home mortgage may not exceed 97 percent of the first $25,000 of the appraised value of the house, 90 percent of the value between $25,000 and $35,000, and 80 percent of the value over $35,000. The required downpayment on a $35,000 home would be reduced to about 5 percent—$1,750—from the nearly 10 percent—$3,450—that would be required under existing law.

We believe these provisions would contribute significantly to the production of housing urgently needed to serve middle-income families. They would help keep the cost of mortgage credit at reasonable levels, and support the construction of lower-cost housing during periods of rising interest rates and tight money.

FHA also has an important role to play in encouraging more efficient and orderly land development, primarily in the suburban and exurban portions of our metropolitan areas. This part expands the authority of the FHA to finance the cost of large-scale land development by liberalizing the loan-to-value ratios contained in the existing title X land development program and permitting insured loans to cover the full range of public facilities and improvements authorized for new community development. We believe that activity under this program should be strongly encouraged by HUD.

Insurance funds and risks. Four separate mortgage insurance funds are used under the National Housing Act—the mutual mortgage insurance funds, the cooperative management housing insurance funds, the general insurance fund, and the special risk insurance fund. The bill would transfer the assets and liabilities of these funds to a single general insurance fund under which all future FHA operations would be carried out.

This transfer will provide the new general insurance fund the assets necessary to carry out future insurance activities on a financially sound basis and will permit the establishment of a single standard of insurability for future FHA mortgage transactions: that is, a standard of insurable risk. This new standard was approved by the Banking Committee in the 1972 housing bill for the bulk of FHA mortgage operations.

The need for a uniform standard to be applied to all mortgage insurance transactions has been amply demonstrated in recent years. It is both unwise and confusing to categorize mortgage insurance on assisted housing, for example, as "special risk" transactions. When financial assistance is being provided by the Federal Government, such housing should be able to meet the same standards of insurability that FHA unsubsidized housing must meet. The same requirement should apply to mortgages covering housing in our older urban areas. The community development and housing block grant programs provide important new tools to communities to deal with the multiple problems of these areas. We expect the Secretary, in considering applications for mortgage insurance in such areas, to determine whether the community's community development and housing activities give promise of stabilizing values and generally upgrading the area involved. We believe that the combination of community improvements and FHA mortgage credit can provide significant help in arresting deterioration in such areas, and that the "insurable risk" standard will not serve to deprive these areas of FHA's mortgage credit resources.

The new "General Insurance Fund" would be self-supporting. The bill contains no provision—such as that in existing law with respect to the special risk insurance fund—authorizing appropriations to make up deficits in the fund.

Transition and residual housing assistance programs. As stated earlier, the new housing block grant program would go into effect on July 1, 1975. Assuming enactment of housing legislation by midsummer of 1974, there remains a need for continuing the sections 235 homeownership and 236 rental assistance programs during the transition period. In addition, there is a need to continue these assistance programs on a residual basis, after the housing block grant program goes into effect, in order to serve housing needs in communities which either do not apply for community development funds or do not receive community development funds because of the shortage of discretionary funds available to the Secretary. It would be unfair to deprive residents of such communities, access to Federal housing assistance.

Thus, in order to provide housing assistance for both transitional and residual purposes, this part continues the sections 235 and 236 programs under sections 402 and 502, respectively, of the Revised National Housing Act. However, in order to improve the operation of the programs and to facilitate their use under the new block grant program, the bill makes the following changes in existing law governing the programs:

Homeownership assistance—first, income limits would be set in each housing market area by the Secretary at 80 percent of median income in the area with adjustments by the Secretary for family size and for areas of unusually high construction costs or low median incomes; second, mortgage limits would be set for each area under the new prototype cost procedure; third, the downpayment required for assistance would be at least 3 percent of the acquisition cost of the property; fourth, the maximum subsidy would be set at one-half of the monthly payment due under the mortgage for principal, interest, taxes, insurance, and mortgage insurance premium, which approximates the maximum assistance provided under existing law; and fifth, there would be no provision concerning the amount of assistance available with respect to new construction or rehabilitation and existing housing; existing law provides that up to 40 percent of the funds available for homeownership assistance may be used with respect to existing housing.

Rental assistance—first, income and mortgage limits would be changed in the same manner as in the homeownership program; second, the income contribution required of a tenant would be set at not less than 20 percent of his income—in place of the 25-percent requirement in existing law—this change would provide a modest increase in benefits to tenants who are not obtaining equity in their units with Federal assistance, as is the case with families assisted under the homeownership program; third, the maximum assistance with respect to any project could not exceed the amount needed to reduce the basic rental charge for units—established on the basis of a mortgage bearing interest at the rate of 1 percent—by 20 percent—35 percent where the project is designed for elderly or handicapped tenants; and fourth, at the time of initial renting of projects—

other than for the elderly or handicapped—at least half of the units in each project must be rented to tenants whose incomes are such that the basic rentals do not exceed 20 percent of their incomes. The changes in the rental assistance program described under third and fourth above are intended to provide the legislative authority for a complete consolidation of the section 236 rental program and the rent supplement program. These programs have been carried on administratively as one program in recent years, with 20 to 40 percent of the units in section 236 projects being further assisted under the rent supplement program. The consolidation proposed in the bill provides the statutory framework for promoting a broader range of incomes within rental projects and for providing the deeper subsidies required to serve low-income families and individuals.

The bill provides additional contract authority of $150 million for homeownership assistance and $200 million for rental assistance for fiscal year 1975, which we hope will be a year of transition to the new housing block grant program.

FUNDS FOR CUSTOMS FOR ADDITIONAL FACILITIES ALONG MEXICAN AND CANADIAN BORDERS

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

Mr. HARSHA. Mr. Speaker, today I have introduced at the request of the Department of Treasury, a bill to increase the amount authorized to be expended to provide facilities along the border for enforcement of the customs and immigration laws. The bill would increase from $100,000 to $200,000 the existing limitation on the amount of funds which may be expended for the construction of inspectional facilities for the enforcement of the customs and immigration laws along the Mexican and Canadian borders.

The following is an analysis of the legislation:

ANALYSIS

Under existing law (19 U.S.C. 68) the Secretary of the Treasury and the Attorney General are authorized to expend from the General appropriations of the Bureau of Customs and the Immigration and Naturalization Service such amounts as may be necessary to acquire land and erect buildings, sheds, office quarters, and living facilities which are otherwise unavailable, at points along the Canadian and Mexican borders and in the Virgin Islands, as an aid to the enforcement of the customs and immigration laws, provided that the amount expended on any one project, including the site, does not exceed $100,000. The Attorney General is authorized to expend not more than $100,000 for similar purposes in Guam. If a project is intended for the joint use of the Bureau of Customs and the Immigration and Naturalization Service, its combined cost including the site is charged to the two appropriations concerned. The proposed bill would increase the maximum costs that may be incurred under existing law to $200,000.

The proposed new ceiling of $200,000 is needed to meet the increased costs of site acquisition and construction since 1962 when Congress last amended the Act entitled "An Act to provide better facilities for the enforcement of the customs and immigration laws", approved June 26, 1930, as amended (19 U.S.C. 68), and to provide for future projected increases in these costs. Border inspection facilities are usually erected in remote areas immediately adjacent to the Mexican and Canadian international boundaries. Costs are influenced by the unusually great distances that both men and materials must be transported to the job site. Often, the contractor is forced to provide either per diem or room and board to his employees. Subcontractors for plumbing, heating, electrical, bricklaying, and carpentry services are reluctant to bid on the projects because of the indeterminate factors caused by the great distances the projects are removed from towns and cities. As a result, most projects are "overbid" for protective purposes. Building materials, in many instances, are required to be hauled in over distances in excess of 500 miles. In most instances, water for construction purposes has to be trucked to the construction site. Often, potable water must be transported and stored in costly facilities. Extreme weather conditions, particularly along the Canadian border where temperatures reach as low as 40° below zero combined with the long winter season, increase construction time.

In addition to these factors which increase construction costs, a substantial increase in the cost of labor and materials has taken place since the limitation of $100,000 was authorized. These rising costs have resulted in a diminution of the purchasing power of the dollar so that the $100,000 available in 1962 is equivalent to $58,000 today. Costs for key materials and skilled labor has increased 73% since 1962 while costs for key materials and common labor have increased by 91% over 1962 levels. These increased costs coupled with new requirements for secondary inspection areas, search rooms and public facilities have operated to make the $100,000 limitation unrealistic.

Also to be considered is the fact that since fiscal year 1972, traffic crossing in the United States at the Mexican and Canadian borders has increased by 43 percent. These increases have in many cases exceeded the capacity of existing facilities, and have in other cases created a need for new facilities.

A further factor contributing to the need for increasing the $100,000 limitation is the alarming and unprecedented flow of narcotics and dangerous drugs into the United States from abroad during recent years. The administration's top priority antinarcotic program has resulted in intensified customs enforcement efforts which is in some cases placing a severe strain upon customs facilities. Customs officers are making more thorough and an increased number of primary and secondary searches of persons, baggage and vehicles. Facilities to meet the demands of this intensified effort are imperative. When facilities are inadequate to meet the needs the efficient and effective enforcement of the customs and revenue laws may be severely prejudiced.

The present customs program for building new facilities and expanding existing facilities must be continued and accelerated if the Customs Service is to continue to efficiently and effectively fulfill its mission of revenue collection and the prevention of smuggling, while at the same time expediting the flow of border traffic.

COMPARATIVE TYPE SHOWING CHANGES IN EXISTING LAW MADE BY PROPOSED BILL

Changes in existing law proposed to be made by the bill are shown as follows (existing law proposed to be omitted is enclosed in brackets, and new matter is italic):

THE ACT OF JUNE 26, 1930, AS AMENDED

To aid in the enforcement of the customs and immigration laws along the Canadian and Mexican borders and to provide better facilities for such enforcement at points along such borders at which no Federal or other buildings adapted or suitably located for the purpose are available, and for similar purposes in the Virgin Islands of the United States, the Secretary of the Treasury and the Attorney General are hereby authorized to expend, and for similar purposes in Guam the Attorney General is hereby authorized to expend, from the funds appropriated for the general maintenance and operation of the Customs and the Immigration and Naturalization Services, respectively, the necessary amounts for the acquisition of land, the erection of buildings, sheds, and office quarters, including living quarters for officers where none are otherwise available: Provided, That the total amount which may be so expended for any one project, including the site, shall not exceed [$100,000] *$200,000*, and that where the project is for the joint use of the Customs Service and the Immigration and Naturalization Service, the combined cost of the project, including the site, shall be charged to the two appropriations concerned.

THE CURRENT ECONOMIC SITUATION

The SPEAKER pro tempore (Mr. MAZZOLI). Under a previous order of the House, the gentleman from Illinois (Mr. MICHEL) is recognized for 20 minutes.

Mr. MICHEL. Mr. Speaker, this is the season when the CONGRESSIONAL RECORD will be filled with the moanings and groanings of assorted prophets of gloom and doom. There will be caterwauling, distortion, and magnification of the Nation's faults—real or conjured.

This past weekend we have seen the handwriting on the wailing wall by the barons of big labor, who still are dragging their crustaceous shells of class warfare around with them. On no other Labor Day in history have their utterances been more at variance with the views of the rank and file American working man or woman. At no other time were they more blatantly self-serving politics. One of them referred to the trickle down theory, which the figures discredit so completely that he should have been ashamed to exhume it. In attacking the old dragon of profits, the labor boss failed to mention that three-fifths of the dollars handled by America's productive corporations go to labor. It was ironic that one of these political purveyors of gloom and doom told a TV interviewer that the strike is diminishing as a weapon in labor-management bargaining, because workers are drawing down such large paychecks that they do not like to give them up.

The President is under fire on the economic front. Mr. George Meany, head of the AFL–CIO, spent the Labor Day weekend blasting his policies. When asked on nationwide TV what he thought should be done to straighten out the economy, he said he thought the question was unfair. So much for the Meany road to economic salvation.

I would be quick to remind Mr. Meany and most of the big labor leaders in this

country that it was they who initially kept urging the administration and Congress to impose controls on the economy. But once they found out how much selective controls can disrupt the free enterprise system, they all cried out how bad they are. Of course, it would be natural for them to ask for control on everything but wages. But we all know how unrealistic that approach is.

Now, from the United Auto Workers camp, we are hearing how bad overtime is—to have it imposed involuntarily upon their members. My, how times have changed. I wonder if a poll were taken, how many of the wives are objecting to that time and a half and double time that fattens up those paychecks. It indicates to me that here again the rank and file of labor is pretty well off when they are making so much that they can quickly turn their backs on the additional income that might be theirs from overtime. Before we start complaining it might be well to compare again the wages, working conditions, leisure hours, and opportunities of the American worker against those in any European country, Japan, Russia, or any other industrialized country.

It is also ironic that the Russian wheat deal, which has provided thousands of jobs for American workers making tractors, rail cars, driving trucks, loading ships, and hundreds of other related jobs—this wheat deal is now being attacked by Mr. Meany as being against the workingman. Mr. Meany should know that the farm export field offers us a profitable road ahead, an opportunity to market our huge agricultural production.

The United States today is riding a boom. Our gross national product is running at a rate of $1,272 billion. There are 3 million more people working today than a year ago. There are 84.7 million jobs, an alltime record, and wages are also at an alltime high. There were 1.6 million new jobs created in the first half of 1973 alone.

In 1970 with a population of 204,879,000 we had 78,627,000 people employed. Since then our population is up 2.4 percent to 209,866,000, but the number of jobs has grown nearly 6 million, an increase of more than 7 percent—twice as fast as the population.

Personal income is up during this period from $542 billion in 1970 to $681 billion by May of this year, a jump of 25 percent. During this same period the sales of nondurable goods was up 24 percent, durable goods up 52 percent. Prices during this period rose 13 percent. These figures show that real buying power steadily kept ahead of inflation. Now we must fight to preserve this edge, and that is the job of the administration, the Congress, and the American people, who, by exercising the laws of supply and demand, are the ultimate decisionmakers on inflation. Good, sound, Federal policies, particularly restraint in creating deficit spending, can help do the job.

The unemployment rate today is at 4.7 percent, and the drop in joblessness is especially pronounced in the ranks of U.S. Vietnam veterans, with 4.1 million of them now at work.

Real income is up 5.25 percent for the year—that means that even with inflation considered, Americans are ahead of last year in buying power. Consumer spending rose by a 12-percent rate during the first half of 1973. Industrial production was up 8 percent and consumer finished goods up 6 percent. Farm parity is at 88 percent, the highest level in 20 years.

Inflation is our biggest domestic problem. It came about largely because of policies in the past that we are trying to correct today. There are those who seek to downgrade America in an attempt to make political hay out of inflation. They are, in most cases, the same people who have been voting steadily over the past years for excessive Federal spending which caused much of today's inflationary woe.

We have been on a Federal spending jag that has added $465 billion in debt to our economic mainstream. This Federal money, borrowed because it was more than we took in, has been injected into our economy and has been extremely inflationary. But, with $26 billion of the taxpayer's money going into "dead-horse" yearly interest payments, we still have advocates of excessive Federal spending today calling for bigger and better deficits.

It is the height of hypocrisy and the ultimate in irresponsibility to decry inflation and the efforts of the administration to corral it on one hand, and then turn around and vote for budget busting inflationary deficit spending. Many have been getting away with it for years. However, the American consumer today has come to realize that adding deficit Federal "funny money" with nothing behind it but political promises to the economy is inflationary, robs the family budget of purchasing power by bidding prices up, and causes more wasted tax dollars in interest payments.

During fiscal 1973 the level of Federal spending was held to $247 billion, largely by the insistence and courageous actions of the President. As a matter of fact, during the first 6 months of this calendar year income was practically matching expenditures.

In fiscal 1974, the President has announced that spending should be held to the $269 billion level. If those who are filling the RECORD with lamentations really want to help the fight against inflation, they can support the President's efforts to curb spending. Instead we see a parade of budget-busting legislation and mutterings about overriding the President's vetoes.

There is also loose talk of a paralysis of Government. I might point out that only three appropriation bills have been signed into law in 8 months of congressional labor. There are trade reform measures, tax reform, housing, military procurement, pension reform, foreign aid, consumer protection, the energy crisis, election and campaign spending reforms, and a sound, workable medical care program—these are just a few of the top priority items that should be getting the full attention of this Congress. The President has proposed and according to his press conference this afternoon will present a new state of the Union message next week. It is now time for the Congress to move on these proposals.

Congress has made some progress this year notwithstanding the news media's preoccupation with Watergate, but we are still facing a huge workload. We can exercise all kinds of congressional muscle if we want to "get on with the Nation's business" as the President has asked us to do.

Finally, today, Mr. Speaker, I want to call attention to the "two-way" stretch that is being attempted in the inflation field. We cannot have it both ways—expanded spending and lower prices. I note that a female columnist for one of the major news magazines decries inflation in the same column that she attacks what she calls a tight-fisted President.

If we learn nothing else from our inflationary roller coaster ride, we should learn that the Federal Government has the responsibility and obligation to lead the way toward fiscal commonsense. I am certain that more and more Americans recognize this fact, and that the votes we have on future money bills will be watched closely. People now know that when legislation is described in glowing terms that tell what it will do for them, behind the facade is the fiscal reality, and they want to know what it will do to them, fiscally, and in adding Federal intervention into their lives.

As we go into the harvest season of fall, the U.S. economy is rolling along at peak production. We see no big buildup of inventories. Prices are beginning to ease off at the supermarket. The dollar is gaining ground. Stock prices are edging up. Inflation is still our No. 1 domestic problem, but here again the rate is below that currently prevailing in most other affluent countries. I sense that we are coming out of it, and if we follow the sound, sensible programs that the President has formulated, we can have a continuing peacetime prosperity and a better living standard for all our people.

REPORT TO CONSTITUENTS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. WILLIAMS) is recognized for 15 minutes.

WATERGATE

Mr. WILLIAMS. Mr. Speaker, Watergate hearings have continued and their major effect has been the loss of confidence in the U.S. Government by foreign countries, and the continued severe devaluation of the American dollar abroad. To date, little evidence has been offered that the President has had any involvement with Watergate. That testimony was given by witnesses of dubious reputation, such as John Dean, fired from a previous legal position for unethical conduct, who were caught in numerous lies and repeated contradictions in their own testimony.

None of the testimony has in any way indicated, nor will it, that the Republican National Party was involved in the Watergate affair. Watergate was the product of the Committee to Re-Elect the President, some members of the White House staff, and a few officials of the executive branch of our Government.

Meanwhile the President continues his attention to affairs of state. Speaking of

the excellent job that President Nixon is doing, Mr. Melvin Laird, former Secretary of Defense and now a White House staff member, commented on a recent national television program about the President's superior conduct of foreign policy, his ending of the war, his improving of relations with both China and the Soviet Union, his revenue-sharing approach for better communities and schools, and his numerous other accomplishments.

All Members of Congress were shocked to learn that the President was taping his telephone conversations and private discussions. This was done without the knowledge or consent of those with whom he was talking. No one's private conversations with any public official should be taped without his knowledge. I have never used, nor ever thought of using, any form of bugging, taping, or electronic surveillance in the numerous campaigns in which I have participated. All anyone needs to do to discover what an opponent is doing is read the newspapers.

ALASKAN PIPELINE

On August 2, 1973, Congress passed the trans-Alaskan pipeline bill with my assistance and support. This bill will allow the Secretary of the Interior to grant the necessary rights-of-way from Alaska's North Slope to the all-weather port of Valdez. This pipeline will bring crude oil from the largest single source ever found in the United States to the American people.

The Interior Department has prepared a 6-volume environmental impact statement which assures that the pipeline will operate safely. Automatic shutoff valves will close any time a pressure drop indicates a break in the line. The U.S. Environmental Protection Agency has approved the statement and four judges who have heard litigation on the issue have all agreed that the Interior statement is in full compliance with the National Environmental Policy Act. If I had not been completely assured that the statement was sound, I would not have cast my vote for the bill.

Our country needs the Alaskan pipeline now. Our current demands for fuel oil and gasoline mean that new sources of crude oil must be developed as quickly as possible. The trans-Alaskan pipeline is superior to any other route from the standpoint of national security and its completion will decrease our dependence on oil imports from countries with unstable governments.

PENSION PROTECTION BILL

On July 25, 1973, I cosponsored legislation to protect and regulate most pension plans, both private and public. This legislation is badly needed to protect the pension rights of millions of Americans who fail to receive pension benefits, because they are discharged, laid off, resign, or because the company which employs them goes bankrupt.

My bill, the Multiprotection of Employee Retirement Income and Trust Act—MERIT—would be administered and enforced by the Secretary of Labor, and would regulate the nearly 50,000 separate pension plans now in existence. It would allow each pension plan to choose from three vesting rules one standard which would best serve the needs of the individual plan's members.

More pensions and greater assurance that workers will get the benefits they have worked for are attainable goals. The MERIT bill will guarantee a pension to any employee with 10 years of pension coverage, and will retain pension plans in the private sector. When pension legislation is considered by the House of Representatives, I intend to offer an amendment which will require all employers of full-time employees to provide a vested pension plan.

NORTHEAST REGIONAL RAIL SERVICES ACT OF 1973

Legislation to rehabilitate railroad service in our region of the Nation is now being considered in the Interstate and Foreign Commerce Committee and will soon be brought to the floor of the House. The railroad crisis in the Northeast, involving six bankrupt carriers and other lines on the brink of bankruptcy, is epitomized by the imminent collapse of the Penn Central.

U.S. railroads now handle 40 percent of all intercity freight. Yet, since 1957, freight tonnage has increased by only a nominal percentage, and the number of passengers carried by railroads has decreased dramatically. Much of this can be attributed directly to the interstate system of highways which has materially assisted trucking companies in improving their services and encouraged the use of private automobiles for making trips. Also, the development of advanced commercial aircraft has been made possible by Department of Defense subsidies for costly prototype models of military aircraft, which were later adapted to commercial use. Our Federal Government has heavily subsidized the construction of modern airport facilities in all major U.S. metropolitan areas. All of this has occurred while the railroads have been expected to operate profitably without any Government assistance.

Good management teams are the first requisite to saving our Nation's railroads. We must get away from having trustees for bankrupt railroads who have no in-depth railway experience, such as in the case of the Penn Central Railroad. Also, our Government must assist railroads through loans which will provide the railroads with adequate freight cars and other facilities. The Interstate Commerce Commission, which now takes up to 2 years to make a decision, must be more immediately responsive to applications or petitions filed by all common carriers. This is the only way that our Nation's railroads can be saved.

I view the railroad industry as an integral part of this country's economy, and will do everything possible in my capacity as a legislator to see that the railways remain a viable economic force. Both my father and grandfather were retired from the Pennsylvania Railroad, and I do have a special interest in this subject. I have consistently supported legislation in the interest of railway employees, both active and retired.

CONFERENCE APPOINTMENT

It was gratifying to be appointed to the House-Senate conference to resolve differences in the amendments to the Small Business Act. Conferees are selected from the more knowledgeable and senior members of the House and Senate committees. I am the second ranking Republican on the House Small Business Subcommittee.

The Small Business Administration is necessary to a healthy economy through both its direct and guaranteed loan programs to small businessmen, and the disaster assistance program. This bill increases the SBA business loan and investment fund from $4.3 to $6.6 billion. It also establishes a new formula for disaster loan interest rates and adjusts the forgiveness feature on disaster assistance loans.

STATEMENT REGARDING THE FUTURE STRUCTURE OF THE URANIUM ENRICHMENT INDUSTRY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. HOSMER) is recognized for 30 minutes.

Mr. HOSMER. Mr. Speaker, one of America's very urgent energy issues is lying dormant and neglected of the attention it deserves from the Congress, the administration, the media, and the public. I speak today to bring it to light with the hope that public discussion of its ramification will lead to a quick resolution. The issue involves the future structure of the uranium enrichment industry in this country.

Presently uranium enrichment is a U.S. Government monopoly. The Atomic Energy Commission's enriching capacity was installed from 20 to almost 25 years ago to meet the then estimated needs of the military services for atomic weapons. The invention of the hydrogen bomb in the 1950's drastically diminished the need for highly enriched uranium for atomic bombs. As a consequence, the AEC's complex of three giant enrichment plants at Oak Ridge, Tenn.; Paducah, Ky.; and Portsmouth, Ohio, commenced operating at a fraction of its full capacity.

Since then the development and growth of the nuclear power industry has created a new need for uranium only moderately enriched—2 to 4 percent—in the fissionable isotope U235 for use as fuel for peaceful nuclear power reactors. In anticipation of the growth of nuclear power, the AEC is carrying forward a program for the improvement of its enriching cascades—CIP—and the uprating of their power—CUP. Even with these modifications, however, the entire enrichment capacity of the complex—27,500 million separative work units annually—will be used up by about 1983 or 1984.

Because there is a long leadtime in building expensive nuclear generating stations and their owners want to be certain they will have the necessary nuclear fuel to run them once they are built, utilities contract for the enrichment of their uranium well in advance. As a result, the entire output of the AEC's complex is expected to be committed by contract sometime during the latter part of next year, 1974, almost 10 years before that quantity will actually be being delivered.

MULTIBILLION-DOLLAR INDUSTRY

Today the AEC spends about $400 million a year on its uranium enriching production and R. & D. activities and takes in some $200 million in revenue. Both figures will increase considerably in the near future. An idea of the magnitude of future business can be gained from the AEC's estimate that enriching capacity must be expanded about 40 times to meet the ultimate requirements of the free world market.

Other free world countries in addition to the United States have been utilizing U.S. enrichment services. About 40 percent of the output of the AEC's complex will be taken by foreign customers. Just a few weeks ago the AEC's cash receipts from domestic and foreign sales of separative work passed the $1 billion mark. These sales generate substantial foreign exchange and much more can be gained in the future if the country elects to continue serving a major share of the foreign market and if the United States can capture that major share.

Enriching uranium is a service, not a product. Work is done to raise the fraction of naturally occurring fissionable U235 isotopes in any given quantity of natural uranium from 0.7 percent to some higher percentage. This greatly enhances the economics of nuclear reactors. Thus it is a good bargain. The process is called separative work and it is costed and priced in arbitrary terms of separative work units. AEC's present charge is $36/swu under firm contracts and $38/swu under requirements type contracts. It includes an item for contingencies, but otherwise is determined on a cost recovery basis.

At $50 per separative work unit, a reasonable price to expect in the future, it has been calculated that by the year 2000 over $23 billion in separative work will have been purchased by the U.S. utilities, $33 billion by foreign utilities, for total sales of $56 billion—give or take a few billion dollars depending on price, demand, and other variables. Many people believe that future prices, and thus gross receipts, will prove to be much higher than $50/swu.

THREE BASIC ESSENTIALS

From this brief recital, three essential facts concerning the future of the enrichment business become very clear:

First, someone is going to have to provide additional enriching capacity if a nuclear fuel gap after 1984 is to be avoided;

Second, providing additional capacity in the amount estimated to be required is a task far beyond the legitimate scope of activity of the AEC or other Government agencies; and,

Third, if the United States makes wise and timely plans to capture a major share of the international market for uranium enrichment services, the pains of its international balance-of-payment deficits will, year after year, be considerably eased.

In anticipation of phase II of the hearings of the Joint Committee on Atomic Energy on the future structure of the U.S. uranium industry, I have, during the past weeks of the congressional recess, visited many of the Nation's enrichment facilities and talked personally and by telephone with larger numbers of knowledgeable people in Government, industry, and utility business regarding this subject. I have concluded from my studies and these extensive interviews that private American industry can cope with these circumstances, but it is going to take considerable doing. Some people in industry will have to give a little. Some people in Government must start exercising effective leadership. There is no time for delay in getting to these tasks.

DIFFICULTIES DEFINED

A few of the difficulties facing U.S. companies in their decision about entering the enriching business are these:

Military security, antitrust considerations and the sheer size of capital investment required.

The finite life of the enriching industry—50 to 60 years—dictated by the inevitable emergence of breeder reactors, which will enable nuclear power stations to breed more nuclear fuel than they consume.

An uncertainty over how much farther the AEC will get into the enriching business; that is, a fear that it will not go far enough to enable all segments of the potential industry to enter the business on a viable basis or, on the other hand, that it may go too far and too long delay normal industrial participation.

The prospect that a firm must not only compete with other domestic firms and subsidized foreign competition to get into the enriching business, but that it must do so while at the same time bearing the heavy "front end" costs involved in setting up a manufacturing capability for components of new, first of a kind plants, plus the unavoidable expenses of debugging them.

The "utility" character of the enriching business—with returns on investments emerging slowly, like those of electric utilities, rather than within the shorter cycles common to most manufacturing businesses.

An impending inability by American Government or industry to sign contracts for enriching services beyond 1974, which, if allowed to become a reality, will offer a large boom to potential foreign competitors and diminish the share of the eventual overseas market which U.S. firms can expect to capture.

The fact that the block of new capacity which will need to be put on stream in the 1983–84 period is quite large—about 15,000,000 swu/yr—because preproduction of uranium enrichment services has effected a delay in the date for required new capacity during which aggregate demand has grown considerably.

QUICK AND POSITIVE U.S. ACTION NEEDED

The key to overcoming these difficulties, or ameliorating their consequences, lies in replacing existing doubts and uncertainties with a sensible, clearly defined program which leaves no question about U.S. intentions to retain worldwide leadership of the uranium enrichment industry and which sharply outlines a future industrial structure which will enable it to do so. This will stake our claim to the foreign markets once again. It will let interested segments of U.S. industry know what the ground rules are for aproaching both domestic and foreign markets.

At the present time, less than a dozen U.S. firms actually are considering entering this business. Most of these merely want to sell centrifuges and other components to plant owners. They have little or no desire to build enrichment plants. One group hopes someday to put a consortium of utilities together which will finance a plant. Another would like, if it can, to build a diffusion plant over a coal mine as a means of selling its coal.

Only two groups are seriously investigating the possibiilty of financing and building a plant themselves. Neither of these will know whether it can or will do so for almost a year. Both could drop the idea. But, even if either or both goes ahead, they will not be in a position to offer contracts to customers for enrichment services for months or years after that.

Unless something is done, next year's threat that no American source will be offering enrichment contracts will materialize. Utilities everywhere will be alarmed and apprehensive about their nuclear fuel supplies. Foreign competition will be given a field day to make inroads into a substantial block of business which the United States otherwise would keep. We must move quickly enough to forestall the costly balance-of-payments disaster that any interruption in our contracting ability is certain to bring about.

SOLUTIONS OUTLINED

These are my tentative suggestions for handling the problem. I say "tentative," because they are set forth as a reference point from which a better analysis of the problem can be made and more fitting solutions proposed. I hope they will be commented upon by the media and at the JCAE's phase II hearings to be held in the first week of October. If enough favorable comment and sufficient constructive criticism are received, it may be possible for the administration and the Congress to proceed quickly to a consensus, get about the business of dispelling indecision, and structure a competitively effective industry within the short time limit available.

Here goes:

The first thing to do is to acknowledge that the Nixon administration's lingering demand that the next increment of enrichment capacity "be supplied by private industry" is no longer "operative."

The U.S. Enrichment Corporation, a Government corporation, is to be set up forthwith by act of Congress and enrichment activities and personnel of the AEC transferred to the Corporation.

USEC will be charged with operating the existing complex and managing the growing stockpile of preproduced enriched uranium which may be worth around $3 billion by 1978.

USEC will carry forward the CIP/CUP programs.

It will conduct all necessary diffusion and centrifuge R. & D.

USEC will begin adding moderate size increments—2,500,000 swu/yr—of new centrifuge capacity amply in advance of the dates needed to avoid a nuclear fuel gap.

USEC will continue the uninterrupted offering of contracts for sale of separative work to domestic and foreign customers

on a nondiscriminatory basis, which contracts shall be assignable in the order last received upon the emergence of one or more private U.S. enriching firms.

The price of USEC's product will be determined by averaging the production costs of past and future increments of capacity and shall include all applicable R. & D. costs.

General provisions for the licensing of private U.S. enriching firms shall be written into law and supplemented by regulation.

Whenever a responsible U.S. applicant appears who is technically, financially, and otherwise qualified to engage in the enriching business, USEC's corporate authority to add further enriching capacity to its system shall be suspended and continue in abeyance for so long as private U.S. firms undertake to supply demand.

USEC's possible capital structure might be the following:

	Capacity (Million swu)	*Cost (Billion)*
Existing plants (increments 1, 2, and 3)	17.0	$1.7
CIP/CUP	10.5	1.0
Preproduction	----	3.0
New plants R. & D.	----	.3
Increment No. 4	2.5	.5
Increment No. 5	3.0	.5
	33.0	7.0

It is guesstimated that initial front-end costs for getting the new increments started will produce actual costs of around $75/swu for Increment No. 4 and possibly $60 for Increment No. 5. This higher cost will be averaged into the prevailing $36 to $38/swu prices at the three existing plants and should bring the price to customers up only a little over $41 to $43. Meanwhile, disposition of front-end costs and technological progress with centrifuges by private industry could permit Increment No. 6 to come in from private industry at or below $55 to $58/swu, including taxes and a reasonable profit. Private and public utility consortia with high debt to equity ratios can be expected to enter the enriching business later, once its problems are solved by others. Their costs of doing business will depend on how they are set up.

With these kinds of ballpark estimates now possible even before Increments No. 4 and No. 5 are actually planned, it is believed that private industry could confidentially move in and take over right behind the detailed planning of No. 4 and No. 5, even before No. 4 and No. 5 have been fully proved out, because confidence in technology and economics will be implicit from the decision to proceed with the initial new increments. Of course, private enterprise will determine at what point it gets into the game. That could be as early as Increment No. 5 or at some point after Increment No. 6, depending on when it is moved to apply for a license for a private plant.

If it should become apparent somewhere along the line that the decision to proceed with centrifuges was wrong, that should become visible fairly early in the game. Steps then can be taken which, though somewhat expensive, will avoid a fuel gap while diffusion capacity instead of centrifuge capacity is being rushed into production.

FLEXIBLE CORPORATE STRUCTURE

The U.S. Enrichment Corporation might be modeled along the lines of TVA. It could be charged $100 per swu of $1.7 billion for its existing plants and payment of this amount made on the instalment plan at $15/swu of sales. At full capacity this would amount to about $400 million a year. CIP/CUP, R. & D. and all new capacity would be financed by non-Government guaranteed bonds sold to the public, as TVA is financed. Continued preproduction might be supported by bonds or current income, as appropriate. Proceeds from the sale of existing preproduction would be remitted to the Government as received.

Possibly, USEC should be authorized to purchase at cost any unsold production of the first two or three new private enriched plants—or some fraction thereof—as a spur to getting them in the business.

I have only hinted at possible powers, procedures, and financing of USEC, because these can readily be worked out to best serve the public interest whenever a decision is made to proceed in that direction.

The important thing at this point is to make the decision and start moving.

CONCLUSION

For these reaons, I will sincerely welcome comments and discussion regarding what I have said today. These will be particularly valuable if made in the form of oral or written statements for JCAE's phase II hearings, but the anonymity of anyone wishing to submit data to me in confidence will be fully respected.

THE RISING COST OF LIVING

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Virginia (Mr. PARRIS) is recognized for 5 minutes.

Mr. PARRIS. Mr. Speaker, during the recess, like most of my colleagues, I spent a great deal of time with the constituents in my district trying to get a feel for their views on the problems facing this Nation. I returned to this floor convinced beyond the slightest doubt that the greatest single concern of the residents of Virginia's Eighth District is the rising cost of living. It is a concern I share.

Before the recess I said that I believed one of the greatest factors causing the current economic problems which we are facing has been on-again, off-again price controls and the constant tinkering with the Nation's economy. That is even more true today.

Therefore, I am today introducing legislation which I believe will help get this Nation out of the present economic straitjacket and which will help dispel the persistent delusion that a controlled economy is the answer to our economic situation.

My bill would repeal the Economic Stabilization Act of 1971 and by doing so would remove the legislative authorization issued to the Cost of Living Council.

The principal effect of the Economic Stabilization Act, in my opinion, has been to focus with singular harshness, the ill-effects of inflation on those elements of our population least able to bear the burden—families with children and the elderly.

The Cost of Living Council costs the taxpayers of this Nation almost $5 million annually in administrative expenses and yet because of the Council and its long lists of announcements, revisions, and changes, the public confidence in the economic stabilization program has decreased to where it is questionable as to how much longer the general public will have any faith at all in its efforts to stabilize the economy.

To remedy this situation, my bill will remove all current price controls and return this Nation to a free market economy. Because of the current seriousness of the energy situation this legislation would, however, retain one feature of the Economic Stabilization Act—the petroleum allocation provision.

Department of Commerce statistics show that the average citizen is making more money, but saving less of it. We must remedy the problems facing our people, and the way to do it is to remove price controls.

When we look at the record and we focus our attention on every day types of commodities, the things housewives have to shop for every week, we find that the average family is worse off than before. The Government has created a cure worse than the disease. We have less milk for our children. Butter production is down. Grain production declined, but began to recover when price controls were removed. Cattle slaughter has declined so sharply that even hamburger is priced out of the reach of many families.

The decline in cattle slaughter brought with it a decline in hide production. Thus, the cost of shoes for children has become the despair of many young mothers and fathers. Production of many clothing items, especially women's clothing, has declined since the price control program went into effect.

To put it in plain simple language, Mr. Speaker, attempts to control our economy just have not worked. Let us try an old historically proven remedy—let us return this Nation to the law of supply and demand. We may suffer a few temporary price problems, but in the long run I am convinced that the system that has served us for 200 years can and should be given the opportunity to continue to serve us in the future.

FLOOD INSURANCE—A NECESSITY

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

Mr. FORSYTHE. Mr. Speaker, the flooding of land adjoining the normal course of a river or stream or along a lake has been a normal occurrence since the time the earth took its present form. What makes a flood a natural disaster is man's desire to utilize the fertile land found along these natural transportation arteries.

This Nation's history, extending back through the colonial period, is replete with examples of the economic and personal tragedy that follows a flood. As the Nation grew and developed, the hard-

ships imposed by these natural disasters also grew.

In recent years the problem seems to have become increasingly acute. In the spring of 1973, the river Mark Twain called "not a commonplace river" went on the worst rampage in the 200 years that Americans have been keeping records of such matters. Combine 3 years of heavier than normal rainfall beginning in 1970, easterly gales, and record Great Lakes water levels and the result is the worst Great Lakes flooding and damage in history. Known for its badlands, black hills, and mountain monuments, Rapid City, S. Dak., was thrust into new, and unwanted prominence on the night of June 9, 1972. After 10 inches of rain in less than 24 hours, the city was devastated by flash floods. The month of June 1972 was vividly branded into the memory of all those persons who watched and felt the effects of Hurricane Agnes' descent upon the east coast. The unparalleled fury with which this storm struck spoke eloquently of the need for the Federal Flood Insurance program.

The Congress first recognized the need for Federal flood disaster relief in 1956 when it enacted the Federal Flood Insurance Act as a limited and experimental program designed to substitute, where possible, for Federal disaster relief. Unfortunately the 1956 law was never funded and in spite of subsequent efforts to revive flood insurance legislation, no significant progress was made until 1968 when the Flood Insurance Act became law. This act, like the earlier one was largely experimental, providing strict limits on coverage for existing structures. To circumvent delays which plagued implementation of the program the Congress adopted amendments to the 1969 Housing Act which permitted communities to enter a so-called emergency program, and also added mudslide coverage to the program.

Aided by this legislation, the program grew rapidly. The number of eligible communities increased steadily: 158 by June 1970, 637 by June 1971; and 1,174 by June 1972. The occurrence of record floods since June 1972 changed this gradual growth into a rapid expansion so that today the program includes over 2,200 communities. But still the program has not been extended to all those potentially in need. While the Congress last year enacted three amendments which I sponsored, liberalizing eligibility standards, I am firmly convinced that further action is required.

Today, we have before us another series of amendments which will provide added protection to potential flood victims. One of the significant features of today's bill is that expanding the limitation on the dollar amount of insurance which can be purchased. More importantly, however, the bill provides a mechanism for mandating the purchase of flood insurance in areas identified by the Secretary of Housing and Urban Development as flood prone. This measure prohibits Federal financial assistance for acquisition or construction purposes within the designated flood prone areas of communities not participating in the flood insurance program by July 1, 1975. This provision of the bill incorporates the basic principles of legislation I introduced last year. My bill would have required flood insurance protection for all properties covered by federally insured or guaranteed mortgages.

The requirement contained in the bill before us today is that a community identified by the Secretary of Housing and Urban Development as flood prone must come into the National Flood Insurance program by 1975 so that its residents will have the opportunity to be more adequately protected against future flood losses by insurance and will not be solely dependent upon disaster assistance loans in order to rebuild their houses after a catastrophe occurs. And it is significant to note that the average cost of flood insurance under the program is only about 10 percent of its actuarial cost. Thus in return for this subsidy, the act requires that all future construction be floodproofed or else—with respect to all residential structures—be elevated to the level of the 100-year flood. If the community enters the flood insurance program, mortgage financing within the community is not denied to anyone.

However, if the community disagrees with the 100-year-flood level established by the Secretary and does not want to enter the program, this bill for the first time gives the community the right of both administrative and judicial appeal, which it did not have under the 1968 act. In addition, the legislation specifically requires the Secretary to consult with local communities in making his determinations, which he did not have to do before. Moreover, in all but a few rare cases, most of the community is unaffected by the Secretary's determinations, since they apply only to areas that are especially flood-prone.

Within the flood-prone area, it makes sense for both the lender and the purchaser to be protected from anticipated flood losses. Thus, the bill does not deny financing to such properties; it simply requires that they purchase flood insurance in the amount of the loan provided, just as bankers normally require fire insurance in connection with similar loans.

While the flood insurance program has been expanding steadily, many communities have failed to take advantage of the program. The result so that too many people have been victimized by the "it can't happen here" attitude. Only when it is too late is the true value of this program realized.

Mr. Speaker, I am firmly convinced that the provisions of this bill should be enacted in order to protect the residents of flood prone areas from the ravages of flooding.

COMMEMORATION OF THE ANNIVERSARY OF THE INVASION OF POLAND

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

Mr. ANNUNZIO. Mr. Speaker, the month of September marks the 34th anniversary of the invasion of Poland and the beginning of the most tragic and destructive war in the history of the world. On September 1, 1939, the forces of Nazism invaded Poland from the west and on September 17, the forces of communism invaded Poland from the east.

Throughout history, Poland has served as a bulwark of Christian civilization in Europe, restraining the Tartars and the Turks as they plundered and pillaged across the continent.

In the fall of 1939, there was no one able to protect Poland or to preserve her civilization, and this long-suffering land became a nation without a state, a tyrannized and persecuted country, deprived of half its territory and millions of its people.

Alone and unaided, the 830,000 soldiers and officers of the Polish Army fought heroically against the overwhelming odds and inhuman terror unleashed by the invaders.

Thousands of Polish Infantry, Navy, and Air Force troops, forced to flee the military might of the invaders, joined the Allies and took up arms once more in France, Norway, North Africa, Italy, and Sicily. As the regular army slowly disintegrated with the country, an underground movement developed, directed by the Polish Government-in-Exile. Stray divisions of the Polish Army together with civilian men, women, and children, intrepidly destroyed enemy planes, ammunition dumps, bridges, and other military installations.

Often forced to survive for months, or even years in forests and mountains, members of the resistance and the Polish populace at large reacted consistently with spirit and conviction. Refusing to betray their national honor and collaborate with the enemy, 6 million Poles preferred self-respect and death to capitulation and cringing life. The nation lost close to one-quarter of her population, and the romantically beautiful city of Warsaw, the Polish capital, was leveled to the ground.

Millions of Poles suffered deportation and imprisonment in labor camps in Siberia and Asiatic Russia, as the Communists systematically attempted to destroy Polish cultural and religious life. Even in 1945 there was no peace for Poland. Absorbed by Soviet imperialism, the Poles have continued to fight for personal liberty and national integrity.

Those who have emigrated to the United States have brought with them their love of liberty and their respect for law and order. They have contributed much, socially, economically, politically, and culturally, to the advancement of our Nation, and have helped make the United States one of the greatest countries in the world.

I take this opportunity, Mr. Speaker, to give recognition to the great number of Polish Americans who reside in the 11th District of Illinois whom I am proud to represent in the Congress. They form a substantial part of the group of solid, hard-working American citizens who are the backbone of our country. As we again observe this anniversary in the House of Representatives, I am honored to join Americans of Polish descent in Chicago and all over the Nation in their hopes and prayers for the reentry of Poland into the community of free nations. The long-suffering Polish people still look to a strong America for moral support in

their continuing struggle to achieve their just aspirations to national liberty.

A NEW METHOD OF SELECTING NATIONAL CONVENTION DELEGATES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Mr. JAMES V. STANTON) is recognized for 30 minutes.

Mr. JAMES V. STANTON. Mr. Speaker, one of the troublesome questions confronting both parties is how to select delegates for the national nominating conventions in a manner assuring that components of each party will be adequately represented. Because the two parties are vital and dynamic institutions of our democracy, I believe strongly that the problem I cite is a serious one, putting us at a crossroad where we can move forward toward more citizen participation in our political processes, or veer off toward increased cynicism and a withdrawal of our people from the arena where decisions affecting them are made. With the next Presidential election still more than 3 years off, this is the time to start thinking about how to solve this problem.

Recently, I had occasion to make an innovative proposal to the Democratic Party's Commission on Delegate Selection, meeting in Baltimore. Although I was addressing members of my own party, what I had to say would be applicable to the Republican Party as well which, as I am told, has its own panel studying the question of making its national convention delegations more broadly representative of groups making up that party. For this reason, Mr. Speaker, I would like to reiterate here what I said in Baltimore, so that my colleagues in this Chamber might give consideration to my proposal. Again, I ask that my Republican friends keep in mind that the problems of my own party, which I concentrate on in this proposal, reflect at least to some degree the problems of the opposite party as well, and therefore what I have to say is far from parochial.

My statement, Mr. Speaker, may be divided into three sections, covering, first, what appears to be the dilemma that the Democratic Party finds itself in; second, a proposal that I believe will lead us out of this predicament; and third, mechanics for implementation of the proposed solution.

Our dilemma, Mr. Speaker, stems from the fact that, in the wake of the worst defeat ever suffered by one of our Presidential candidates, we Democrats do not know whether the broad coalition that once formed the base of our party still exists.

As politicians, we know it is always best to assume the worst—to "run scared," as the saying goes. Even if the old majority indeed is still out there, waiting only for a mighty Roosevelt to mobilize it, it is safer to suppose that the elements that once composed our historic coalition really have drifted away from each other—and we must start from scratch—that is, from the bottom up—to reconstruct our base.

It is my strongly held opinion that quotas as we knew them in 1972 are at the root of our present difficulty. But in all fairness, and for the sake of our party and the Nation, we ought to face up to the fact that these quotas would not have come into being had all the groups who make up the historic Democratic coalition been adequately represented at our earlier conventions. I submit, Mr. Speaker, that it is possible to solve this problem by abolishing the quotas and, at the same time, keeping them. We can accomplish this by adopting a strategy that distinguishes between what I would term "de jure quotas" on the one hand, and "de facto quotas" on the other. If we give some thought to it, we will see that there really is such a distinction—one that is familiar to us.

And this brings me to my main thesis. It is this:

Our system of government, at the national, State, and local levels, affords us only one basis for representation of people. The exclusive criterion that we use is territorial. We draw geographical boundaries inside which the voters do not cast their ballots in whole teams but, rather, as individual persons. The popular will of this body politic is assessed and expressed through one-man, one-vote elections with the majority taking all—the "all" being, for instance, the one Congressman elected in the congressional district. He is the sole representative of all their constituents. If we were to accord quota status to all special interest groups in a congressional district, then one Congressman would not be enough. Each district would have to be represented not by a Congressman but by a committee.

The territorial system has served us faithfully since the founding of our country and, if we look at it closely, I think we will see that this simple and exclusive test of what is a political constituency offers us the solution to our current problems. If we hold to what is familiar to all Americans, spurning quotas, syndicalism and complicated—therefore suspect—schemes for proportional representation, then we may feel assured of the support of nearly all Americans. Voters understand the territorial system because it is familiar and easy to understand—and they accept it because its essential fairness has never been challenged.

The key to the solution of our present difficulties, then, is a perception of the territorial constituency as having two aspects. On one hand, it is the only de jure basis for representation of people in our governmental processes. But, on the other hand, it traditionally has afforded us also with a de facto basis for representation of people as groups. This may be stated another way—the territorial constituency allows us, for all practical purposes, to arrange for all sorts of quota representation without prescribing actual quotas.

One example of a territorial constituency that serves also as a basis for "quota" representation is the city ward, or state legislative district, or Congressional district, consisting of black neighborhoods in our large Northern cities. With few exceptions—perhaps none today—the people in each of these districts elect a black man or a black woman to represent them. The law does not say—in fact, it cannot say—that they must do this. But political realities are such that they do do it, predictably. Therefore, if we were to adopt the territorial principle to the process of delegate selection for the national convention—and if we were to establish territorial constituencies co-extensive with black neighborhoods—we would have reasonable assurance that the number of black delegates going to the convention would be at least roughly proportionate to the number of blacks in our population. This, then, would become the de facto "quota."

This does not collide with the American ethic because no law or party regulation requires the selection of a black delegate. The door is left open to the possibility that a white delegate might be chosen to represent a black constituency, just as Senator BROOKE, a black, has been chosen by a predominantly white constituency in the State of Massachusetts. But even if blacks were to choose only blacks, and whites only whites, this would in no way seem out of order or unacceptable to the American people. We are, after all, living in a time when congressional district boundaries are being shaped in such a way as to virtually assure the election of black Congressmen. Blacks have demanded this—and whites, attuned to the concept of the territorial constituency, have not objected.

Similarly, de facto "quotas" are visible today in white constituencies. In cities such as Cleveland, Ohio, which is divided into 33 wards, there has been a strong historical tendency for predominantly Hungarian wards to elect Hungarian city councilmen, and for Italian wards to elect Italian councilmen. It often happens that a Hungarian ward, say, might reject a Magyar candidate and throw its votes to a Lithuanian. But when the Hungarian people do this of their own volition, they have no standing to complain that they are underrepresented as Hungarians in the city council. In fact, they do not complain, and the territorial system survives and thrives—since everyone knows that the Magyars could have had their "quota" councilman had they wanted one.

Territorial constituencies also yield de facto "quotas" based on the relative economic standing of the voters. Hence, a tendency is discernible in Cuyahoga County, Ohio, for State legislative district in working class neighborhoods to send to the State capital persons with ties to organized labor, while suburban districts are more likely to elect representatives in professional or white collar occupations. It is true that union locals are not assured that their own officers will represent him in the State legislature. But on the other hand the members do not insist on this, since their interests are served, anyway, by having another of their peers represent them. The demography and geography of the territorial constituency are the crucial factors that assure labor its "quota."

The key, then, to achieving at the next national convention the broadest possible representation of all elements of the Democratic Party is to insist, by party decree, that each delegate represent a

discrete territorial constituency. This would become the sine qua non for seating of the delegate by the credentials committee.

Such a requirement, I submit, would not be altogether revolutionary. Many convention delegates already are chosen pursuant to this kind of system. But the system needs refinement. In Ohio, for example, we have a large bloc of State at-large delegates, with the rest chosen from the State's 23 congressional districts. Both of these territorial constituencies are much too large to yield the kind of de facto "quota" representation that we must rely on, in my opinion, to reunite and rebuild our Democratic Party. It goes without saying that anyone chosen to represent the entire State, as the Ohio at-large delegates are, does not have a real constituency he can call his own—and no voter sees himself reflected in that delegate. This problem is only slightly abated as we come down to the congressional district level. Cuyahoga, the State's largest county, has only three congressional districts and part of a fourth. While multidelegate slates are chosen in each of these districts, there is no assurance that the slate will be broadly representative of all the neighborhoods that compose the massive districts.

Again using Ohio for illustrative purposes, the remedy is clear. Since the State was apportioned 153 votes at the 1972 convention, it ought to be divided into 153 ad hoc districts for selection of delegates to the 1976 convention—assuming the apportionment remain the same. The delegate chosen to represent each of these districts should be a resident of his or her territory, for de facto "quota" purposes. We can be certain that each of these 153 ad hoc constituencies would be small enough to assure de facto "quota" representation. We would end up, under the proposal I advance here, with a one-district, one-delegate system across the country.

This system would work well in States that hold primary elections. If a Humphrey were contending with a McGovern in Ohio under such terms in 1976, each would have to field delegate-candidates in every one of the 1953 ad hoc constituencies, and he would have to carry each of these districts, for a full sweep of the State. In addition, the Ohio party leadership, or some Democratic county chairmen, wanting to watch and wait, might file uncommitted delegate slates in all or some of the 153 districts. And, further, each of these districts would be small enough to allow an energetic individual to "break into the system" on his own. There would not be too many doorbells to ring, and the cost of campaigning in such a district would not be prohibitive. In this way, anyone—old or young—could take on the "bosses," running as a delegate-candidate pledged to himself or to the Presidential contender of his choice. Run-off elections could be held in each district, as necessary, to preclude the capture of the constituency by a well organized, but small, minority.

However, the one-district, one-delegate system need not, as I see it, be limited to States that hold primary elections. The plan could be adapted as well to States that use conventions or precinct caucuses or some other method of selecting national convention delegates. The essential point, for the purposes of this plan, is not how the delegates are chosen in each State. Whether the delegate was elected by Democratic voters in a primary or appointed by the State party executive committee, or whatever, would be of no relevance provided the prime requirement was met, this being that the delegate reside in his district.

Women, as women, could be taken care of easily under the territorial system, should a consensus develop in favor of doing so. The party rule could require simply that one man and one woman be elected from each delegate district. We might, as an alternative, devise a system under which the delegate in each district be either a man or woman, and that an alternate delegate of the opposite sex be selected in each district.

It is probably worth noting that Democratic Governors, mayors, Congressmen, and other officeholders—many of whom felt that they themselves had been excluded from the 1972 convention—should have little to complain about under this plan. While it guarantees them no quota, de facto or otherwise, any politician who stays in touch with his people ought to be able to run in his home neighborhood and carry it.

The hurdles to putting a territorial constituency plan into effect would be formidable, but probably not insurmountable. First, there would be legal obstacles. I do not know, frankly, how many States, if any, would have to amend basic laws before they could adopt the system. But I do believe that the plan would not be so unpopular as to prompt a great deal of resistance. And I certainly think this is a legally viable plan in the sense that no one's constitutional rights appear to be violated.

The political obstacles could prove more troublesome—not necessarily because of hostility to the plan but rather on account of the sheer difficulty of putting it into effect. Where do we start in carving out the ad hoc electoral districts? Is the process itself likely to become so controversial as to further divide the party?

As to the first question, I think we would get off to a good start if we were to use Federal census tracts as the basis for carving out the districts. On the average, nationally, each tract consists of some 4,000 persons. They would prove particularly useful in constructing a territorial constituency system because an attempt is made by the Census Bureau to make each tract as homogeneous as possible in racial, ethnic, and economic terms. The trick would be to combine tracts in such a way as to establish in Ohio, say, 153 districts substantially equal in Democratic voting population, at the same time preserving, so far as this can be done, the demographic integrity of the combined tracts. Rural areas of each State are not tracted, but Census Bureau data is, of course, available for these regions as well. Most of the political problems, however, especially in the Democratic Party, are likely to occur in the densely populated urban-suburban areas.

As to the districting process becoming controversial and divisive, I feel confident that this can be held to a rather harmless minimum. The fact is that establishing ad hoc districts for the purpose of selecting delegates to a Presidential nominating convention would be unlike the usual political mapping operations, and therefore the two classic reasons for bickering and gerrymandering would be lacking.

First, there would be no incentive to gerrymander for partisan purposes. The Republicans would have no stake whatever in the borders we establish, and neither we nor they could derive partisan advantage, no matter where the lines fall. Since the boundaries would have relevance only for the Democratic Party, our incentive would be to draw the lines in such a way as to not antagonize other Democrats.

Second, there would be no reason to gerrymander to protect the seat of an incumbent councilman or state legislator or whatever. There would be no such incumbents in these ad hoc delegate districts, which would exist only to provide a territorial base for national convention delegates.

We might hear charges of racial gerrymandering, but I doubt that this would occur too often. After all, we have a situation—unfortunate for other reasons—that finds blacks so congealed over large expanses of urban territory that no feasible way could be found, provided the constituencies were small enough, to substantially deny blacks their de facto "quotas."

The lack of incentives for gerrymandering provide us with a perfect set-up for bringing a computer into each State to figure out objectively where the boundary lines should fall. Into this neutral computer, whose rulings are likely to win wide acceptance among all Democrats—since its task would be more mathematical than political—we could feed Democratic party registration figures for the last preceding congressional election. The computer would start with census tracts, sift them for Democratic registrants and then arrive at some formula to combine the tracts into delegate districts. Work on this could begin right after the 1974 congressional election—2 years before the Presidential election. When the computer finishes, district boundaries could be published, and avenues opened for citizens to challenge the boundaries. These appeals, should there be any, could be disposed of—and any necessary adjustments made—well before the Presidential race begins.

This, in essence, is the plan I ask you to consider. I will be happy, Mr. Speaker, to discuss this further with our colleagues.

INTRODUCTION OF FEDERAL CRIMINAL CODE REFORM ACT OF 1973

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Wisconsin (Mr. KASTENMEIER) is recognized for 15 minutes.

Mr. KASTENMEIER. Mr. Speaker,

along with our colleague, the Honorable DON EDWARDS of California, I am today introducing a proposed "Federal Criminal Code Reform Act of 1973." This long overdue, sorely needed legislation is the work product of the National Commission on Reform of Federal Criminal Laws.

The National Commission—better known as the Brown Commission, because of the distinguished leadership of the Honorable Edmund G. Brown, former attorney general and Governor of the State of California—was established in late 1966 by Act of the 89th Congress—Public Law 89–801, November 8, 1966. It was a bipartisan Commission consisting of U.S. Senators, Members of the House of Representatives, U.S. district and circuit court judges and outstanding practicing attorneys.

The mandate of the Commission, as set out in the law which established it was to "make a full and complete review and study of the statutory and case law of the United States which constitutes the Federal system of criminal justice for the purpose of formulating and recommending to the Congress legislation which would improve the Federal system of criminal justice. It shall be the further duty of the Commission to make recommendations for revision and recodification of the criminal laws of the United States, including the repeal of unnecessary or undesirable statutes and such changes in the penalty structure as the Commission may feel will better serve the ends of justice."

The bill I introduce today is the end result of approximately 3 years of intensive study by the Commission and its advisory committee, consultants, and staff, assiduously to carry out the assigned task. Our distinguished former colleague, now an Associate Justice of the Supreme Court of Appeals of the State of Virginia, Dick Poff, ably served as Vice Chairman of the Commission. It was my good fortune to serve on the Commission during its entire existence. Congressman EDWARDS served until October 1969, when he was replaced by our very able former colleague from Illinois, Ab Mikva, whose contribution to the work of the Commission was invaluable.

I should note, too, that the 15-member Advisory Committee was chaired by the distinguished retired Supreme Court Justice and former Attorney General, Tom C. Clark, and included among its members the Honorable Elliot L. Richardson, the present Attorney General. No Commission was ever more ably served by a staff than was ours, under the direction of Prof. Louis B. Schwartz of the University of Pennsylvania Law School and Richard A. Green, presently Deputy Director of the Federal Judicial Center.

In the foreword to its final report, the Commission detailed the manner in which it approached its monumental task as follows:

> The Commission's staff and consultants, working with law enforcement agencies, prepared preliminary drafts and supporting memoranda. These drew upon the reports of other bodies, such as the President's Commission on Law Enforcement and Administration of Justice, the National Commission on Causes and Prevention of Violence, the National Advisory Commission on Civil Disorders, the American Bar Association Project on Standards for Criminal Justice, the American Law Institute, the National Council on Crime and Delinquency and numerous State penal law revision commissions. Preliminary drafts were reviewed by the Advisory Committee and the Commission in periodic discussion meetings.
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> At the conclusion of this first phase of intensive study, the Commission published the Study Draft of June 1970 in order the secure the benefit of public criticism before the Commission made its decisions. This procedure, affording a pre-Report view of proposals under consideration, was unique in Commission practice; and suggestions and criticism addressed to the Study Draft aided greatly in the preparation of the Final Report. Many departments and agencies of the government counseled with the Commission staff and submitted memoranda. The Commission has had the benefit of informal exchanges with committees of the U.S. Judicial Conference. A number of prosecutors and private practitioners have written to the Commission and their comments have been taken into account in revising the Study Draft provisions.

Among the basic features of the proposed code are the following:

First. It is a comprehensive enactment of major Federal criminal law in one document—truly a criminal code.

Second. It overhauls the existing, chaotic sentencing system.

Third. It distinguishes for the first time the question of what is criminal behavior from the question of whether certain criminal behavior falls within Federal jurisdiction.

Fourth. It constitutes an integrated criminal law system in which, unlike existing law, the various parts are closely interrelated.

The above listing is an oversimplification of what the proposed code seeks to accomplish in our Federal system. Suffice it to say at this time that the end product, a bill of about 300 pages, is an effort to construct a fair workable criminal code out of a multitude of criminal laws and a system of criminal justice which has grown piecemeal through the years without any considered design and is obviously not adequate to the needs of the Nation.

Let me emphasize one fact. There is no one of which I am aware, including Congressman EDWARDS and me, who is in agreement with every provision of this bill. The bill represents the majority views of the Commission, in some instances on very highly controversial subjects, including national security, drugs, capital punishment, Federal-State relations, insanity, civil rights, and firearms, to mention a few. However, with the Judiciary Committee's Subcommittee on Criminal Justice, on which I am privileged to serve under the able leadership of Congressman BILL HUNGATE of Missouri, having begun its consideration of this subject, it appears to me to be important that the majority views of the Commission be incorporated in a legislative proposal so that it may be before the subcommittee.

An equally exhaustive code reform bill (H.R. 6046), developed by the Justice Department under Attorneys General Mitchell and Kleindienst after exhaustive study of the Brown Commission recommendations, is already pending with the subcommittee. It represents the executive branch view of what a criminal code should be. S. 1, introduced by Senators MCCLELLAN, ERVIN, and HRUSKA—the Senate Members of the Commission—contains the minority views of the Commission on the controversial issues on which unanimous agreement could not be reached.

In my judgment, neither H.R. 6046 nor S. 1 constitutes as significant an improvement in our criminal justice system as does the legislation I am introducing today. Yet, recognizing that there have been developments in the criminal justice field since the Commission concluded its intensive and exhaustive study of the work of other Commissions, consultants, and experts, and the input of many persons and organizations following publication of a study draft in 1970, I approach the congressional hearings to be conducted by the subcommittee with an open mind. I have but one paramount thought, our criminal justice system is in dire need of substantial improvement. Now is the time.

VIETNAM VETERANS

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from New York (Ms. ABZUG) is recognized for 10 minutes.

Ms. ABZUG. Mr. Speaker, while we were at war in Vietnam, the Nation was constantly urged to support the men who fought there. Now those who lived through it are home again—bitterly discovering that apparently no one knows or cares. The indifference with which they are greeted, the frustration of searching for nonexistent jobs, of reestablishing family relationships, add to the trauma of the war that none of them can ever forget.

We hear of a few of their tragedies, mostly those involving POW's. We learn how one killed his wife, another himself. We do not hear much of similar tragedies in the lives of other veterans who were not prisoners of war. Yet the same background of senseless violence lives on in their memories—making it difficult to adjust to a society that paradoxically deplores violence at home.

They are changed men—and they return to changed families. Wives learned new independence, children grew up without fathers; now all must try to readjust to the realities of family life. Hundreds of thousands are finding it almost impossible.

A memorandum being circulated in the Department of Medicine and Surgery of the Veterans' Administration states:

> Reliable surveys and studies conducted by the military and by VA indicate serious and prolonged readjustment problems exist in approximately 1 out of 5 new veterans but, to a lesser degree, were experienced by all.

This means that some half-million young men need psychiatric help.

Senator MCGOVERN has introduced in the other body a bill to make that help more available and to extend it to the families of veterans. I have the honor of introducing today an identical bill, the Vietnam-Era Veterans and Dependents Psychological Readjustment Assistance Act of 1973.

The bill directs the Administrator of Veterans' Affairs to initiate and carry out a special psychiatric, psychological, and counseling program for all veterans of the Vietnam era and their dependents who are experiencing difficulty in readjustment.

The Administrator is authorized to contract for such services from public or private sources when he determines that such services would be more beneficial than those currently offered, or if VA facilities are unavailable or inadequate. At present, many veterans are reluctant to contact the VA, regarding it as merely an extension of the hated war. If private and public professionals are available, he will be much more likely to seek help.

It is essential also that his family receive counseling at the same time. The precedent for this expansion of services is contained in the Veterans Health Care Extension Act. This bill extends the care still further, to families of those missing in action, and to any person who lives with a veteran and may be instrumental in the success of his treatment.

If we are sincere in our desire to help these war victims return to a useful life, we must act to provide the help they need.

Mr. Speaker, I include the text of the bill in the RECORD at this point:

S. 2322

A bill to amend chapter 17 of title 38, United States Code, to direct the Administrator of Veterans' Affairs to initiate and carry out a special psychiatric, psychological, and counseling program for veterans of the Vietnam era, especially former prisoners of war, and their dependents who are experiencing psychological problems as the result of military service performed by such veterans

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Vietnam Era Veterans and Dependents Psychological Readjustment Assistance Act of 1973".

SEC. 2. Chapter 17 of title 38, United States Code, is amended by adding after section 620 a new section as follows:

"§ 620A. Special psychological readjustment assistance program

"(a) As used in this section—

"(1) The term 'veteran' means any person who served in the active military, naval, or air service during the Vietnam era, regardless of the nature of his discharge, and who is in need of the services provided for under this section because of the performance of such service or because of a service-connected disability.

"(2) The term 'dependent' means—

"(A) the spouse or child of a veteran;

"(B) the spouse or child of a veteran who died in service or who died as the result of a service-connected disability;

"(C) the spouse or child of a member of the armed forces in a missing status (as defined in section 551(2) of title 37); or

"(D) any member of the immediate family of a veteran or dependent (including a legal guardian), or, in the case of a veteran or dependent who has no immediate family (or legal guardian), the person in whose household the veteran or dependent certifies his intention to live, if the Administrator determines that providing services under this section to such member is necessary or appropriate to the successful treatment and rehabilitation of the veteran or dependent.

"(b) The Administrator shall initiate and carry out a special program for the treatment and rehabilitation of veterans, especially former prisoners of war, and their dependents who are experiencing psychological problems as the result of the active military, naval, or air service performed by the veteran. Such program shall include, but shall not be limited to, such psychiatric, psychological, and counseling services (in addition to those services otherwise authorized by this chapter) as may be necessary or appropriate for the successful treatment and rehabilitation of the veteran or dependent.

"(c) In carrying out the special program provided for in subsection (b) of this section, the Administrator shall, under such rules and regulations as he may prescribe, contract for psychiatric, psychological, and counseling services from public or private sources whenever the Administrator determines that—

"(1) such services are necessary or appropriate to the successful treatment and rehabilitation of the veteran or dependent and such services are unavailable or inadequate in Veterans' Administration facilities

"(2) an undue hardship would be placed upon the veteran or dependent because of the distance the veteran or dependent would have to travel in order to obtain such services at a Veterans' Administration facility;

"(3) the hours at which such services are available at a Veterans' Administration facility are incompatible with the time available to the veteran or the dependent and would result in a financial or other hardship on the veteran or dependent to receive such services at the Veterans' Administration facility; or

"(4) such services provided outside Veterans' Administration facilities would, for any reason, be more beneficial to the treatment and rehabilitation of the veteran or dependent.

"(d) The participation of any veteran or dependent in the program provided for under this section shall be wholly voluntary and shall not be a prerequisite to eligibility for or receipt of any other service or assistance from, or participation in, any other program under this title.".

SEC. 3. The table of sections at the beginning of chapter 17 of title 38, United States Code, is amended by adding immediately below

"620. Transfers for nursing home care."

the following:

"620A. Special psychological readjustment assistance program.".

SEC. 4. There are authorized to be appropriated such sums as may be necessary to carry out the amendments made by section 2 of this Act.

J. B. LANDRY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Louisiana (Mr. LONG) is recognized for 10 minutes.

Mr. LONG of Louisiana. Mr. Speaker, on June 30, 1973, Mr. J. B. Landry retired after serving for 30 years as postmaster at Prairieville Post Office in Prairieville, La.

Mr. Landry has had a long and successful career in the postal service and his contributions to the community have been outstanding. He began his career as a postal clerk under his father, the late Leonce Landry who began as postmaster under the administration of Postmaster General Albert S. Burleson. During his tenure as postmaster, J. B. Landry has recommended four area postmaster appointments, three rural routes, and one auxiliary mail route at Prairieville. Through his efforts, a mail truck route was established from Baton Rouge that significantly increased the speed of mail service for the more than 5,000 customers in Prairieville and those in the surrounding towns of Gonzales, Sorrento, St. Amant, Brittany, and Duplessis. Perhaps the pride of Mr. Landry's service record is the new Prairieville Post Office facility that will soon be completed as a result of 4 years of perseverence and planning.

These fine accomplishments as postmaster are supplemented by an equally commendable record in community affairs.

Mr. Lambert is widely recognized as one of the chief architects of Little League baseball in Ascension Parish, having served as director of the East Ascension Sportsmen League, athletic director of the Ascension Little League program, president of the Bayou Baseball League, and as the force behind numerous fund-raising efforts for baseball in the parish.

Mr. Landry has been a member of the American National Red Cross for 25 years and has been very active in fund-raising drives for the Prairieville Fair Association, the Veterans of Foreign Wars, and the Prairieville Volunteer Fire Department. The St. John Evangeline Church, damaged in a severe lightning storm, was recently rebuilt due largely to the energies of Mr. Landry who donated his 5½-acre park for a church benefit.

This is the type of individual whose civic and professional achievements are but token testimony to his total dedication to public service for the people of Prairieville and vicinity. When personal service is at such a premium these days, it is indeed comforting to know that there are public servants who unselfishly dedicate their lives to serving the needs of their customers and fulfilling the duties of their office.

On behalf of the people of Prairieville, I wish to extend my thanks to Mr. J. B. Landry for a job well done.

LEWIS E. TURNER—A DEDICATED PUBLIC OFFICIAL

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

Mr. SIKES. Mr. Speaker, a truly outstanding and dedicated public servant passed away within hours after the Congress recessed last month.

The Honorable Lewis E. Turner, Acting Assistant Secretary of the Air Force for Installations and Logistics died suddenly on August 5, 1973. The loss of his services will be felt by the Air Force and the Nation. He was my close personal friend and his death came as a great shock to me.

Lew Turner began his service to the Air Force in 1948. He quickly distinguished himself through ability, dedication to duty, and high patriotism. Because he served his Nation so ably in positions of increasing responsibility with the Air Force, our Nation today is stronger and the cause of freedom has been helped.

Born in Radford, Va., 56 years ago, he attended George Washington University and entered Government service in 1940, first with the Civil Service Commission, and later with the General Ac-

counting Office and the War Production Board.

Over the years, I came to respect Lew Turner very much. There were many occasions when he and I were closely associated in important work for the Department of Defense. In his work he was at all times a true gentleman. Yet, he could be hard and tough when it came to making decisions which affected the security of our Nation and the well-being of the Air Force. Even when he was called upon to take an unpopular position, he held fast to the concept that our Nation's security is uppermost and he never wavered in his efforts to provide the free world the mightiest deterrent to war ever conceived by man—a strong and effective national defense.

Those of us who have had the privilege to know Lew Turner and to share his friendship know how much he will be missed in and out of the Government. We know how devoted he was to his beloved wife, Kate, and to his children. Our deep and earnest sympathies go out to his family.

Lew Turner has been taken from us too early, and at a time when he was contributing much in the fight to keep America strong and free. He leaves a void which will be difficult to fill and a record of service which cannot be surpassed.

THE STATE OF BAHRAIN—A FRIEND OF THE UNITED STATES

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

Mr. SIKES. Mr. Speaker, on August 15 I had the privilege and the personal satisfaction of offering congratulations on behalf of the House of Representatives to the Amir of the State of Bahrain on the second anniversary of that country's independence. It was also my opportunity to engage in lengthy discussions with the distinguished foreign minister of Bahrain.

Bahrain is a small island country on the Arab side of the Persian Gulf, an area of great importance to the United States. Friendly ties between our two countries have existed for many years, and during my visit I learned that the encouragement of new American enterprises in Bahrain is a primary objective of its government.

Two years ago when Bahrain became fully independent of Great Britain, its leaders and people saw neither reason nor need to alter their western orientation. There was no rush to open doors to the Communist capitals of the world.

Our two countries differ vastly in size and in many other respects, but we share a foundation of common aspirations and values. The people of Bahrain are practical and tolerant. They are dedicated to the free enterprise system. Foreign companies are encouraged to use Bahrain as their commercial headquarters in the Persian Gulf area. Airlines in particular do this. Bahrain levies no income or corporate taxes, and there are no restrictions on the repatriation of the profits of foreign-owned companies.

The Bahrain Government is proving itself forward-looking. Already preparations have been made for a Constitution to come into effect on December 16 of this year. Then the powers of government will be shared between the Amir, a hereditary ruler, and a popularly elected Parliament.

Friendly ties between the United States and Bahrain began at the end of the last century when an American medical mission was established on the island. The Bahrain Petroleum Company—Bapco—owned by Cal-Tex, made the first oil strike on the Arab side of the Gulf in 1932 in Bahrain. While oil royalties have provided the country with extra revenues, these have been modest and may largely cease in a few years when most of its present oil reserves are expected to be used up. However, oil explorations are continuing.

For the the past 25 years or so Bahrain has also been the home port for a small unit of our Navy, the U.S. Middle East Force. U.S. ships there play an important part by showing the flag throughout the area. This small force contrasts sharply with the very large Russian naval presence in the waters of the Persian Gulf, the Indian Ocean, and the Gulf of Aden. They have bases in Iraq, Yemen, and Somalia, and there is a large Russian naval presence in Bangladesh.

Our Embassy was established in Bahrain at the time of its independence in 1971. American companies having interests and personnel in Bahrain includes Kaiser Aluminum, General Electric, Chase Manhattan Bank, First National City Bank, and several oil drilling service companies.

Technical training is a field in which the Bahraini people are deserving of our help. We are providing some now, and more should be done. Two dozen Bahraini young men and women are studying at the American University of Beirut on AID scholarships. The Peace Corps is now beginning a program there. Aid experts have also worked with Bahrain officials in manpower planning and population control. There are further opportunities in which the United States can be helpful in this important field.

In brief, Arab Bahrain is a fine example of a small country which has pride in itself and in its friendship with the United States. More Americans should be aware of this, and we should overlook no opportunities to do what we can to strengthen our ties with the government and people of Bahrain.

LEAGUE OF WOMEN VOTERS CONDUCT OPINION POLL ON CAMPAIGN FINANCES

(Mr. PRICE of Illinois asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PRICE of Illinois. Mr. Speaker, a topic of increasing public interest in light of recent attention given to activities during the 1972 Presidential campaign is that of campaign financing. It has come to my attention that the League of Women Voters is about to undertake a study of this matter. As a preface to this effort, the League of Women Voters of Edwardsville, Ill., has conducted an informal sidewalk opinion poll based on questions to be used in the national survey. Mrs. Linda Nielson, National Program Committee chairman of the Edwardsville League, was thoughtful enough to advise me of the results of the poll.

Mr. Speaker, I would like to share this information with my colleagues in the House. Mrs. Nielson's correspondence follows:

LEAGUE OF WOMEN
VOTERS OF EDWARDSVILLE,
Edwardsville, Ill., August 15, 1973.

Hon. MELVIN PRICE,
House of Representatives
Washington, D.C.

DEAR MR. PRICE: One item on the national program of the League of Women Voters is a study of Congressional Reform. The emphasis this year is on campaign financing.

The League of Women Voters of Edwardsville is just beginning to gear up for this study. As a matter of interest, we decided to conduct an opinion poll during Sidewalk Sale Days both downtown and in the Montclaire Shopping Center. The questions we used were based on the questions which the Leagues will be using to arrive at their concensus positions in November. This is just a random sampling but we feel that it gives a good indication of what the people of the Edwardsville area think. You will note some discrepancy from the 265 total since some people did not choose to answer all the questions.

Since this vital issue is now being considered by the Congress, we felt that you would be interested in this opinion sampling. We are aware of your interest in this topic and hope this poll will be of some use to you.

We will be presenting a program to our local League on Campaign Financing in September or October and will release this poll to the media in conjunction with that program.

Sincerely yours,

MRS. JAMES NIELSON,
National Program Committee Chairman.

Opinion Poll on Campaign Financing conducted July 20, 21, 27, 28, 1973 by the Edwardsville League of Women Voters.

1. Should there be limitations on contributions from individuals?

Total, 258; yes, 163; no, 81; undecided, 14.

2. Should there be limitations on contributions from businesses?

Total, 258; yes 201; no, 50; undecided, 3.

3. Should there be limitations on total expenditures?

Total 259; yes, 209; no, 38; undecided, 12.

4. Should there be a limit on expenditures for radio and T.V.?

Total, 256; yes, 194; no, 55; undecided 7.

5. Should there be a limit on the number of campaign committees?

Total, 265; yes, 148; no, 78; undecided, 39.

6. Should there be a limit on the length of campaigns?

Total, 256; yes, 200; no, 50; undecided 6.

7. Do you approve of broadening the base of campaign financing to include some direct or indirect public funding?

Total, 256; yes, 96; no, 117; undecided 43.

8. Should the "equal time" law be changed so that radio and T.V. can more easily provide time to major candidates for Federal office?

Total, 258; yes, 130; no, 102; undecided, 26.

These questions pertain strictly to Federal offices—President, Senator, Congressman.

BETHALTO, ILL., OBSERVES 100TH ANNIVERSARY

(Mr. PRICE of Illinois asked and was given permission to extend his remarks

at this point in the RECORD and to include extraneous matter.)

Mr. PRICE of Illinois. Mr. Speaker, this past weekend the village of Bethalto, in northern Madison County, Ill., celebrated its 100th anniversary. It was in 1873 that the 14 voters of Bethalto voted to incorporate by a margin of 9 to 5.

Bethalto, now a thriving community of 7,000, marked its centennial with a 4-day homecoming celebrated in the fine American tradition. The festivities included a 45-minute play performed by a group of drama students from Bethalto Civic Memorial High School in which they reenacted the 19th-century Indian massacre of two early Bethalto families.

Other activities included performances by John Fabjance, Bethalto's own nationally known magician, music ranging from rock to bluegrass, and the traditional beard-growing and watermelon-eating contests. In another drama, the Bethalto Ministerial Association depicted the religious history of the village.

Mr. Speaker, the citizens of Bethalto can be proud of both their historic and modern roles in the metropolitan area. As they mark their 100th year as an organized community, let us extend to them our congratulations and best wishes for an even more prosperous future.

TRIBUTE TO THE LATE HONORABLE GLENARD P. LIPSCOMB

(Mr. GERALD R. FORD asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. GERALD R. FORD. Mr. Speaker, on Saturday, August 4, the day after we recessed, I had the great pleasure and privilege of attending the launching ceremonies in Groton, Conn., of the nuclear-powered attack submarine U.S.S. *Glenard P. Lipscomb*, named after our dear friend and former colleague from California.

Glen's lovely wife, Ginger, christened the new experimental boat, which will be the most silent running submarine ever built, attended by their two daughters, Diane Grasso and Joyce Murrell. The launching was witnessed by many friends of the Lipscombs from the Congress, from Washington and California, and was both a bittersweet reunion and an inspiring rededication to Glen Lipscomb's dedicated career of public service, which ended with his untimely death on Feb. 1, 1970.

Tributes to our late colleague, who succeeded me as ranking Republican member on the Defense Subcommittee of the Committee on Appropriations and was also ranking on the Committee on House Administration and chairman of the California Republican delegation at the time of his death, were paid by former Secretary of Defense and Counselor to the President Melvin R. Laird; Mr. David S. Lewis, board chairman of General Dynamics Corporation, whose Electric Boat Division built the *Lipscomb;* the Honorable John W. Warner, Secretary of the Navy; and Vice Adm. H. G. Rickover, USN, Director of the naval nuclear propulsion program.

I insert here for the benefit of Members who were unable to be present the remarks of Admiral Rickover in introducing Mrs. Lipscomb and her daughters.

INTRODUCTION OF MRS. GLENARD P. LIPSCOMB, MRS. LOUIS GRASSO, AND MRS. ROBERT MURRELL BY VICE ADMIRAL H. G. RICKOVER, U.S. NAVY

I take pleasure in introducing a courageous and gracious lady, Virginia Lipscomb, and her two daughters, Diane Grasso and Joyce Murrell.

The Navy shares their pride in having a ship named for one of the great members of Congress—a patriot, a statesman, a gentleman, a dedicated American: The Honorable Glenard P. Lipscomb.

It was my privilege to know him for many years. He was forthright, without guile, outspoken in his convictions, strong in his faith and love of country. He consistently spoke and fought for what he believed to be right. I am grateful such men as Congressman Lipscomb served in our Government. It is only through their efforts that our form of Government can be preserved.

Congressman Lipscomb was a dedicated legislator and servant of the American people, as well as one of the foremost authorities on national defense. His contribution as a senior member of the House Appropriations Committee will be felt for years to come. His words inscribed on the keel of this ship sum up his conviction of the importance of attack submarines: "We must push ahead vigorously with the design and construction of the most advanced nuclear attack submarines our technology can provide." He believed in and fought for a strong nuclear Navy which he knew to be essential in preserving peace.

He was instrumental in getting the nuclear frigate program started. The Navy was proud to have Virginia Lipscomb authenticate the keel of the nuclear frigate *California* in January 1970.

I always admired his concern and tenderness for his wife—who contributed so much to the Congressman's accomplishments. Mrs. Lipscomb, like many congressional wives, campaigned actively with her husband and assisted him in his congressional activities. In addition, she devoted considerable time to Red Cross work and to the Florence Crittenton Home in Washington, D.C. During Mr. Lipscomb's congressional service she was an active member of the Congressional Club and served as its Vice President.

Virginia Lipscomb comes of people who had courage, strength and determination. She has them too. She comes of people who had a sense of *noblesse oblige* and chivalry which means they set themselves high standards of behavior to others less fortunate. She too has these qualities. In the early days of our country, women and men worked together and worked hard to clear the land, to build a home, to grow food, to raise their children. The wife was the guardian of home and culture. Many of our great men were reared in this manner. Virginia is the modern day version of this feminine saga in the structure of America.

Her two lovely daughters, Diane Grasso and Joyce Murrell who are with us today, authenticated the keel of the *Lipscomb* in June 1971. Diane attended Bethesda Chevy Chase High School in Maryland and the University of Maryland. Joyce also attended Bethesda Chevy Chase High School and graduated from California Western University in San Diego.

It is with a sense of pride and affection that I introduce Virginia Lipscomb and her daughters, Diane and Joyce. The Navy is honored that Virginia will christen the *Lipscomb*. Diane and Joyce are the Matrons of Honor.

EMERGENCY EUCALYPTUS ASSISTANCE

(Mr. BROWN of California asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. BROWN of California. Mr. Speaker, on Friday of this week the House was scheduled to consider S. 1697, emergency eucalyptus assistance, a bill relating to predisaster fire assistance for the State of California. I am not completely happy with the form of this bill, although I completely support its purpose. In my opinion the bill should have been written so as to provide for predisaster relief on a national basis in every situation where there is a reasonable prospect that such action could avert a future major disaster, with the massive attendant costs and hardship to the involved citizens, and to the taxpayers of the Nation. We do not have such a bill before us, although I think such a bill can be developed. Possibly this legislation, which serves to focus our attention on such a typical predisaster situation in one State, can help to make us realize the need for such action.

My primary purpose in speaking today is to call attention, through the insertion of two newspaper articles, to the catastrophic nature of the fire problem facing California and the Western States during the current fire season, which still has about 2 months to run. Nonwesterners sometimes have difficulty in appreciating the massive impact of uncontrolled fire in the western forests and grasslands. The closest parallel is to a war. Thousands of men are involved, frequently at great danger to their lives. Hundreds of aircraft, and the most modern communications and other technology, including satellite reconnaissance, are used. The dollar loss for this season already approximates $100,000,000, and future losses from erosion and disease may be as large.

Yet the losses to date will pale to insignificance if such fires were to strike those densely populated areas of California which was sought to be protected by the passage of S. 1697. No similar situation exists in any other State, or has existed in California before. History's closest parallel would be the great San Francisco earthquake and fire of 1906, or the disastrous Chicago fire of the last century. Natural conditions have conspired to render such a catastrophe not just remotely possible, but very definitely probable. Yet the action to prevent such a tragedy can be taken, and with the resources available are being taken by State and local government. What is needed is a commitment of Federal resources appropriate to the need. This is what S. 1697 proposed. I urge all the Members to give this bill their most thoughtful consideration, at such time as it may be brought before us.

The first of the two newspaper articles to which I referred appeared in the Washington Post on Monday, September 3. It is quite brief, and reads as follows:

CALIFORNIA LAKE COUNTRY HIT BY FOREST FIRE

CLEARLAKE OAKS, CALIF.—A fire set by an arsonist roared out of control through Northern California's scenic lake country

forests, forcing evacuation of hundreds of Labor Day holidaymakers from cabins and mobile homes.

A space agency U–2 "spy plane" photographed the fire area during the night with highly sensitive infrared film.

California Division of Forestry spokesman Ed Karman said photos from the high-flying plane showed flames had swept over more than 16,225 acres of timber, brush and grasslands around 70-square-mile Clear Lake, California's biggest inland body of water.

The fire, fanned by winds of up to 18 miles an hour and with temperatures expected up around the 100 mark during the day, "is still definitely a threat" to the small resort communities of Long Valley and Spring Valley, Karman said.

The Lake County sheriff's office evacuated families from about 100 cabins and mobile homes, ordered camper trucks out and sealed off the region during the night.

The other article, a somewhat more lengthy United Press International story, appeared in the Los Angeles Times on August 20. This article will give you some idea of the scope of the situation, Mr. Speaker. Without objection, I will enter it at this time:

EIGHTY PERCENT OF FEDERAL FIREFIGHTING FORCE BATTLING WESTERN BLAZES—DAMAGE ESTIMATED AT $60 MILLION IN EIGHT STATES, CANADA; HEAD OF NATIONAL CENTER SAYS IT'S "WORST SEASON EVER"

Air Force planes and National Guard troops joined more than 6,300 fire fighters flown in from around the nation to fight the worst forest fires in memory that raged out of control Sunday in eight western states and Canada.

John Hafterson, head of the National Interagency Fire Center in Boise, said 80% of the federal firefighting force had been thrown into the battle against the fires. The remaining 20% were on standby to be flown in.

"Most fire managers in the Northwest feel this is the worst season ever," Hafterson said. "It is the worst season and the worst potential fire season I have even been acquainted with."

At least 110,000 acres of timber and farmland has so far gone up in flames, and authorities estimated damage at well over $60 million.

FIRE ZONE AIRLIFTS

Dozens of commercial airliners and Air Force C–130 Hercules transport planes shuttled fire-fighters in from almost every state, including Alaska, in an effort to stop the spread of flames in California, Oregon, Washington, Idaho, Montana, Nevada, Wyoming and Utah.

One fire in Montana leaped the border into Canada and burned through 4,000 acres of forest land there, still out of control.

"Veteran fire fighters say these are the worst they've ever seen and that includes the big ones in 1967 and 1970," said Dick Klade, information officer at the fire center.

Two giant fires raced through scenic Sierra timberland Sunday, searing 12,000 acres close to Yosemite National Park and blackening 3,000 acres along the American River.

The smaller blaze, dubbed the Pilliken fire, forced officials to close U.S. 50, the main artery connecting Sacramento with the South Lake Tahoe recreation area. Several mountain resort homes were endangered by the arson-caused blaze, officials said.

About 1,600 men battled the blaze near Yosemite, which already has destroyed about $50 million worth of timber and watershed near Cherry Reservoir—one of San Francisco's prime water sources.

FLAMES CLOSE TO YOSEMITE

The fire had burned to within three miles west of Yosemite Sunday, but the flames were burning parallel to the park and were not expected to jump the boundary if weather conditions continued as predicted.

About a dozen summer homes along U.S. 50 were in the vicinity of the blaze in the Eldorado National Forest, but none had been seriously threatened as of late Sunday.

"We've been scrambling for manpower," said a spokesman for the U.S. Forest Service.

California shipped out dozens of the state's top fire fighters to battle blazes in the Northwest last week, resulting in a manpower shortage in fighting the two huge California blazes.

Thirty-four major fires in the western states had burned through 110,000 acres since the first outbreak last Wednesday. Thirteen of the fires which accounted for 82,000 acres were still out of control Sunday.

"We know there have been hundreds of others, but they were controlled by local fire-fighting organizations," a spokesman said.

National Guard troops reinforced fire fighters on lines around Klamath Falls and the mountain city of La Grande in Oregon to stop flames near the outskirts of the communities.

An estimated 16,000 acres of timberland was charred in Oregon, and fire fighters said the blaze near La Grande was still several days away from being brought under control.

A $500,000-a-day effort was being made to douse flames in Montana and Idaho.

Gov. Thomas Judge announced that all state and national forests would be closed in Montana at midnight Sunday because of the fire danger.

National Guard troops backed up fire fighters in Idaho, and the governor offered to send them to Montana as soon as the situation allowed.

Air Force planes ferried in fresh crews from around the country.

An experimental Air Force C–130, a giant cargo plane that was the backbone of troop transport in Indochina, was used for the first time to dump chemical retardant on fires in Montana.

Fleets of World War II bombers flew almost non-stop retardent bombing raids. Two of them crashed Saturday while scrambling to fight fires in Northern California, but no one was injured.

SOVIET SPORTSMANSHIP

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

Mr. PODELL. Mr Speaker, exactly 1 year ago today, 11 Israeli athletes were murdered at the summer Olympics in Munich. As a shocked and uncomprehending world tried to understand what had prompted such mindless violence, we all prayed that such an incident would never occur gain, and that the mentality which gave rise to this behavior was an aberration never to be seen again.

In the recently concluded World University Games, held in Moscow last month, the world was treated to a display of official Soviet behavior that evoked for many memories of the events of the summer before. While no lives were lost this time, we saw that the state of mind which is a blind hatred of Israel is not limited to Arab terrorists bent only on cold-blooded murder. It is an official part of Soviet policy, and now seems to be part of Soviet sports activity.

The purpose of the World University Games was to further the spirit of good fellowship and good sportsmanship between student athletes of all nations. But from the opening march, the world was treated to display of the worst kind of racism and anti-Semitism imaginable. In contrast to the warm greetings given the teams of the other nations, including the United States, the Israeli team was humiliated by piercing whistles and catcalls.

Earlier, before the games had even gotten underway, Israeli journalists who had at first received permission to accompany their team to the Soviet Union, had their visas revoked. Once inside the Soviet Union, the Israelis were isolated from all possibility of contact with Russian Jews. Ostensibly, this was to prevent "another Munich," according to the Russian Government. In fact, the reason was that the Russian Government had never wanted to invite the Israeli team anyway, and felt compelled to do so only by the force of world opinion. Therefore, the unwanted athletes were not only shut away, but, when they did make appearances, they were told in no uncertain terms just how unwelcome Jews are in the Soviet Union.

The highpoint of the games—if it may be termed that—was the Israeli-Puerto Rican basketball game on August 21, which the Israeli team won handily. It was not the Israeli victory which was notable, however, but the blatantly staged demonstration by Russian Army troops, many of whom were in uniform. Jewish residents of Moscow had come to the game to see and cheer the Israeli team. Some Jews carried banners, many of them burst into song. In response, sections of the crowd which was packed with Russian soldiers, began yelling "yid, yid."

As if this were not enough, the verbal harrassment turned into physical attacks on the Jews outside the stadium. Many Jews who had purchased tickets to see the basketball game were arrested merely for trying to get inside. Among those arrested were two children, Marina Polski, age 14, and Alexander Yoffe, age 16. After the game ended, a group of about 20 Jews leaving the stadium was set upon by a group of unidentified Russian soldiers.

In spite of every reason to believe that there would be trouble, the International University Sports Federation did not have an observer at the Israeli-Puerto Rican basketball game. A Frenchman, Claude Pineau, had been assigned to observe, but did not appear. It was later reported that he had instead attended a cocktail party hosted by the Russians.

The Soviet Government later attempted to dismiss this disgusting incident as normal high spirits by sports fans. The official sports daily, Sovetsky Sport, dismissed the incident as an "episode likely to occur at athletic contests," and felt that it had been blown entirely out of proportion by the Western press. Nothing could be further from the truth.

Soviet antipathy for Jews and Israel has long been known. Jew-baiting was an honorable sport practiced under the Tzars, and it has apparently flourished under Communist rule. In these days when all the talk is of détente and normalization of relations, we do not like to speak ill of those whom we are about to make our deep and undying friends. We tend to close our eyes to their lesser

qualities, in order to make it seem as though we are not getting such a bad deal after all.

Perhaps the best thing to come of this despicable incident is that it has finally opened the world's eyes to Soviet anti-Semitism and anti-Zionism. Athletes from other nations who had come to watch the Israel-Puerto Rican game were overheard commenting on the name-calling and Jew-baiting. The unanimous reaction was one of anger and disgust. Additionally, the officials of the International University Sports Federation and its parent organization, the International Olympic Committee, have become painfully aware of the fact that good sportsmanship simply does not exist in the Soviet Union.

Up until this incident, the Soviet Union was in contention for selection as the site of the 1976 Olympiad. In fact, the purpose of holding the World University Games in Russia this year was to see whether or not Russia should be given the chance to host a full-scale Olympic competition. It now appears highly unlikely that this honor will go to Russia.

It is not only the single incident of the treatment of the Jews at the World University Games that has raised the consciousness of the world. It is the whole atmosphere of anger, hatred, and repression which permeated the games. Not only were the Russians most reluctant to invite the Israeli athletes, but in an effort to be "fair," they also invited Yassir Arafat, head of the Palestinian Liberation Front, whose bands of terrorists have murdered dozens of innocent civilians. The Soviet Union turned these games into an occasion for a political statement, broadcasting its party line of anti-Semitism and anti-Zionism.

The isolation of the Israeli athletes, in an attempt to keep them away from Soviet Jews hungering for the sight of Jews not persecuted for their faith, was paralleled by the isolation of the athletes from most Western nations. The Soviet Union, in spite of all its recent pronouncements about the desirability of detente, is not yet willing to expose its citizens to Western thought and lifestyles. In spite of all its big talk about normalizing relations, the Soviet Government apparently still fears the West enough to isolate its representatives in Russia, even at an ostensibly nonpolitical sporting event.

The world has seen what Jews have known for generations—that it is impossible to live as a Jew in the Soviet Union. Those who dare to display their faith openly are subjected to the worst sort of harassment from government-sponsored hooligans, in addition to losing their jobs and facing the prospect of prison. I believe that the unconscionable behavior of the Soviet troops at the Israeli-Puerto Rican basketball game has opened up the ears and eyes of the world. It has made us more aware, if that were possible, of the dangers inherent in trusting in the good intentions of Russian officialdom.

While I fully expect that the International Olympic Committee will not grant the Soviet Union the honor of hosting the 1980 Olympics, I am today introducing a resolution that expresses the sense of the Congress that the U.S. team should not participate if the games are to be held in Russia. An event that symbolizes the fellowship of sports and the universal goal of peace with all nations ought not to be held in a nation which has yet to show that it knows the meaning of these words.

LEAVE OF ABSENCE

(By unanimous consent, leave of absence was granted to:)

Mr. McSPADDEN (at the request of Mr. O'NEILL), for today through September 14 on account of official business (NATO installation inspection).

Mr. CORMAN for today and September 6 on account of official business.

Mr. HANRAHAN (at the request of Mr. GERALD R. FORD), through September 14 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:

Mr. MICHEL for 20 minutes, today, and to revise and extend his remarks and include extraneous matter.

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

Mr. CRANE, for 5 minutes, today.

Mr. WILLIAMS, for 15 minutes, today.

Mr. HOSMER, for 30 minutes, today.

Mr. PARRIS, for 5 minutes, today.

Mr. FORSYTHE, for 5 minutes, today.

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

Mr. GONZALEZ, for 5 minutes, today.

Mr. ANNUNZIO, for 5 minutes, today.

Mr. JAMES V. STANTON, for 30 minutes, today.

Mr. KASTENMEIER, for 15 minutes, today.

Ms. ABZUG, for 10 minutes, today.

Mr. LONG of Louisiana, for 10 minutes, today.

EXTENSION OF REMARKS

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

Mr. EVINS of Tennessee and to include extraneous matter.

Mr. ASHLEY to follow the remarks of Mr. BARRETT'S 1-minute speech today.

Mr. BURLISON of Missouri, to extend his remarks in the debate on H.R. 8449, following the remarks of Mr. GINN.

Mr. FRENZEL to extend his remarks during debate had in the Committee of the Whole today.

(The following Members (at the request of Mr. FRENZEL) and to include extraneous matter):

Mr. BURKE of Florida.

Mr. DERWINSKI in three instances.

Mr. CRANE in five instances.

Mr. BROTZMAN in two instances.

Mr. ARENDS.

Mr. MICHEL in five instances.

Mr. FRELINGHUYSEN.

Mr. HUNT.

Mr. SARASIN in two instances.

Mr. WYMAN in two instances.

Mr. COUGHLIN.

Mr. HOSMER in three instances.

Mr. YOUNG of Illinois.

Mr. SAYLOR.

Mr. STEIGER of Arizona.

Mr. HUDNUT.

Mr. RONCALLO of New York.

Mr. GILMAN.

Mr. GERALD R. FORD.

Mr. ABDNOR.

Mr. SMITH of New York.

Mr. RAILSBACK in two instances.

Mr. PETTIS in five instances.

Mr. MILLER in six instances.

Mr. MIZELL in five instances.

Mr. KEMP in two instances.

Mr. HOGAN.

Mr. McCLORY.

Mr. ESCH.

Mrs. HOLT in two instances.

(The following Members (at the request of Mr. GINN) and to include extraneous matter):

Mr. GONZALEZ in three instances.

Mr. RARICK in three instances.

Mr. EVANS of Colorado.

Mr. ANNUNZIO in six instances.

Mr. FRASER in five instances.

Mr. CONYERS in 10 instances.

Mr. RODINO.

Mr. SEIBERLING in 10 instances.

Mr. YOUNG of Georgia in six instances.

Mr. RANGEL in 11 instances.

Mr. SARBANES in five instances.

Mr. LONG of Maryland in 10 instances.

Mr. BADILLO in two instances.

Mr. LEHMAN in 10 instances.

Mr. MOLLOHAN in two instances.

Mr. REUSS in six instances.

Mr. FISHER in three instances.

Mr. BREAUX.

Mr. EDWARDS of California in two instances.

Mr. VANIK in three instances.

Mr. HELSTOSKI in 10 instances.

Mr. ASHLEY.

Mr. JOHNSON of California.

Mrs. SCHROEDER in 10 instances.

Mr. EVINS of Tennessee in six instances.

Mrs. MINK.

Mr. HANNA in six instances.

Mr. ROSENTHAL in 10 instances.

Mr. STARK in 10 instances.

Mr. OBEY in four instances.

Mr. NIX.

Mr. ROONEY of New York in two instances.

Mr. EILBERG in 10 instances.

Mr. DIGGS in three instances.

Mr. TEAGUE of Texas in six instances.

Mr. DULSKI in six instances.

Mr. CULVER in six instances.

Mr. BRADEMAS in six instances.

Ms. ABZUG in 10 instances.

Mrs. GRASSO in 10 instances.

Mr. HARRINGTON in four instances.

Mr. BROWN of California in 10 instances.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 2282. An act to change the name of the

New Hope Dam and Lake, North Carolina, to the B. Everett Jordan Dam and Lake; to the Committee on Public Works.

SENATE ENROLLED BILL AND JOINT RESOLUTION SIGNED

The SPEAKER announced his signature to enrolled bill and joint resolution of the Senate of the following titles:

S.J. Res. 25. Joint resolution to authorize and request the President to issue a proclamation designating the fourth Sunday in September 1973, as "National Next Door Neighbor Day.

S. 1888. An act to extend and amend the Agricultural Act of 1970 for the purpose of assuring consumers of plentiful supplies of food and fiber at reasonable prices.

ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED

Mr. HAYS, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills and joint resolutions of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 8658. An act making appropriations for the Government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1974, and for other purposes.

H.R. 8760. An act making appropriations for the Department of Transportation and related agencies for the fiscal year ending June 30, 1974, and for other purposes.

BILLS AND JOINT RESOLUTIONS PRESENTED TO THE PRESIDENT

Mr. HAYS, from the Committee on House Administration, reported that that committee did on the following dates present to the President, for his approval, bills and joint resolutions of the House of the following titles:

On August 4, 1973:

H.R. 3630. To extend until September 30, 1975, the suspension of duty on certain dyeing and tanning products and to include logwood among such products;

H.R. 3867. To amend the Act terminating Federal supervision over the Klamath Indian Tribe by providing for Federal acquisition of that part of the tribal lands described herein, and for other purposes;

H.R. 4083. To improve the laws relating to the regulation of insurance in the District of Columbia, and for other purposes;

H.R. 5649. To extend until November 1, 1978, the existing exemption of the steamboat *Delta Queen* from certain vessel laws;

H.R. 6370. To extend certain laws relating to the payment of interest on time and savings deposits, to prohibit depository institutions from permitting negotiable orders of withdrawal to be made with respect to any deposit or account on which any interest or dividend is paid, to authorize Federal savings and loan associations and national banks to own stock in and invest in loans to certain State housing corporations, and for other purposes;

H.R. 6676. To continue until July 1, 1975, the existing suspension of duty on manganese ore, and for other purposes;

H.R. 6713. To amend the District of Columbia Election Act regarding the times for filing certain petitions, regulating the primary election for Delegate from the District of Columbia, and for other purposes;

H.R. 8510. To authorize appropriations for activities of the National Science Foundation, and for other purposes;

H.R. 8658. Making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1974, and for other purposes;

H.R. 8760. Making appropriations for the Department of Transportation and related agencies for the fiscal year ending June 30, 1974, and for other purposes;

H.R. 8947. Making appropriations for public works for water and power development, including the Corps of Engineers—Civil, the Bureau of Reclamation, the Bonneville Power Administration and other power agencies of the Department of the Interior, the Appalachian regional development programs, the Federal Power Commission, the Tennessee Valley Authority, the Atomic Energy Commission, and related independent agencies and for commissions for the fiscal year ending June 30, 1974, and for other purposes;

H.J. Res. 52. Authorizing the President to proclaim August 26, 1973, as "Women's Equality Day"; and

H.J. Res. 466. Authorizing the President to proclaim the second full week in October, 1973, as "National Legal Secretaries' Court Observance Week".

On August 27, 1973:

H.R. 7935. To amend the Fair Labor Standards Act of 1938 to increase the minimum wage rates under that act, to expand the coverage of that act, and for other purposes.

ADJOURNMENT

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

The motion was agreed to; accordingly (at 5 o'clock and 50 minutes p.m.), the House adjourned until tomorrow, Thursday, September 6, 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:

1219. A communication from the President of the United States, transmitting notice of his intention to exercise his authority under section 614(a) of the Foreign Assistance Act of 1961, as amended, to waive the requirements of section 514 of the act to provide grant military assistance to Turkey, pursuant to section 652 of the act; to the Committee on Foreign Affairs.

1220. A communication from the President of the United States, transmitting notice of his intention to exercise his authority under section 614(a) of the Foreign Assistance Act of 1961, as amended, to waive certain otherwise applicable stautory requirements, pursuant to section 652 of the act; to the Committee on Foreign Affairs.

1221. A communication from the President of the United States, transmitting notice of his intention to exercise his authority under section 614(a) of the Foreign Assistance Act of 1961, as amended, to waive certain otherwise applicable statutory requirements, pursuant to section 652 of the act; to the Committee on Foreign Affairs.

1222. A letter from the Secretary of the Army and the Acting Secretary of Agriculture, transmitting notice of the intention of the Departments of the Army and Agriculture to interchange jurisdiction of civil works and national forest lands at Clark Hill Lake in South Carolina, pursuant to 16 U.S.C. 505a, b; to the Committee on Agriculture.

1223. A letter from the Acting Secretary of Agriculture, transmitting the fourth annual report on information and technical assistance in support of rural development, pursuant to section 901(d) of the Agricultural Act of 1970; to the Committee on Agriculture.

1224. A letter from the Architect of the Capitol, transmitting a report of all expenditures during the period January 1 through June 30, 1973, from moneys appropriated to the Architect of the Capitol, pursuant to section 105(b) of Public Law 88–454; to the Committee on Appropriations.

1225. A letter from the Assistant Secretary of Defense (Comptroller), transmitting a report for the fourth quarter of fiscal year 1973 on the estimated value, by country, of support furnished from military functions appropriations for Vietnamese and other free world forces in Vietnam and for local forces in Laos, pursuant to section 737(b) of Public Law 92–570; to the Committee on Appropriations.

1226. A letter from the Assistant Secretary of Defense (Comptroller), transmitting a report for the fourth quarter of fiscal year 1973 on the value of property, supplies, and commodities provided by the Berlin Magistrate, and under German Offset Agreement, pursuant to section 720 of Public Law 92–570; to the Committee on Appropriations.

1227. A letter from the Assistant Administrator, Agency for International Development, Department of State, transmitting a semiannual report on architectural and engineering fees in excess of $25,000, covering the period ended December 31, 1972, pursuant to section 102 of the Foreign Assistance and Related Programs Appropriation Act; to the Committee on Appropriations.

1228. A letter from the Acting Assistant Attorney General for Administration, transmitting a report on the use of appropriated funds for the support of Department of Justice executive dining rooms during fiscal year 1973, pursuant to section 1102 of Public Law 92–607; to the Committee on Appropriations.

1229. A letter from the Assistant Secretary of Agriculture for Administration, transmitting a report on the use of appropriated funds for the support of Department of Agriculture executive dining rooms during fiscal year 1973, pursuant to section 1102 of Public Law 92–607; to the Committee on Appropriations.

1230. A letter from the Secretary of Transportation, transmitting a report on the use of appropriated funds for the support of Department of Transportation executive dining rooms during fiscal year 1973, pursuant to 86 Stat. 1519; to the Committee on Appropriations.

1231. A letter from the Acting Assistant Secretary of State for Congressional Relations, transmitting a report on assistance-related expenditures for Laos during the fourth quarter of fiscal year 1973 and for the entire fiscal year, pursuant to section 602 of Public Law 92–436; to the Committee on Armed Services.

1232. A letter from the Deputy Secretary of Defense, transmitting a report for the second half of fiscal year 1973 on funds obligated in the chemical warfare and biological research programs, pursuant to section 409 of Public Law 91–121; to the Committee on Armed Services.

1233. A letter from the Secretary of the Army, transmitting a report of the number of officers on duty with Headquarters, Department of the Army and detailed to the Army General Staff on June 30, 1973, pursuant to 10 U.S.C. 3031(c); to the Committee on Armed Services.

1234. A letter from the Acting Assistant Secretary of the Army (Research and Development), transmitting a report on Department of the Army research and development contracts of $50,000 or more which were awarded during the period January 1 through June 30, 1973, pursuant to section 4

of Public Law 82–557; to the Committee on Armed Services.

1235. A letter from the Secretary of the Navy, transmitting a draft of proposed legislation to amend title 10, U.S.C., to realine naval districts, and for other purposes; to the Committee on Armed Services.

1236. A letter from the Assistant Secretary of the Navy (Installations and Logistics), transmitting a report of the facts concerning a revised Department of the Navy shore establishment realinement action at the Naval Air Engineering Center, Philadelphia, Pa., pursuant to section 613 of Public Law 89–568; to the Committee on Armed Services.

1237. A letter from the Commander, Naval Facilities Engineering Command, transmitting the annual report for fiscal year 1973 on Navy military construction contracts awarded without competition, pursuant to section 704 of Public Law 92–545; to the Committee on Armed Services.

1238. A letter from the Chief of Legislative Affairs, Department of the Navy, transmitting notice of the proposed donation of certain surplus property to the Warren County Chapter, Inc., National Railway Historical Society, Warrenton, N.C., pursuant to 10 U.S.C. 7545; to the Committee on Armed Services.

1239. A letter from the Deputy Chief of Naval Material (Procurement and Production), transmitting the semiannual report of Navy research and development procurement actions of $50,000 and over, covering the period July 1, 1972 through June 30, 1973, pursuant to 10 U.S.C. 2357; to the Committee on Armed Services.

1240. A letter from the Secretary of the Air Force, transmitting the semiannual report of Air Force research and development procurement actions of $50,000 and over, covering the period January 1 through June 30, 1973, pursuant to 10 U.S.C. 2357; to the Committee on Armed Services.

1241. A letter from the Director, Defense Civil Preparedness Agency, transmitting a report for the fourth quarter of fiscal year 1973 on property acquisitions of emergency supplies and equipment, pursuant to section 201(h) of the Federal Civil Defense Act of 1950, as amended; to the Committee on Armed Services.

1242. A letter from the Deputy Assistant Secretary of Defense (Installations and Housing), transmitting notice of the location, nature, and estimated cost of a construction project proposed to be undertaken for the Air Force Reserve, pursuant to 10 U.S.C. 2233a(1); to the Committee on Armed Services.

1243. A letter from the Attorney General, transmitting a report on voluntary agreements and programs as of August 9, 1973, pursuant to section 708(e) of the Defense Production Act of 1950, as amended; to the Committee on Banking and Currency.

1244. A letter from the Secretary of Commerce, transmitting the report on export control for the second quarter, 1973, pursuant to the Export Administration Act of 1969, as amended; to the Committee on Banking and Currency.

1245. A letter from the Secretary of Housing and Urban Development, transmitting a draft of proposed legislation to authorize insurance in connection with loans for the preservation of residential historic properties; to the Committee on Banking and Currency.

1246. A letter from the Assistant Secretary of Defense (Installations and Logistics), transmitting the report on Department of Defense procurement from small and other business firms for July 1972, through May 1973, pursuant to section 10(d) of the Small Business Act, as amended; to the Committee on Banking and Currency.

1247. A letter from the President and Chairman, Export-Import Bank of the United States, transmitting the annual report of the bank's operations for fiscal year 1973, pursuant to 12 U.S.C. 635; to the Committee on Banking and Currency.

1248. A letter from the President and Chairman, Export-Import Bank of the United States, transmitting a report on the export expansion facility program for the quarter ended December 31, 1972, pursuant to Public Law 90–390; to the Committee on Banking and Currency.

1249. A letter from the Chairman, Cost Accounting Standards Board, transmitting the second progress report of the Board, covering fiscal year 1973, pursuant to section 719(k) of the Defense Production Act of 1950, as amended; to the Committee on Banking and Currency.

1250. A letter from the Commissioner of the District of Columbia, transmitting a draft of proposed legislation relating to higher education in the District of Columbia; to the Committee on the District of Columbia.

1251. A letter from the Commissioner of the District of Columbia, transmitting a draft of proposed legislation to increase the compensation of the Vice Chairman and other members of the District of Columbia Council; to the Committee on the District of Columbia.

1252. A letter from the Acting Assistant Secretary of State for Congressional Relations, transmitting a copy of Presidential Determination No. 74–1, authorizing the provision of military assistance to Turkey in fiscal year 1974 without regard to the requirement of section 514 of the Foreign Assistance Act of 1961, as amended, pursuant to section 614(a) of the act; to the Committee on Foreign Affairs.

1253. A letter from the Acting Assistant Secretary of State for Congressional Relations, transmitting copies of Presidential Determinations No. 74–2 and 74–3, authorizing the provision of military assistance to two countries in fiscal year 1974, pursuant to section 614(a) of the Foreign Assistance Act of 1961, as amended; to the Committee on Foreign Affairs.

1254. A letter from the Assistant Secretary of State for Congressional Relations, transmitting the texts of various international labor organization conventions and recommendations concering maritime matters, pursuant to article 19 of the Constitution of the ILO (H. Doc. No. 93–142); to the Committee on Foreign Affairs and ordered to be printed.

1255. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting copies of various international agreements, other than treaties, entered into by the United States, pursuant to Public Law 92–403; to the Committee on Foreign Affairs.

1256. A letter from the Assistant Secretary of the Treasury, transmitting a report on foreign credits by the U.S. Government as of June 30, 1972, pursuant to section 634(f) of the Foreign Assistance Act of 1961, as amended; to the Committee on Foreign Affairs.

1257. A letter from the Director, U.S. Information Agency, transmitting the 39th semiannual report of the Agency, pursuant to section 1008 of the U.S. Information and Educational Exchange Act of 1948, as amended; to the Committee on Foreign Affairs.

1258. A letter from the Director, Inter-American Region, Office of the Assistant Secretary of Defense (International Security Affairs), transmitting a semiannual report for the period ended June 30, 1973, on the implementation of section 507(b) of the Foreign Assistance Act of 1961, as amended, concerning the furnishing of military assistance to American Republics; to the Committee on Foreign Affairs.

1259. A letter from the President and Chairman, Export-Import Bank of the United States, transmitting a report covering the months of May and June, 1973, on Export-Import Bank approved loans, guarantees, and insurance in support of U.S. exports to Yugoslavia, Romania, the Union of Soviet Socialist Republics, and Poland, pursuant to section 2(b)(2) of the Export-Import Bank Act of 1945, as amended; to the Committee on Foreign Affairs.

1260. A letter from the Chairman, The Board of Foreign Scholarships, transmitting the Board's 10th annual report, pursuant to section 107 of the Mutual Educational and Cultural Exchange Act of 1961 (Public Law 87–256); to the Committee on Foreign Affairs.

1261. A letter from the Secretary of the Treasury and the Director of the Office of Management and Budget, transmitting the third annual report on the budgetary and fiscal data processing system and budget standard classifications, pursuant to section 202(b) of the Legislative Reorganization Act of 1970; to the Committee on Government Operations.

1262. A letter from the Secretary of Health, Education, and Welfare, transmitting a report covering fiscal year 1973 on personal property donated to public health and educational institutions and civil defense organizations under section 203(j) of the Federal Property and Administrative Services Act of 1949, as amended, and on real property disposed of to public health and educational institutions under section 203(k), pursuant to section 203(o) of the act; to the Committee on Government Operations.

1263. A letter from the Administrator of General Services, transmitting a draft of proposed legislation to authorize the Administrator of General Services to enter into multiyear leases through use of the automatic data processing fund without obligating the total anticipated payments to be made under such leases; to the Committee on Government Operations.

1264. A letter from the Clerk, U.S. House of Representatives, transmitting his semiannual report of receipts and expenditures, covering the period January 1 through June 30, 1973, pursuant to 2 U.S.C. 104a (H. Doc. No. 93–146); to the Committee on House Administration and ordered to be printed.

1265. A letter from the Secretary of the Interior, transmitting the eighth annual report on the minerals exploration assistance program, pursuant to 30 U.S.C. 641, and the following; to the Committee on Interior and Insular Affairs.

1266. A letter from the Secretary of the Interior, transmitting a report on the lower St. Croix River, Minnesota and Wisconsin, pursuant to the Wild and Scenic Rivers Act; to the Committee on Interior and Insular Affairs.

1267. A letter from the Secretary of the Interior, transmitting a report on the implementation of the Alaska Native Claims Settlement Act during the period December 18, 1971 through June 30, 1973, pursuant to section 23 of the act (85 Stat. 688); to the Committee on Interior and Insular Affairs.

1268. A letter from the Secretary of Health, Education, and Welfare, transmitting the annual report of the Public Health Service for fiscal year 1972; to the Committee on Interstate and Foreign Commerce.

1269. A letter from the Chairman, Federal Trade Commission, transmitting the statistical supplement to the Commission's report on cigarette labeling and advertising, previously submitted pursuant to the Public Health Cigarette Smoking Act; to the Committee on Interstate and Foreign Commerce.

1270. A letter from the Chairman, Consumer Product Safety Commission, transmitting the budget and legislative policies of the Commission to implement the requirements of section 27(k) of the Consumer Product Safety Act (15 U.S.C. 2076(k)); to the Committee on Interstate and Foreign Commerce.

1271. A letter from the Acting Chairman,

National Transportation Safety Board, Department of Transportation, transmitting the 1972 annual report of the Board, pursuant to 49 U.S.C. 1954(g); to the Committee on Interstate and Foreign Commerce.

1272. A letter from the Vice President for Public and Government Affairs, National Railroad Passenger Corporation, transmitting the financial report of the Corporation for the month of April 1973, pursuant to section 308(a)(1) of the Rail Passenger Service Act of 1970, as amended; to the Committee on Interstate and Foreign Commerce.

1273. A letter from the Vice President for Public and Government Affairs, National Railroad Passenger Corporation, transmitting a report covering the month of June 1973, on the average number of passengers per day on board each train operated, and the on time performance at the final destination of each train operated, by route and by railroad, pursuant to section 308(a)(2) of the Rail Passenger Service Act of 1970, as amended; to the Committee on Interstate and Foreign Commerce.

1274. A letter from the Acting Secretary of Commerce, transmitting a draft of proposed legislation to amend section 151, title 35 of the United States Code, entitled "Patents," to authorize the Commissioner of Patents to fix the time for payment of issue fees, and to authorize acceptance of late payment of an issue fee if the delay has been shown to be unavoidable; to the Committee on the Judiciary.

1275. A letter from the Acting Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting copies of orders entered in the cases of certain aliens found admissible to the United States, pursuant to section 212(a)(28)(I)(ii) of the Immigration and Nationality Act [8 U.S.C. 1182(a)(28)(I)(ii)(b)]; to the Committee on the Judiciary.

1276. A letter from the Acting Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting copies of orders entered in cases in which the authority contained in section 212(d)(3) of the Immigration and Nationality Act was exercised in behalf of certain aliens, together with a list of the persons involved, pursuant to section 212(d)(6) of the act [8 U.S.C. 1182(d)(6)]; to the Committee on the Judiciary.

1277. A letter from the Acting Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting copies of orders suspending deportation, together with a list of the persons involved, pursuant to section 244(a)(1) of the Immigration and Nationality Act, as amended [8 U.S.C. 1254(c)(1)]; to the Committee on the Judiciary.

1278. A letter from the Chairman, Federal Maritime Commission, transmitting the 11th Annual Report of the Commission, covering fiscal year 1972, pursuant to section 208 of the Merchant Marine Act, 1936, and section 103(e) of Reorganization Plan No. 7 of 1961; to the Committee on Merchant Marine and Fisheries.

1279. A letter from the Chairman, National Advisory Committee on Oceans and Atmosphere, transmitting the second annual report of the Committee, together with the comments and recommendations of the Secretary of Commerce, pursuant to Public Law 92-125; to the Committee on Merchant Marine and Fisheries.

1280. A letter from the Administrator, National Aeronautics and Space Administration, transmitting a report showing the number of NASA employees in each General Schedule grade as of June 30, 1972, and June 30, 1973, pursuant to chapter 51 and subchapter III, chapter 53 of title 5, United States Code; to the Committee on Post Office and Civil Service.

1281. A letter from the Assistant Administrator for Planning and Management, U.S. Environmental Protection Agency, transmitting a report showing the number of employees in each General Schedule grade employed by EPA on June 30, 1972, and June 30, 1973, pursuant to section 1310 of the Supplemental Appropriation Act of 1952; to the Committee on Post Office and Civil Service.

1282. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated November 3, 1972, submitting a report, together with accompanying papers and illustrations, on Petaluma River Basin, Calif., authorized by section 4 of the Flood Control Act approved August 18, 1941; to the Committee on Public Works.

1283. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated September 13, 1972, submitting a report, together with accompanying papers and illustrations, on Arkansas River and tributaries, above John Martin Dam, Colo., in response to an item in section 6 of the Flood Control Act of June 22, 1936, and in partial response to a resolution of the Committee on Commerce, U.S. Senate, adopted September 30, 1943, a resolution of the Committee on Flood Control, House of Representatives, adopted July 2, 1943, and an item in section 208 of the Flood Control Act of October 27, 1965 (H. Doc. No. 93-143); to the Committee on Public Works and ordered to be printed with illustrations.

1284. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated November 3, 1972, submitting a report, together with accompanying papers and illustrations, on Poquonock River, Conn., authorized by section 112 of the River and Harbor Act approved July 3, 1958; to the Committee on Public Works.

1285. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated August 31, 1972, submitting a report, together with accompanying papers and illustrations, on Port Everglades Harbor, Fla., requested by a resolution of the Committee on Public Works, House of Representatives, adopted September 30, 1964. (H. Doc. 93-144); to the Committee on Public Works and ordered to be printed with illustrations.

1286. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated May 21, 1973, submitting a report, together with accompanying papers and an illustration, on Santa Fe River, Fla., authorized by the River and Harbor Act approved March 2, 1945; to the Committee on Public Works.

1287. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated May 16, 1973, submitting a report, together with accompanying papers and illustrations, on Bay Creek Basin, Ill., requested by identical resolutions of the Committee on Public Works, House of Representatives, adopted July 19, 1950, and June 9, 1960; to the Committee on Public Works.

1288. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated November 3, 1972, submitting a report, together with accompanying papers and illustrations, on Crooked Creek Basin, Ind., requested by a resolution of the Committee on Public Works, House of Representatives, adopted February 17, 1959; to the Committee on Public Works.

1289. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated May 18, 1973, submitting a report, together with accompanying papers and illustrations, on Tradewater River Basin, Ky., requested by a resolution of the Committee on Public Works, House of Representatives, adopted July 10, 1968; to the Committee on Public Works.

1290. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated November 3, 1972, submitting a report, together with accompanying papers and an illustration, on Blue Hill Harbor, Maine, authorized by section 304 of the River and Harbor Act approved October 27, 1965; to the Committee on Public Works.

1291. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated May 4, 1973, submitting a report, together with accompanying papers and illustrations, on Poppenesset Bay, Mashpee and Barnstable, Mass., authorized by section 304 of the River and Harbor Act approved October 27, 1965; to the Committee on Public Works.

1292. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated November 3, 1972, submitting a report, together with accompanying papers and illustrations, on Kansas City, Missouri and Kansas, requested by a resolution of the Committee on Public Works, House of Representatives, adopted July 5, 1946; to the Committee on Public Works.

1293. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated May 15, 1973, submitting a report, together with accompanying papers and an illustration, on Pamlico Sound and Beaufort Harbor, N.C., requested by a resolution of the Committee on Public Works, House of Representatives, adopted July 19, 1956. This report is also in response to section 7 of the River and Harbor Act approved July 24, 1946; to the Committee on Public Works.

1294. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated May 16, 1973, submitting a report, together with accompanying papers and illustrations, on Johnstown, Pa., authorized by section 5 of the Flood Control Act of August 28, 1937; to the Committee on Public Works.

1295. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated September 15, 1972, submitting a report, together with accompanying papers and an illustration, on Alpine, Tex., requested by a resolution of the Committee on Public Works, House of Representatives, adopted June 3, 1959 (H. Doc. No. 93-145); to the Committee on Public Works and ordered to be printed with an illustration.

1296. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated November 3, 1972, submitting a report, together with accompanying papers and illustrations, on San Felipe Creek, Del Rio, Tex., authorized by the Flood Control Act approved July 3, 1958; to the Committee on Public Works.

1297. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated November 3, 1972, submitting a report, together with accompanying papers and illustrations, on Lavaca and Navidad Rivers, Hallettsville, Tex., requested by a resolution of the Committee on Public Works, House of Representatives, adopted July 18, 1963; to the Committee on Public Works.

1298. A letter from the Acting Special Assistant to the Secretary of the Army (Civil Functions); transmitting a report of the inventory and status of agreements for cooperative water resources projects during 1972, pursuant to section 221(e) of Public Law 91-611; to the Committee on Public Works.

1299. A letter from the Administrator of General Services, transmitting a prospectus proposing the construction of a Federal office building and parking facility at Fairbanks, Alaska; to the Committee on Public Works.

1300. A letter from the Administrator of Veterans' Affairs, transmitting a draft of proposed legislation to provide for the automatic guaranty of mobile home loans; to the Committee on Veterans' Affairs.

1301. A letter from the Director, National Legislative Commission, The American Legion; transmitting statements of financial condition of the organization as of December 31, 1972; to the Committee on Veterans' Affairs.

1302. A letter from the Chairman, U.S. Tariff Commission, transmitting the 22d report of the Commission on the operation of the trade agreements program, covering calendar year 1970, pursuant to section 402(b) of the Trade Expansion Act of 1962; to the Committee on Ways and Means.

RECEIVED FROM THE COMPTROLLER GENERAL

1303. A letter from the Comptroller General of the United States, transmitting a report of the audit of payments from the special bank account to the Lockheed Aircraft Corp., for the C–5A aircraft program, covering the fourth quarter of fiscal year 1973, pursuant to sections 504 of Public Laws 91–441 and 92–156 and section 603 of Public Law 92–436; to the Committee on Armed Services.

1304. A letter from the Comptroller General of the United States, transmitting a report on the use of excess defense articles and other resources to supplement the military assistance program; to the Committee on Foreign Affairs.

1305. A letter from the Comptroller General of the United States, transmitting a report on the reporting to Congress of U.S. agreements with and assistance to free world forces in Southeast Asia; to the Committee on Government Operations.

1306. A letter from the Comptroller General of the United States, transmitting a report on the readiness of the Air Force in Europe; to the Committee on Government Operations.

1307. A letter from the Comptroller General of the United States, transmitting a report that the airmail improvement program objectives of the U.S. Postal Service have been unrealized; to the Committee on Government Operations.

1308. A letter from the Comptroller General of the United States, transmitting a report summarizing U.S. assistance to Jordan; to the Committee on Government Operations.

1309. A letter from the Comptroller General of the United States, transmitting a report that greater use of flight simulators in military pilot training can lower costs and increase pilot proficiency; to the Committee on Government Operations.

1310. A letter from the Comptroller General of the United States, transmitting a report that the Department of the Treasury should return unclaimed savings bonds to veterans and other individuals; to the Committee on Government Operations.

1311. A letter from the Comptroller General of the United States, transmitting an assessment of the planning for reorganization of the Army in the 1970's; to the Committee on Government Operations.

1312. A letter from the Comptroller General of the United States, transmitting a report on the implementation of the Emergency Loan Guarantee Act administered by the Emergency Loan Guarantee Board; to the Committee on Government Operations.

1313. A letter from the Comptroller General of the United States, transmitting a report on ways to improve records management practices in the Federal Government; to the Committee on Government Operations.

1314. A letter from the Comptroller General of the United States, transmitting a report that the use of formal advertising for Government procurement can, and should, be improved by the Department of Defense, the General Services Administration, and the Tennessee Valley Authority; to the Committee on Government Operations.

1315. A letter from the Comptroller General of the United States, transmitting a report on improvement needed in the administration of the program to provide medicare benefits for welfare recipients; to the Committee on Government Operations.

1316. A letter from the Comptroller General of the United States, transmitting a report on the program to build and charter nine tankers for use by the Military Sealift Command, Department of the Navy; to the Committee on Government Operations.

1317. A letter from the Comptroller General of the United States, transmitting a report on OEO economic development programs in Bedford-Stuyvesant, Brooklyn, N.Y., under the special impact program; to the Committee on Government Operations.

1318. A letter from the Comptroller General of the United States, transmitting a report on the need for clarifying the Webb-Pomerene Export Trade Act of 1918 to help increase U.S. exports; to the Committee on Government Operations.

1319. A letter from the Comptroller General of the United States, transmitting an assessment of Federal and State enforcement efforts to control air pollution from stationary sources; to the Committee on Government Operations.

1320. A letter from the Comptroller General of the United States, transmitting a list of the reports issued or released by the General Accounting Office during July 1973, pursuant to 31 U.S.C. 1174; to the Committee on Government Operations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Mr. EVINS of Tennessee: Select Committee on Small Business. A report on Business Procurement Policies of Federally Supported Programs (Rept. No. 93–449). Referred to the Committee of the Whole House on the State of the Union.

Mr. EVINS of Tennessee: Select Committee on Small Business. A report on the technology utilization program of the Small Business Administration (Rept. No. 93–450). Referred to the Committee of the Whole House on the State of the Union.

Mr. STAGGERS: Committee on Interstate and Foreign Commerce. H.R. 7974. A bill to amend the Public Health Service Act to provide assistance and encouragement for the establishment and expansion of health maintenance organizations, and for other purposes; with amendment (Rept. No. 93–451). Referred to the Committee of the Whole House on the State of the Union.

Mr. EVINS of Tennessee: Select Committee on Small Business. Report on Department of Defense Machinery Leasing Practices (Rept. No. 93–452). Referred to the Committee on the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

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

By Mr. ANDERSON of California (for himself, Mr. KYROS, Ms. HOLTZMAN, and Mr. HANNA):

H.R. 10033. A bill to amend the Public Health Service Act to provide for the screening and counseling of Americans with respect to Tay-Sachs disease; to the Committee on Interstate and Foreign Commerce.

By Mr. ARMSTRONG (for himself and Mr. JOHNSON of Colorado):

H.R. 10034. A bill to repeal the Economic Stabilization Act of 1970; to the Committee on Banking and Currency.

By Mr. ASHLEY:

H.R. 10035. A bill to regulate commerce and conserve gasoline by improving motor vehicle fuel economy, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. BARRETT (for himself and Mr. ASHLEY):

H.R. 10036. A bill to establish a program of community development and housing block grants, to consolidate, simplify, and improve laws relating to housing and urban development activities, and for other purposes; to the Committee on Banking and Currency.

By Mr. BROOMFIELD:

H.R. 10037. A bill to amend section 1951, title 18, United States Code, act of July 3, 1946; to the Committee on the Judiciary.

By Mr. DENT:

H.R. 10038. A bill to provide for the establishment of an American Folk Life Center in the Library of Congress, and for other purposes; to the Committee on House Administration.

By Mr. FRASER (for himself, Mr. DIGGS, and Mr. ROSE):

H.R. 10039. A bill to amend the United Nations Participation Act of 1945 to halt the importation of Rhodesian chrome and to restore the United States to its position as a law-abiding member of the international community; to the Committee on Foreign Affairs.

By Mr. FRENZEL:

H.R. 10040. A bill to authorize the President of the United States to allocate energy and fuels when he determines and declares that extraordinary shortages or dislocations in the distribution of energy and fuels exist or are imminent and that the public health, safety, or welfare is thereby jeopardized; to provide for the delegation of authority to the Secretary of the Interior, and for other purposes; to the Committee on Banking and Currency.

H.R. 10041. A bill to amend the Communications Act of 1934 to relieve broadcasters of the equal time requirement of section 315 with respect to candidates for Federal office, to repeal the Campaign Communications Reform Act, to amend the Federal Election Campaign Act of 1971, and for other purposes; to the Committee on House Administration.

By Mr. GOLDWATER:

H.R. 10042. A bill to provide standards of fair personal information practices; to the Committee on the Judiciary.

By Mr. GOODLING:

H.R. 10043. A bill to establish alternative cost limits for the construction of certain military family housing units at Carlisle Barracks, Pa.; to the Committee on Armed Services.

By Mr. HARSHA:

H.R. 10044. A bill to increase the amount authorized to be expended to provide facilities along the border for the enforcement of the customs and immigration laws; to the Committee on Public Works.

By Mr. JOHNSON of Pennsylvania:

H.R. 10045. 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.

By Miss JORDAN:

H.R. 10046. A bill to amend title II of the Social Security Act so as to liberalize the conditions governing eligibility of blind persons to receive disability insurance benefits thereunder; to the Committee on Ways and Means.

By Mr. KASTENMEIER (for himself and Mr. EDWARDS of California):

H.R. 10047. A bill to revise title 18 of the United States Code; to the Committee on the Judiciary.

By Mr. KEMP:

H.R. 10048. A bill to amend the Federal Election Campaign Act of 1971, and for other purposes; to the Committee on House Administration.

By Mr. LEHMAN:

H.R. 10049. A bill to promote the development and expansion of community education throughout the United States; to the Committee on Education and Labor.

By Mr. LOTT:

H.R. 10050. A bill to amend title II of the Social Security Act so as to liberalize the conditions governing eligibility of blind persons to receive disability insurance benefits thereunder; to the Committee on Ways and Means.

By Mr. MATSUNAGA:

H.R. 10051. A bill to improve education by increasing the freedom of the Nation's teachers to change employment across State lines without substantial loss of retirement benefits through establishment of a Federal-State program; to the Committee on Education and Labor.

H.R. 10052. A bill to amend the Internal Revenue Code of 1954 to increase the maximum limitations on the amount deductible for pensions for the self-employed; to the Committee on Ways and Means.

By Mr. McCORMACK:

H.R. 10053. A bill to authorize the Secretary of Agriculture to permit the use of DDT to control and protect against insect infestation on forest and other agricultural lands; to the Committee on Agriculture.

By Mr. MINISH:

H.R. 10054. A bill to amend the National Traffic and Motor Vehicle Safety Act of 1966 to promote traffic safety by providing that defects and failures to comply with motor vehicle safety standards shall be remedied without charge to the owner, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 10055. A bill to amend the Internal Revenue Code of 1954 to eliminate the percentage depletion method for determining the deduction for depletion of oil and gas wells; to the Committee on Ways and Means.

By Mr. MORGAN:

H.R. 10056. A bill to amend title II of the Social Security Act so as to liberalize the conditions governing eligibility of blind persons to receive disability insurance benefits thereunder; to the Committee on Ways and Means.

By Mr. NIX:

H.R. 10057. A bill to enact the Uniform Reciprocal Peace Act; to the Committee on Foreign Affairs.

By Mr. OBEY (for himself, Mr. ROE, Mrs. CHISHOLM, Mr. SISK, Mr. ZWACH, Ms. ABZUG, Mr. STOKES, Mr. GUNTER, and Ms. HOLTZMAN):

H.R. 10058. A bill to protect the public health and welfare by providing for the inspection of imported dairy products and by requiring that such products comply with certain minimum standards for quality and wholesomeness and that the dairy farms on which milk is produced and the plants in which such products are produced meet certain minimum standards of sanitation; to the Committee on Agriculture.

By Mr. PARRIS:

H.R. 10059. A bill to repeal the Economic Stabilization Act of 1970 and simultaneously reenact provisions relating to the authority of the President to allocate petroleum products; to the Committee on Banking and Currency.

By Mr. PATTEN:

H.R. 10060. A bill to amend the Public Health Service Act to expand the authority of the National Institute of Arthritis, Metabolism, and Digestive Diseases in order to advance the national attack on diabetes; to the Committee on Interstate and Foreign Commerce.

By Mr. ROONEY of Pennsylvania:

H.R. 10061. A bill to regulate defective, ineffective, and unreliable medical devices; to the Committee on Interstate and Foreign Commerce.

By Mr. SARASIN:

H.R. 10062. A bill to amend title II of the Social Security Act so as to liberalize the conditions governing eligibility of blind persons to receive disability insurance benefits thereunder; to the Committee on Ways and Means.

By Mr. UDALL (for himself, Mr. ANDREWS of North Carolina, Mr. CONYERS, Mr. DOWNING, Mr. DULSKI, Mr. HARRINGTON, Mr. MADDEN, Mr. MEEDS, Mr. RODINO, and Mr. ROSE):

H.R. 10063. A bill to improve the conduct and regulation of Federal election campaign activities and to provide public financing for such campaigns; to the Committee on House Administration.

By Mr. ULLMAN:

H.R. 10064. A bill to provide for the establishment of the Oregon Trail National Historic Site in the State of Oregon, and for other purposes; to the Committee on Interior and Insular Affairs.

By Ms. ABZUG:

H.R. 10065. A bill to amend chapter 17 of title 38, United States Code, to direct the Administrator of Veterans' Affairs to initiate and carry out a special psychiatric, psychological, and counseling program for veterans of the Vietnam era, especially former prisoners of war, and their dependents who are experiencing psychological problems as the result of the military service performed by such veterans; to the Committee on Veterans' Affairs.

By Mr. BIAGGI:

H.R. 10066. A bill to permit institutions to participate in the veterans cost-of-instruction program when at least 5 percent of their undergraduate students are veterans; to the Committee on Education and Labor.

By Mr. BURTON:

H.R. 10067. A bill for the relief of certain distressed aliens; to the Committee on the Judiciary.

By Mr. GUDE:

H.R. 10068. A bill to repeal the limitation on pay comparability adjustments under subchapter I of chapter 53 of title 5, United States Code; to the Committee on Post Office and Civil Service.

By Mr. HARRINGTON:

H.R. 10069. A bill to amend the Fair Packaging and Labeling Act to prohibit for a uniform system of quality grades for food products, to provide for a system of labeling of food products to disclose the ingredients thereof, to provide for a system of national standards for nutritional labeling of food products, and to provide for a system of labeling of perishable and semiperishable foods; to the Committee on Interstate and Foreign Commerce.

H.R. 10070. A bill to amend the Fair Packaging and Labeling Act to require the disclosure by retail distributors of retail unit prices of consumer commodities, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. LOTT:

H.R. 10071. A bill to allow the refinancing of loan assistance to victims of Hurricane Camille and subsequent disasters; to the Committee on Banking and Currency.

By Mr. ROBISON of New York (for himself, Mr. STEIGER of Wisconsin, Mr. ANDERSON of Illinois, and Mr. DELLENBACK):

H.R. 10072. A bill to establish within the Peace Corps a special program to be known as the Vietnam assistance volunteers program; to the Committee on Foreign Affairs.

By Mr. STEIGER of Wisconsin (for himself and Mrs. HOLT):

H.R. 10073. A bill to confer U.S. citizenship on certain Vietnamese children and to provide for the adoption of such children by American families; to the Committee on the Judiciary.

By Mr. VANIK (for himself, Mrs. BOGGS, Mrs. COLLINS of Illinois, Mr. SHIPLEY, Mr. YOUNG of Alaska, and Mr. ANDREWS of North Carolina):

H.R. 10074. A bill to prohibit most-favored-nation treatment and commercial and guarantee agreements with respect to any nonmarket economy country which denies to its citizens the right to emigrate or which imposes more than nominal fees upon its citizens as a condition to emigration; to the Committee on Ways and Means.

By Mr. BOB WILSON:

H.R. 10075. A bill to amend title 5 of the United States Code in order to provide alternative compensation to widows and children of persons dying as a result of injuries incurred during military service, and for other purposes; to the Committee on Education and Labor.

By Mr. FORSYTHE:

H.J. Res. 714. Joint resolution proposing an amendment to the Constitution of the United States with respect to the attendance of Senators and Representatives at sessions of the Congress; to the Committee on the Judiciary.

By Mr. FRASER (for himself, Mr. RIEGLE, and Mr. MOAKLEY):

H. Res. 531. Resolution to express the sense of the House regarding diplomatic relations between the United States and Sweden; to the Committee on Foreign Affairs.

By Mr. PODELL:

H. Res. 532. Resolution expressing the sense of the Congress on the 1980 Olympic Games; to the Committee on Foreign Affairs.

By Mr. WINN:

H. Res. 533. Resolution requesting the President to enter into negotiations with major oil importing countries to establish an international organization of oil importing countries and to establish common practices and policies affecting oil pricing, importation, and consumption; to the Committee on Foreign Affairs.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

288. By the SPEAKER: A memorial of the Senate of the State of California, relative to State employees' wage increase; to the Committee on Banking and Currency.

289. Also memorial of the House of Representatives of the Commonwealth of Massachusetts, relative to reinstatement of mail service by railroad between the cities of Pittsfield, Springfield, and Worcester, Mass., to the Committee on Interstate and Foreign Commerce.

290. Also, memorial of the Legislature of the State of Alabama, requesting the Congress to call a convention for the purpose of proposing an amendment to the Constitution of the United States concerning the assignment of students to public schools; to the Committee on the Judiciary.

291. Also, memorial of the Legislature of the State of Delaware, requesting the Congress to call a convention for the purpose of proposing an amendment to the Constitution of the United States concernnig the assignment of students to public schools; to the Committee on the Judiciary.

292. Also, memorial of the House of Representatives of the State of Illinois, requesting Congress to propose an amendment to the Constitution of the United States concerning abortion; to the Committee on the Judiciary.

293. Also, memorial of the Legislature of the State of South Carolina, ratifying the 19th amendment to the Constitution of the United States; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII,

Mr. RARICK introduced a bill (H.R. 10076) for the relief of Brandywine-Main Line Radio, Inc., WXUR and WXUR-FM, Media, Pa.; 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:

261. By the SPEAKER: Petition of Robert M. Owings, San Pedro, Calif., relative to redress of grievances; to the Committee on Armed Services.

262. Also, petition of the American Legion, Col. Luciano Abia Post 68, Tacloban City, Leyte, Philippines, relative to recognition of Philippine guerrilla service during World War II; to the Committee on Foreign Affairs.

263. Also, petition of Miss Christina M. Boewe, Milwaukee, Wis., relative to the revocation of the license of radio station WXUR, Media, Pa.; to the Committee on Interstate and Foreign Commerce.

264. Also, petition of Mrs. Leslie Burnett, Greenville, S.C., and others, relative to the revocation of the license of WXUR; to the Committee on Interstate and Foreign Commerce.

265. Also, petition of Jacob R. Groff, Millersville, Pa., and others, relative to the revocation of the license of WXUR; to the Committee on Interstate and Foreign Commerce.

266. Also, petition of Randolph D. Lucas, Greenville, S.C., and others, relative to the revocation of the license of WXUR; to the Committee on Interstate and Foreign Commerce.

267. Also, petition of George W. McCoy, Greenville, S.C., and others, relative to the revocation of the license of WXUR; to the Committee on Interstate and Foreign Commerce.

268. Also, petition of Theodore E. Miller, Mechanicsburg, Pa., relative to the revocation of the license of WXUR; to the Committee on Interstate and Foreign Commerce.

269. Also, petition of James B. Snoddy, Greenville, S.C., and others, relative to the revocation of the license of WXUR; to the Committee on Interstate and Foreign Commerce.

270. Also, petition of Truman Lloyd, Dallas, Tex., relative to redress of grievances; to the Committee on the Judiciary.

271. Also, petition of Andrew Rosenberg, Lewisburg, Pa., relative to redress of grievances; to the Committee on the Judiciary.

272. Also, petition of Doris Stevens, Chicago, Ill., and others, relative to impeachment of the President; to the Committee on the Judiciary.

273. Also, petition of Vera L. Timm, Dayton, Ohio, and others, relative to impeachment of the President; to the Committee on the Judiciary.

SENATE—*Wednesday, September 5, 1973*

The Senate met at 12 o'clock noon and was called to order by Hon. FLOYD K. HASKELL, a Senator from the State of Colorado.

PRAYER

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

Almighty God, above all yet near to each of us, we thank Thee for Thy providence which has brought us to this hour. For rested bodies, renewed minds, and rekindled spirits we give Thee thanks. As we undertake the tasks before us, we beseech Thee to keep our hearts pure, our minds clear, our service sacred. Grant us grace to hold high the cross of sacrificial service and to carry the banner of freedom and justice for all men. Through our service here may the Nation be blessed and Thy kingdom advanced.

In the name of the Master Workman who went about doing good. Amen.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. EASTLAND).

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., September 5, 1973.

To the Senate:

Being temporarily absent from the Senate on official duties, I appoint Hon. FLOYD K. HASKELL, a Senator from the State of Colorado, to perform the duties of the Chair during my absence.

JAMES O. EASTLAND,
President pro tempore.

Mr. HASKELL thereupon took the chair as Acting President pro tempore.

MESSAGES FROM THE PRESIDENT RECEIVED DURING ADJOURNMENT

Under authority of the order of the Senate of August 3, 1973, the Secretary of the Senate, on August 6, 7, 9, 14, 15, and 31, 1973, received messages from the President of the United States.

(The messages, together with their appropriate referral, appear in the RECORD of today.)

MESSAGE FROM THE HOUSE RECEIVED DURING ADJOURNMENT—ENROLLED BILLS AND JOINT RESOLUTION SIGNED

Under authority of the order of the Senate of August 3, 1973, the Secretary of the Senate, on August 4, 1973, received the following message from the House of Representatives:

That the Speaker of the House had affixed his signature to the following enrolled bills and joint resolution:

S. 1888. An act to extend and amend the Agricultural Act of 1970 for the purpose of assuring consumers of plentiful supplies of food and fiber at reasonable prices;

H.R. 8658. An act making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1974, and for other purposes;

H.R. 8760. An act making appropriations for the Department of Transportation and related agencies for the fiscal year ending June 30, 1974, and for other purposes; and

S.J. Res. 25. Joint resolution to authorize and request the President to issue a proclamation designating the fourth Sunday in September 1973, as "National Next Door Neighbor Day."

Under authority of the order of the Senate of August 3, 1973, the Acting President pro tempore, on August 4, 1973, signed the above enrolled bills and joint resolution.

ENROLLED BILL SIGNED DURING ADJOURNMENT

Under authority of the order of the Senate of August 3, 1973, the Vice President, on August 27, 1973, signed the enrolled bill (H.R. 7935) to amend the Fair Labor Standards Act of 1938 to increase the minimum wage rates under that act, to expand the coverage of that act, and for other purposes, which had previously been signed by the Speaker of the House of Representatives.

ENROLLED BILLS AND JOINT RESOLUTION PRESENTED

The Secretary of the Senate reported that on August 4, 1973, he presented to the President of the United States the following enrolled bills and joint resolution:

S. 502. An act to authorize appropriations for the construction of certain highways in accordance with title 23 of the United States Code, and for other purposes;

S. 1410. To amend section 14(b) of the Federal Reserve Act, as amended, to extend for 3 months the authority of Federal Reserve banks to purchase U.S. obligations directly from the Treasury;

S. 1888. An act to extend and amend the Agricultural Act of 1970 for the purpose of assuring consumers of plentiful supplies of food and fiber at reasonable prices; and

S.J. Res. 25. Joint resolution to authorize and request the President to issue a proclamation designating the fourth Sunday in September 1973, as "National Next Door Neighbor Day."

ADDITIONAL COSPONSORS OF BILL

Under authority of the order of the Senate of August 2, 1973, on August 21, 1973, the following Senators were added as additional cosponsors of the bill (S. 1179) to strengthen and improve the private retirement system by establishing minimum standards for participation in and vesting of benefits under pension and profit-sharing-retirement plans; by establishing minimum funding standards; by requiring termination insurance; and by allowing Federal income tax credits to individuals for personal retirement savings:

Mr. LONG of Louisiana, Mr. NELSON of Wisconsin, Mr. CURTIS of Nebraska, Mr. DOLE of Kansas, Mr. GRAVEL of Alaska, Mr. MONDALE of Minnesota, Mr. PACKWOOD of Oregon, Mr. RIBICOFF of Connecticut, and Mr. ROTH of Delaware.