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Congressional Record

PROCEEDINGS AND DEBATES OF THE 93^d CONGRESS, FIRST SESSION

HOUSE OF REPRESENTATIVES—Thursday, September 20, 1973

The House met at 12 o'clock noon.

Rev. W. Ernest Hogge, United Methodist Church, Oakton, Va., offered the following prayer:

Eternal God, whom we seek to serve and to whom we look for guidance, grant unto us the exhilarating awareness of Your presence, not only in this meeting, but in each session.

We are mindful of the many experiences and events which bind us together. We pray that there will be a harmonious spirit in our midst, that while we have difference of opinion, we nevertheless maintain unity of action.

In the midst of complicated situations and unsolved problems of the world, save us from the feeling of futility and any attitude of defeatism. Help us to understand that Your power and love have never been obstructed by difficulties.

In the name of Him who left His peace as a gift to all, we pray. Amen.

THE JOURNAL

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

Without objection, the Journal stands approved.

There was no objection.

MESSAGES FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Mr. Marks, one of his secretaries.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate agrees to the amendments of the House with an amendment to a bill of the Senate of the following title:

S. 1148. An act to provide for operation of all domestic volunteer service programs by the ACTION Agency, to establish certain new such programs, and for other purposes.

The message also announced that the Senate disagrees to the amendments of the House to the bill (S. 2016) entitled "An act to amend the Rail Passenger Service Act of 1970 to provide financial assistance to the National Railroad Passenger Corporation, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. MAGNUSON, Mr. HARTKE, Mr. STEVENSON, Mr. COOK, and Mr. BEALL to be the conferees on the part of the Senate.

CXIX—1926—Part 24

PERMISSION TO FILE CONFERENCE REPORT ON H.R. 8619, AGRICULTURE, ENVIRONMENTAL AND CONSUMER PROTECTION APPROPRIATIONS, 1974

Mr. WHITTEN. Mr. Speaker, I ask unanimous consent that the managers may have until midnight tonight to file a conference report on the bill (H.R. 8619) making appropriations for agriculture, environmental and consumer protection programs for the fiscal year ending June 30, 1974, and for other purposes.

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

There was no objection.

CONFERENCE REPORT (H. REPT. No. 93-520)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 8619) "making appropriations for the Agriculture-Environmental and Consumer Protection programs for the fiscal year ending June 30, 1974, and for other purposes," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 1, 2, 6, 7a, 7b, 8, 10, 11, 20, 23, 25, 26, 27, 28, 31, 45, 50, 58, 62, 63, 65, and 66.

That the House recede from its disagreement to the amendments of the Senate numbered 3, 14, 21, 24, 33, 34, 35, 36, 37, 38, 39, 41, 51, 53, 54, 60, 68, 70, 74, and 75, and agree to the same.

Amendment numbered 4: That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment, as follows: In lieu of the matter stricken insert:

None of the funds provided by this Act shall be used to pay the salaries of any personnel which carries out the provisions of section 610 of the Agricultural Act of 1970, except for research in an amount not to exceed \$3,000,000; projects to be approved by the Secretary as provided by law.

None of the funds provided by this Act shall be used to pay the salaries of personnel who formulate or carry out programs for the 1974 crop year which exceed the limitations provided by section 101 of Public Law 93-86, enacted on August 10, 1973, which provides as follows:

"Sec. 101. Notwithstanding any other provision of law—

"(1) The total amount of payments which a person shall be entitled to receive under one or more of the annual programs established by titles IV, V, and VI of this Act for the 1974 through 1977 crops of the commodities shall not exceed \$20,000.

"(2) The term 'payments' as used in this section shall not include loans or purchases, or any part of any payment which is determined by the Secretary to represent compensation for resource adjustment or public access for recreation.

"(3) If the Secretary determines that the

total amount of payments which will be earned by any person under the program in effect for any crop will be reduced under this section, the set-aside acreage for the farm or farms on which such person will be sharing in payments earned under such program shall be reduced to such extent and in such manner as the Secretary determines will be fair and reasonable in relation to the amount of the payment reduction.

"(4) The Secretary shall issue regulations defining the term 'person' and prescribing such rules as he determines necessary to assure a fair and reasonable application of such limitation: *Provided*, That the provisions of this Act which limit payments to any person shall not be applicable to lands owned by States, political subdivisions, or agencies thereof, so long as such lands are farmed primarily in the direct furtherance of a public function, as determined by the Secretary. The rules for determining whether corporations and their stockholders may be considered as separate persons shall be in accordance with the regulations issued by the Secretary on December 18, 1970."

And the Senate agree to the same.

Amendment numbered 5: That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$175,938,400"; and the Senate agree to the same.

Amendment numbered 13: That the House recede from its disagreement to the amendment of the Senate numbered 13, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$6,203,000"; and the Senate agree to the same.

Amendment numbered 15: That the House recede from its disagreement to the amendment of the Senate numbered 15, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$1,500,000"; and the Senate agree to the same.

Amendment numbered 16: That the House recede from its disagreement to the amendment of the Senate numbered 16, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$89,880,000"; and the Senate agree to the same.

Amendment numbered 17: That the House recede from its disagreement to the amendment of the Senate numbered 17, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$137,717,000"; and the Senate agree to the same.

Amendment numbered 18: That the House recede from its disagreement to the amendment of the Senate numbered 18, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$1,500,000"; and the Senate agree to the same.

Amendment numbered 19: That the House recede from its disagreement to the amendment of the Senate numbered 19, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amend-

ment insert "\$199,527,000"; and the Senate agree to the same.

Amendment numbered 22: That the House recede from its disagreement to the amendment of the Senate numbered 22, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$15,780,000"; and the Senate agree to the same.

Amendment numbered 29: That the House recede from its disagreement to the amendment of the Senate numbered 29, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$239,051,000"; and the Senate agree to the same.

Amendment numbered 30: That the House recede from its disagreement to the amendment of the Senate numbered 30, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$314,587,000"; and the Senate agree to the same.

Amendment numbered 32: That the House recede from its disagreement to the amendment of the Senate numbered 32, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$10,000,000"; and the Senate agree to the same.

Amendment numbered 43: That the House recede from its disagreement to the amendment of the Senate numbered 43, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$7,500,000"; and the Senate agree to the same.

Amendment numbered 44: That the House recede from its disagreement to the amendment of the Senate numbered 44, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$4,000,000"; and the Senate agree to the same.

Amendment numbered 46: That the House recede from its disagreement to the amendment of the Senate numbered 46, and agree to the same with an amendment, as follows: In lieu of the matter proposed by said amendment insert "\$470,000,000"; and the Senate agree to the same.

Amendment numbered 47: That the House recede from its disagreement to the amendment of the Senate numbered 47, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$200,000,000; and community facility loans, \$50,000,000"; and the Senate agree to the same.

Amendment numbered 49: That the House recede from its disagreement to the amendment of the Senate numbered 49, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$49,675,000"; and the Senate agree to the same.

Amendment numbered 52: That the House recede from its disagreement to the amendment of the Senate numbered 52, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$161,775,000"; and the Senate agree to the same.

Amendment numbered 55: That the House recede from its disagreement to the amendment of the Senate numbered 55, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$257,100,000"; and the Senate agree to the same.

Amendment numbered 56: That the House recede from its disagreement to the amendment of the Senate numbered 56, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$3,700,000"; and the Senate agree to the same.

Amendment numbered 61: That the House recede from its disagreement to the amendment of the Senate numbered 61, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amend-

ment insert "\$46,150,000"; and the Senate agree to the same.

Amendment numbered 67: That the House recede from its disagreement to the amendment of the Senate numbered 67, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$10,000,000"; and the Senate agree to the same.

Amendment numbered 71: That the House recede from its disagreement to the amendment of the Senate numbered 71, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$30,600,000"; and the Senate agree to the same.

Amendment numbered 72: That the House recede from its disagreement to the amendment of the Senate numbered 72, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$696,918,000"; and the Senate agree to the same.

Amendment numbered 73: That the House recedes from its disagreement to the amendment of the Senate numbered 73, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$22,110,000"; and the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 9, 12, 40, 42, 48, 57, 59, 64, and 69.

JAMIE L. WHITTEN,
GEORGE E. SHIPLEY,
FRANK E. EVANS,
BILL D. BURLISON,
WILLIAM H. NATCHER,
NEAL SMITH,
BOB CASEY,
GEORGE MAHON,
MARK ANDREWS,
ROBERT H. MICHEL,
BILL SCHERLE,
J. K. ROBINSON,
ELFORD A. CEDERBERG,

Managers on the Part of the House.

GALE W. MCGEE,
JOHN L. MCCLELLAN,
WILLIAM PROXMIER,
ROBERT C. BYRD,
HERMAN E. TALMADGE,
HIRAM L. FONG,
ROMAN L. HRUSKA,
MILTON R. YOUNG,

Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and Senate at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 8619) making appropriations for agriculture-environmental and consumer protection programs for the fiscal year ending June 30, 1974, and for other purposes, submit the following joint statement to the House and Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report:

Amendment No. 1: The following provision in the opening paragraph of the Senate bill, "and shall be made available for expenditure except as specifically provided by law" was not agreed to by the conferees because it was deemed to be an unnecessary restatement of existing provisions of law. It was therefore deleted without prejudice.

TITLE I—AGRICULTURE PROGRAMS

Department of Agriculture Personnel Ceilings

Of particular concern to the conferees is the fact that as personnel requirements increase for individual agencies such as the Animal and Plant Health Inspection Service for meat inspectors, offsetting decreases are imposed on other agencies of the Department to the detriment of those programs.

Therefore, the conferees direct that the additional personnel provided for fiscal year

1974 shall not be restricted by any personnel or monetary ceiling heretofore or hereafter applied, levied or charged against the Department and shall be considered an incremental increase in personnel ceiling to be accounted for separately. Additional personnel provided for laboratory staffing shall be accounted for by laboratory.

In addition, all personnel engaged in the preparation of Environmental Impact Statements, now estimated at 200 in the Soil Conservation Service alone, shall also be considered an addition to any personnel ceiling and shall be accounted for separately, including the cost thereof.

Departmental management

Office of the Secretary

Amendment No. 2: Appropriates \$10,822,000 for the Office of the Secretary as proposed by the House instead of \$10,872,000 as proposed by the Senate.

Amendment No. 3: Corrects legislative citation as proposed by the Senate.

Amendment No. 4: Includes amended language similar to the original House language stricken by the Senate which will provide the \$20,000 limitation on farm payments now in the law and limits funds available under section 610 of the Agricultural Act of 1970 to \$3,000,000 for research only, with the projects to be approved by the Secretary as provided by law. The amendment provides the following language:

None of the funds provided by this Act shall be used to pay the salaries of any personnel which carries out the provisions of section 610 of the Agricultural Act of 1970, except for research in an amount not to exceed \$3,000,000; projects to be approved by the Secretary as provided by law.

None of the funds provided by this Act shall be used to pay the salaries of personnel who formulate or carry out programs for the 1974 crop year which exceed the limitations provided by section 101 of Public Law 93-86, enacted on August 10, 1973, which provides as follows:

"Sec. 101. Notwithstanding any other provision of law—

"(1) The total amount of payments which a person shall be entitled to receive under one or more of the annual programs established by titles IV, V, and VI of this Act for the 1974 through 1977 crops of the commodities shall not exceed \$20,000.

"(2) The term 'payments' as used in this section shall not include loans or purchases, or any part of any payment which is determined by the Secretary to represent compensation for resource adjustment or public access for recreation.

"(3) If the Secretary determines that the total amount of payments which will be earned by any person under the program in effect for any crop will be reduced under this section, the set-aside acreage for the farm or farms on which such person will be sharing in payments earned under such program shall be reduced to such extent and in such manner as the Secretary determines will be fair and reasonable in relation to the amount of the payment reduction.

"(4) The Secretary shall issue regulations defining the term 'person' and prescribing such rules as he determines necessary to assure a fair and reasonable application of such limitation: *Provided*, That the provisions of this Act which limit payments to any person shall not be applicable to lands owned by States, political subdivisions, or agencies thereof, so long as such lands are farmed primarily in the direct furtherance of a public function, as determined by the Secretary. The rules for determining whether corporations and their stockholders may be considered as separate persons shall be in accordance with the regulations issued by the Secretary on December 18, 1970."

Agreement on the language to be offered was reached after receiving evidence that the original House action would prohibit the sale

or lease of cotton allotment by more than 214,000 small farmers with cotton allotments of ten acres or less in six States and a lesser number in 14 additional States leaving them no way to stay in business or without any income from such acreage. Such a situation would be disastrous to these thousands of small farmers and would further reduce the amount of cotton produced in this period of inadequate supply.

Evidence submitted by the Department of Agriculture pointed out that as a result of the House language prohibiting sale or lease of cotton acreage, farms adversely affected in six major States would be as follows:

	Farms
Alabama	41,375
Georgia	31,071
Mississippi	27,970
North Carolina	38,182
South Carolina	24,489
Texas	34,450

Fourteen other States would be affected to a lesser degree.

Of this number 214,000 farms have an allotment of ten acres or less.

We had this experience in 1955 when the Department by refusing to sell cotton and other commodities on hand in the Commodity Credit Corporation used such supply to restrict acreage in cotton thus forcing more than 55,000 farm families off the farm, and largely into our cities. (See pages 31-32 of Part 9 of the printed House Hearings on the 1974 appropriations bill.)

With regard to the provisions of section 610 of the Agricultural Act of 1970 which authorizes funds for cotton research and development, the conference report includes language which limits the amount of funding for this program to \$3,000,000 for research only. In addition, the conference language specifically provides that each project sponsored under this program must have approval by the Secretary of Agriculture as provided by law. The conferees direct that research under this program be coordinated with other cotton research activity of the Department of Agriculture.

This action was taken as a result of the findings of the General Accounting Office and the report of the Department of Agriculture to the Congress. The House Appropriations Committee spelled out directives for the operations of this activity in its report on the 1974 appropriations bill, and such directives, as repeated below, are approved by the conferees.

Excerpt from House Report 93-275

During the past several months, the Committee has received increasingly critical reports on the handling of research and promotional funds in the cotton industry. It would appear that the criticisms are of sufficient stature to warrant an immediate general review by the Department of all activities in this connection in order to make certain that the intent of the law for the use of these funds is being carried out without exception. Immediate corrective action should be taken where deficiencies are noted. The Committee will expect periodic reports informing it of the progress being made in this connection.

The Committee does not wish to pre-judge the merit of these programs at this time. However, in order to provide the maximum benefits from funds made available from the Treasury and from producers as a result of Federal law, the Committee directs the Secretary to maintain annual supervision, including approval in advance, of the use of Federal funds, as well as producer funds which are collected as a result of Federal law; to maintain annual audits of Cotton, Inc., including surveillance of salaries paid and programs sponsored and funds spent; and to require full reports from Cotton Council International as a condition precedent to cooperation in either promotion or research, all in order to obtain

maximum results and to promote the use of American cotton.

We are in the throes of a serious shortage of cotton. Current prices on the cotton market are about three times what they were a year ago. Commodity Credit Corporation stocks of cotton are practically nonexistent. The export demand for cotton is booming. Many of the textile mills in this country are unable to obtain sufficient supplies of cotton. Additional research breakthroughs in lowering production costs and increasing supplies are vital.

The conferees are in agreement that to obtain coordination, to avoid duplication of effort, and to obtain maximum results funds available for this program under the one dollar per bale check-off (7 U.S.C. 2106) shall be subject to the same scrutiny by the Secretary of Agriculture as those provided under section 610 of the Agricultural Act of 1970.

SCIENCE AND EDUCATION PROGRAMS

Agricultural Research Service

Amendment No. 5: Appropriates \$175,938,400 for Agricultural Research Service instead of \$172,790,000 as proposed by the House and \$178,946,900 as proposed by the Senate. The increase over the amount provided by the House includes \$200,000 for research on smut disease affecting sugar production; \$500,000 for establishment of a Tropical Agriculture and Training Center; \$750,000 for staffing of the Meat Animal Research Center at Clay Center, Nebraska; \$800,000 for soybean research; \$300,000 for staffing the Human Nutrition Laboratory at Grand Forks, North Dakota; \$100,000 for staffing the laboratories at Corvallis, Oregon and Puyallup, Washington; \$75,000 for saline seep research in Montana; \$32,000 for peach tree life research; \$20,000 for wild rice research; \$41,800 for continuation of research at Hood River, Oregon; \$300,000 for expanded research on non-lethal methods of predator control; \$22,400 for pecan research; \$125,000 for Tropical Fruit Fly research; \$58,200 for revegetation of strip mined areas; and \$24,000 for grass breeding research at Mandan, North Dakota.

The conferees are in agreement that with-in available funds a research contingency fund of \$250,000 shall be established for continued contract research to improve utilization and the development of cottonseed products in the food protein areas.

The conferees direct the Department to perform an analysis of additional research needs required to increase soybean production to more adequately meet existing demand and to advise the House and Senate Appropriations Committees accordingly.

The Department is also directed to provide the House and Senate Appropriations Committees with a report indicating what efforts have been made to date to devise a means of extracting ethyl alcohol from grain for use as fuel and what has been accomplished in this connection.

In regard to the \$680,000 in the Senate bill for planning for a dairy cattle management and forage research laboratory to be located in Wisconsin, the Senate has receded. The conferees agree that the Department should look into this matter and report their findings to the Congress.

Staffing for Agricultural Research Laboratories has been insufficient for several years. The Department is directed to take the necessary action to improve this situation at the earliest possible date. The additional staffing for laboratories funded in this bill has purposely been kept to a minimum in recognition of the difficulty that has been experienced in obtaining adequate staffing of laboratories.

Amendment No. 6: Deletes language proposed by the Senate providing that \$830,000 of funds appropriated shall remain available until expended for plans, construction, and improvement of facilities.

Amendment No. 7a: Deletes language proposed by the Senate earmarking \$100,000 of

funds appropriated for conducting a study to determine the feasibility of extracting fuel from grain.

Amendment No. 7b: Deletes language proposed by the Senate earmarking \$18,000 of funds provided for the purpose of offsite improvements adjacent to the Grain Marketing Research Laboratory, Manhattan, Kansas.

Scientific Activities Overseas

(Special Foreign Currency Program)

Amendment No. 8: Appropriates \$5,000,000 for Scientific Activities Overseas as proposed by the House instead of \$10,000,000 as proposed by the Senate.

Animal and Plant Health Inspection Service

Amendment No. 9: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment with an amendment providing \$285,925,000 for Animal and Plant Health Inspection Service instead of \$287,171,000 as proposed by the House and \$342,871,000 as proposed by the Senate. The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate. The reduction below the amount provided by the Senate includes \$49,000,000 for repayment to the Commodity Credit Corporation; \$6,700,000 for construction of a quarantine facility at Fleming Key, Florida; and \$1,246,000 for screwworm eradication in Mexico.

The conferees direct the Department to immediately evaluate the overall need for additional quarantine facilities and if urgently needed now, various alternatives available to alleviate this situation should be reported to the Office of Management and Budget for inclusion in any supplemental request to the Congress for consideration by the Congress.

Amendment No. 10: Deletes language proposed by the Senate earmarking \$49,000,000 for repayment to the Commodity Credit Corporation.

Amendment No. 11: Deletes language proposed by the Senate earmarking \$6,700,000 to remain available until expended for plans, construction, and improvement of facilities.

Cooperative State Research Service

Amendment No. 12: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment with an amendment providing \$70,104,000 for payment to Agricultural Rural Experiment Stations under the Hatch Act and penalty mail instead of \$68,565,000 as proposed by the House and \$69,104,000 as proposed by the Senate. The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate. The increase over the amount proposed by the Senate includes an additional \$1,000,000 for pay increase costs.

Amendment No. 13: Provides \$6,203,000 for cooperative forestry research instead of \$5,962,000 as proposed by the House and \$6,444,000 as proposed by the Senate.

Amendment No. 14: Provides \$11,583,000 for contracts and grants for scientific research as proposed by the Senate instead of \$11,183,000 as proposed by the House.

Amendment No. 15: Provides \$1,500,000 for rural development research instead of \$500,000 as proposed by the House and \$2,500,000 as proposed by the Senate.

Amendment No. 16: Appropriates \$89,880,000 in total for Cooperative State Research Service instead of \$86,700,000 as proposed by the House and \$90,121,000 as proposed by the Senate.

Extension Service

Amendment No. 17: Provides \$137,717,000 for cooperative agricultural rural extension work instead of \$134,217,000 as proposed by the House and \$141,217,000 as proposed by the Senate. The increase over the amount provided by the House includes \$2,500,000 for

increased salary costs of Extension personnel; and \$1,000,000 for penalty mail.

Amendment No. 18: Provides \$1,500,000 for rural development education instead of \$500,000 as proposed by the House and \$2,500,000 as proposed by the Senate.

Amendment No. 19: Appropriates \$199,527,000 in total (excluding Federal administration and coordination costs) for the Extension Service instead of \$195,027,000 as proposed by the House and \$204,027,000 as proposed by the Senate.

Amendment No. 20: Deletes language proposed by the Senate providing \$15,000 for employment of consultants. The conferees are in agreement that the Washington office of the Extension Service shall provide full and complete liaison assistance to the 1890 Land Grant Colleges and Tuskegee Institute in order to assure that programs at these institutions are productive and efficient.

AGRICULTURAL ECONOMICS

Statistical Reporting Service

Amendment No. 21: Appropriates \$22,859,200 for the Statistical Reporting Service as proposed by the Senate instead of \$22,834,200 as proposed by the House.

Economic Research Service

Amendment No. 22: Appropriates \$15,780,000 for the Economic Research Service instead of \$15,505,000 as proposed by the House and \$15,880,000 as proposed by the Senate. The increase of \$275,000 over the amount provided by the House is for economic research and statistical data on predator control and problems as they relate to the livestock industry.

Amendment No. 23: Deletes language proposed by the Senate earmarking \$100,000 for a study of the existing crisis in rural transportation. However, the conferees direct the Department to analyze existing data relative to the current crisis in rural transportation and provide the House and the Senate with a summary of the information.

MARKETING SERVICES

Agricultural Marketing Service

Marketing Services

Amendment No. 24: Appropriates \$34,865,000 for marketing services as proposed by the Senate instead of \$34,528,000 as proposed by the House.

Funds for Strengthening Markets, Income, and Supply (Section 32)

Amendment No. 25: Provides \$508,560,000 as proposed by the House instead of \$510,560,000 as proposed by the Senate.

Amendment No. 26: Deletes language proposed by the Senate earmarking \$2,000,000 to assist local public or nonprofit agencies with the cost of distributing supplemental foods to pregnant and lactating women and to infants.

Public Law 92-433 which was approved on September 26, 1972 authorized a special supplemental food program for pregnant or lactating women and infants determined to be nutritional risks because of inadequate nutrition and inadequate income. The Act authorized a program for fiscal year 1973 and 1974.

The Department had not issued implementing regulations by the spring of 1973. As a result court action was brought against the Department and a U.S. District Court ordered the Department to implement the program as expeditiously as possible. Regulations were issued in July 1973.

Action has been postponed on the Senate increase since the Food and Nutrition Service is currently reviewing the proposals received from bidders who responded to a request for proposal to carry out the medical evaluation necessary in carrying out the program. A technical panel was established to review and evaluate the technical aspects of these proposals prior to submission to the Agency's Board of Contract Awards. This

panel includes eminent medical personnel who are outstanding experts in their respective fields of pediatrics, obstetrics, and nutrition. FNS expects to award the evaluation contract in the near future.

Packers and Stockyards Administration

Amendment No. 27: Appropriates \$4,054,650 for Packers and Stockyards Administration as proposed by the House instead of \$4,154,650 as proposed by the Senate.

INTERNATIONAL PROGRAMS

Foreign Agricultural Service

Amendment No. 28: Appropriates \$25,805,000 as proposed by the House for Foreign Agricultural Service instead of \$26,000,000 as proposed by the Senate.

Amendment No. 29: Appropriates \$239,051,000 for title I of the Agriculture Trade Development and Assistance Act of 1954 instead of \$189,051,000 as proposed by the House and \$289,051,000 as proposed by the Senate.

The conferees are in agreement these funds shall not be used in a manner to further aggravate the current food situation in this country. In addition, the conferees direct that there shall be no sales for soft currencies to any country the recipient of which is engaged in the sale of the same commodity.

Amendment No. 30: Appropriates \$314,587,000 for title II of the Agriculture Trade Development and Assistance Act of 1954 instead of \$264,587,000 as proposed by the House and \$364,587,000 as proposed by the Senate.

Amendment No. 31: Deletes language proposed by the Senate making the availability of this appropriation contingent upon enactment of necessary legislative authorization.

TITLE II—RURAL DEVELOPMENT PROGRAMS

Department of Agriculture

The conferees are concerned with the action of the Government in freezing funds and reducing personnel of existing rural development programs such as housing, sewer and water grants and loans, rural electrification loans and other programs while promoting by public announcement the Rural Development Act (Public Law 92-419) without action or apparent plan or purpose. This was not the intent of Congress. The Rural Development Act was enacted to amplify and extend existing and needed services to the rural areas of this country. The following tabulation indicates the extent of rural development activities administered prior to the enactment of the new legislation which have been adversely affected by governmental action.

ACCOMPLISHMENTS IN RURAL DEVELOPMENT UNDER AUTHORITIES PREDATING THE RURAL DEVELOPMENT ACT OF 1972

	Number	Amount (thousands)
FHA¹		
Community loans and grants:		
Water and waste disposal loans....	9,956	\$1,836,536
Water and waste disposal grants....	5,179	263,961
Recreation loans to associations....	977	105,968
Recreation loans to individuals....	231	7,208
Watershed works of improvement....	319	72,394
Flood prevention.....	26	3,774
Resource conservation and development.....	161	13,168
Subtotal, community programs....	16,849	2,303,009
Housing loans and grants:		
Individual building loans.....	724,370	7,961,285
Rural rental housing loans.....	3,115	244,037
Farm labor housing loans.....	283	31,451
Farm labor housing grants.....	52	23,838
Mutual and self-help housing site loans.....	67	5,069
Mutual and self-help housing grants.....	48	7,067

	Number	Amount (thousands)
Housing loans and grants—Continued		
Rural housing buildings grants to individuals.....	10,553	8,196
Subtotal, FHA housing.....	738,488	8,277,943
Total, FHA.....	755,337	10,580,952
REA²		
Electric loans.....	17,570	8,746,398
Telephone loans.....	3,987	2,002,537
Telephone bank loans.....	221	240,913

¹ Since 1939 or program initiation through 1973.

² Since 1936 or program inception through 1973.

The conferees fully endorse the objectives of the Rural Development Act, but are convinced the enactment of new authority was to amplify, coordinate and enlarge existing programs that have proved their worth through the test of time and experience.

Section 817 of Public Law 93-86 provides "no grant or loan authorized to be made under this act shall require or be subject to the prior approval of any officer, employee, or agency of any State." The conferees direct that those responsible for the administration of the Rural Development Act abide by this provision of the law in order that program development may be administered on an efficient and practical basis.

While funding has been provided in the amount of \$200,000,000 for rural industrial development, the conferees have some reservation regarding the ability of the Department of Agriculture to administer this phase of the program in an effective manner because of lack of previous experience in this type of endeavor. Departmental officials are therefore directed to take the fullest possible advantage of the expertise available in this area that can be obtained from the Economic Development Administration or the Small Business Administration, and to make efforts to obtain trained personnel from such agencies, the numbers of which shall be in addition to any existing or hereafter imposed personnel ceiling.

Rural Development Grants and Technical Assistance

Amendment No. 32: Appropriates \$10,000,000 for rural development grants and technical assistance instead of \$5,000,000 as proposed by the House and \$20,000,000 as proposed by the Senate.

The Department is directed to keep the House and Senate Appropriations Committees fully advised of progress being made in this program and to take advantage to the maximum extent possible of the expertise of personnel in other departments of the government who have had extensive experience in this type of program. The increase over the amount provided by the House is for grants for community facilities.

Soil Conservation Service

Resource Conservation and Development

The conferees are in agreement with the Senate report language which recommends 25 new project starts instead of 15 programmed in the budget estimate.

More favorable consideration must be given to the operations of the Soil Conservation Service in connection with personnel limitations. The work of this agency has greatly expanded especially with the requirement that Environmental Impact Statements be prepared for each project. Yet the conferees note that the personnel allowance has decreased from 14,457 in fiscal year 1970 to 13,060 in fiscal year 1974.

Rural Electrification Administration

Amendments Nos. 33 and 34: Provide that insured loans pursuant to authority of section 305 of Public Law 93-32 shall be not less than \$618,000,000 but not more than \$750,000,000 as proposed by the Senate instead of the House provision which stipulated a loan level of \$618,000,000.

Amendments Nos. 35 and 36: Provide a loan level for rural telephone loans of not less than \$140,000,000 but not more than \$200,000,000 as proposed by the Senate instead of the House provision which stipulated a loan level of \$140,000,000.

The Congress passed and the President signed on May 11, 1973, P.L. 93-32 following a long dialogue with the Administration which was to be the basis for funding REA programs—from the Rural Electrification and Telephone Revolving Fund to the extent of its assets—and that P.L. 93-32 would be promptly implemented by the REA Administrator. This has not happened. Under P.L. 93-32, the Administrator was both authorized to make insured loans at 5%, and to guarantee non-Federal loans at interest rates to be agreed upon by the borrower and lender. Insured electric loans were to be made available under Congressional mandates that assured a loan program of not less than \$618 million nor more than \$750 million. The REA's "guarantee" authority was written to facilitate and support the ability of REA borrowers to obtain loans from non-REA lenders at prevailing market interest rates and terms when their borrowing needs are beyond the fund available for REA insured loans.

Now, over four months after the passage of Public Law 93-32, and nine months after the termination of the previous programs on January 1, 1973, the Administration has still not implemented REA's loan "guarantee" program.

To end this delay, and to assure the availability of credit to the REA, an amendment was proposed to the 1974 Agriculture Appropriation Act to implement the loan guarantee program by preventing the payment of certain salaries and expenses for persons associated with that delay. However, the amendment was withheld upon receiving assurances from the Director of the Office of Management and Budget that he would recommend and support implementation of this program.

In addition to these explicit comments and assurances, the Conference wants to make clear that the Office of Management and Budget also provided assurance that insofar as OMB was involved, all additional roadblocks to the implementation and operation of these REA programs would be removed imminently.

Farmers Home Administration Rural Housing Insurance Fund

Amendments Nos. 37, 38, and 39: Provide insured loan levels of \$2,144,000,000 as proposed by the Senate instead of \$1,500,000,000 as proposed by the House. The amendments also provide that of the total not less than \$1,200,000,000 shall be available for subsidized interest loans to low-income borrowers, instead of \$500,000,000 as proposed by the House.

Amendment No. 40: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment providing language to authorize the Secretary of Agriculture to sell any notes in the fund or to sell certificates of beneficial ownership therein to the Secretary of the Treasury, to the private market, or to such other sources as the Secretary may determine.

Amendment No. 41: Provides technical correction proposed by the Senate.

Agricultural Credit Insurance Fund

Amendment No. 42: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment providing language to authorize the Secretary of Agriculture to sell any notes in the fund or to sell certificates of beneficial ownership therein to the Secretary of the Treasury, to the private market, or to such other sources as the Secretary may determine.

Rural Housing for Domestic Farm Labor

Amendment No. 43: Appropriates \$7,500,000 instead of \$5,000,000 as proposed by the House and \$15,000,000 as proposed by the Senate. The conferees direct the Secretary of Agriculture to review existing regulations to assure that the program is administered in accord with the intent of Congress; that the program should be directed at those who need it; and that local sponsors should provide as much of the costs as they can from their own resources.

Mutual and Self-Help Housing

Amendment No. 44: Appropriates \$4,000,000 for mutual and self-help housing instead of \$3,000,000 as proposed by the House and \$5,000,000 as proposed by the Senate.

Rural Development Insurance Fund

Amendments Nos. 45, 46 and 47: These amendments all involve loan levels for water, sewer, industrial development, and other community facilities. The House bill provided \$445,000,000 for water and sewer loans and \$50,000,000 for other community facility loans. The Senate bill provided \$545,000,000 for water, sewer and community facility loans. For industrial development loans, the House bill provided \$100,000,000 and the Senate bill provided \$400,000,000.

With respect to water and sewer loans the conferees agreed to \$470,000,000. The conferees agreed to \$50,000,000 for community facility loans and for industrial development loans the conferees agreed to \$200,000,000.

The conferees are extremely disappointed by the Department's failure to develop a plan for the use of these industrial development loans. The conferees strongly support this program but did not feel it prudent to agree to the higher loan authorization level until the Department knows how to proceed with the program. Once such a plan is developed, the conferees agree that they will be inclined to look with favor upon funding requests.

To effectuate the conference agreements, the amendments would be disposed of as follows:

Amendment No. 45: The Senate recedes.

Amendment No. 46: Provides \$470,000,000 for water and sewer loans.

Amendment No. 47: Provides \$200,000,000 for industrial development loans and \$50,000,000 for community facility loans.

Amendment No. 48: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment. The Senate bill provided language that would allow the Secretary of Agriculture to sell notes or certificates in the Rural Development Insurance Fund. In addition, the Senate bill also provided that loans provided to rural communities under the Rural Development Insurance Fund may allow for a grace period of not to exceed three years on the repayment of principal and interest on direct and insured loans if they have serious economic problems that such industrial expansion would help to alleviate. The conferees agreed to the language providing for the sale of notes or certificates but did not agree to the three year grace period. The conferees will expect the Department to report to the Committees on the need for such a grace period. The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

TITLE III—ENVIRONMENTAL PROGRAMS

Council on Environmental Quality

The conferees agree that of the \$715,000 provided in both the House and Senate versions of the bill for research studies, not less than \$400,000 shall be utilized for carrying out the research studies specified by the House Report. The conferees will expect the Council, in the future, to justify their requests for research funds in detail.

Environmental Protection Agency Personnel Ceilings

The conferees are concerned about the apparent lack of coordination between the Washington office of EPA and the Regional Office. Far too much delay is being encountered because of this lack of coordination. To help improve this situation the bill as passed by both the House and Senate provided for 232 new positions for the Agency. However, the House bill had eliminated 345 other new positions requested by the Agency. The Senate bill restored these 345 positions. The conferees have agreed to include 173 of the positions eliminated in the House bill. The action of the conferees will establish a year-end ceiling of 9,263 permanent positions. However, this ceiling may be revised upward to reflect the transfer of temporary employees to permanent status.

The conferees direct that the 405 additional positions provided for fiscal year 1974 shall not be included in any personnel or monetary ceiling heretofore or hereafter applied, levied or charged against the Agency and shall be considered an incremental increase to be accounted for separately.

Agency and Regional Management

Amendment No. 49: Appropriates \$49,675,000 for agency and regional management activities instead of \$49,475,000 as proposed by the House and \$50,375,000 as proposed by the Senate. The Senate bill restored House reductions of \$500,000 for temporary employees and \$400,000 for permanent employees. The conferees agree that \$200,000 above the House amount shall be available for permanent employees. The Senate recedes from the increase of \$500,000 for temporary employees.

Amendment No. 50: The House bill provided that the Environmental Protection Agency prepare environmental impact statements as required by the National Environmental Policy Act, the same as all other agencies of the Federal Government. The Senate bill provided that the Agency prepare "environmental explanations" rather than environmental impact statements. The conferees agree that the Agency shall be required to prepare environmental impact statements on all major actions of the Agency having a significant impact on the environment.

Because of the need to maintain a common sense approach to our efforts to improve and restore our environment, all points of view need to be heard and taken into consideration. Therefore, the conferees expect the Administrator of the Environmental Protection Agency and the Chairman of the Council on Environmental Quality to work with the Secretary of Commerce so that the advice and recommendations of private industry, so essential to the economy and well-being of the people, will be given full consideration in the formulation of environmental policy.

It is the opinion of the conferees that had the Agency prepared environmental impact statements and given consideration to such things as cost to consumers and producers our present and foreseeable energy problems would likely not be as serious as they now appear to be.

Research and Development

Amendment No. 51: Provides language which will allow the Agency to purchase uniforms and lab coats as proposed by the Senate.

Amendments Nos. 52 and 53: Appropriate \$161,775,000, of which \$9,000,000 will be derived from unexpended balances, instead of \$154,175,000 (which included \$13,000,000 in unexpended balances) as proposed by the House and \$182,975,000 (which included \$9,000,000 in unexpended balances) as proposed by the Senate.

The conferees concurred in the House reduction of \$1,000,000 for temporary employees. The Senate had restored the House reduction of \$1,000,000.

The conferees agreed to a reduction of \$200,000 for permanent employees instead of a reduction of \$400,000 as proposed by the House.

The conferees agreed to an increase of \$10,000,000 to speed up initiation and implementation of new sulfur dioxide control techniques to existing large coal fired electrical generation plants instead of an increase of \$20,000,000 as proposed by the Senate.

The Senate receded on the proposed increase of \$5,000,000 for Sec. 208 grants.

The House receded on the Senate reduction of \$3,600,000 for the Solid Waste Program. The Agency proposed transferring \$3,600,000 from Research and Development to Abatement and Control to more accurately reflect the workload of the program.

The House receded on the Senate increase of \$1,000,000 for Solid Waste Research.

The Senate receded on the general reduction proposed by the House. The bill provides increases of \$5,000,000 for research on pesticides and \$5,000,000 for preparation of environmental impact statements. Funds for some of this work had been included in the budget estimate, therefore, the conferees agreed to the general reduction proposed by the House.

Abatement and Control

Amendment No. 54: Provides language which will allow the Agency to purchase uniforms and lab coats as proposed by the Senate.

Amendments Nos. 55 and 56: Appropriate \$257,100,000, of which \$3,700,000 will be derived from unexpended balances, for abatement and control activities. The House proposed \$251,100,000 (which included \$5,700,000 in unexpended balances) and the Senate proposed \$258,500,000 (which included \$1,700,000 in unexpended balances).

The conferees concurred in the House reduction of \$1,000,000 for temporary employees. The Senate had restored the House reduction of \$1,000,000.

The conferees agreed to a reduction of \$400,000 for permanent employees instead of a reduction of \$800,000 as proposed by the House.

The House concurred in the transfer of \$3,600,000 from Research and Development to Abatement and Control as proposed by the Senate.

The House receded in the Senate increase of \$2,000,000 for initial funding of Sec. 115 of P.L. 92-500 to begin the identification and removal of toxic pollutants from harbor areas.

Amendment No. 57: Reported in technical

disagreement. The managers on the part of the House will move to recede and concur in the Senate amendment. The Senate bill added language making funds available to carry out section 104(g) (1) and (2) of the Federal Water Pollution Control Act. The authorization for both of these sections expired on June 30, 1973.

Amendment No. 58: The Senate receded in the proposed increase of \$15,000,000 for carrying out section 314 of the Federal Water Pollution Control Act. The conferees will expect the Agency to expedite their work in connection with the identification of eutrophic lakes and develop a program to carry out their restoration. Once such a program has been developed, the plan should be submitted to the appropriate committees of Congress for review.

Amendment No. 59: Reported in technical disagreement. The managers on the part of the House will move to recede and concur in the Senate amendment. The Senate added language which provides for the transfer of \$15,000,000 to the Agricultural Conservation Program (REAP) for conservation and pollution abatement practices including animal waste storage and diversion facilities.

Enforcement

Amendment No. 60: Provides language which will allow the Agency to purchase uniforms and lab coats as proposed by the Senate.

Amendment No. 61: Appropriates \$46,150,000 for enforcement activities instead of \$45,950,000 as proposed by the House and \$46,850,000 as proposed by the Senate. The Senate receded on the increase of \$500,000 for temporary employees. The Senate had restored the House reduction of \$400,000 for permanent employees and the conferees agreed to a reduction of \$200,000 or \$200,000 above the House bill.

Construction Grants

Amendment No. 62: Deletes language providing that EPA shall obligate no less than \$200,000,000 for reimbursement for waste treatment facilities built between 1956 and 1966 as proposed by the Senate.

Scientific Activities Overseas

(Special Foreign Currency Program)

Amendment No. 63: Appropriates \$2,000,000 for scientific activities overseas as proposed by the House instead of \$4,000,000 as proposed by the Senate.

National Commission on Water Quality

Amendment No. 64: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment with an

amendment, the effect of which will be to provide \$10,000,000 for the Commission as proposed by the Senate. In addition, the House amendment will also extend the availability of the funds until June 30, 1975 and prohibit the use of the funds to delay any existing project heretofore authorized. The conferees also agreed to change the name of the Commission to reflect the new name officially adopted by the members of the Commission. The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

Farmers Home Administration and Housing and Urban Development Water and Sewer Grants

The Conferees wish to express their concern over the need to implement the HUD and FHA water and sewer programs as provided in the bill. Both the House and Senate versions of the bill were identical; therefore, the water and sewer program funding was not an item in conference. The bill provides for the FHA program an appropriation of \$30,000,000 and the reappropriation of \$120,000,000 in frozen funds for a total program level of \$150,000,000 in 1974. In the case of HUD, the bill provides for the reappropriation of \$400,000,000 in frozen prior year funds, including \$100,000,000 to be transferred to EPA to start the Great Lakes Program.

Both of these highly important programs were cancelled by the Administration during fiscal year 1973, and the Great Lakes Program was never started. Part of the rationale given is that \$5 billion was provided to EPA for the construction grant program and P.L. 92-500 gave EPA the authority to make sewer grants; therefore, there was no longer a need for the FHA and HUD programs. While EPA does have the authority to make sewer grants, the agency does not have the authority to make grants for water systems, as do the FHA and HUD programs. Moreover, EPA's grants are made on the basis of a priority listing developed by the States and traditionally sewer systems are of low priority, as compared to treatment plants.

In addition to the above, P.L. 92-500 changed the allocation formula of how funds were distributed to the States. In terms of the \$5 billion made available for grants during fiscal years 1973 and 1974, this change in formula resulted in 19 States receiving more funds than under the old formula, but 31 States receiving a reduction in funds. For example, the four largest increases and the four largest decreases were in the following States:

	Old formula	New formula	Change		Old formula	New formula	Change
New Jersey.....	\$172,916,450	\$385,200,000	+\$212,283,550	Texas.....	\$269,923,250	\$138,470,000	-\$131,453,250
Michigan.....	213,978,550	399,070,000	+185,091,450	North Carolina.....	123,150,750	46,145,000	-77,005,750
Maryland.....	94,982,250	212,910,000	+117,927,750	Alabama.....	83,933,150	18,060,000	-65,873,150
New York.....	437,697,550	552,890,000	+115,192,450	Georgia.....	111,263,400	48,650,000	-62,613,400

In reviewing the 31 States that lost funds as a result of the formula change; clearly, rural America was the big loser. The FHA and HUD programs were a major factor in the effort of rural America toward a better life. The change in the allocation formula plus the cancellation of the FHA and HUD water and sewer programs were a severe blow to this effort.

Therefore, the Conferees direct that the FHA and HUD water and sewer programs be reestablished at the level provided by this bill. Reestablishment of these important programs will help to offset to some degree the losses sustained by rural America by the formula change in the distribution of EPA construction grant funds.

DEPARTMENT OF AGRICULTURE

Soil Conservation Service

Conservation Operations

Amendment No. 65: Deletes language proposed by the Senate authorizing necessary expenses for carrying out responsibilities under section 302 of the Rural Development Act of 1972 (Public Law 92-419).

Amendment No. 66: Appropriates \$160,000,000 for conservation operations as proposed by the House instead of \$168,069,000 as proposed by the Senate.

The conferees are in agreement that more favorable consideration must be given to the operations of the Soil Conservation Service with regard to the imposition of personnel

limitations because of the increased workload resulting from expanded operations and additional duties being incurred by the requirement for filing environmental impact statements. Additional personnel needed to carry out the programs under the increased funding provided in this bill shall be in addition to any personnel limitations heretofore or hereafter imposed. It is most important that the essential services of the Soil Conservation Service not be curtailed.

Watershed Planning

Amendment No. 67: Appropriates \$10,000,000 for watershed planning instead of \$7,053,000 as proposed by the House and \$12,000,000 as proposed by the Senate.

Agricultural Stabilization and Conservation Service

Agricultural Conservation Program (REAP)

Title X of the Agriculture and Consumer Protection Act of 1973 (Public Law 93-86) provides for a "Rural Environmental Conservation Program." The conferees are in agreement that funds and authorities provided in this bill to the Agricultural Stabilization and Conservation Service for the Agricultural Conservation Program (REAP) shall also be available for the Rural Environmental Conservation Program.

County ASCS Committees shall retain authority to select and approve cost sharing practices, including the application of minerals or other materials where such Committees find such practices essential to land development or preservation. The conferees further direct that State and County ASCS Committeemen should not be arbitrarily dismissed.

Many of the practices authorized under the Rural Environmental Conservation Program will involve multi-year programs on a contractual basis. For the purpose of computing new obligatory authority for each fiscal year in these instances, only the amount of obligation for a particular fiscal year shall be considered. To include the total obligation of the contractual period in any one fiscal year would greatly reduce the annual scope of program activity under this program.

Under the provisions of the Soil Conservation and Domestic Allotment Act of 1936, the Agricultural Stabilization and Conservation Service has provided financial assistance for tree planting for forestry purposes and timber stand improvement practices. Assistance for tree planting has been available since 1958. Under these practices, over one million farmers have planted about 5.5 million acres with cost-share systems amounting to approximately \$120 million. The number of trees planted on the 5.5 million acres is about 4.9 billion trees. Practically all States have participated in this phase of the program.

Section 1009 of the Agriculture and Consumer Protection Act of 1973 (Public Law 93-86) provides for a forestry incentives program. It is to be noted that the legislation stipulates that "The programs, contracts, and authority authorized under this title shall be in addition to and not in substitution for, other programs in such areas authorized by this or any other title or act. . . ." In view of previous experience gained in this program, the conferees direct that the Agricultural Stabilization and Conservation Service administer the so-called "forestry incentives program" in conjunction with the tree planting program that the agency has administered since 1926.

Water Bank Act Program

Amendment No. 68: Appropriates \$10,000,000 for the Water Bank Act Program as proposed by the Senate.

TITLE IV—CONSUMER PROGRAMS

DEPARTMENT OF HEALTH, EDUCATION AND WELFARE

Office of Consumer Affairs

Amendment No. 69: Reported in technical disagreement. The managers on the part of the House will move to recede and concur in the Senate amendment with an amendment, the effect of which will be to provide \$1,140,000 rather than \$1,200,000 as provided by the Senate. The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate. The conferees will expect the Office of Consumer Affairs to obtain necessary legislative authorization prior to the consideration of next year's bill.

Food and Drug Administration

Amendment No. 70: Provides language proposed by the Senate that funds expended for tea inspection by the Food and Drug Administration in fiscal year 1974 shall not exceed the fees collected during the same period.

Federal Trade Commission

Amendment No. 71: Appropriates \$30,600,000 instead of \$29,600,000 as proposed by the House and \$32,090,000 as proposed by the Senate. The conference agreement includes \$1,000,000 for a study of the energy industry. This study shall be in conjunction with the study made heretofore which was limited to the petroleum industry and shall include a report to the Committee and to the Congress at the earliest practicable moment consistent with compiling an adequate study. As in the earlier petroleum study, the study should also include consideration of the effects of decisions by government departments and agencies, including environmental agencies, on the price and supply of energy. The study shall be conducted within the regular organizational structure of the Federal Trade Commission and under normal procedures. The conferees have not restored the 40 positions deleted by the House because of the failure to fill all of the 130 positions provided by Congress last year.

DEPARTMENT OF AGRICULTURE

Food and Nutrition Service

Child Nutrition Programs

Amendment No. 72: Appropriates \$696,918,000 for the Child Nutrition Programs instead of \$690,918,000 as proposed by the House and \$702,918,000 as proposed by the Senate.

Amendment No. 73: Provides \$22,110,000 for nonfood assistance instead of \$16,110,000 as proposed by the House and \$28,110,000 as proposed by the Senate.

Special Milk Program

Amendment No. 74: Appropriates \$97,123,000 for the Special Milk Program as proposed by the Senate instead of \$25,000,000 as proposed by the House. This amount shall be available to carry out the special school milk program pursuant to appropriate legislative authorization. The conferees wish to make certain that milk is made available to all school children.

Food Stamp Program

Amendment No. 75: Appropriates \$2,500,000,000 for food stamps as proposed by the Senate instead of \$2,200,000,000 as proposed by the House. The conferees have agreed to \$2,500,000,000, the same as the amount appropriated for fiscal year 1973 but \$300,000,000 more than the budget request, because of recent actions by the Congress. At the time the Department appeared before the House Committee, the Committee was assured that the figure of \$2,200,000,000 would meet all known requirements under the law. However, with the recent passage of the Farm Bill eligibility for this program was greatly expanded. The conferees were advised that a supplemental budget request in excess of \$700,000,000 is currently being developed by the Executive Branch to meet this broadened eligibility. Therefore, the conferees agreed to the \$2,500,000,000 which should result in reducing the amount that will have to be provided by a supplemental appropriation.

CONFERENCE TOTAL—WITH COMPARISONS

The total new budget (obligational) authority for the fiscal year 1974 recommended by the Committee of Conference, with comparisons to the fiscal year 1973 total, the 1974 budget estimate total, and the House and Senate bills follows:

New budget (obligational) authority, fiscal year	
1973	\$12,738,992,700

Budget estimates of new

(obligational) authority, fiscal year 1974	9,519,550,600
House bill, fiscal year 1974	9,385,737,600
Senate bill, fiscal year 1974	10,176,926,500
Conference agreement	9,927,667,000
Conference agreement compared with—	
New budget (obligational) authority, fiscal year 1973	-2,811,325,700
Budget estimates of new (obligational) authority (as amended), fiscal year 1974	+408,116,400
House bill, fiscal year 1974	+541,929,400
Senate bill, fiscal year 1974	-249,259,500

The conference report is \$2.8 billion below last year's appropriation. \$300 million has been added for food stamps because eligibility requirements were liberalized in the Farm Bill which was passed after both houses had acted on the bill. The conferees have been advised that a supplemental in excess of \$700,000,000 for the food stamp amendments is currently being considered in the Executive Branch. The effect is that the present conference agreement is \$408,116,400 above the present budget request, but is well within the budget request which is in process.

JAMIE L. WHITTEN,
GEORGE E. SHIPLEY,
FRANK E. EVANS,
BILL D. BURLISON,
WILLIAM H. NATCHER,
NEAL SMITH,
BOB CASEY,
GEORGE MAHON,
MARK ANDREWS,
ROBERT H. MICHEL,
BILL SCHERLE,
J. K. ROBINSON,
ELFORD A. CEDERBERG,

Managers on the Part of the House.

GALE W. MCGEE,
JOHN L. MCLELLAN,
WILLIAM PROXMIER,
ROBERT C. BYRD,
HERMAN E. TALMADGE,
HIRAM L. FONG,
ROMAN L. HRUSKA,
MILTON R. YOUNG,

Managers on the Part of the Senate.

COMMENDATION OF PRESIDENT FOR ACTION TO STOP DISCRIMINATION AGAINST WOMEN

(Mrs. GRIFFITHS asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. GRIFFITHS. Mr. Speaker, it is possible I do not agree with all parts of the housing message, but I should like to tell the Members one thing. It is the first time in American history, I believe, that a President of the United States has singled out women as being a discriminated-against class in an individual law and has asked that such discrimination be cured. I applaud the President for his action, and I hope he will look at the rest of the laws.

THE MILITARY ALL-VOLUNTEER CONCEPT—FOURTH SEGMENT

(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, to continue my 1 minute speeches on the volunteer concept, by hard recruiting the Army National Guard has in most States kept its strength levels up; however, the Army Guard has a shortfall of 18,000.

If the Congress will pass enlistment and reenlistment bonuses and the full-time life insurance legislation, then the Army Guard should be able to maintain its strength levels.

The Air Guard was the only Reserve unit to be given an increase in personnel by the Congress. They are keeping their strengths up, but they do need incentives.

Mr. Speaker, I cannot understand why we can give incentives to the Regulars like they are going out of style but none to the Reserves.

The only incentive given to the Army National Guard recently is that long-haired guardsmen can now wear wigs to cover their long hair, but these wigs must be dark, blond, or gray, but not purple, as one guardsman showed up at summer camp wearing. However, the Air Guard has not permitted its airmen to wear wigs up to this time.

Yes, Mr. Speaker, things certainly have changed in the military since you and I served. Would you believe what color a soldier's wig should be is now an important decision?

REPORT ON PARKING

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

Mr. SISK. Mr. Speaker, I simply would like to alert the membership to the fact that the Committee on Parking has been striving to increase the amount of parking for our staff people.

We have received a very large number of requests for additional parking.

We feel that we are making progress. I simply am taking this opportunity to place some remarks in the Record outlining the procedure through which we are moving certain set-hour employees to an adjacent parking lot near the R. F. K. Stadium, and we will be busing these people to and from the Capitol.

Mr. Speaker, we are getting a few kicks because some of these people, for some reason, seem to feel that they have an inherent right to park right in a particular spot.

We know that we are at least a couple thousand parking spaces short. All I ask is that the Members bear with us. We are moving ahead. We will be moving not only the policemen but employees of the Architect's Office, employees of the Clerk's office, employees of the Building Superintendent, and so on, in stages out to this parking lot. We will continue to give them security for their automobiles.

Mr. Speaker, we will be able thereby to make available parking spots for the Members' staffs, we hope, very shortly, in additional numbers.

Mr. Speaker, as chairman of the Select Committee on Parking I have been designated by the committee to report to the House on the progress we are making in trying to provide additional parking spaces for our ever-increasing personnel and to improve the overall parking situation on the House side of the Capitol.

First, I should like to thank my distinguished colleague, Chairman BOB CASEY of the Legislative Appropriations Subcommittee for requesting the necessary funds to put these plans into effect.

Second, as you may know we started on August 20 with a plan to utilize the parking lots at R.F.K. Stadium coupled with a regularly scheduled shuttle bus system to add to our usable spaces.

From the beginning our intention was to place most House employees with set working hours at the new facility. We decided to use the Capitol Police as the first group because of the fine cooperation we have received from them in the past.

Following the successful test run with the police and the Library of Congress employees, it is our intention to start parking employees from the Architect's office on September 24; House Office Building personnel on October 1; Clerk's office personnel on October 9; and cafeteria workers on October 15, at the new facility.

As you know we will provide free parking as well as free transportation to and from Capitol Hill. We are currently using GPO, Capitol Police, and Library of Congress buses, but will shortly contract with Metro to provide the transportation.

Once we have completed the schedule for stadium parking it will open up spaces on the Hill which will be made available to Members and committees.

After filling these newly opened spaces we will then also offer spaces at the stadium for Members and committees.

The committee will be conducting a continuing study which will include reorganizing the arrangement of the present spaces within the garages and lots on the House side which will provide even more additional spaces in these garages and lots.

We recognize that many will be inconvenienced, but because all of us are seeking the same goal of adequate parking for all we are sure of having your cooperation.

By minor inconveniences to some who have always had parking we will now be able to provide parking for some who have never had a parking space.

One of our greatest complaints has been from those with lot stickers but no assigned space, who have been forced to drive around for a long time to the various lots but find them all full. Consequently, in our reorganization, the outside lot permit holders will from now on be guaranteed space in a specific lot or area.

Please remember that those who park under House of Representatives auspices will have free parking, free transportation, and guarded parking lots which we all recognize is a very desirable situation

in comparison to other Washington area parking problems.

Needless to say, without your cooperation and that of the others involved this program cannot be successful. I think we all recognize the tremendous problem with which we are faced and only under such a program can we provide the spaces for the great number of requests we presently have.

Hopefully the new plan will go a long way toward correcting our problems.

PARKING FACILITIES FOR INTERN PROGRAM EMPLOYEES

Mr. GROSS. Mr. Speaker, I wonder if the Members who supported the intern-program the other day will now be asking, in view of the shortage of parking spaces, for parking space for the interns they intend to employ at a cost to the taxpayers of \$500 per month for 2 months?

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

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

Mr. SISK. Mr. Speaker, I might say that the gentleman from Iowa (Mr. Gross) is a member of my committee.

In answer to his question, I would hope not. We have at present, as my colleagues know, some 300 or 400 requests from Members for additional spaces for their staffs and for committee staffs, and these are the reasons why we are doing some of the things we are doing. We will make these facilities available, and let us not ask for parking for interns.

MAJORITY LEADER THOMAS P. O'NEILL, JR., SAYS HOUSING MESSAGE IS LIMBO FOLLOWED BY SUSPENDED ANIMATION

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

Mr. O'NEILL. Mr. Speaker, yesterday President Nixon submitted his housing program to the Congress. Unfortunately, the only kind of housing it bears any resemblance to is an ivory tower.

The low- and moderate-income people of this Nation do not need a lesson in housing theory—or a list of things that might work. What they need is housing.

To strip away all the hemming and hawing, President Nixon's message simply says that he has no new proposals to replace the established housing programs that he shut off so brutally last January.

The President is telling us that 8 months of housing limbo will be followed by a year of suspended animation.

For example, President Nixon said that cash payments to the elderly and poor might work. But he did not say he was going to do that. He said he might do it in 1974 or 1975 or whenever.

He spoke of "forward commitments" and "tandem plans" and a jumble of experimental programs that nibble at the problem.

Then he finally fell back on the tested

and functioning programs that Congress has established and that he condemned so roundly last January. He said he would relax his freeze on these programs long enough to let them provide 200,000 new units of housing.

President Nixon seriously aggravated this Nation's housing crunch by shutting off those programs to begin with. Now—once again—he fails to deal with a problem for which he bears major responsibility.

His kind of housing program is not even enough to repair a leaky roof.

CONGRESS ENTERS NEW ERA

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

Mr. BROOKS. Mr. Speaker, I congratulate the distinguished gentleman from Ohio, the chairman of the Committee on House Administration (Mr. HAYS) on his recent breakthrough in improving the informational assets of the Congress.

I refer specifically to the announcement last week that he and Senator CANNON, the able chairman of the Senate Committee on Rules and Administration, had set forth on an integrated congressional bill status system. The Senate is adopting the system developed by the Committee on House Administration. This is a significant step forward, but it is equally important as heralding future unified congressional efforts to improve information capability.

As vice chairman of the Joint Committee on Congressional Operations and previously as a member of the Joint Committee on the Organization of the Congress, I have been aware of the benefits to be derived from such cooperation between the two bodies. To quote Senator CANNON:

This is but one of a number of examples by which a planned cooperative development effort can provide benefits to both the House and the Senate.

Again, I congratulate my colleague (Mr. HAYS) and express my appreciation as a Member who has a longtime interest in improving our computer utilization. I know that such advances take considerable planning, and I commend him for moving ahead in this vital area.

WE MUST CONCENTRATE ON WHAT THE HANDICAPPED CAN DO, NOT UPON WHAT THEY CANNOT DO

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

Mr. FREY. Mr. Speaker, the White House has announced that, starting October 7, we will have a "hire the handicapped week."

This is a great step, but it is not enough. The handicapped at all levels of government and society are either highly

discriminated against or in many instances entirely ignored.

Let me just cite a few examples.

I worked for a year and a half to get a young man into the Navy who had a bad leg. He could not run a 4-minute mile, but I doubt that there is any Member in this House who can run a 4-minute mile. But he wanted to serve his country, and he was not able to because of the law.

I have a nephew who is handicapped because my sister-in-law happened to get caught in the rubella epidemic, like about 100,000 other families, and my nephew is hard of hearing. But he is participating in school, is learning to lip read, and can talk.

Furthermore this young man can do many things that other people cannot do. For instance, he could work around jet engines without having to wear ear plugs.

So, Mr. Speaker, I would say that the emphasis in this country has to be more on what the handicapped people can do, and not upon what they cannot do. What we need in this Nation today is a National Conference on the Handicapped, where we can look at the total problems, from the viewpoint of the handicapped. For instance we know that we have many, many people in wheel chairs, and they are unable to move around freely because there are no inclines at the curbs, or even proper facilities in the bathrooms. I repeat, we need a National Conference on the Handicapped. Therefore I am circulating a dear colleague letter requesting the President to sponsor such a conference. I hope all the Members of the House will join with me in this effort to see what the problems are, and to see what steps must be taken at all levels to help the handicapped and to establish what these Americans can do.

1972 ANNUAL REPORT OF THE ST. LAWRENCE SEAWAY DEVELOPMENT CORPORATION—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 93-154)

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 Public Works and ordered to be printed with illustrations:

To the Congress of the United States:

I herewith transmit the 1972 Annual Report of the St. Lawrence Seaway Development Corporation. This report has been prepared in accordance with section 10 of Public Law 83-358 and covers the period January 1, 1972, through December 31, 1972.

RICHARD NIXON.

THE WHITE HOUSE, September 20, 1973.

REPORT ON 1971 UPLAND COTTON PROGRAM—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER laid before the House the following message from the Presi-

dent of the United States, which was read and, together with the accompanying papers, referred to the Committee on Agriculture:

To the Congress of the United States:

In accordance with the provisions of section 609, Public Law 91-524, I transmit herewith for the information of the Congress the report on the 1971 upland cotton program.

RICHARD NIXON.

THE WHITE HOUSE, September 20, 1973.

CALL OF THE HOUSE

Mr. CEDERBERG. 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. 469]

Adams	Gray	Pike
Alexander	Hanna	Powell, Ohio
Ashbrook	Hansen, Idaho	Rees
Bell	Harsha	Reld
Boggs	Hollifield	Rhodes
Burke, Calif.	Jones, Ala.	Roy
Burke, Fla.	Lott	Sandman
Burleson, Tex.	Lujan	Stanton
Carey, N.Y.	McEwen	James V.
Chisholm	McKinney	Stokes
Clark	Mann	Sullivan
Clay	Millis, Ark.	Talcott
Conyers	Mizell	Teague, Tex.
Dorn	Moorhead, Pa.	Udall
Eckhardt	Murphy, Ill.	Widnall
Esch	Owens	Wolf
Fish	Patman	Young, Tex.
Flynt	Pepper	Zwach

The SPEAKER. On this rollcall 381 Members have recorded their presence by electronic device, a quorum.

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

DOMESTIC VOLUNTEER SERVICE ACT OF 1973

Mr. HAWKINS. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the Senate bill (S. 1148), an act to provide for operation of all domestic volunteer service programs by the ACTION Agency, to establish certain new such programs, and for other purposes, with Senate amendment to the House amendments thereto and agree to the Senate amendment to the House amendments.

The Clerk read the title of the Senate bill.

The Clerk read the Senate amendments to the House amendments as follows:

In lieu of the matter proposed to be inserted by the House engrossed amendment to the text of the bill insert: That this Act, with the following table of contents, may be cited as the "Domestic Volunteer Service Act of 1973":

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PART B—SERVICE-LEARNING PROGRAMS

- Sec. 111. Statement of purpose.
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- Sec. 114. Special service-learning programs.

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TITLE II—NATIONAL OLDER AMERICAN VOLUNTEER PROGRAMS

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- Sec. 201. Grants and contracts for volunteer service projects.

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- Sec. 211. Grants and contracts for volunteer service projects.
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- Sec. 409. Prohibition of Federal control.
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- Sec. 411. Prohibition.
- Sec. 412. Notice and hearing procedures for suspension and termination of financial assistance.
- Sec. 413. Duration of program.
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- Sec. 601. Supersession of Reorganization Plan No. 1 of July 1, 1971.
- Sec. 602. Creditable service for civil service retirement.
- Sec. 603. Repeal of title VIII of the Economic Opportunity Act.
- Sec. 604. Repeal of title VI of the Older Americans Act.

TITLE I—NATIONAL VOLUNTEER ANTI-POVERTY PROGRAMS

PART A—VOLUNTEERS IN SERVICE TO AMERICA

STATEMENT OF PURPOSE

SEC. 101. This part provides for the Volunteers in Service to America (VISTA) program of full-time volunteer service, together with appropriate powers and responsibilities designed to assist in the development and coordination of such program. The purpose of this part is to strengthen and supplement efforts to eliminate poverty and poverty-related human, social, and environmental problems in the United States by encouraging and enabling persons from all walks of life and all age groups, including elderly and retired Americans, to perform meaningful and constructive volunteer service in agencies, institutions, and situations where the application of human talent and dedication may assist in the solution of poverty and poverty-related problems and secure and exploit opportunities for self-advancement by persons afflicted with such problems.

AUTHORITY TO OPERATE VISTA PROGRAM

SEC. 102. The Director may recruit, select, and train persons to serve in full-time volunteer programs consistent with the provisions and to carry out the purpose of this part.

ASSIGNMENT OF VOLUNTEERS

SEC. 103. (a) The Director, upon request of Federal, State, or local agencies, or private nonprofit organizations, may assign such volunteers to work in the several States in appropriate projects and programs—

(1) in meeting the health, education, welfare, or related needs of Indians living on reservations or Federal trust lands, of migratory and seasonal farmworkers and their families, and of residents of the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, or the Virgin Islands;

(2) in the care and rehabilitation of mentally ill, developmentally disabled, and other handicapped individuals, especially those with severe handicaps, under the supervision of nonprofit institutions or facilities; and

(3) in connection with programs or activities authorized, supported, or of a character eligible for assistance under this Act or the Economic Opportunity Act of 1964, as amended (42 U.S.C. chapter 34) in furtherance of the purpose of this title.

(b) The Director, wherever feasible and appropriate, shall assign low-income community volunteers to serve in their home communities in teams with nationally recruited specialist volunteers. Prior to the assignment of any such community volunteer, the Director shall insure that each such volunteer is provided an individual plan designed to provide an opportunity for job advancement or for transition to a situation leading to gainful employment. One hundred and twenty days prior to the completion of such community volunteer's term of service, the Director shall insure that such plan is updated and reviewed with the volunteer.

(c) Except as provided in subsection (d),

the assignment of volunteers under this section shall be on such terms and conditions (including restrictions on political activities that appropriately recognize the special status of volunteers living among the persons or groups served by programs to which they have been assigned) as the Director may determine, including work assignments in their own or nearby communities.

(d) Volunteers under this part shall not be assigned to duties or work in any State unless such program has been submitted to the Governor or other chief executive officer of the State concerned, and has not been disapproved by him within forty-five days of such submission. The assignment of a volunteer shall be terminated by the Director when so requested by the Governor or chief executive officer of the State concerned not later than thirty days after such request has been made, or at a time after such request has been made as agreed upon by such Governor or chief executive officer of the State concerned and the Director.

TERMS AND PERIODS OF SERVICE

SEC. 104. (a) Volunteers serving under this part shall be required to make a full-time personal commitment to combating poverty and poverty-related human, social, and environmental problems. To the maximum extent practicable, this shall include a commitment to live among and at the economic level of the people served, and to remain available for service without regard to regular working hours, at all times during their periods of service, except for authorized periods of leave.

(b) Volunteers serving under this part may be enrolled for periods of service not exceeding two years, but for not less than one-year periods of service, except that volunteers serving under this part may be enrolled for periods of service of less than one year when the Director determines, on an individual basis, that a period of service of less than one year is necessary to meet a critical scarce-skill need. Volunteers serving under this part may be reenrolled for periods of service totaling not more than two years. No volunteer shall serve for more than a total of five years under this part.

(c) Volunteers under this part shall, upon enrollment, take the oath of office as prescribed in section 5(j) of the Peace Corps Act, as amended (22 U.S.C. 2504(j)), except that persons legally residing within a State but who are not citizens or nationals of the United States, may serve under this part without taking or subscribing to such oath, if the Director determines that the service of such persons will further the interests of the United States. Such persons shall take such alternative oath or affirmation as the Director shall deem appropriate.

(d) The Director shall establish a procedure, including notice and opportunity to be heard, for volunteers under this part to present and obtain resolution of grievances and to present their views in connection with the terms and conditions of their service. The Director shall promptly provide to each volunteer in service on the date of enactment of this Act, and to each such volunteer beginning service thereafter, information regarding such procedure and the terms and conditions of their service.

SUPPORT SERVICES

SEC. 105. (a) (1) The Director may provide a stipend to volunteers, while they are in training and during their assignments, enrolled for periods of service of not less than one year under this part, except that the Director may, on an individual basis, make an exception to provide a stipend to a volunteer enrolled under this part for an extended period of service not totaling one

year. Such stipend shall not exceed \$50 per month during the volunteer's service, except that the Director may provide a stipend not to exceed \$75 per month in the case of persons who have served for at least one year and who, in accordance with standards established in regulations which the Director shall prescribe, have been designated volunteer leaders on the basis of experience and special skills and a demonstrated leadership among volunteers.

(2) Stipends shall be payable only upon completion of a period of service, except that in extraordinary circumstances the Director may from time to time advance all or a portion of the accrued stipend to or on behalf of a volunteer. In the event of the death of a volunteer during service, the amount of any unpaid stipend shall be paid in accordance with the provisions of section 5582 of title 5, United States Code.

(b) The Director shall also provide volunteers such living, travel (including travel to and from places of training), and leave allowances, and such housing, supplies, equipment, subsistence, clothing, health and dental care, transportation, supervision, technical assistance, and such other support as he deems necessary and appropriate to carry out the purpose and provisions of this part, and shall insure that each such volunteer has available such allowances and support as will enable the volunteer to carry out the purpose and provisions of this part and to effectively perform the work to which such volunteer is assigned.

PARTICIPATION OF BENEFICIARIES

SEC. 106. To the maximum extent practicable, the people of the communities to be served by volunteers under this title shall participate in planning, developing, and implementing programs thereunder, and the Director, after consultation with sponsoring agencies (including volunteers assigned to them) and the people served by such agencies, shall take all necessary steps to establish, in regulations he shall prescribe, a continuing mechanism for the meaningful participation of such program beneficiaries.

PARTICIPATION OF OLDER PERSONS

SEC. 107. In carrying out this part and part C of this title, the Director shall take necessary steps, including the development of special projects, where appropriate, to encourage the fullest participation of older persons and older persons membership groups as volunteers and participant agencies in the various programs and activities authorized under such parts and, because of the high proportion of older persons within the poverty group, shall encourage the development of a variety of volunteer services to older persons, including special projects, to assure that such persons are served in proportion to their need.

PART B—SERVICE-LEARNING PROGRAMS

STATEMENT OF PURPOSE

SEC. 111. This part provides for the University Year for ACTION (UYA) program of full-time volunteer service by students enrolled in institutions of higher education, together with appropriate powers and responsibilities designed to assist in the development and coordination of such programs. The purpose of this part is to strengthen and supplement efforts to eliminate poverty and poverty-related human, social, and environmental problems by enabling students at such cooperating institutions to perform meaningful and constructive volunteer service in connection with the satisfaction of such students' course work during their periods of service, while attending such institutions, in agencies, institutions, and situations where the application of human talent and dedication may assist in the solution of pov-

erty and poverty-related problems and secure and exploit opportunities for self-advancement by persons afflicted with such problems. Its purpose further is to encourage other students and faculty members to engage, on a part-time, self-supporting basis, in such volunteer service and work along with volunteers serving under this part; and to promote participation by such institutions in meeting the needs of the poor in the surrounding community through expansion of service-learning programs and otherwise. Its purpose further is to provide for a program of part-time or short-term service—learning by secondary and post-secondary school students to strengthen and supplement efforts to eliminate poverty and poverty-related human, social, and environmental problems.

AUTHORITY TO OPERATE UNIVERSITY YEAR FOR ACTION PROGRAM

SEC. 112. Except as otherwise provided in this part, the Director is authorized to conduct or make grants and contracts for, or both, programs to carry out the purposes of this part in accordance with the authorities and subject to the restrictions in the provisions of part A of this title, except for the provisions of sections 103(d) and 104(d), and except that the Director may, in accordance with regulations he shall prescribe, determine to reduce or eliminate the stipend for volunteers serving under this part on the basis of the value of benefits provided such volunteers by the institution in question (including the reduction or waiver of tuition).

SPECIAL CONDITIONS

SEC. 113. (a) Volunteers serving under this part shall be enrolled for periods of service as provided for in subsection (b) of section 104, and may receive academic credit for such service in accordance with the regulations of the sponsoring institution of higher education.

(b) Grants to and contracts with institutions to administer programs under this part shall provide that prospective student volunteers shall participate substantially in the planning of such programs and that such institutions shall make available to the poor in the surrounding community all available facilities, including human resources, of such institutions in order to assist in meeting the needs of such poor persons.

(c) (1) In making grants or contracts for the administration of UYA programs under this part, the Director shall insure that financial assistance under this Act to programs carried out pursuant to section 112 of this part shall not exceed 90 per centum of the total cost (including planning costs) of such program during the first year and such amounts less than 90 per centum as the Director, in consultation with the institution, may determine for not more than four additional years, including years in which support was received under title VIII of the Economic Opportunity Act of 1964, as amended (42 U.S.C. 2991-2994d). Each such grant or contract shall stipulate that the institution will make every effort to (A) assume an increasing proportion of the cost of continuing a program carrying out the purpose of this part while the institution receives support under this part; (B) waive or otherwise reduce tuition for participants in such program, where such waiver is not prohibited by law; (C) utilize students and faculty at such institution to carry out, on a self-supporting basis, appropriate planning for such programs; and (D) maintain similar service-learning programs after such institution no longer receives support under this part.

(2) The Director shall take necessary steps to monitor the extent of compliance by such institutions with commitments entered into under paragraph (1) of this subsection and shall advise the Secretary of Health, Education, and Welfare of the extent of each such institution's compliance.

SPECIAL SERVICE-LEARNING PROGRAMS

SEC. 114. (a) Of the funds appropriated for the operation of programs under this part, up to 10 per centum may be used, notwithstanding any other provisions of this part, to encourage and enable students in secondary, secondary vocational, and post-secondary schools to participate in service-learning programs on an in- or out-of-school basis in assignments of a character and on such terms and conditions as described in subsections (a) and (c) of section 103.

(b) Persons serving as volunteers under this section shall not be deemed to be Federal employees for any purpose.

(c) The Director may provide volunteers serving under this section a living allowance and only such other support or allowances as he determines, pursuant to regulations which he shall prescribe, are required because of unusual or special circumstances affecting the program.

PART C—SPECIAL VOLUNTEER PROGRAMS

STATEMENT OF PURPOSE

SEC. 121. This part provides for special emphasis and demonstration volunteer programs, together with appropriate powers and responsibilities designed to assist in the development and coordination of such programs. The purpose of this part is to strengthen and supplement efforts to meet a broad range of human, social, and environmental needs, particularly those related to poverty, by encouraging and enabling persons from all walks of life and from all age groups to perform meaningful and constructive volunteer service in agencies, institutions and situations where the application of human talent and dedication may help to meet such needs.

AUTHORITY TO ESTABLISH AND OPERATE PROGRAMS

SEC. 122. (a) The Director is authorized to conduct or make grants or contracts, or both, for special volunteer programs or demonstration programs (such as but not limited to a program to provide alternatives to the incarceration of youthful offenders; a program to promote educational opportunities for veterans; and a program to provide community-based peer group outreach and counseling for drug abusers) designed to stimulate and initiate improved methods of providing volunteer services, to encourage wider volunteer participation on a full-time, part-time, or short-term basis to further the purpose of this part, and to identify particular segments of the poverty community which could benefit from volunteer and other anti-poverty efforts.

(b) Except as provided in subsection (c) of this section, assignment of volunteers under this section shall be on such terms and conditions as the Director shall determine, pursuant to regulations which he shall prescribe.

(c) The Director, in accordance with regulations he shall prescribe, may provide to persons serving as full-time volunteers in a program of at least one year's duration under this part such allowances and stipends, to the extent and in amounts not in excess of those authorized to be provided under part A of this title; as he determines are necessary to carry out the purpose of this part.

TITLE II—NATIONAL OLDER AMERICAN VOLUNTEER PROGRAMS

PART A—RETIRED SENIOR VOLUNTEER PROGRAM

GRANTS AND CONTRACTS FOR VOLUNTEER SERVICE PROJECTS

SEC. 201. (a) In order to help retired persons to avail themselves of opportunities for volunteer service in their community, the Director is authorized to make grants to State agencies (established or designated pursuant to section 304(a)(1) of the Older Americans Act of 1965, as amended (42 U.S.C. 3024(a)(1))) or grants to or contracts with other public and nonprofit private agencies and organizations to pay part or all of the costs for the development or operation, or both, of volunteer service programs under this section, if he determines, in accordance with regulations he shall prescribe, that—

(1) volunteers will not be reimbursed for other than transportation, meals, and other out-of-pocket expenses incident to the provision of services under this part;

(2) only individuals aged sixty or over will be enrolled as volunteers to provide services under this part (except for administrative purposes), and such services will be performed in the community where such individuals reside or in nearby communities either (A) on publicly owned and operated facilities or projects, or (B) on local projects sponsored by private nonprofit organizations (other than political parties), other than projects involving the construction, operation, or maintenance of so much of any facility used or to be used for sectarian instruction or as a place for religious worship;

(3) the program includes such short-term training as may be necessary to make the most effective use of the skills and talents of participating volunteers and individuals, and provide for the payment of the reasonable expenses of such volunteers while undergoing such training; and

(4) the program is being established and will be carried out with the advice of persons competent in the field of service involved, and of persons with interest in and knowledge of the needs of older persons.

(b) The Director shall not award any grant or contract under this part for a project in any State to any agency or organization unless, if such State has a State agency established or designated pursuant to section 304(a)(1) of the Older Americans Act of 1965, as amended (42 U.S.C. 3024(a)(1)), such agency itself is the recipient of the award or such agency has been afforded at least sixty days in which to review the project application and make recommendations thereon.

PART B—FOSTER GRANDPARENT PROGRAM AND OLDER AMERICAN COMMUNITY SERVICE PROGRAMS

GRANTS AND CONTRACTS FOR VOLUNTEER SERVICE PROJECTS

SEC. 211. (a) The Director is authorized to make grants to or contracts with public and nonprofit private agencies and organizations to pay part or all of the cost of development and operation of projects (including direct payments to volunteers serving under this part) designed for the purpose of providing opportunities for low-income persons aged sixty or over to serve as volunteers to provide supportive person-to-person services in health, education, welfare, and related settings to children having exceptional needs, including services by volunteers serving as "foster grandparents" to children receiving care in hospitals, homes for dependent and neglected children, or other establishments providing care for children with special needs. The Director may approve assistance in excess of 90 per centum of the costs of the

development and operation of such projects only if he determines, in accordance with regulations he shall prescribe establishing objective criteria, that such action is required in furtherance of the purpose of this section. Provision for such assistance shall be effective as of September 19, 1972. In the case of any project with respect to which, prior to such date, a grant or contract has been made under section 611(a) of the Older Americans Act of 1965, as amended (42 U.S.C. 3044b) or with respect to any project under the Foster Grandparent program in effect prior to September 17, 1969, contributions in cash or in kind from the Bureau of Indian Affairs, Department of the Interior, toward the cost of the project may be counted as part of the cost thereof which is met from non-Federal sources.

(b) The Director is also authorized to make grants or contracts to carry out the purpose described in subsection (a) of this section in the case of persons (other than children) having exceptional needs, including services by volunteers serving as "senior health aides" to work with persons receiving home health care, nursing care, or meals on wheels or other nutritional services, and as "senior companions" to persons having developmental disabilities or other special needs for companionship.

CONDITIONS OF GRANTS AND CONTRACTS

SEC. 212. (a) (1) In carrying this part, the Director shall insure that volunteers receiving assistance in any project are older persons of low income who are no longer in the regular work force.

(2) The Director shall not award a grant or contract under this part which involves a project proposed to be carried out throughout the State or over an area more comprehensive than one community unless—

(A) the State agency established or designated under section 304(a)(1) of the Older Americans Act of 1965, as amended (42 U.S.C. 3024(a)(1)) is the applicant for such grant or contract or, if not, such agency has been afforded a reasonable opportunity to apply for and receive such award and to administer or supervise the administration of the project; and

(B) in cases in which such agency is not the grantee or contractor (including cases to which clause (A) applies but in which such agency has not availed itself of the opportunity to apply for and receive such award), the application contains or is supported by satisfactory assurances that the project has been developed, and will to the extent appropriate be conducted, in consultation with, or with the participation of, such agency.

(3) The Director shall not award a grant or contract under this part which involves a project proposed to be undertaken entirely in a community served by a community action agency unless—

(A) such agency is the applicant for such grant or contract or, if not, such agency has been afforded a reasonable opportunity to apply for and receive such award and to administer or supervise the administration of the project;

(B) in cases in which such agency is not the grantee or contractor (including cases to which clause (A) applies but in which such agency has not availed itself of the opportunity to apply for and receive such award), the application contains or is supported by satisfactory assurances that the project has been developed, and will to the extent appropriate be conducted in consultation with, or with the participation of, such agency; and

(C) if such State has a State agency established or designated pursuant to section 304(a)(1) of the Older Americans Act of

1965, as amended (42 U.S.C. 3024(a)(1)), such agency has been afforded at least forty-five days in which to review the project application and make recommendations thereon.

(b) The term "community action agency" as used in this section means a community action agency as defined in title II of the Economic Opportunity Act of 1964, as amended (42 U.S.C. 2781-2837).

PART C—GENERAL PROVISIONS

COORDINATION WITH OTHER FEDERAL PROGRAMS

SEC. 221. In carrying out this title, the Director shall consult with the Office of Economic Opportunity, the Departments of Labor and Health, Education, and Welfare, and any other Federal agencies administering relevant programs with a view to achieving optimal coordination with such other programs, and shall promote the coordination of projects under this title with other public or private programs or projects carried out at State and local levels. Such Federal agencies shall cooperate with the Director in disseminating information about the availability of assistance under this title and in promoting the identification and interest of low-income and other older persons whose services may be utilized in projects under this title.

PAYMENTS

SEC. 222. Payments under this title pursuant to a grant or contract may be made (after necessary adjustment, in the case of grants, on account of previously made overpayments, or underpayments) in advance or by way of reimbursement, in such installments and on such conditions, as the Director may determine.

MINORITY GROUP PARTICIPATION

SEC. 223. The Director shall take appropriate steps to insure that special efforts are made to recruit, select, and assign qualified individuals sixty years and older from minority groups to serve as volunteers under this title.

TITLE III—NATIONAL VOLUNTEER PROGRAMS TO ASSIST SMALL BUSINESSES AND PROMOTE VOLUNTEER SERVICE BY PERSONS WITH BUSINESS EXPERIENCE

STATEMENT OF PURPOSE

SEC. 301. This title provides for programs in which persons with business experience volunteer to assist persons, especially those who are economically disadvantaged, engaged in, or who seek to engage in, small business enterprises, and to make available their expertise as volunteers in programs authorized by, or of a character eligible for assistance under, this Act, the Economic Opportunity Act of 1964, as amended (42 U.S.C. ch. 34) (particularly title VII thereof), or the Small Business Act (15 U.S.C. ch. 14A). The purpose of this title is to utilize the skills and expertise of persons with business experience to assist persons in, or seeking to enter, business enterprises, or to carry out management and financial counseling activities in furtherance of the purposes of this Act.

AUTHORITY TO ESTABLISH, COORDINATE, AND OPERATE PROGRAMS

SEC. 302. (a) The Director is authorized to establish and conduct, and to recruit, select, and train volunteers for (and to make grants or enter into contracts therefor), volunteer programs, including a Service Corps of Retired Executives (SCORE) and an Active Corps of Executives (ACE) and programs in which SCORE and ACE volunteers expand the application of their expertise beyond Small Business Administration clients, to carry out the purpose of this title: *Provided, however*, That the services of volunteers who are assisting persons or enterprises seeking to

obtain, or receiving, financial or management counseling assistance from the Small Business Administration shall be performed under the direction of the Administrator of the Small Business Administration (hereinafter referred to in this title as the "Administrator") pursuant to section 8(b)(1) of the Small Business Act (15 U.S.C. 637 (b)(1)).

(b) The assignment of volunteers engaged in programs under this title shall be on such terms and conditions as the Director may determine, except that he shall prescribe such terms and conditions in agreement with the Administrator with respect to the service of volunteers described in the proviso in subsection (a) of this section.

(c) (1) Such volunteers, while carrying out activities under this title and section 8(b)(1) of the Small Business Act (15 U.S.C. 637(b)(1)), shall be deemed Federal employees for the purpose of the Federal tort claims provisions in title 28, United States Code.

(2) The Director is authorized to reimburse such volunteers only for such necessary out-of-pocket expenses incident to their provision of services under this Act as he shall determine, in accordance with regulations which he shall prescribe, and, while they are carrying out such activities away from their homes or regular places of business, for travel expenses (including per diem in lieu of subsistence) as authorized by section 5703 of title 5, United States Code, for individuals serving without pay.

(3) Such volunteers shall in no way (A) participate for the benefit of the Small Business Administration (rather than on behalf of their clients) in any screening or evaluation activities in connection with applications for loans from such Administration, or (B) provide services to a client of such Administration with a delinquent loan outstanding, except upon a specific request signed by such client for assistance in connection with such matter.

(d) The Director and the Administrator shall cooperate in order to make available to such volunteers, or groups thereof, such use of the office facilities and related supplies, materials, and services of the Small Business Administration and the ACTION Agency as they deem appropriate to assist such volunteers to carry out such activities including authorized meetings of groups of volunteers.

(e) Except as otherwise provided in this Act, activities authorized to be carried out both by this title and by section 8(b)(1) of the Small Business Act (15 U.S.C. 637(b)(1)) shall be carried out under this title to the maximum extent feasible.

TITLE IV—ADMINISTRATION AND COORDINATION

ESTABLISHMENT OF AGENCY

SEC. 401. There is hereby established in the executive branch of the Government an agency to be known as the ACTION Agency. Such Agency shall be headed by a Director who shall be appointed by the President, by and with the advice and consent of the Senate, and shall be compensated at the rate provided for level III of the Executive Schedule under section 5314 of title 5, United States Code. There shall also be in such agency a Deputy Director who shall be appointed by the President, by and with the advice and consent of the Senate, and shall be compensated at the rate provided for level IV of the Executive Schedule under section 5315 of title 5, United States Code. The Deputy Director shall perform such functions as the Director shall from time to time prescribe, and shall act as Director of the ACTION Agency during the absence or disability of the Director. There shall also be in such agency two Associate Directors who will be appointed by the President by and with the advice and consent of the Senate, and shall be

compensated at the rate provided for level V of the Executive Schedule under section 5316 of title 5, United States Code. One such Associate Director shall be designated "Associate Director for Domestic and Anti-Poverty Operations" and shall carry out operational responsibility for all programs authorized under this Act, and the other such Associate Director shall be designated "Associate Director for International Operations" and shall carry out operational responsibility for all programs authorized under the Peace Corps Act (22 U.S.C. 2501 et seq.). There shall also be in such agency no more than two Assistant Directors appointed by the President by and with the advice and consent of the Senate, who shall be compensated at the rate provided for level V of the Executive Schedule under section 5316 of title 5, United States Code. Each such Assistant Director shall perform such staff and support functions for such Associate Directors as the Director shall from time to time prescribe. There shall also be in such agency one Deputy Associate Director, under the Associate Director for Domestic and Anti-Poverty Operations, primarily responsible for programs carried out under parts A and B of title I of this Act and one Deputy Associate Director, under the Associate Director for Domestic and Anti-Poverty Operations, primarily responsible for programs carried out under title II of this Act, each of whom shall be appointed by the Director.

AUTHORITY OF THE DIRECTOR

SEC. 402. In addition to the authority conferred upon him by other sections of this Act, the Director is authorized to—

(1) appoint in accordance with the Civil Service laws such personnel as may be necessary to enable the ACTION Agency to carry out its functions, and, except as otherwise provided herein, fix the compensation of such personnel in accordance with chapter 51 of title 5, United States Code;

(2) (A) employ experts and consultants or organizations thereof as authorized by section 3109 of title 5, United States Code, except that no individual may be employed under the authority of this subsection for more than one hundred days in any fiscal year; (B) compensate individuals so employed at rates not in excess of the daily equivalent of the rate payable to a GS-18 employee under section 5332 of such title, including travel-time; (C) allow such individuals, while away from their homes or regular places of business, travel expenses (including per diem in lieu of subsistence) as authorized by section 5703 of such title for persons in the Government service employed intermittently, while so employed; and (D) annually renew contracts for such employment under this clause;

(3) with the approval of the President, arrange with and reimburse the heads of other Federal agencies for the performance of any of the provisions of this Act and, as necessary or appropriate, delegate any of his functions under this Act and authorize the redelegation thereof subject to provisions to assure the maximum possible liaison between the ACTION Agency and such other agencies at all operating levels, which shall include the furnishing of complete operational information by such other agencies to the ACTION Agency and the furnishing of such information by the ACTION Agency to such other agencies;

(4) with their consent, utilize the services and facilities of Federal agencies without reimbursement, and, with the consent of any State or a political subdivision of a State, accept and utilize the services and facilities of the agencies of such State or subdivision without reimbursement;

(5) accept in the name of the ACTION

Agency, and employ or dispose of in furtherance of the purposes of this Act, or of any title thereof, any money or property, real, personal, or mixed, tangible or intangible, received by gift, devise, bequest, or otherwise;

(6) accept voluntary and uncompensated services;

(7) allocate and expend, or transfer to other Federal agencies for expenditure, funds made available under this Act as he deems necessary to carry out the provisions hereof, including (without regard to the provisions of section 4774(d) of title 10, United States Code), expenditure for construction, repairs, and capital improvements;

(8) disseminate, without regard to the provisions of section 3204 of title 39, United States Code, data and information, in such form as he shall deem appropriate to public agencies, private organizations, and the general public;

(9) adopt an official seal, which shall be judicially noticed;

(10) collect or compromise all obligations to or held by him and all legal or equitable rights accruing to him in connection with the payment of obligations in accordance with Federal Claims Collection Act of 1966 (31 U.S.C. 951-53);

(11) expend funds made available for purposes of this Act as follows: (A) for printing and binding, in accordance with applicable law and regulations; and (B) without regard to any other law or regulation, for rent of buildings and space in buildings and for repair, alteration, and improvement of buildings and space in buildings rented by him; but the Director shall not utilize the authority contained in this subclause (B)—

(i) except when necessary to obtain an item, service, or facility, which is required in the proper administration of this Act, and which otherwise could not be obtained, or could not be obtained in the quantity or quality needed, or at the time, in the form, or under conditions in which, it is needed, and

(ii) prior to having given written notification to the Administrator of General Services (if the exercise of such authority would affect an activity which otherwise would be under the jurisdiction of the General Services Administration) of his intention to exercise such authority, the item, service, or facility with respect to which such authority is proposed to be exercised, and the reasons and justifications for the exercise of such authority.

(12) notwithstanding any other provision of law, make grants to or contracts with Federal or other public departments or agencies and private nonprofit organizations for the assignment or referral of volunteers under this Act (except for volunteers serving under part A of title I thereof), which may provide that the agency or organization shall pay all or a part of the costs of the program;

(13) provide or arrange for educational and vocational counseling of volunteers and recent former volunteers under this Act to (A) encourage them to use in the national interest the skills and experience which they have derived from their training and service, particularly working in combating poverty as members of the helping professions, and (B) promote the development, and the placement therein of such volunteers, of appropriate opportunities for the use of such skills and experience;

(14) establish such policies, standards, criteria, and procedures, prescribe such rules and regulations, enter into such contracts and agreements with public agencies and private organizations and persons, and make such payments (in lump sum or installments, and in advance or by way of reim-

bursement, and in the case of grants otherwise authorized under this Act, with necessary adjustments on account of overpayments and underpayments) as are necessary or appropriate to carry out the provisions of this Act; and

(15) generally perform such functions and take such steps, consistent with the purposes and provisions of this Act, as he deems necessary or appropriate to carry out the provisions of this Act.

POLITICAL ACTIVITIES

SEC. 403. (a) No part of any funds appropriated to carry out this Act, or any program administered by the ACTION Agency, shall be used to finance, directly or indirectly, any activity designed to influence the outcome of any election to Federal office, or any voter registration activity, or to pay the salary of any officer or employee of the ACTION Agency, who, in his official capacity as such an officer or employee, engages in any such activity. As used in this section, the term "election" has the same meaning given such term by section 301(a) of the Federal Election Campaign Act of 1971 (Public Law 92-225), and the term "Federal office" has the same meaning given such term by section 301(c) of such Act.

(b) Programs assisted under this Act shall not be carried on in a manner involving the use of funds, the provision of services, or the employment or assignment of personnel in a manner supporting or resulting in the identification of such programs with (1) any partisan or non-partisan political activity or any other political activity associated with a candidate, or contending faction or group, in an election for public or party office, (2) any activity to provide voters or prospective voters with transportation to the polls or similar assistance in connection with any such election, or (3) any voter registration activity. The Director, after consultation with the Civil Service Commission, shall issue rules and regulations to provide for the enforcement of this section, which shall include provisions for summary suspension of assistance for no more than thirty days until notice and an opportunity to be heard can be provided or other action necessary to permit enforcement on an emergency basis.

SPECIAL LIMITATIONS

SEC. 404. (a) The Director shall prescribe regulations and shall carry out the provisions of this Act so as to assure that the service of volunteers assigned, referred, or serving pursuant to grants, contracts, or agreements made under this Act is limited to activities which would not otherwise be performed by employed workers and which will not supplant the hiring of or result in the displacement of employed workers, or impair existing contracts for service.

(b) All support, including transportation provided to volunteers under this Act, shall be furnished at the lowest possible cost consistent with the effective operation of volunteer programs.

(c) No agency or organization to which volunteers are assigned hereunder, or which operates or supervises any volunteer program hereunder, shall request or receive any compensation for services of volunteers supervised by such agency or organization.

(d) No funds authorized to be appropriated herein shall be directly or indirectly utilized to finance labor or antilabor organization or related activity.

(e) Persons serving as volunteers under this Act shall provide such information concerning their qualifications, including their ability to perform their assigned tasks, and their integrity, as the Director shall prescribe and shall be subject to such procedures for selection and approval as the Director determines are necessary to carry out the purposes of this Act. The Director may establish such special procedures for the recruitment, selection, training, and assignment of low-income

residents of the area to be served by a program under this Act who wish to become volunteers as he determines will further the purposes of this Act.

(f) Notwithstanding any other provision of law and except as provided in the second sentence of this subsection, the Director shall assign or delegate any substantial responsibility for carrying out programs under this Act only to persons appointed or employed pursuant to clauses (1) and (2) of section 402, and persons assigned or delegated such substantial responsibilities on the effective date of this Act and who are receiving compensation in accordance with provisions of law other than the applicable provisions of title 5, United States Code, on such date shall, by operation of law on such date, be assigned a grade level pursuant to such latter provisions so as to fix the compensation of such persons under such authority at no less than their compensation rate on the day preceding such date. The Director may personally make exceptions to the requirement set forth in the first sentence of this subsection for persons he finds will be assigned to carrying out functions under the Peace Corps Act (22 U.S.C. 2501 et seq.) within six months after the effective date of this Act.

(g) Notwithstanding any other provision of law except as may be provided expressly in limitation of this subsection, payments to volunteers under this Act shall not in any way reduce or eliminate the level of or eligibility for assistance or services any such volunteers may be receiving under any governmental program.

NATIONAL VOLUNTARY SERVICE ADVISORY COUNCIL

SEC. 405. (a) There is hereby established in the ACTION Agency a National Voluntary Service Advisory Council (hereinafter referred to as the "Council") to be composed of not more than twenty-five members appointed, not later than ninety days after the date of the enactment of this Act, by and serving at the pleasure of the President. Such members shall be representative of public and private organizations, groups, and individuals interested in serving and benefited by programs carried out under this Act and the Peace Corps Act (22 U.S.C. 2501 et seq.). The President shall designate a temporary chairperson from such members and shall call the initial meeting of the Council within thirty days after appointment of such Council. Members of the Council shall designate a permanent chairperson from such members and shall meet at the call of such chairperson, but not less than four times in each year. Members of the Council, other than those regularly employed by the Federal Government, while attending meetings of such Council shall receive compensation and travel expenses as provided in section 402(2) of this Act with respect to experts and consultants. The Director and Deputy Director of the ACTION Agency shall be ex officio members of the Council.

(b) The Council shall—

(1) advise the Director with respect to policy matters arising in the administration of this Act and the Peace Corps Act (22 U.S.C. 2501 et seq.); and

(2) upon the request of the Director, review the effectiveness and the operation of programs under this Act and the Peace Corps Act and make recommendations (including such proposals for changes in such Acts as the Council deems appropriate) concerning (A) the improvement of such programs (B) the elimination of duplication of effort, and (C) the coordination of such programs with other Federal programs designed to assist the beneficiaries of such Acts.

(c) Not later than January 1 of each calendar year beginning with the calendar year 1975, the Council shall make an annual report of its findings and recommendations to the President for transmittal by the Presi-

dent to the Congress together with his comments and recommendations.

LABOR STANDARDS

SEC. 406. All laborers and mechanics employed by contractors or subcontractors in the construction, alteration, or repair, including painting and decorating, of projects, buildings, and works which are federally assisted under this Act shall be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a-276a-5). The Secretary of Labor shall have, with respect to such labor standards, the authorizing and functions set forth in Reorganization Plan Number 14 of 1950 (15 F.R. 3176; 64 Stat. 1267) and in section 2 of the Act of June 1, 1934, as amended (48 Stat. 948, ch. 492, as amended; 40 U.S.C. 276c).

REPORTS

SEC. 407. Not later than one hundred and twenty days after the end of each fiscal year, the Director shall prepare and submit to the President for transmittal by the President to the Congress a full and complete report on the activities of the ACTION Agency during such year.

JOINT FUNDING

SEC. 408. Pursuant to regulations prescribed by the President, and to the extent consistent with the other provisions of this Act, where funds are provided for a single project by more than one Federal agency to an agency or organization assisted under this Act, the Federal agency principally involved may be designated to act for all in administering the funds provided, and, notwithstanding any other provision of law, in such cases, a single non-Federal share requirement may be established according to the proportion of funds advanced by each agency. When the principal agency involved is the ACTION Agency, it may waive any grant or contract requirement (as defined by such regulations) under or pursuant to any law other than this Act, which requirement is inconsistent with the similar requirements under or pursuant to this Act.

PROHIBITION OF FEDERAL CONTROL

SEC. 409. Nothing contained in this Act shall be construed to authorize any department, agency, officer, or employee of the United States to exercise any direction, supervision, or control over the curriculum, program of instruction, administration, or personnel of any education institution or school system.

COORDINATION WITH OTHER PROGRAMS

SEC. 410. The Director shall take necessary steps to coordinate volunteer programs authorized under this Act with one another, with community action programs, and with other related Federal, State, and local programs. The Director shall also consult with the heads of other Federal, State, and local agencies responsible for programs related to the purposes of this Act with a view to encouraging greater use of volunteer services in those programs and establishing in connection with them systematic procedures for the recruitment, referral, or necessary pre-service orientation or training of volunteers serving pursuant to this Act.

PROHIBITION

SEC. 411. In order to assure that existing Federal agencies are used to the fullest extent possible in carrying out the purposes of this Act, no funds appropriated to carry out this Act shall be used to establish any new department or office when the intended function is being performed by an existing department or office.

NOTICE AND HEARING PROCEDURES FOR SUSPENSION AND TERMINATION OF FINANCIAL ASSISTANCE

SEC. 412. The Director is authorized, in accordance with the provisions of this sec-

tion, to suspend further payments or to terminate payments under any contract or grant providing assistance under this Act, whenever he determines there is a material failure to comply with the applicable terms and conditions of any such grant or contract. The Director shall prescribe procedures to insure that—

(1) assistance under this Act shall not be suspended for failure to comply with applicable terms and conditions, except in emergency situations for thirty days, nor shall an application for refunding under this Act be denied, unless the recipient has been given reasonable notice and opportunity to show cause why such action should not be taken; and

(2) assistance under this Act shall not be terminated for failure to comply with applicable terms and conditions unless the recipient has been afforded reasonable notice and opportunity for a full and fair hearing.

DURATION OF PROGRAM

SEC. 413. The Director shall carry out the programs provided for in this Act during the fiscal year ending June 30, 1974, and the three succeeding fiscal years. For each such fiscal year, only such sums may be appropriated as the Congress may authorize by law.

DISTRIBUTION OF BENEFITS BETWEEN RURAL AND URBAN AREAS

SEC. 414. The Director shall adopt appropriate administrative measures to assure that the benefits of and services under this Act will be distributed equitably between residents of rural and urban areas.

APPLICATION OF FEDERAL LAW

SEC. 415. (a) Except as provided in subsections (b), (c), (d), and (e) of this section, volunteers under this Act shall not be deemed Federal employees and shall not be subject to the provisions of laws relating to Federal officers and employees and Federal employment.

(b) Individuals enrolled in programs under title I of this Act for periods of service of at least one year shall, with respect to such service or training, (1) for the purposes of subchapter III of chapter 73 of title 5, United States Code, be deemed persons employed in the executive branch of the Federal Government, (2) for the purposes of the Internal Revenue Code of 1954 (26 U.S.C. 1 et seq.) and title II of the Social Security Act (42 U.S.C. 401 et seq.), be deemed employees of the United States, and any service performed by an individual as a volunteer (including training) shall be deemed to be performed in the employ of the United States, (3) for the purposes of the Federal Tort Claims provisions of title 28, United States Code, be deemed employees of the United States, and (4) for the purposes of subchapter I of chapter 81 of title 5, United States Code (relative to compensation to Federal employees for work injuries), shall be deemed civil employees of the United States within the meaning of the term "employee" as defined in section 8101 of title 5, United States Code, and the provisions of that subchapter shall apply except as follows: (A) in computing compensation benefits for disability or death, the monthly pay of a volunteer shall be deemed that received under the entrance salary for a grade GS-7 employee, and subsections (a) and (b) of section 8113 of title 5, United States Code, shall apply, and (B) compensation for disability shall not begin to accrue until the day following the date on which the injured volunteer is terminated.

(c) Any period of service of a volunteer enrolled in a program for a period of service of at least one year under part A of title I of this Act, and any period of full-time service of a volunteer enrolled in a program for a period of service of at least one year under part B or C of title I of this Act, shall be

credited in connection with subsequent employment in the same manner as a like period of civilian employment by the United States Government—

(1) for the purposes of section 852(a)(1) of the Foreign Service Act of 1946, as amended (22 U.S.C. 1092(a)(1)), and every other Act establishing a retirement system for civilian employees of any United States Government agency; and

(2) except as otherwise determined by the President, for the purposes of determining seniority, reduction in force, and layoff rights, leave entitlement, and other rights and privileges based upon length of service under the laws administered by the Civil Service Commission, the Foreign Service Act of 1946, and every other Act establishing or governing terms and conditions of service of civilian employees of the United States Government: *Provided*, That service of a volunteer shall not be credited toward completion of any probationary or trial period or completion of any service requirement for career appointment.

(d) Volunteers serving in programs for periods of service of at least one year under part A of title I of this Act, and volunteers serving for such periods under title VIII of the Economic Opportunity Act of 1964, as amended (42 U.S.C. 2991-2994d), including those whose service was completed under such Act, who the Director determines, in accordance with regulations he shall prescribe, have successfully completed their periods of service, shall be eligible for appointment in the competitive service in the same manner as Peace Corps volunteers as prescribed in Executive Order Number 11103 (April 10, 1963).

(e) Notwithstanding any other provision of law, all references in any other law to persons serving as volunteers under title VIII of the Economic Opportunity Act of 1964, as amended, shall be deemed to be references to persons serving as full-time volunteers in a program of at least one year's duration under part A, B, or C of title I of this act.

EVALUATION

SEC. 416. (a) The Director shall periodically measure and evaluate the impact of all programs authorized by this Act, their effectiveness in achieving stated goals in general, and in relation to their cost, their impact on related programs, and their structure and mechanisms for delivery of services. Evaluations shall be conducted by persons not immediately involved in the administration of the program or project evaluated.

(b) The Director shall develop and publish general standards for evaluation of program and project effectiveness in achieving the objectives of this Act. Reports submitted pursuant to section 407 shall describe the actions taken as a result of evaluations carried out under this section.

(c) In carrying out evaluations under this title, the Director shall, whenever possible, arrange to obtain the opinions of program and project participants about the strengths and weaknesses of such programs and projects.

(d) The Director shall publish summaries of the results of evaluations of program and project impact and effectiveness no later than sixty days after the completion thereof.

(e) The Director shall take the necessary action to assure that all studies, evaluations, proposals, and data produced or developed with Federal funds shall become the property of the United States.

(f) The Director is authorized to use such sums as are required, but not to exceed 1 per centum of the funds appropriated under this Act, to conduct program and project evaluations (directly, or by grants or contracts) as required by this Act. In the case of allotments from such an appropriation, the amount available for such allotments (and

the amount deemed appropriate therefor) shall be reduced accordingly.

NONDISCRIMINATION

SEC. 417. (a) The Director shall not provide financial assistance for any program under this Act unless the grant, contract, or agreement with respect to such program specifically provides that no person with responsibilities in the operation of such program will discriminate with respect to any such program because of race, creed, belief, color, national origin, sex, age, or political affiliation.

(b) No person in the United States shall on the ground of sex be excluded from participation in, be denied the benefits of, be subjected to discrimination under, or be denied employment in connection with, any program or activity receiving assistance under this Act. The Director shall enforce the provisions of the preceding sentence in accordance with section 602 of the Civil Rights Act of 1964 (42 U.S.C. 2000d-1). Section 603 of such Act shall apply with respect to any action taken by the Director to enforce such sentence. This section shall not be construed as affecting any other legal remedy that a person may have if that person is excluded from participation in, denied the benefits of, subjected to discrimination under, or denied employment in connection with any program or activity receiving assistance under this Act.

ELIGIBILITY FOR OTHER BENEFITS

SEC. 418. Notwithstanding any other provision of law, no payment for supportive services or reimbursement of out-of-pocket expenses made to persons serving pursuant to titles II and III of this Act shall be subject to any tax or charge or be treated as wages or compensation for the purposes of unemployment, temporary disability, retirement, public assistance, or similar benefit payments, or minimum wage laws. This section shall become effective with respect to all payments made after the effective date of this Act.

LEGAL EXPENSES

SEC. 419. Notwithstanding any other provision of law and pursuant to regulations which the Director shall prescribe, counsel may be employed and counsel fees, court costs, bail, and other expenses incidental to the defense of volunteers may be paid in judicial or administrative proceedings to which full-time volunteers (or part-time volunteers when such proceedings arise directly out of the performance of activities pursuant to this Act or section 8(b)(1) of the Small Business Act, as amended (15 U.S.C. 637(b)(1))) serving under this Act have been made parties.

GUIDELINES

SEC. 420. All rules, regulations, guidelines, instructions, and application forms published or promulgated pursuant to this Act shall be published in the Federal Register at least thirty days prior to their effective date.

DEFINITIONS

SEC. 421. For the purposes of this Act—

(1) the term "Director" means the Director of the ACTION agency;

(2) the terms "United States" and "States" mean the several States, the District of Columbia, the Virgin Islands, Puerto Rico, Guam, and American Samoa and, for the purposes of title II of this Act, the Trust Territory of the Pacific Islands;

(3) the term "nonprofit" as applied to any agency, institution, or organization means an agency, institution, or organization which is, or is owned and operated by, one or more corporations or associations no part of the net earnings of which inures, or may lawfully inure, to the benefit of any private shareholder or individual; and

(4) the term "poor" or "low-income" persons, individuals, or volunteers means such individuals whose incomes fall at or below the poverty line as set forth in section 625 of the Economic Opportunity Act of 1964, as

amended by Public Law 92-424 (42 U.S.C. 2971d): *Provided*, That in determining who is "poor" or "low-income", the Director shall take into consideration existing poverty guidelines as appropriate to local situations.

AUDIT

SEC. 422. (a) Each recipient of Federal grants, subgrants, contracts, subcontracts, or loans entered into under this Act other than by formal advertising, and which are otherwise authorized by this Act, shall keep such records as the Director shall prescribe, including records which fully disclose the amount and disposition by such recipient of the proceeds of such assistance, the total cost of the project or undertaking in connection with which such assistance is given or used, the amount of that portion of the cost of the project or undertaking supplied by other sources, and such other records as will facilitate an effective audit.

(b) The Director and the Comptroller General of the United States, or any of their duly authorized representatives, shall, until the expiration of three years after completion of the project or undertaking referred to in subsection (a) of this section, have access for the purpose of audit and examination to any books, documents, papers, and records of such recipients which in the opinion of the Director of the Comptroller General may be related or pertinent to the grants, contracts, subcontracts, subgrants, or loans referred to in subsection (a).

TITLE V—AUTHORIZATION OF APPROPRIATIONS

NATIONAL VOLUNTEER ANTIPOVERTY PROGRAMS

SEC. 501. (a) There are authorized to be appropriated \$37,600,000 for the fiscal year ending June 30, 1974, and such sums as may be necessary each for the fiscal years ending June 30, 1975, and June 30, 1976, for the purpose of carrying out title I of this Act. In each such year, of the sums appropriated pursuant to this title not less than \$29,600,000 shall be expended on programs designed to eliminate poverty and poverty-related human, social, and environmental problems. Of this amount not less than \$22,300,000 shall be expended on programs authorized under part A of title I in each such fiscal year.

(b) Any sums authorized to be appropriated for title I of this Act in excess of \$37,600,000 shall be reflected in a commensurate increase in the sums to be made available for part A of such title.

NATIONAL OLDER AMERICANS VOLUNTEER PROGRAMS

SEC. 502. (a) There are authorized to be appropriated \$17,500,000 for the fiscal year ending June 30, 1974, and \$20,000,000 each for the fiscal year ending June 30, 1975, and for the fiscal year ending June 30, 1976, respectively, to be used for the purpose of carrying out programs under part A of title II of this Act.

(b) (1) There are authorized to be appropriated \$32,500,000 for the fiscal year ending June 30, 1974, and \$40,000,000 each for the fiscal years ending June 30, 1975, and June 30, 1976, respectively, for the purpose of carrying out programs under part B of such title of which (A) \$26,500,000 for the fiscal year ending June 30, 1974, and \$32,000,000 each for the fiscal years ending June 30, 1975, and June 30, 1976, respectively, shall be available for such years for grants or contracts under subsection (a) of section 211, and (B) \$6,000,000 for the fiscal year ending June 30, 1974, and \$8,000,000 each for the fiscal years ending June 30, 1975, and June 30, 1976, respectively, shall be available for such years for grants or contracts under subsection (b) of such section.

(2) If the sums authorized to be appropriated under paragraph (1) of this subsection are not appropriated and made available in full for each such fiscal year, then such sums as are appropriated and made available

for each such fiscal year shall be allocated so that—

(A) any amounts appropriated not in excess of a sum which when added to carryover balances otherwise available for obligation under subsection (a) of section 211 equal \$25,000,000 shall be used for grants or contracts under such subsection; and

(B) any amounts appropriated in excess of a sum which when added to carry over balances otherwise available for obligation under subsection (a) of section 211 equals \$31,000,000 for the fiscal year ending June 30, 1974, and \$33,000,000 each for the fiscal years ending June 30, 1975, and June 30, 1976, respectively, shall be used for grants or contracts for such fiscal years under such subsection.

NATIONAL VOLUNTEER PROGRAMS TO ASSIST SMALL BUSINESSES AND PROMOTE VOLUNTEER SERVICE BY PERSONS WITH BUSINESS EXPERIENCE

SEC. 503. There are authorized to be appropriated \$208,000 for the fiscal year ending June 30, 1974, and such sums as may be necessary each for the fiscal years ending June 30, 1975, and June 30, 1976, respectively, for the purpose of carrying out programs under title III of this Act.

ADMINISTRATION AND COORDINATION

SEC. 504. There are authorized to be appropriated each for the fiscal years ending June 30, 1974, June 30, 1975, and June 30, 1976, respectively, such sums as may be necessary for the administration of this Act as authorized in title IV of such Act.

AVAILABILITY OF APPROPRIATIONS

SEC. 505. Notwithstanding any other provision of law, unless enacted in express and specific limitation of the provisions of this section, funds appropriated for any fiscal year to carry out any program under this Act or any predecessor authority shall remain available, in accordance with the provisions of this Act, for obligation and expenditure until expended.

TITLE VI—AMENDMENTS TO OTHER LAWS AND REPEALERS

SUPERSEDEANCE OF REORGANIZATION PLAN NUMBER 1 OF JULY 1, 1971

SEC. 601. (a) Sections 1, 2(a), 3, and 4 of Reorganization Plan Number 1 of 1971 (July 1, 1971) are hereby superseded.

(b) The personnel, property, records, and unexpended balances of appropriations, allocations, and other funds employed, used, held, available, or to be made available in connection with the functions transferred to the Director of the ACTION Agency by sections 2(a) and 4 of such reorganization plan are hereby transferred to the ACTION Agency established by section 401. All grants, contracts, and other agreements awarded or entered into under the authority of such reorganization plan will be recognized under comparable provisions of this Act so that there is no disruption of ongoing activities for which there is continuing authority.

(c) All official actions taken by the Director of the ACTION Agency, his designee, or any other person under the authority of such reorganization plan which are in force on the effective date of this Act and for which there is continuing authority under the provisions of this Act, and the length of the period of service of volunteers serving or undergoing training under title VIII of the Economic Opportunity Act of 1964, as amended (42 U.S.C. 2991-2994d) on the effective date of this Act, shall continue in full force and effect until modified, superseded, or revoked by the Director.

(d) All references to ACTION, or the Director of ACTION in any statute, reorganization plan, Executive order, regulation, or other official document or proceeding shall, on and after the effective date of this Act, be deemed to refer to the ACTION Agency

established by section 401 and the Director thereof.

(e) No suit, action, or other proceeding, and no cause of action, by or against the agency known as ACTION created by such reorganization plan, or any action by any officer thereof acting in his official capacity, shall abate by reason of enactment of this Act.

(f) Persons appointed by the President, by and with the advice and consent of the Senate, to positions requiring such advice and consent under such reorganization plan may continue to serve in the same capacity in the ACTION Agency without the necessity of an additional appointment by the President or further such advice and consent by the Senate.

CREDITABLE SERVICE FOR CIVIL SERVICE RETIREMENT

SEC. 602. Section 8332(b)(7) of title 5, United States Code (relating to creditable service to civil service retirement), is amended by inserting a comma and "or a period of service of a full-time volunteer enrolled in a program of at least one year's duration under part A, B, or C of title I of the Domestic Volunteer Service Act of 1973 (— U.S.C. —)" after "Economic Opportunity Act of 1964".

REPEAL OF TITLE VIII OF THE ECONOMIC OPPORTUNITY ACT

SEC. 603. Title VIII of the Economic Opportunity Act of 1964, as amended (42 U.S.C. 2991-2994d), is hereby repealed.

REPEAL OF TITLE VI OF THE OLDER AMERICANS ACT

SEC. 604. (a) Title VI of the Older Americans Act of 1965, as amended (42 U.S.C. 3044-3044e), is hereby repealed.

(b) Section 908 of the Older Americans Comprehensive Services Amendments Act of 1973 (Public Law 93-29) is amended by striking out "1973," and "1974," and inserting in lieu thereof "1974," and "1975," respectively.

Mr. HAWKINS (during the reading). Mr. Speaker, the amendment appears on pages 30435 to 30442 of the RECORD. I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

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

There was no objection.

The SPEAKER. Is there objection to the request of the gentleman from California to concur in the Senate amendment to the House amendments?

Mr. GROSS. Mr. Speaker, reserving the right to object, I should like to ask the gentleman, what is the parliamentary situation? Is the gentleman asking that we concur in a Senate amendment?

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

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

Mr. HAWKINS. Yes. The Senate amendments were highly technical in nature. They were the result of a conference with the administration. They were accepted by the sponsors on the Senate side. My understanding is there is no objection to them.

This is the ACTION bill, which the House passed under a suspension of the rules procedure on Monday.

I was not in the actual conference. I believe the gentleman from Wisconsin (Mr. STEIGER) was. As to the substantive nature of the amendments I would defer to the gentleman from Wisconsin (Mr.

STEIGER) to respond more definitely to the question.

Mr. GROSS. Let me ask the gentleman from Wisconsin, if I may, a question. Do these amendments deal with the money figures in the bill?

Mr. STEIGER of Wisconsin. Mr. Speaker, if the gentleman will yield, they do not. These amendments which were added by the Senate were developed jointly by the House, the Senate and the administration. They were worked out prior to the August recess and I believe serve to clarify certain provisions and do not substantially alter the bill as passed by the House. When we developed the compromise we also drafted a joint explanatory statement on it. I will not take the time to read the entire statement but will insert it in the RECORD at this point:

JOINT EXPLANATORY STATEMENT REGARDING HOUSE/SENATE COMPROMISE ON S. 1148/H.R. 7265

1. With respect to section 104(b) regarding periods of service of VISTA volunteers enrolled under part A of title I, the Committees in both Houses wish to make clear that the language in the Senate bill "including or excluding periods of time devoted to training as the Director may determine", although not included in the compromise, is considered to be implicit therein and in section 113(a) which cross references section 104(b) as to the periods of service for UYA part B volunteers. Also, with respect to this subsection, the Committees wish to stress, and the agency concurs, that it is imperative that VISTA volunteer applicants be advised, at the time they receive invitations to training, of the length of service for which they are being invited. This will constitute a change in Agency procedures. It is necessary because of the varying periods of service authorized for VISTA volunteers under the subsection in the compromise.

2. With respect to the language in section 105(a) (1) in the compromise permitting the Director, as an exception, to provide stipends to VISTA volunteers under part A of title I for extended periods of service not totalling one year in individual cases, the Committees intend that such extended periods of service not be less than ten months (including or excluding training as the Director may determine).

3. With respect to section 112 in the compromise permitting payment of stipends to University Year for ACTION (UYA) volunteers serving under part B of title I in accordance with the provisions of section 105 in part A, the discussion in item 2 above also applies with respect to their "extended periods of service not totalling one year".

4. With respect to section 114(c) in the compromise regarding the payment of living allowances and the provision of other support and allowances as the Director may determine to short-term or part-time volunteers in special service-learning programs, the Committees have deliberately excluded the authority to pay stipends to any such volunteers. It is further intended by the Committees that the periods of service for volunteers in special service-learning programs under section 114 in the compromise may be of such length as the Director may determine without regard to any provisions of part A or B, and that the discussion in items 2 and 3 above with respect to payment of stipends, in individual cases, to VISTA and UYA volunteers serving extended periods of service has no application to section 114 volunteers whatsoever.

5. With respect to title III—National Volunteer Programs To Assist Small Businesses and Promote Volunteer Service by Persons With Business Experience—which represents technical improvements in the provisions of

the Senate bill and the House amendment, the Committees wish to stress the following: (a) that the "assignment of volunteers" under such title refers to a work situation which has been explained to and accepted by the volunteer in question; (b) that the compromise in section 302(b) expressly requires the agreement of the Small Business Administration (SBA) Administrator to the terms and conditions of service prescribed by the ACTION Agency Director for SCORE/ACE volunteers with respect to their provision of assistance to persons or enterprises seeking to obtain, or receiving, financial or management counselling assistance from the SBA (which assistance is performed under the SBA's direction); (c) that the authority in section 302(c) (1) in the compromise to reimburse title III volunteers for necessary out-of-pocket expenses (which shall include, as under the Senate bill, parking and mileage in the event of appropriate uses of automobiles, meals, telephone calls, and the cost of necessary temporary secretarial services not available from either the ACTION Agency or the SBA) incident to their provision of services and the payment to them of travel expenses (including per diem in lieu of subsistence) while providing such services, includes the payment of such travel expenses for any necessary travel in connection with the performance of any such services, and that this authority is available without regard to the number of miles of such travel by such volunteers, in contrast to the limited authority in section 8(b) (1) of the Small Business Act which imposes a 50-mile minimum on the exercise of the SBA Administrator's travel-expenses payment authority; (d) that it is the intention and understanding of the Committees that SCORE/ACE and other title III volunteers, while carrying out official activities pursuant to such title, are covered under the Federal Employees' Compensation Act (subchapter I of chapter 81 of title 5, U.S.C.) for work-related injuries as individuals providing services to the U.S. Government without compensation such as if they were on invitational travel orders, and further, that this same coverage logically extends to volunteers serving under title II—National Older American Volunteer Programs—while they are carrying out official activities pursuant to such title; (e) that a very appropriate application of the expertise of SCORE/ACE and other title III volunteers beyond the counselling of SBA clients would be for such volunteers, either separately or working in conjunction with title II (especially in the new Senior Companions program) and title I volunteers, to provide financial and investment counselling to senior citizens and others living on fixed incomes in order to enable them to make the maximum use of their limited resources.

The Committee also expect that the Agencies will consult with appropriate SCORE/ACE volunteers in carrying out the provisions of title III.

6. With respect to section 404(f) in the compromise regarding the assignment or delegation of substantial responsibility for carrying out ACTION Agency domestic programs under the Act, the Committees do not intend the reference to clause (2) of section 402 in any way to authorize the delegation of authorities which may be otherwise prohibited to experts or consultants employed by the Agency under such clause. Further the Committee stress that the substitution of the word "programs" for the word "functions" in the first sentence of subsection (f) and the deletion of the last sentence of the subsection, as contained in the Senate bill is intended to simplify and clarify the subsection and to carry out the same purpose intended by such language in the Senate bill—namely, that the provisions of the subsection have no application to persons carrying out administrative functions in support of other than program-related activities in the Agency, that is, no application to per-

sons in the category characterized by the Agency as "Agency-wide support" (generally those persons who are carrying out staff and volunteer recruitment, selection, personnel, budget and finance, legislative, legal, and public information activities in support of both the domestic and international operations of the Agency).

7. With respect to section 405(a) in the compromise regarding the membership on the National Voluntary Service Advisory Council, the language "individuals interested in serving and benefited by programs" carried out by the Agency includes former Peace Corps, VISTA, and other former volunteers under Agency programs, and also the persons served by such programs. Further, it is the expectation of the Committees that a full 25-member Council will be appointed and that in addition to appropriate representation on the Council of such international and domestic program beneficiaries, the Council will include at least one former Peace Corps volunteer and one former volunteer from each of the major domestic programs authorized under this Act.

8. With respect to section 419 in the compromise regarding the status of title II and title III volunteers with respect to eligibility for certain benefits, the Committees note that the inclusion of this section in the compromise in the form included in the Senate bill makes unnecessary the inclusion of subsections (d) in both sections 201 and 211, as included in the House amendment—these subsections are identical to subsections (d) of both section 601 and 611 of the Older Americans Act of 1965, as added by P.L. 93-29, included in title VI which would be repealed by section 604 of this Act—and that the subsections were thus not included in the compromise.

9. With respect to section 417(a) in the compromise regarding nondiscrimination in programs carried out under the Act, the reference to disability was not included in the compromise because of the difficulty of defining that term with precision and because it was believed to be inappropriate to legislate a distinction between physical and mental handicap or disability. The Committees expect and understand that there will be no discrimination based on physical or mental handicap in ACTION Agency programs when all eligibility and program criteria are met. Moreover, the Committees note that the subject of discrimination based upon physical or mental handicap in connection with Federal contracts or subcontracts and with Federal grants is fully dealt with in both House and Senate (S. 1875) versions of H.R. 8070, the proposed Rehabilitation Act of 1973, now pending in House/Senate conference.

10. With respect to the language of the compromise in section 501 regarding authorizations of appropriations for title I provisions, it is the understanding of the Committees in both Houses that the \$29.6 million earmarked for poverty and poverty-related programs in subsection (a) will be expended in full and that the programs for which it will be expended will be full-time volunteer programs. The Committees also understand the Administration's view that these authorization provisions should not be considered as a precedent for other legislation.

Further, with respect to the language in subsection (b) requiring that if amounts are appropriated in excess of \$37.6 million under title I, a "commensurate" increase be made in the sums made available for part A of title I, the Committee adopt as the meaning of the word "commensurate" as that term is used therein, the definition in Webster's New International Dictionary Second Edition, Unabridged (1955), on page 537 as follows: "1. equal in measure or extent; also proportionate; corresponding;"

11. With respect to section 504 in the compromise regarding authorizations of appropriations for the administration of the Act,

the Committees note that the two administrative expenses limitations contained in subsections (a) and (b) of this section in the Senate bill were not included in the compromise in order to permit the General Accounting Office to complete its study, requested by the Senate Foreign Relations Committee and the Senate Special Subcommittee on Human Resources, regarding appropriate methods of allocating costs for Agency-wide support activities as between international and domestic program appropriations items. This treatment in the compromise is in line with actions of the Congress in deleting from H.R. 5293, the Peace Corps FY 1974 authorization Act (now P.L. 93-49), certain similar restrictive provisions regarding administrative expenses and personnel appointments. It is the intention of the Committees, after having received and reviewed this report of the General Accounting Office and after taking into consideration any comments thereon submitted by the Agency, to work together with the Foreign Relations and Foreign Affairs Committees in the respective bodies to develop and enact legislation providing for one administrative expenses funding mechanism (management fund) to support the Agency-wide administrative "support" functions. Moreover, the Committees urge that the General Accounting Office complete its report at the earliest possible date in order that this troublesome matter can be expeditiously resolved in the best interests of the programs administered by the Agency. The Committees further note that the Agency's operations under the figures included in the President's FY 1974 budget request will satisfy both of the administrative expenses limitations included in the Senate bill, and that they expect Agency-wide administrative support costs thereafter to continue to be less than 10 per cent of the total amount appropriated for domestic programs.

Mr. GROSS. The amendments are germane; is that correct?

Mr. STEIGER of Wisconsin. The amendments are germane.

If the gentleman will yield further, the amendments are to the House bill. Essentially this is the House bill with 12 modifications which were offered by the Senate to our version. I would add one other point. As I said on the floor Monday when we considered this bill, this legislation is balanced, flexible, and reasonable. I think that these amendments clearly strengthen the bill and reinforce my earlier statement. I am confident that ACTION's Director, Mike Balzano, will carry out this legislation and will raise the agency to new heights in service to America. I have confidence in him because it has been said that he is a prince.

Mr. GROSS. I thank the gentleman.

Mr. Speaker, I withdraw my reservation.

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

There was no objection.

The Senate amendment to the House amendments was concurred in.

A motion to reconsider was laid on the table.

CONFERENCE REPORT ON H.R. 8917, DEPARTMENT OF INTERIOR AND RELATED AGENCIES APPROPRIATIONS, 1974

Mrs. HANSEN of Washington. Mr. Speaker, I call up the conference report

on the bill (H.R. 8917) making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1974, 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 bill.

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

There was no objection.

The Clerk read the statement.

(For conference report and statement, see proceedings of the House of September 17, 1973.)

Mrs. HANSEN of Washington (during the reading). Mr. Speaker, I ask unanimous consent that the statement of the managers be considered as read.

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

There was no objection.

(Mrs. HANSEN of Washington asked and was given permission to revise and extend her remarks and include extraneous matter.)

Mrs. HANSEN of Washington. Mr. Speaker, the conference agreement on the bill H.R. 8917, making appropriations for the Department of the Interior and related agencies for fiscal year 1974 comes to a total of \$2,443,137,200 in new obligatory authority.

The amount agreed to in conference is over the House figure by \$173,583,000; under the Senate by \$45,636,500; and under the amount available in fiscal year 1973 by \$206,269,100. The principal reason that the conference agreement shows such a large increase over the House is that the Senate considered more than \$95 million in budget requests which were not considered by the House.

There were 50 amendments involving 180 items to be settled in conference. I believe that the conference report we are presenting today represents a reasonable compromise of the difference between the two Houses. I would like to point out that Senate action on the bill reduced items in the House version of the bill by \$39,304,500. The conference restored \$30,315,500 of these reductions. Some of the more significant items cut by the Senate and restored in part or in full in conference are the following:

Housing improvement program, BIA, \$1,000,000;
Santa Rosa School construction, BIA, \$4,500,000;
Riverside School design, BIA, \$250,000;
Chillico School design, BIA, \$200,000;
Colorado River Indian Irrigation Project, BIA, \$1,000,000;
Coal mine health and safety research, \$2,000,000;
Other energy research, \$4,100,000;
Warm Springs fish hatchery, \$1,300,000;
La Crosse Fishery laboratory, \$500,000;
St. Marks Wildlife Refuge, \$200,000;
Allegheny National Fish Hatchery, \$150,000;
Land Acquisition Delaware Water Gap, \$10,000,000;

Numerous forest research projects, \$430,000;

Cooperative forest fire control (CM2), \$1,000,000;

Numerous Forest Service construction projects amounting to \$6,355,000;

Dental care for Indians, \$300,000;

Pilot urban Indian health projects, \$500,000; and

Community health representatives, \$500,000.

The conference agreement includes a total of \$118,275,000 for the National Foundation on the Arts and Humanities. The total for the arts is \$60,775,000. This includes \$46,025,000 for grants to groups and individuals, \$8,250,000 for grants to State arts councils, and \$6,500,000 in matching grant funds. The total for humanities is \$51,000,000 which includes \$44,500,000 for grants to groups and individuals and \$6,500,000 in matching grant funds. A total of \$6,500,000 is available for administration of the program.

As I mentioned a moment ago, there were several items in conference which were not considered by the House. Three items were not authorized at the time the House considered the bill: Trust Territory of the Pacific Islands, for which the budget estimate was \$56,000,000 and the conference agreement is \$47,776,000; preservation of historic properties, for which the budget estimate was \$15,505,000 and the conference agreement is \$11,505,000, and the Office of Saline Water, for which the budget estimate was \$2,527,000 and the conference agreement is \$3,627,000.

The two principal activities for which the conference agreement exceeds the budget estimate are the Indian Education Act program, \$40,000,000 and energy research programs, \$55,700,000. In the case of the Indian Education Act, there was no budget estimate at all for 1974. The Congress provided \$18 million in 1973. The administration proposed not to spend the \$18 million but was forced to spend it by the courts. The \$40,000,000 provided in the conference agreement will permit the continuation and expansion of this new program. In the case of energy research programs, the administration is on record as promising an additional \$100,000,000 but no request has yet been forwarded to the Congress. The funds provided in the conference agreement will permit an early start on this program.

Mr. Speaker, before concluding my remarks on the conference report, I would like to express my appreciation to the very distinguished chairman of the Senate Subcommittee on the Department of the Interior and Related Agencies Appropriations, Senator ALAN BIBLE. Our committee has always found it a distinct pleasure to work with him and we will all miss him when he retires. His understanding of the problems is tremendous and he is most knowledgeable in all fields pertaining to items funded in this bill.

Mr. Speaker, I recommend adoption of the conference by the House and I include at this point in the RECORD pertinent tables relating to the funds provided in the conference report:

DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATION BILL, FISCAL YEAR 1974 (H.R. 8917)

Agency and item (1)	New budget (obligational) authority appropriated, 1973 (2)	Budget esti- mates of new (obligational) authority, 1974 (3)	Allowances			Conference allowance compared with—		
			House (4)	Senate (5)	Conference (6)	Budget esti- mates of new (obligational) authority, 1974 (7)	House allowance (8)	Senate allowance (9)
TITLE I—DEPARTMENT OF THE INTERIOR								
PUBLIC LAND MANAGEMENT								
Bureau of Land Management								
Management of lands and resources.....	\$96,565,000	\$91,347,000	\$83,872,000	\$83,932,000	\$83,932,000	—\$7,415,000	+\$60,000	
Construction and maintenance.....	7,965,000	6,300,000	6,300,000	6,300,000	6,300,000			
Public lands development roads and trails (appropriation to liquidate contract authority).....	(3,265,000)	(4,000,000)	(4,000,000)	(4,000,000)	(4,000,000)			
Oregon and California grant lands (indefinite, appropriation of receipts).....	17,500,000	17,500,000	17,500,000	17,500,000	17,500,000			
Range improvements (indefinite, appropriation of receipts).....	2,714,000	3,376,000	3,376,000	3,376,000	3,376,000			
Recreation development and operation of recreation facilities (indefinite, special fund).....		165,000	165,000	165,000	165,000			
Total, Bureau of Land Management.....	124,744,000	118,688,000	111,213,000	111,273,000	111,273,000	—7,415,000	+\$60,000	
Bureau of Indian Affairs								
Education and welfare services.....	\$303,285,000	299,785,000	298,476,000	300,550,000	301,704,000	+1,919,000	+3,228,000	+\$1,154,000
Education and welfare services (appropriation to liquidate contract authority).....	(271,000)	(1,500,000)	(1,500,000)	(1,500,000)	(1,500,000)			
Resources management.....	86,041,000	85,358,000	86,022,000	86,108,000	86,208,000	+850,000	+186,000	+100,000
Construction.....	56,078,000	44,000,000	53,343,000	48,287,000	53,703,000	+9,703,000	+360,000	+5,416,000
Road construction (appropriation to liquidate contract authority).....	(45,539,000)	(43,000,000)	(43,000,000)	(43,000,000)	(43,000,000)			
Alaska native fund.....	50,000,000	70,000,000	70,000,000	70,000,000	70,000,000			
Payment to Ute Tribe of Uintah and Ouray Reservation.....	65,000							
General administrative expenses.....	6,200,000	5,319,000	5,244,000	5,244,000	5,244,000	—75,000		
Tribal funds (definite).....	3,000,000	3,000,000	3,000,000	3,000,000	3,000,000			
Tribal funds (indefinite).....	13,530,000	13,505,000	13,505,000	13,505,000	13,505,000			
Total, Bureau of Indian Affairs.....	518,199,000	520,567,000	529,590,000	526,694,000	533,364,000	+12,397,000	+3,774,000	+6,670,000
Bureau of Outdoor Recreation								
Salaries and expenses.....	\$4,150,000	4,436,000	4,396,000	4,396,000	4,396,000	—40,000		
Land and Water Conservation Fund								
Appropriation of receipts (indefinite).....	300,000,000	55,223,000	71,223,000	87,223,000	76,223,000	+21,000,000	+5,000,000	—11,000,000
Territorial Affairs								
Administration of territories.....	22,375,000	15,000,000	15,000,000	14,500,000	14,500,000	—500,000	—500,000	
Permanent appropriation (special fund).....	(469,000)	(420,000)	(420,000)	(420,000)	(420,000)			
Transferred from other accounts (special fund).....	(470,000)	(645,000)	(645,000)	(645,000)	(645,000)			
Trust Territory of the Pacific Islands.....	60,000,000	56,000,000		47,776,000	47,776,000	—8,224,000	+47,776,000	
Total, Territorial Affairs.....	82,375,000	71,000,000	15,000,000	62,276,000	62,276,000	—8,724,000	+47,276,000	
Total, Public Land Management.....	1,029,468,000	770,314,000	731,422,000	791,862,000	787,532,000	+17,218,000	+56,110,000	—4,330,000
MINERAL RESOURCES								
Geological Survey								
Surveys, investigations, and research.....	\$150,450,000	156,000,000	155,974,000	162,190,000	159,536,000	+3,536,000	+3,562,000	—2,654,000
Bureau of Mines								
Mines and minerals.....	\$157,465,000	136,824,000	145,424,000	151,324,000	152,224,000	+15,400,000	+6,800,000	+900,000
Office of Coal Research								
Salaries and expenses.....	43,490,000	52,500,000	61,500,000	95,000,000	94,300,000	+41,800,000	+32,800,000	—700,000
Office of Oil and Gas								
Salaries and expenses.....	1,558,000	16,145,000	2,585,000	2,585,000	2,585,000	—13,560,000		
Total, Mineral Resources.....	352,963,000	361,469,000	365,483,000	411,099,000	408,645,000	+47,176,000	+43,162,000	—2,454,000
FISH AND WILDLIFE AND PARKS								
Bureau of Sport Fisheries and Wildlife								
Resource management.....	\$76,639,500	79,004,000	80,137,000	80,377,000	80,437,000	+1,433,000	+300,000	+60,000
Construction and anadromous fish.....	2,333,000	9,233,000	12,846,500	5,933,000	8,126,500	—1,106,500	—4,720,000	+2,193,500
Migratory bird conservation account (definite, repayable advance).....	7,100,000			7,100,000	3,500,000	+3,500,000	+3,500,000	—3,600,000
Total, Bureau of Sport Fisheries and Wildlife.....	86,072,500	88,237,000	92,983,500	93,410,000	92,063,500	+3,826,500	—920,000	—1,346,500
National Park Service								
Operation of the National Park System.....	\$162,918,000	176,780,000	176,720,000	187,577,000	183,052,000	+6,272,000	+6,332,000	—4,525,000
Planning and construction.....	\$54,146,000	20,000,000	20,000,000	19,744,000	20,000,000			+256,000
Road construction (appropriation to liquidate contract authority).....	(5,416,000)	(35,000,000)	(35,000,000)	(35,000,000)	(35,000,000)			
Preservation of historic properties.....	11,559,000	19,559,000	4,054,000	15,559,000	15,559,000	—4,000,000	+11,505,000	
Planning, development and operation of recreation facilities (indefinite, special fund).....		32,925,000	31,531,000	29,145,000	30,378,000	—2,547,000	—1,153,000	+1,233,000
John F. Kennedy Center for the Performing Arts.....	2,000,000	2,400,000	2,400,000	2,400,000	2,400,000			
Total, National Park Service.....	230,623,000	251,664,000	234,705,000	254,425,000	251,389,000	—275,000	+16,684,000	—3,036,000
Total, Fish and Wildlife and Parks.....	316,695,500	339,901,000	327,688,500	347,835,000	343,452,500	+3,551,500	+15,764,000	—4,382,500

Footnotes at end of table.

DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATION BILL, FISCAL YEAR 1974 (H.R. 8917)—Continued

Agency and item (1)	New budget (obligational) authority appropriated, 1973 (2)	Budget esti- mates of new (obligational) authority, 1974 (3)	Allowances			Conference allowance compared with—		
			House (4)	Senate (5)	Conference (6)	Budget esti- mates of new (obligational) authority, 1974 (7)	House allowance (8)	Senate allowance (9)
TITLE I—DEPARTMENT OF THE INTERIOR—Continued								
Office of Water Resources Research								
Salaries and expenses.....	\$16,344,000	\$13,149,000	\$13,689,000	\$13,689,000	\$13,689,000	+\$540,000		
Office of Saline Water								
Salaries and expenses.....	26,871,000	2,527,000		3,727,000	3,627,000	+1,100,000	+\$3,627,000	-\$100,000
Office of the Solicitor								
Salaries and expenses.....	7,360,000	7,850,000	7,500,000	7,800,000	7,500,000	-350,000		-300,000
Office of the Secretary								
Salaries and expenses.....	15,295,100	18,926,000	15,495,000	16,026,000	15,495,000	-3,431,000		-531,000
Departmental operations.....	4,466,000	5,737,000	5,737,000	5,737,000	5,737,000			
Central energy research and development fund.....		25,000,000				-25,000,000		
Salaries and expenses (special foreign currency program).....	500,000	1,630,000	670,000	1,000,000	670,000	-960,000		-330,000
Total, Office of the Secretary.....	20,261,100	51,293,000	21,502,000	22,763,000	21,902,000	-29,391,000		-861,000
Total, new budget (obligational) authority, Department of the Interior.....	1,769,962,600	1,546,503,000	1,467,684,500	1,598,775,000	1,586,347,500	+39,844,500	+118,663,000	-12,427,500
Consisting of—								
Appropriations.....	1,769,962,600	1,546,503,000	1,467,684,500	1,598,775,000	1,586,347,500	+39,844,500	+118,663,000	-12,427,500
Definite appropriations.....	(1,436,218,600)	(1,423,809,000)	(1,330,384,500)	(1,447,861,000)	(1,445,200,500)	(+21,391,500)	(+114,816,000)	(-2,660,500)
Indefinite appropriations.....	(333,744,000)	(122,694,000)	(137,300,000)	(150,914,000)	(141,147,000)	(+18,453,000)	(+3,847,000)	(-9,767,000)
Memoranda—								
Appropriations to liquidate contract authority.....	(54,491,000)	(83,500,000)	(83,500,000)	(83,500,000)	(83,500,000)			
Total, new budget (obligational) authority and appropriations to liquidate contract authority.....	(1,824,453,600)	(1,630,003,000)	(1,551,184,500)	(1,682,275,000)	(1,669,847,500)	(+39,844,500)	(+118,663,000)	(-12,427,500)
TITLE II—RELATED AGENCIES								
DEPARTMENT OF AGRICULTURE								
Forest Service								
Forest protection and utilization:								
Forest land management.....	\$299,231,000	246,324,000	259,701,000	257,961,000	257,461,000	+11,137,000	-2,240,000	-500,000
Forest research.....	62,146,000	57,275,000	59,145,000	59,880,000	60,160,000	+2,885,000	+1,015,000	+280,000
State and private forestry cooperation.....	32,837,000	23,760,000	27,760,000	26,760,000	27,760,000	+4,000,000		+1,000,000
Total, forest protection and utilization.....	394,214,000	327,359,000	346,606,000	344,601,000	345,381,000	+18,022,000	-1,225,000	+780,000
Construction and. and acquisition.....	48,794,900	25,498,000	26,353,000	24,357,000	26,443,000	+945,000	+90,000	+2,086,000
Youth conservation corps.....	3,500,000	10,000,000	10,000,000	10,000,000	10,000,000			
Forest roads and trails (appropriation to liquidate contract authority).....	(158,840,000)	(87,700,000)	(90,700,000)	(90,700,000)	(90,700,000)	(+3,000,000)		
Acquisition of lands for national forests:								
Special acts (special fund, indefinite).....	80,600	94,000	94,000	94,000	94,000			
Acquisition of lands to complete land exchanges.....		55,300	55,300	55,300	55,300			
Cooperative range improvements (special fund, indefinite).....	700,000	700,000	700,000	700,000	700,000			
Assistance to States for tree planting.....	1,020,000	1,020,000	1,013,000	1,013,000	1,013,000	-7,000		
Construction and operation of recreation facilities (indefinite, special fund).....		3,546,000	3,546,000	3,546,000	3,546,000			
Scientific activities overseas (special foreign currency program).....		1,000,000		500,000		-1,000,000		-500,000
Total, new budget (obligational) authority, Forest Service.....	448,308,900	369,272,300	388,367,300	384,866,300	387,232,300	+17,960,000	-1,135,000	+2,366,000
COMMISSION OF FINE ARTS								
Salaries and expenses.....	135,000	144,000	143,000	143,000	143,000	-1,000		
DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE								
Health Services and Mental Health Administration								
Indian health services.....	\$172,748,000	176,968,000	184,118,000	182,803,000	184,283,000	+7,315,000	+165,000	+1,480,000
Indian health facilities.....	44,549,000	41,717,000	46,027,000	50,167,000	49,927,000	+8,210,000	+3,900,000	-180,000
Total, Health Services and Mental Health Administration.....	217,297,000	218,685,000	230,145,000	232,910,000	234,210,000	+15,525,000	+4,065,000	+1,300,000
Office of Education								
Indian education.....	18,000,000			65,000,000	40,000,000	+40,000,000	+40,000,000	-25,000,000
INDIAN CLAIMS COMMISSION								
Salaries and expenses.....	1,075,000	1,086,000	1,086,000	1,086,000	1,086,000			
NATIONAL CAPITAL PLANNING COMMISSION								
Salaries and expenses.....	1,425,000	1,462,000	1,459,000	1,459,000	1,459,000	-3,000		

Agency and item (1)	New budget (obligational) authority appropriated, 1973 (2)	Budget estimates of new (obligational) authority, 1974 (3)	Allowances			Conference allowance compared with—		
			House (4)	Senate (5)	Conference (6)	Budget estimates of new (obligational) authority, 1974 (7)	House allowance (8)	Senate allowance (9)
TITLE II—RELATED AGENCIES—Continued								
NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES								
SALARIES AND EXPENSES								
Endowment for the arts.....	\$34,700,000	\$65,000,000	\$49,675,000	\$58,250,000	\$54,275,000	—\$10,725,000	+\$4,600,000	—\$3,975,000
Endowment for the humanities.....	34,500,000	65,000,000	42,500,000	50,000,000	44,500,000	—20,500,000	+2,000,000	—5,500,000
Administrative expenses.....	5,314,000	8,000,000	6,500,000	6,500,000	6,500,000	—1,500,000		
Subtotal, salaries and expenses.....	74,514,000	138,000,000	98,675,000	114,750,000	105,275,000	—32,725,000	+6,600,000	—9,475,000
MATCHING GRANTS								
Endowment for the arts (indefinite).....	3,500,000	7,500,000	4,000,000	7,500,000	6,500,000	—1,000,000	+2,500,000	—1,000,000
Endowment for the humanities (indefinite).....	3,500,000	7,500,000	4,000,000	7,500,000	6,500,000	—1,000,000	+2,500,000	—1,000,000
Subtotal, matching grants.....	7,000,000	15,000,000	8,000,000	15,000,000	13,000,000	—2,000,000	+5,000,000	—2,000,000
Total, National Foundation on the Arts and the Humanities.....	81,514,000	153,000,000	106,675,000	129,750,000	118,275,000	—34,725,000	+11,600,000	—11,475,000
SMITHSONIAN INSTITUTION								
Salaries and expenses.....	51,633,000	56,438,000	55,438,000	55,438,000	55,438,000	—1,000,000		
Museum programs and related research (special foreign currency program).....	3,500,000	9,000,000	4,500,000	4,500,000	4,500,000	—4,500,000		
Science information exchange.....	1,600,000	1,665,000	1,650,000	1,650,000	1,650,000	—15,000		
Construction and improvements, National Zoological Park.....	675,000	3,850,000	3,650,000	3,850,000	3,790,000	—60,000	+140,000	—60,000
Restoration and renovation of buildings.....	5,014,000	1,220,000	1,070,000	1,070,000	1,070,000	—150,000		
Construction.....	13,000,000							
Construction (contract authority).....	27,000,000							
Construction (appropriation to liquidate contract authority).....		(27,000,000)	(17,000,000)	(17,000,000)	(17,000,000)	(—10,000,000)		
Salaries and expenses, National Gallery of Art.....	5,420,000	5,832,000	5,832,000	5,832,000	5,832,000			
Salaries and expenses, Woodrow Wilson International Center for Scholars.....	800,000	800,000	800,000	800,000	800,000			
Operation and maintenance, John F. Kennedy Center for the Performing Arts.....	\$ 1,500,000							
Total, Smithsonian Institution.....	110,142,000	78,805,000	72,940,000	73,140,000	73,080,000	—5,725,000	+140,000	—60,000
HISTORICAL AND MEMORIAL COMMISSIONS								
Franklin Delano Roosevelt Memorial Commission.....	38,000							
American Revolution Bicentennial Commission: Salaries and Expenses.....	¹⁰ (6,224,000)	¹⁰ (7,100,000)				¹⁰ (—7,100,000)		
NATIONAL COUNCIL ON INDIAN OPPORTUNITY								
Salaries and expenses.....	290,000	300,000	100,000	300,000	200,000	—100,000	+100,000	—100,000
FEDERAL METAL AND NONMETALLIC MINE SAFETY BOARD OF REVIEW								
Salaries and expenses.....	160,000	160,000	60,000	150,000	60,000	—100,000		—90,000
JOINT FEDERAL-STATE LAND USE PLANNING COMMISSION FOR ALASKA								
Salaries and expenses.....	708,800	750,000	694,400	694,400	694,400	—55,600		
PENNSYLVANIA AVENUE DEVELOPMENT CORPORATION								
Salaries and expenses.....	¹ 350,000	200,000	200,000	500,000	350,000	+150,000	+150,000	—150,000
Total, new budget (obligational) authority, related agencies.....	879,443,700	823,864,300	801,869,700	889,998,700	856,789,700	+32,925,400	+54,920,000	—33,209,000
Consisting of—								
Appropriations.....	852,443,700	823,864,300	801,869,700	889,998,700	856,789,700	+32,925,400	+54,920,000	—33,209,000
Definite appropriations.....	(844,663,700)	(804,524,300)	(789,529,700)	(870,658,700)	(839,449,700)	(+34,925,400)	(+49,920,000)	(—31,209,000)
Indefinite appropriations.....	(7,780,000)	(19,340,000)	(12,340,000)	(19,340,000)	(17,340,000)	(—2,000,000)	(+5,000,000)	(—2,000,000)
Contract authority.....	27,000,000							
Memoranda—								
Appropriations to liquidate contract authority.....	(158,840,000)	(114,700,000)	(107,700,000)	(107,700,000)	(107,700,000)	(—7,000,000)		
Total, new budget (obligational) authority and appropriations to liquidate contract authority.....	(1,038,283,700)	(938,564,300)	(909,569,700)	(997,698,700)	(964,489,700)	(+25,925,400)	(+54,920,000)	(—33,209,000)
RECAPITULATION								
Grand total, new budget (obligational) authority, all titles.....	2,649,406,300	2,370,367,300	2,269,554,200	2,488,773,700	2,443,137,200	+72,769,900	+173,583,000	—45,636,500
Consisting of—								
Appropriations.....	2,622,406,300	2,370,367,300	2,269,554,200	2,488,773,700	2,443,137,200	+72,769,900	+173,583,000	—45,636,500
Definite appropriations.....	(2,280,882,300)	(2,228,333,300)	(2,119,914,200)	(2,318,519,700)	(2,284,650,200)	(+56,316,900)	(+164,736,000)	(—33,869,500)
Indefinite appropriations.....	(341,524,000)	(142,034,000)	(149,640,000)	(170,254,000)	(158,487,000)	(+16,453,000)	(+8,847,000)	(—11,767,000)
Contract authority.....	27,000,000							
Memoranda—								
Appropriations to liquidate contract authority.....	(213,331,000)	(198,200,000)	(191,200,000)	(191,200,000)	(191,200,000)	(—7,000,000)		
Grand total, new budget (obligational) authority and appropriations to liquidate contract authority.....	(2,862,737,300)	(2,568,567,300)	(2,460,754,200)	(2,679,973,700)	(2,634,337,200)	(+65,769,900)	(+173,583,000)	(—45,636,500)

Footnotes on following page.

¹ Includes the following amounts contained in the 2d Supplemental bill fiscal year 1973:

Bureau of Land Management, "Management of lands and resources"	\$18,500,000
Bureau of Indian Affairs, "Resources management"	2,900,000
Bureau of Sport Fisheries and Wildlife, "Resource management"	900,000
National Park Service:	
Operation of the National Park System	4,040,000
Planning and construction	3,100,000
Forest Service:	
Forest land management	43,627,000
Forest research	1,003,000
State and private forestry cooperation	77,000
Construction and land acquisition	213,000
Pennsylvania Avenue Development Corporation, "Salaries and expenses"	350,000
Total	74,710,000

² In addition \$2,040,000 transferred from "Salaries and expenses", Office of Water Resources Research and \$286,000 from "Surveys, investigations, and research," Geological Survey pursuant to the 2d Supplemental bill fiscal year 1973.

³ In addition \$72,000 transferred from "Surveys, investigations, and research," Geological Survey pursuant to the 2d Supplemental bill fiscal year 1973.

⁴ Includes \$1,064,000 transferred to other Interior Agencies pursuant to the 2d Supplemental bill fiscal year 1973.

⁵ In addition \$705,000 transferred from "Surveys, investigations, and research," Geological Survey pursuant to the 2d Supplemental bill fiscal year 1973.

⁶ Includes \$2,040,000 transferred to "Education and welfare services," Bureau of Indian Affairs pursuant to the 2d Supplemental bill fiscal year 1973.

⁷ In addition \$3,173,000 transferred from "Forest Research" and \$5,000,000 from "State and private forestry cooperation" pursuant to the 2d Supplemental bill fiscal year 1973.

⁸ In addition \$2,734,000 transferred from "Special benefits for disabled coal miners," pursuant to the 2d Supplemental bill fiscal year 1973.

⁹ Appropriated in fiscal year 1973 for obligations incurred in fiscal year 1972. Fiscal year 1973 funding is included in the National Park Service Appropriation.

¹⁰ Figures not included in totals since fiscal year 1974 budget request was not considered by either the House or the Senate.

Mr. YATES. Mr. Speaker, will the gentlewoman yield?

Mrs. HANSEN of Washington. Yes, I will be delighted to yield to the gentleman from Illinois (Mr. YATES), a member of the committee.

Mr. YATES. Mr. Speaker, as the conference report indicates, I excepted to amendment No. 49, which is the amendment offered by the gentleman from Ohio (Mr. SEIBERLING). It prohibited the granting of leases for strip mining in the national parks, the wilderness areas, and along scenic rivers. The conferees deleted that language, and I should like the gentlewoman to tell the House, if she would, why the House deleted that language.

Mrs. HANSEN of Washington. I will be delighted to respond to the distinguished gentleman from Illinois, a member of the conference committee.

As the gentleman is aware, the Senate deleted the language, and in the discussions at the conference they were rather determined to keep the Senate position.

They did it for a wide number of reasons. These reasons are summarized on a paper provided by the Department of the Interior. I will not take the time to read to the House the entire document, but I will place it in the RECORD. I will read the following excerpts from it for the gentleman:

Section 303 should not be included in H.R. 8917 when it is reported by the Conference Committee, for the reasons outlined below.

There is at the present time no surface mining of coal, under Federal leases, in any of the four systems covered by section 303, nor does any such activity appear to be planned.

They go on to say:

No new prospecting permits for coal exploration are being granted by the Department of the Interior on any Federal lands, pending an evaluation of coal leasing policies . . . and no new permits would be given in any event for national wildlife refuges, national parks, wild and scenic river system components, or wilderness areas.

It appears therefore that there is no need at this time for restrictions such as those contained in section 303.

Even though there is no present need for section 303, the language of that section could nonetheless subject the Federal Government to considerable liability for the taking of vested rights.

They continue a little later and state:

The Federal Government would, under the provisions of section 303, be put in the position of purchasing rights where there was previously no threat of development, and where government regulatory authority, rather than outright purchase, would probably be adequate either to prevent surface mining or to regulate it strictly.

Then they go on a little further to say:

The provision of section 303 which includes "study rivers" raises special problems. First, there is no definite geographical area which can be pointed to as the limits of a study river.

The statement concludes:

In addition, if section 303 resulted in a taking of existing property rights in coal deposits along the river, the Department could be required to compensate the owner for the interest taken, whether or not the river was eventually added to the system. This appears to be an unwise use of scarce acquisition funds. This problem would occur more frequently in the West, where coal deposits are often Federally owned than in the East, where coal rights are usually in private ownership.

It appears, in sum, that section 303 is unnecessary legislation, which could create a substantial, and unnecessary liability.

The complete statement follows:

SECTION 303 OF DEPARTMENT OF INTERIOR 1974 APPROPRIATIONS BILL

Section 303 of H.R. 8917, the Department of the Interior 1974 Appropriations bill, as passed by the House of Representatives provides that no part of the funds appropriated by that Act shall be expended for any expense in connection with any lease, permit, approval or other action hereafter authorizing surface coal mining on any lands within any area of the National Park System, the National Refuge System, the National Wilderness System, or the Wild and Scenic Rivers System, including "study rivers" designated under section 5(a) of the Wild and Scenic Rivers Act.

Section 303 was deleted from H.R. 8917, as passed by the Senate.

Section 303 should not be included in H.R. 8917 when it is reported by the Conference Committee, for the reasons outlined below.

There is at the present time no surface mining coal, under Federal leases, in any of the four systems covered by section 303, nor does any such activity appear to be planned. (Strip mining is taking place or may take place in the future near or at several rivers under study for addition to the Wild and Scenic Rivers System: Obed River, Tennessee; Clarion, Pennsylvania; Lower Allegheny, Pennsylvania; and Little Beaver, Ohio. However, since this coal is privately owned and the Federal Government would not be granting leases or permits, section 303 would not appear to apply to these rivers.)

Further, no new prospecting permits for coal exploration are being granted by the Department of the Interior on any Federal lands, pending an evaluation of coal leasing policies. (38 Federal Register 4682 (February 20, 1973).) Granting of permits is discretionary under section 2 of the Mineral Leasing Act, as amended (30 U.S.C. § 201), and no new permits would be given in any event for national wildlife refuges, national parks, wild and scenic river system components, or wilderness areas.

It appears therefore that there is no need

at this time for restrictions such as those contained in section 303.

Even though there is no present need for section 303, the language of that section could nonetheless subject the Federal Government to considerable liability for the taking of vested rights. Such vested rights could exist, for example, in certain permit holders or lease holders. The exact extent of such possible liability is not known, but it could be substantial. The Federal Government would, under the provisions of section 303, be put in the position of purchasing rights where there was previously no threat of development, and where government regulatory authority, rather than outright purchase, would probably be adequate either to prevent surface mining or to regulate it strictly. Such regulatory authority, would be strengthened further by legislation now being considered by the Congress to revise the mining and mineral leasing laws, such as H.R. 5442.

The provision of section 303 which includes "study rivers" raises special problems. First, there is no definite geographical area which can be pointed to as the limits of a study river. The only limits are generally the upstream and downstream borders, and the overall limitation in the Act on how many acres per mile can be included in a wild, scenic or recreational river when it is finally added to the system. It would not be at all clear what area would be included in the prohibitions of section 303 (In addition, if section 303 resulted in a taking of existing property rights in coal deposits along the river, the Department could be required to compensate the owner for the interest taken, whether or not the river was eventually added to the system. This appears to be an unwise use of scarce acquisition funds.) This problem would occur more frequently in the West, where coal deposits are often federally owned than in the East, where coal rights are usually in private ownership.

It appears, in sum, that section 303 is unnecessary legislation, which could create a substantial, and unnecessary liability.

Mr. YATES. Will the gentlewoman yield further?

Mrs. HANSEN of Washington. Yes.

Mr. YATES. It was represented, too, during the conference that the legislative committees of both the House and the Senate have under consideration at the present time language which would deal with that problem.

Mrs. HANSEN of Washington. The gentleman is entirely correct. The legislative committee is considering this entire matter, and it seems to me that the legislative committee will have the wisdom and good judgment to provide adequate protection for these areas.

Every member of the conference committee is agreed that there is no intention, no desire, no wish, to have strip mining in the national parks, the wildlife refuges, the wilderness areas, and in all the beautiful spots which are being set

aside for the eternal enjoyment of all mankind.

I would also assure the gentleman from Illinois that I would be glad to talk to the authorizing committee and convey to them the thoughts of the Members in the entire conference committee. I am glad the gentleman from Illinois discussed this subject today. I say that because I think it is a very difficult question to settle on an appropriation bill. I do hope that a thorough and wide-ranging discussion will be held in the authorizing committee as to the appropriate kind of legislation to protect these areas.

Mr. YATES. I thank the gentlewoman from Washington for her explanation. I would have preferred to see this language retained by the conferees, but I think the explanation by the gentlewoman from Washington (Mrs. HANSEN) is comprehensive and really explains the thinking of the conferees. Those of us who favor the language recognize that the legislative committee should have covered it, with the assurance that the legislative committees will cover it in legislation that they have now under consideration, we deferred to the other conferees, and did not choose to make any kind of a floor fight on the matter. The gentlewoman from Washington is right in stating that all of the conferees indicated their objection to the idea of strip mining in any of the areas therein named. They expressed with us their expectation that the legislative committee will take care of the situation.

Again I thank the gentlewoman for yielding to me.

Mrs. HANSEN of Washington. I thank the distinguished gentleman from Illinois, who is a very able and distinguished member of our subcommittee.

Mr. HECHLER of West Virginia. Mr. Speaker, will the gentlewoman yield?

Mrs. HANSEN of Washington. I will be delighted to yield to the gentleman from West Virginia.

Mr. HECHLER of West Virginia. Mr. Speaker, I would like to commend and congratulate the chairman of the subcommittee, the very able and distinguished gentlewoman from Washington (Mrs. HANSEN) for the very strong statement she has made against strip mining in priceless public areas. This statement will provide guidance for the legislative committee in writing strong language to establish the fact that strip mining must not be allowed in these areas. I think the gentlewoman from Washington has stated very eloquently the opposition to the strip mining in the national wilderness, wildlife refuges, and wild and scenic river systems, and the national park systems, and again I commend the gentlewoman for her forthright statement.

The gentleman from Ohio (Mr. SEIBERLING) submitted an excellent amendment which was overwhelmingly adopted by a voice vote in the House. Subsequent to the action of the House, the Department of the Interior submitted an ex parte statement which unfortunately was not given the oppor-

tunity to be analyzed. This statement, which the able gentlewoman from Washington quoted, admitted that although no strip mining was occurring in these areas the Department of the Interior objected to a clear ban on strip mining in these areas. Similar objections have been voiced to the House Committee on Interior and Insular Affairs, and I am confident the legislative committee will adequately respond to that challenge.

Mrs. HANSEN of Washington. I thank the distinguished gentleman from West Virginia.

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

Mrs. HANSEN of Washington. I yield to the distinguished gentleman from Wyoming (Mr. RONCALIO).

Mr. RONCALIO of Wyoming. Mr. Speaker, I thank the gentlewoman from Washington for yielding to me, and I wish to compliment the gentlewoman on the excellent work that she and the members of the subcommittee have done on this bill. I would like to assure the gentlewoman from Washington and her subcommittee that, working on the legislative committee in preparing authorizations with reference to these matters, we will exclude strip mining from the areas mentioned by the gentlewoman from Washington (Mrs. HANSEN), the gentleman from Illinois (Mr. YATES), and the gentleman from West Virginia (Mr. HECHLER).

And may I now, because of a personal interest in it, ask the gentlewoman from Washington whether we could have an explanation as to the deletion of the \$320,000 for the construction of the Ethete High School in the Wind River Indian Reservation of the Shoshone and Arapaho Indians of Wyoming?

Mrs. HANSEN of Washington. I will be glad to explain to the gentleman from Wyoming.

When the other body placed funds in this bill for the Ethete High School, they did not place the necessary authorizing language that would allow the money to be spent. As the gentleman from Wyoming is well aware, many of these school projects are not authorized and require specific language in the appropriation bill. We have pointed this out to the authorizing committee for many years. Something should be done, and we are hopeful that this can be accomplished, in the proper manner.

Mr. RONCALIO of Wyoming. May I ask the gentlewoman from Washington whether the proper place would be the next supplemental bill?

Mrs. HANSEN of Washington. Provided that the necessary language is included in that bill.

Mr. RONCALIO of Wyoming. I thank the gentlewoman from Washington.

Mr. McDADE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of this conference report. Like all conference reports and most of our legislation, it represents give and take with the other body, and it is not precisely the kind of bill we all may have wanted, but on balance it is a bill I think that can be enthusiastically supported by the Members of this

Chamber. It is the major resources bill that we will have before us this year, and I urge its adoption.

Mr. Speaker, I rise in support of the conference report on the bill H.R. 8917 making appropriations for the Department of Interior and related agencies for fiscal 1974 and to urge its approval by the House of Representatives.

Mr. Speaker, this bill contains two items of particular importance to the people of my congressional district. The first item concerns a \$10 million initiative to provide funds through the land and water conservation fund for accelerated land acquisition in the Delaware Water Gap National Recreation Area. Many times in the last several years I have come to my colleagues here in the House to alert you to the plight of the many homeowners, businessmen and residents of the area of this long incomplete park. Earlier this year the House version of this bill contained \$10 million. The Senate deleted \$5 million. However, in the interim I have received written and verbal assurances from the Army Corps of Engineers that they could obligate \$10 million this fiscal year and in the process take a giant step forward in acquiring the land necessary to complete the park. Accordingly, the Senate has agreed to my position and accepted the \$10 million figure.

Another item contained in the bill is a \$700,000 allocation to the U.S. Bureau of Mines for environmental improvement projects in northeastern Pennsylvania. During the past several years, through the Bureau's efforts, we have made tremendous strides in attacking the after effects of both surface and strip mining. These funds will be used to continue the Bureau's ongoing programs of demonstrating how scarred lands can be rehabilitated for recreational, residential, and commercial use. This item was likewise deleted in the Senate bill. However, I am pleased that the conferees agreed to my request to restore the funds.

I think the Members are aware that this bill represents a significant increase in new budget authority above the House-passed version of the bill. It is important to note that when the House considered the bill many of the budgeted accounts funded in this conference report had not been authorized. Therefore, your committee withheld funding recommendations for them. I am speaking specifically of funds for Indian education, the trust territories, the historic preservation programs of the National Park Service, and the Office of Saline Water.

I would also call the Members' attention to the committee's action regarding a significant increase for energy related research through the Office of Coal Research. These funds are provided with the understanding that the additional impetus such forward funding will give our energy programs is absolutely essential to meeting our energy needs. The Office of Coal Research and the Department of the Interior are expected to consult closely with the committee in the subsequent implementation of these funds. These programs, when considered

separately, account for practically all but several million of new budget authority.

Mr. Speaker, the committee has also moved to provide funds for the many States who have actively participated in the land and water conservation fund by providing two provisions relating to the formula for usage. Anticipating that many States will exhaust their limited allocations, the committee has provided language in the report which will allow a State to provide more than 50 percent of its share if the State has funds available. This action has the support of most States who have long desired more flexibility in the use of the fund. Second, the Members will note that that 18 million of the State share of the fund be made available to those States who expect to exhaust their prior allocations during the coming fiscal year. The Secretary of the Interior will fund such projects on a project by project basis with the approval of the "needy" allocations not to be subtracted from future State shares. I am hopeful that these actions when taken with the dollar amounts in the bill will allow an active outdoor recreation program for all of the States through the coming year.

Mr. Speaker, I believe this bill is one of the most important pieces of legislation we will consider this year. With our energy needs so close at hand, with the human needs of millions of native Americans so dependent on its provisions and with the orderly development and protection of our national resources so vital, the moneys we invest here today will return dividends many times over. I urge the adoption of the conference report by the Members of this House.

Mr. McDADE. Mr. Speaker, I yield 4 minutes to the gentleman from California (Mr. ROUSSELOT).

Mr. ROUSSELOT. Mr. Speaker, if I might, I should like to direct several questions to the gentlewoman from Washington relating to research and development money and ongoing money for fire protection in our national forests. As I know the gentlewoman is well aware, the Forest Service has had an active program to develop firefighting equipment that can be utilized in Air Force C-130's. This equipment was successfully tested in Idaho and used in two forest fires in California, most successfully this past year. As I understand it, this conference has done nothing to reduce the roughly \$1 million for the future purchase of this kind of equipment; is that basically correct?

Mr. HANSEN of Washington. Mr. Speaker, if the gentleman will yield, may I say that the conference made no reduction in research funds for forest fire prevention and control. May I say that the U.S. Forest Service has done an outstanding job in research on fire prevention and control. They simply do not have the money, as the gentleman is well aware, to purchase all the planes and equipment that are desirable. I trust that the gentleman from California, who is so interested in this program, would join the committee in urging that the Office of Management and Budget pro-

vide adequate funds in next year's budget for firefighting research, prevention, and control.

Mr. ROUSSELOT. I thank the gentlewoman, and I support that effort. I appreciate her comments that nothing by this conference has been done to reduce any influence in the purchasing of the previously described firefighting equipment.

I should like to ask additionally, if I might, of my good colleague, the gentleman from Oregon (Mr. WYATT) who I know has spent a great deal of time exploring with all of us how effective this kind of equipment that has now been used in fighting fires actually is, if it is clearly his understanding that in this conference nothing was done to reduce the possibility of the Forest Service using roughly \$1 million for the purchase of this kind of equipment which can be put in existing aircraft, C-130's, by the Air Force without the requirement of purchasing additional aircraft. Is that basically correct?

Mr. WYATT. I thank the gentleman for yielding to me. I went to California to inspect the areas in southern California east of Los Angeles, and to observe the great need they have because of the explosive nature and the threat of fire. I followed with a great deal of interest the use of the equipment in the existing C-130's this summer, in fact in the past month in this work in particular, and it is my understanding the money is available and that the techniques are quite well established to make this an effective way to fight fires.

I do not understand the gentleman's attempt, or the Forest Service or our conference committee, to provide in this bill for the buying of additional aircraft.

Mr. ROUSSELOT. There is no need to buy aircraft, just desperately needed firefighting equipment.

Mr. WYATT. The money can be used for adapting existing aircraft now with this improved equipment.

Mr. McDADE. Mr. Speaker, I yield to the gentleman from California (Mr. ROUSSELOT) 1 additional minute.

Mr. ROUSSELOT. I thank the gentleman for yielding.

The gentleman from Oregon was most helpful in coming to California with many of our colleagues from California who have joined in this effort to make sure the Forestry Service does proceed on this purchase course. As a result of the purchasing of this equipment primarily as a follow-on to the tremendous fires that occurred in 1970, we found many Air Force aircraft that are available. The Forestry Service can purchase this equipment to be inserted in existing Air Force aircraft, so as the gentleman from Oregon has so constructively pointed out there will be no requirement to purchase any aircraft.

Mr. WYATT. That is my understanding.

Mr. ROUSSELOT. I thank the gentleman.

Mr. McDADE. Mr. Speaker, I yield 5 minutes to the gentleman from Iowa (Mr. GROSS).

Mr. GROSS. Mr. Speaker, according to the information that has been provided me concerning this conference report, it calls for spending in the Department of Interior and related agencies in the current fiscal year of \$2,634,337,200. That is \$173,583,000 above the bill as it left the House, and \$65,769,900 above the President's budget. If those figures are not correct, I wish someone would correct them.

My concern with this substantially increased expenditure involves, among other things, those wonderful institutions known as the arts and the humanities and they are here in all their tax-eating, Nixon-blessed glory for spending on them has been increased. Let me give the Members a little history.

In fiscal year 1966, when the arts and the humanities took off, there was actually appropriated \$2.5 million for the arts and \$2.5 million for the humanities, a total of \$5 million for both. That was only 8 fiscal years ago.

What is to be spent this year? Again I hope these figures are correct and I would be glad to be corrected if they are not. This bill as I understand it provides no less than \$54,275,000 for the arts and \$44,500,000 for the humanities, plus \$6.5 million for administration.

That is \$105,275,000. From that relatively modest beginning of \$5 million, the arts and humanities have taken flight.

But wait a minute—that is not all. Under the heading of "Matching Grants," there is another \$6,500,000 for the arts and another \$6,500,000 for the humanities or a grand total of \$118,275,000 for these two outfits in this fiscal year. They are not only in flight—they are in orbit.

Evidently very few around here are concerned that before this session of Congress adjourns it is going to have to increase the debt ceiling.

Yes, Congress has gone from \$5 million for both of these do-good organizations to \$118,275,000 in 8 short years.

On September 15 there appeared a story in the Washington Post and I would like to read an excerpt or two from it. It says:

President Nixon yesterday reappointed Nancy Hanks as chairman of the National Endowment for the Arts and National Council on the Arts and said earlier fears that the Government would attempt to dominate the arts through such organizations have been dispelled.

The President called his Administration's sponsorship of the arts "one of our more successful achievements" and said that Miss Hanks had been able to get "about a 900-percent increase" in Federal support of the arts since 1970.

Of course, that is since the President came to power. The article said:

"I don't want anything else increased like that," he (the President) said with a laugh as he announced Miss Hanks' reappointment at a meeting with members of the Council in his office.

Incidentally, a picture goes with the story showing the President patting Nancy's hand. Nancy and the President have done real well in raiding the Treas-

ury. But let me say that this kind of business is not going to stop inflation or put much in the way of bacon and beans in the stomach of anyone who is hungry in the country.

I have no quarrel with the arts and humanities, but they ought to take their place far down the line of priority in spending. And it ill behooves the President to boast that he has increased spending for this purpose 900 percent since 1970. The Members can be sure that if I can get the job done, there will be a vote on amendment No. 40, and the succeeding amendment which would validate this totally unnecessary spending.

Mr. McDADE. Mr. Speaker, I yield 2 minutes to the gentleman from Minnesota (Mr. QUIE).

Mr. QUIE. Mr. Speaker, I am going to talk a little bit more about the arts and humanities when the authorization conference report comes to the House. I guess I am taking the other approach from the gentleman from Iowa (Mr. GROSS).

As the Members will recall, not too long ago we had a real stiff battle here because the administration wanted to increase the arts and humanities to \$145 million, and we carried the day; we used "such sums" for 1975 and 1976. When the bill went to the House, there was \$100 million appropriated in the appropriation bill. The Senate got \$123 million and the conference on appropriations agreed to \$118 million.

What really bothers me is how this body by a majority vote could agree to \$145 million and now come back with \$118 million. We are deluding somebody around here. We gave the impression that we were going to back the budget request by this amount of \$145 million. There was no amendment offered in the House in order to increase the House \$100 million figure. There was no amendment in the Senate, and incidentally, they put their authorization at \$160 million instead of \$145 million. There was no amendment offered over there to raise that \$123 million either to the House or Senate figure in the authorization.

This is what is really bothering me, that we are telling the people one thing in authorization bills and telling people another thing in appropriations bills.

I am going into this more when the authorizing conference report comes back and point out how each year since this thing began, how we have not reached the mark of what we promised. We have got to quit promising so blamed much and face reality.

If all we wanted to put up for the arts and humanities was \$118 million, we should have said that to begin with, or at least come closer to the authorization figure. We are going to authorize \$200 million for 1975 and \$252 million for 1976. That is not a jump from \$145 authorized; that is going to be a jump from the \$118 million appropriated up to \$200 million authorized in 1975. That certainly cannot be a realistic figure.

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

Mr. McDADE. Mr. Speaker, I yield 1 additional minute to the gentleman from Minnesota.

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

Mr. QUIE. Let me finish the statement, and I think I will have time to yield.

I signed the conference report. I was bothered a while about doing it because I felt the \$200 million was a figure that was beyond what the administration would ask for and certainly beyond what this Appropriation Committee and this Congress would appropriate, but because it is acceptable downtown, I signed the conference report.

I just wanted to point this out, that we have got to come closer together in our authorizations and appropriations.

Mr. Speaker, I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Speaker, is the gentleman merely suffering because they did not get everything they wanted on this bill?

Mr. QUIE. I am suffering, having won the day with some more of my colleagues on the Education and Labor Committee, on the authorization bill for \$145 million. We worked like everything for that to get \$145 million and a majority of the House went along with it. Now, a majority of both bodies are going for \$118 million. Perhaps that \$118 million may be all right.

I felt that the \$145 million had been well-planned for by the administration because of moving to the Bicentennial. We really will be in trouble if we undershoot the mark this much.

Mr. McDADE. Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from Oregon (Mr. WYATT).

Mr. WYATT. Mr. Speaker, I rise in support of the conference report. I should like to commend the leadership of our subcommittee for having worked out a very reasonable, sensible, and good compromise with the other body.

I should like to point out that we have agreed with to an increase of \$9.5 million for reforestation on Federal lands and timber stand improvement. I should point out this will barely permit us to stay even with the enormous backlog of federally owned lands, some approximately 5 million acres of lands capable of reforestation which are not being reforested.

We have gone about as far as anybody can expect us to go in the Congress in this regard. We need a massive infusion of money if we are to meet the wood and fiber demands tomorrow within the framework of reasonable environmental protection.

I merely point that out in passing.

Mrs. HANSEN of Washington. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Indiana (Mr. BRADEMAS).

Mr. BRADEMAS. Mr. Speaker, I thank

the distinguished gentleman of the subcommittee (Mrs. HANSEN), and I wish to commend her for her continuing leadership in support of the arts and humanities.

Mr. Speaker, as some of my colleagues know, I have found it easy to restrain my enthusiasm for most of the works of the administration of President Nixon, but I must say that I believe the President has been well advised in the splendid support he has given to the programs provided under the Arts and Humanities Foundation.

If Members will recall the debate on the authorizing bill in the House, they will remember the eloquent words of the distinguished minority leader, the gentleman from Michigan (Mr. FORN), in which he made clear his own strong support for this program, as did many other Members both on the majority and minority sides.

If I understood what my colleague from Minnesota (Mr. QUIE), who has contributed significantly to the shaping of this legislation, said just now, I, too, join in feeling that the Committee on Appropriations should have appropriated the full \$145 million authorized in the legislation and recommended by the President. But if that was not possible, I hope very much there will certainly be firm resistance to any efforts to reduce the appropriations for a program which, as much as any other program we have been considering in this body, has come to command the confidence and support of Members on both the majority and minority sides and of Presidents of the United States of both political parties.

Mrs. HANSEN of Washington. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Illinois (Mr. ANNUNZIO).

Mr. ANNUNZIO. I thank the gentleman for yielding.

Mr. Speaker, I have been a strong supporter of this program.

The word "suffering" was used today. I am just wondering how much suffering is going to take place since we are reducing this amount to \$118 million while we are closing 12 public service hospitals.

As we appropriate this money, our wonderful, wonderful citizens will be watching the concerts, and the hospitals will be closed. I am wondering who is going to do more suffering?

Mrs. HANSEN of Washington. Mr. Speaker, I yield 1 minute to the distinguished gentleman from West Virginia (Mr. HECHLER).

Mr. HECHLER of West Virginia. Mr. Speaker, to meet the critical energy needs of this Nation in this century it is absolutely essential that we move forward on speedy research for the desulfurization of coal and for the liquefaction and gasification of coal. I was very pleased to note that the conference had increased the amount of money for coal research in these areas. I was disappointed to note the reduction made in the Senate on coal mine health and safety research. But thanks to the efforts of

my able colleague from West Virginia (Mr. ROBERT C. BYRD) additional funds were added in the Senate and adopted by the conference to enhance the utilization of our abundant reserves in coal.

I would like to ask the distinguished chairman of the subcommittee whether she feels that the emphasis on coal gasification and liquefaction included in the final conference figures will be sufficient to speed up our utilization of this very necessary fuel?

Mrs. HANSEN of Washington. Mr. Speaker, will the gentleman yield?

Mr. HECHLER of West Virginia. I yield to the gentlewoman from Washington?

Mrs. HANSEN of Washington. Mr. Speaker, this will give us a start. May I say that the committee is convinced that this is merely a first step. I think that is the reason why we are having this discussion.

The distinguished gentleman from Iowa says that we are over the budget. Yes, frankly, we are over the budget. The President knows we are over the budget, and the Director of the Office of Management and Budget sat down with us to discuss the problem of the energy crisis.

The question is: Which is more important, the matter of the budget as of this moment, or the budget supplements coming up in a short while to add to this amount and correct a critical situation?

Mr. HECHLER of West Virginia. Mr. Speaker, I am delighted with the action of the conference committee in this wise investment which will speed up our efforts to meet the Nation's energy needs through increasing the use of our vast coal reserves.

Mr. SEIBERLING. Mr. Speaker, I wish to commend the gentlewoman from Washington (Mrs. HANSEN) for a very fine statement of support for the principle that Congress should make its position abundantly clear against strip mining of coal in the national park system and related systems. Certainly it is gratifying to learn that the Department of the Interior has gone on record that it has no intention of exercising its discretionary powers to grant any new permits for such mining in national parks, national wildlife refuges, national wilderness areas, or components of the wild and scenic rivers system.

However, such are the pressures from certain elements in the coal mining industry that I do not think we should merely rely on assurances as to the present intentions and present policies of the Interior Department. Another Secretary of the Interior or another administration may adopt a different approach. It is unthinkable that we would permit such activities in our national parks system unless all other alternatives are exhausted. Therefore, it is especially gratifying to have the expression of the gentlewoman from Washington and other members of her subcommittee in support of the inclusion of an appropriate prohibition in general legislation now pending in the House Interior Committee.

I can appreciate that the questions raised by the Department of the Interior with which the conference committee was confronted were such as to suggest the advisability of allowing the matter to be handled in the general legislation rather than in the appropriations bill. It is unfortunate, however, that the Department supplied only the vaguest basis for the fears it expressed as to possible Government liability, since, under the circumstances, there was no opportunity to show the extent to which these concerns are groundless.

In any event, there will be such an opportunity in the course of the discussion in the Interior Committee.

Certainly our deliberations in the Interior Committee will be aided by the support we have received from the gentlewoman from Washington and the other members of her subcommittee who have expressed themselves today on this subject.

Mrs. HANSEN of Washington. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

MOTION TO RECOMMIT OFFERED BY MR. RUTH

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

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

Mr. RUTH. Mr. Speaker, I am, in its present form.

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

The Clerk read as follows:

Mr. RUTH moves to recommit the conference report to the committee of conference.

The SPEAKER. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

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

The motion to recommit was rejected.

The SPEAKER. The question is on the conference report.

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

Mr. GROSS. 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 385, nays 14, not voting 35, as follows:

[Roll No. 470]

YEAS—385

Abdnor
Abzug
Addabbo
Alexander
Anderson,
Calif.
Anderson, Ill.
Andrews, N.C.
Andrews,
N. Dak.
Annunzio
Archer
Arends

Armstrong
Ashley
Aspin
Badillo
Bafalis
Baker
Barrett
Bauman
Beard
Bennett
Berglund
Bevill
Biaggi

Biester
Bingham
Blackburn
Blatnik
Boggs
Boland
Bolling
Bowen
Brademas
Brasco
Bray
Breaux
Breckinridge

Brinkley
Brooks
Broomfield
Brotzman
Brown, Calif.
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Broyles, Va.
Buchanan
Burgener
Burke, Calif.
Burke, Mass.
Burlison, Mo.
Burton
Butler
Byron
Camp
Carney, Ohio
Carter
Casey, Tex.
Cederberg
Chamberlain
Chappell
Chisholm
Clancy
Clark
Clausen,
Don H.
Clawson, Del
Clay
Cleveland
Cochran
Cohen
Collier
Collins, Ill.
Conable
Conlan
Conte
Conyers
Corman
Cotter
Coughlin
Cronin
Culver
Daniel, Dan
Daniel, Robert
W. Jr.
Daniels,
Dominick V.
Danielson
Davis, Ga.
Davis, S.C.
Davis, Wis.
de la Garza
Delaney
Dellenback
Dellums
Denholm
Dennis
Dent
Derwinski
Devine
Donohue
Downing
Drinan
Dulski
du Pont
Eckhardt
Edwards, Ala.
Edwards, Calif.
Eilberg
Erlenborn
Esch
Eshleman
Evans, Colo.
Evins, Tenn.
Fascell
Findley
Fish
Fisher
Flood
Flowers
Foley
Ford, Gerald R.
Ford,
William D.
Forsythe
Fraser
Frelinghuysen
Frenzel
Frey
Froehlich
Fulton
Fuqua
Gaydos
Gettys
Gialmo
Gibbons
Gilman
Ginn
Goldwater
Gonzalez

Grasso
Green, Oreg.
Green, Pa.
Griffiths
Grover
Gude
Gunter
Guyer
Haley
Hamilton
Hammer-
schmidt
Hanley
Hanna
Hanrahan
Hansen, Wash.
Harrington
Harsha
Harvey
Hastings
Hawkins
Hays
Hechler, W. Va.
Helms
Helstoski
Henderson
Hicks
Hinshaw
Hogan
Holifield
Holt
Holtzman
Horton
Hosmer
Howard
Huber
Hudnut
Hungate
Hunt
Hutchinson
Ichord
Jarman
Johnson, Calif.
Johnson, Colo.
Johnson, Pa.
Jones, Ala.
Jones, N.C.
Jones, Okla.
Jones, Tenn.
Jordan
Kath
Kastenmeier
Kazen
Keating
Kemp
Ketchum
King
Kluczyński
Koch
Kuykendall
Kyros
Landrum
Latta
Leggett
Lehman
Lent
Litton
Long, La.
Long, Md.
Lott
McClory
McCloskey
McCollister
McCormack
McDade
McFall
McKay
McSpadden
Macdonald
Madden
Madigan
Mahon
Mailliard
Mallory
Maraziti
Martin, Nebr.
Martin, N.C.
Mathias, Calif.
Matsunaga
Mayne
Mazzoli
Meeds
Meicher
Metcalfe
Mezvisky
Michel
Milford
Miller
Minish
Mink
Minshall, Ohio
Mitchell, Md.
Mitchell, N.Y.

Mizell
Moakley
Mollohan
Montgomery
Moorhead,
Calif.
Moorhead, Pa.
Morgan
Mosher
Moss
Murphy, Ill.
Murphy, N.Y.
Myers
Natcher
Nelsen
Nichols
Nix
Obey
O'Brien
O'Hara
O'Neill
Owens
Parris
Passman
Patten
Perkins
Pettis
Peyser
Pickle
Pike
Podell
Poyer
Pryor
Price, Ill.
Price, Tex.
Pritchard
Quile
Quillen
Rallsback
Randall
Rangel
Rarick
Rees
Regula
Reid
Reuss
Riegle
Rinaldo
Roberts
Robinson, Va.
Robinson, N.Y.
Rodino
Roe
Rogers
Roncalio, Wyo.
Roncalio, N.Y.
Rooney, N.Y.
Rooney, Pa.
Rose
Rosenthal
Rostenkowski
Roush
Roussetot
Roybal
Runnels
Ruppe
Ryan
St Germain
Sarasin
Sarbanes
Saylor
Scherie
Schneebell
Schroeder
Sebelius
Seiberling
Shipley
Shoup
Shriver
Sikes
Sisk
Skubitz
Slack
Smith, Iowa
Smith, N.Y.
Snyder
Spence
Staggers
Stanton
J. William
Stark
Steed
Steele
Steelman
Steiger, Ariz.
Steiger, Wis.
Stevens
Stokes
Stratton
Stubblefield
Stuckey
Studds
Symington
Symms

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

NAYS—14

Collins, Tex.	Gross	Ruth
Crane	Landgrebe	Satterfield
Dickinson	Mathis, Ga.	Shuster
Fountain	Poage	Treen
Goodling	Powell, Ohio	

NOT VOTING—35

Adams	Hansen, Idaho	Roy
Ashbrook	Hébert	Sandman
Bell	Heckler, Mass.	Stanton,
Burke, Fla.	Hillis	James V.
Burleson, Tex.	Lujan	Sullivan
Carey, N.Y.	McEwen	Talcott
Diggs	McKinney	Teague, Tex.
Dingell	Mann	Udall
Dorn	Mills, Ark.	Wilson,
Duncan	Nedzi	Charles, Tex.
Flynt	Patman	Young, Tex.
Gray	Pepper	
Gubser	Rhodes	

So the conference report was agreed to.

The Clerk announced the following pairs:

Mr. Carey of New York with Mr. Roy.
 Mrs. Sullivan with Mr. James V. Stanton.
 Mr. Teague of Texas with Mr. Rhodes.
 Mr. Pepper with Mr. Dorn.
 Mr. Hébert with Mr. McKinney.
 Mr. Gray with Mr. Charles Wilson of Texas.
 Mr. Flynt with Mr. McEwen.
 Mr. Burleson of Texas with Mr. Ashbrook.
 Mr. Adams with Mr. Lujan.
 Mr. Mills of Arkansas with Mr. Bell.
 Mr. Young of Texas with Mr. Hillis.
 Mr. Mann with Mr. Burke of Florida.
 Mr. Talcott with Mr. Dingell.
 Mr. Diggs with Mr. Udall.
 Mr. Duncan with Mr. Patman.
 Mr. Nedzi with Mr. Gubser.
 Mr. Sandman with Mrs. Heckler of Massachusetts.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

AMENDMENTS IN DISAGREEMENT

The SPEAKER. The Clerk will report the first amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 4: Page 6, line 6, strike out "\$299,976,000" and insert in lieu thereof "\$302,050,000".

MOTION OFFERED BY MRS. HANSEN OF WASHINGTON

Mrs. HANSEN of Washington. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mrs. HANSEN of Washington moves that the House recede from its disagreement to the amendment of the Senate numbered 4 and concur therein with an amendment, as follows: In lieu of the sum proposed by said amendment, insert "\$303,204,000".

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 5: On page 6, line 7, after "000" insert: "of which \$3,528,000

shall be available to reimburse other agencies for obligations incurred on and after February 1, 1973."

MOTION OFFERED BY MRS. HANSEN OF WASHINGTON

Mrs. HANSEN of Washington. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mrs. HANSEN of Washington moves that the House recede from its disagreement to the amendment of the Senate numbered 5 and concur therein.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 6: On page 6, line 18, strike out "\$86,022,000" and insert in lieu thereof "\$86,108,000".

MOTION OFFERED BY MRS. HANSEN OF WASHINGTON

Mrs. HANSEN of Washington. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mrs. HANSEN of Washington moves that the House recede from its disagreement to the amendment of the Senate numbered 6 and concur therein with an amendment, as follows: In lieu of the sum proposed by said amendment, insert "\$86,208,000".

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 7: On page 6, line 25, strike out "\$53,343,000" and insert in lieu thereof "\$48,287,000".

MOTION OFFERED BY MRS. HANSEN OF WASHINGTON

Mrs. HANSEN of Washington. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mrs. HANSEN of Washington moves that the House recede from its disagreement to the amendment of the Senate numbered 7 and concur therein with an amendment, as follows: In lieu of the sum proposed by said amendment, insert "\$53,703,000".

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 8: On page 8, line 6, after "Provided, That" insert: "in addition to the funds heretofore advanced".

MOTION OFFERED BY MRS. HANSEN OF WASHINGTON

Mrs. HANSEN of Washington. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mrs. HANSEN of Washington moves that the House recede from its disagreement to the amendment of the Senate numbered 8 and concur therein.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 12: On page 13, line 19, insert the following:

TRUST TERRITORY OF THE PACIFIC ISLANDS

For the expenses necessary for the Department of the Interior in administration of the Trust Territory of the Pacific Islands pursuant to the Trusteeship Agreement approved by joint resolution of July 18, 1947 (61 Stat. 397), and the Act of June 30, 1954 (68 Stat. 330), as amended (84 Stat. 1559), including the expenses of the High Commis-

sioner of the Trust Territory of the Pacific Islands; compensation and expenses of the Judiciary of the Trust Territory of the Pacific Islands; grants to the Trust Territory of the Pacific Islands in addition to local revenues, for support of governmental functions and payment to the Trust Territory Economic Development Loan Fund pursuant to Public Law 92-257; \$47,776,000, to remain available until expended: *Provided*, That all financial transactions of the Trust Territory, including such transactions of all agencies or instrumentalities established or utilized by such Trust Territory, shall be audited by the General Accounting Office in accordance with the provisions of the Budget and Accounting Act, 1921 (42 Stat. 23), as amended, and the Accounting and Auditing Act of 1950 (64 Stat. 834): *Provided further*, That the government of the Trust Territory of the Pacific Islands is authorized to make purchases through the General Services Administration: *Provided further*, That appropriations available for the administration of the Trust Territory of the Pacific Islands may be expended for the purchase, charter, maintenance, and operation of surface vessels for official purposes and for commercial transportation purposes found by the Secretary to be necessary in carrying out the provisions of article 6(2) of the Trustee Agreement approved by Congress.

MOTION OFFERED BY MRS. HANSEN OF WASHINGTON

Mrs. HANSEN of Washington. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mrs. HANSEN of Washington moves that the House recede from its disagreement to the amendment of the Senate numbered 12 and concur therein.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 15: On page 17, line 9, strike out "\$145,424,000" and insert in lieu thereof "\$151,324,000".

MOTION OFFERED BY MRS. HANSEN OF WASHINGTON

Mrs. HANSEN of Washington. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mrs. HANSEN of Washington moves that the House recede from its disagreement to the amendment of the Senate numbered 15 and concur therein with an amendment, as follows: In lieu of the sum proposed by said amendment, insert "\$152,224,000".

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 17: On page 19, line 10, strike out "\$80,137,000" and insert in lieu thereof "\$80,377,000".

MOTION OFFERED BY MRS. HANSEN OF WASHINGTON

Mrs. HANSEN of Washington. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mrs. HANSEN of Washington moves that the House recede from its disagreement to the amendment of the Senate numbered 17 and concur therein with an amendment, as follows: In lieu of the sum proposed by said amendment, insert "\$80,437,000".

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 29: On page 29, line 21, strike out "\$259,701,000" and insert in lieu thereof "\$257,961,000".

MOTION OFFERED BY MRS. HANSEN OF WASHINGTON

Mrs. HANSEN of Washington. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mrs. HANSEN of Washington moves that the House recede from its disagreement to the amendment of the Senate numbered 29 and concur therein with an amendment, as follows: In lieu of the sum proposed by said amendment, insert "\$257,461,000".

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 32: On page 30, line 22, strike out "\$26,353,000" and insert in lieu thereof "\$24,357,000".

MOTION OFFERED BY MRS. HANSEN OF WASHINGTON

Mrs. HANSEN of Washington. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mrs. HANSEN of Washington moves that the House recede from its disagreement to the amendment of the Senate numbered 32 and concur therein with an amendment, as follows: In lieu of the sum proposed by said amendment, insert "\$26,443,000".

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 30: On page 30, line 8, strike out "\$59,145,000" and insert in lieu thereof "\$59,880,000".

MOTION OFFERED BY MRS. HANSEN OF WASHINGTON

Mrs. HANSEN of Washington. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mrs. HANSEN of Washington moves that the House recede from its disagreement to the amendment of the Senate numbered 30 and concur therein with an amendment, as follows: In lieu of the sum proposed by said amendment, insert "\$60,160,000".

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 34: Page 35, strike out the word "or" and insert the word "to."

MOTION OFFERED BY MRS. HANSEN OF WASHINGTON

Mrs. HANSEN of Washington. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mrs. HANSEN of Washington moves that the House recede from its disagreement to the amendment of the Senate numbered 34 and concur therein.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment, in disagreement.

The Clerk read as follows:

Senate amendment No. 35: Page 35, strike out "of the National Forest System of the Forest Service" and insert "to move or close any regional office for research, State and private forestry, and National Forest System administration of the Forest Service, Department of Agriculture, without the consent of the Committee on Appropriations and Committee on Agriculture and Forestry in the U.S. Senate and U.S. House of Representatives."

MOTION OFFERED BY MRS. HANSEN OF WASHINGTON

Mrs. HANSEN of Washington. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mrs. HANSEN of Washington moves that the House recede from its disagreement to the amendment of the Senate numbered 35 and concur therein.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 36: Page 36, strike out "\$184,118,000" and insert in lieu thereof "\$182,803,000".

MOTION OFFERED BY MRS. HANSEN OF WASHINGTON

Mrs. HANSEN of Washington. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mrs. HANSEN of Washington moves that the House recede from its disagreement to the amendment of the Senate numbered 36 and concur therein with an amendment, as follows: In lieu of the sum proposed by said amendment, insert "\$184,283,000".

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 39: Page 39, strike out "\$93,675,000", and insert in lieu thereof "\$114,750,000".

MOTION OFFERED BY MRS. HANSEN OF WASHINGTON

Mrs. HANSEN of Washington. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mrs. HANSEN of Washington moves that the House recede from its disagreement to the amendment of the Senate numbered 39 and concur therein with an amendment, as follows: In lieu of the sum proposed by said amendment, insert "\$105,275,000".

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 40: Page 39, strike out "\$41,425,000" and insert in lieu thereof "\$50,000,000".

MOTION OFFERED BY MRS. HANSEN OF WASHINGTON

Mrs. HANSEN of Washington. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mrs. HANSEN of Washington moves that the House recede from its disagreement to the amendment of the Senate numbered 40 and concur therein with an amendment, as follows: In lieu of the sum proposed by said amendment, insert "\$46,025,000".

The SPEAKER. The question is on the motion offered by the gentlewoman from Washington.

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

Mr. GROSS. 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—years 326, nays, 73, not voting 35, as follows:

[Roll No. 471]

YEAS—326

Abdnor	Esch	Macdonald
Abzug	Eshleman	Madden
Addabbo	Evans, Colo.	Mahon
Alexander	Fascell	Mailliard
Anderson,	Findley	Mallory
Calif.	Fish	Maraziti
Anderson, Ill.	Fisher	Martin, Nebr.
Andrews, N.C.	Flood	Martin, N.C.
Andrews,	Flowers	Mathias, Calif.
N. Dak.	Foley	Matsunaga
Annunzio	Ford, Gerald R.	Mayne
Arends	Ford,	Mazzoli
Ashley	William D.	Meeds
Aspin	Forsythe	Melcher
Badillo	Fountain	Metcalfe
Baker	Fraser	Mezvinsky
Barrett	Frelinghuysen	Minish
Bergland	Frenzel	Mink
Bevill	Frey	Minshall, Ohio
Biaggi	Fulton	Mitchell, N.Y.
Blester	Fuqua	Moakley
Bingham	Gaydos	Mollohan
Blatnik	Gettys	Montgomery
Boggs	Gialmo	Moorhead, Pa.
Boland	Gibbons	Morgan
Bolling	Ginn	Mosher
Brademas	Goldwater	Moss
Brasco	Gonzalez	Murphy, Ill.
Breaux	Grasso	Murphy, N.Y.
Breckinridge	Green, Oreg.	Natcher
Brinkley	Green, Pa.	Nedzi
Brooks	Griffiths	Nichols
Broomfield	Gubser	Nix
Brozman	Gude	O'Beay
Brown, Calif.	Guyer	O'Hara
Brown, Mich.	Haley	O'Neill
Brown, Ohio	Hamilton	Owens
Broyhill, N.C.	Hammer-	Parris
Broyhill, Va.	schmidt	Passman
Buchanan	Hanley	Patten
Burke, Calif.	Hanna	Perkins
Burke, Mass.	Hanrahan	Pettit
Burlison, Mo.	Hansen, Wash.	Peyser
Burton	Harrington	Pickle
Byron	Harvey	Pike
Carney, Ohio	Hawkins	Podell
Carter	Hays	Preyer
Casey, Tex.	Hechler, W. Va.	Price, Ill.
Cederberg	Heckler, Mass.	Pritchard
Chamberlain	Heinz	Quie
Chappell	Helstoski	Quillen
Chisholm	Henderson	Rallsback
Clark	Hicks	Randall
Clausen,	Hogan	Ranney
Don H.	Holifield	Rees
Clay	Holtzman	Regula
Cleveland	Horton	Reld
Cochran	Howard	Reuss
Cohen	Hungate	Riegle
Collier	Hunt	Rinaldo
Collins, Ill.	Hutchinson	Roberts
Conable	Jarman	Robison, N.Y.
Conte	Johnson, Calif.	Rodino
Conyers	Johnson, Colo.	Roe
Corman	Johnson, Pa.	Rogers
Cotter	Jones, Ala.	Roncallo, Wyo.
Coughlin	Jones, N.C.	Roncallo, N.Y.
Cronin	Jones, Okla.	Rooney, N.Y.
Culver	Jones, Tenn.	Rooney, Pa.
Daniel, Dan	Jordan	Rose
Daniels,	Karth	Rosenthal
Dominick V.	Kastenmeier	Rostenkowski
Danielson	Kazen	Roush
Davis, S.O.	Keating	Roybal
Davis, Wis.	Kemp	Runnels
de la Garza	King	Ruppe
Delaney	Kluczynski	Ryan
Dellenback	Koch	St Germain
Dellums	Kuykendall	Sarasin
Denholm	Kyros	Sarbanes
Dent	Landrum	Saylor
Diggs	Leggett	Schneebeli
Dingell	Lehman	Schroeder
Donohue	Lent	Sebelius
Downing	Litton	Selberling
Drinan	Long, La.	Shipley
Dulski	Long, Md.	Shoup
Duncan	McClary	Shriver
du Pont	McCloskey	Sisk
Eckhardt	McCormack	Slack
Edwards, Ala.	McDade	Smith, Iowa
Edwards, Calif.	McFall	Smith, N.Y.
Eilberg	McKay	Staggers
Erlenborn	McSpadden	

Stanton, J. William
Stark
Steed
Steele
Steelman
Steiger, Ariz.
Steiger, Wis.
Stephens
Stokes
Stratton
Stubblefield
Stuckey
Studds
Symington
Taylor, N.C.
Teague, Calif.

Thompson, N.J.
Thomson, Wis.
Thone
Thornton
Tiernan
Towell, Nev.
Udall
Ullman
Van Deerlin
Vanik
Veysey
Vigorito
Waggonner
Walsh
Ware
Whalen

NAYS—73

Archer
Armstrong
Bafalis
Bauman
Beard
Bennett
Blackburn
Bray
Burgener
Butler
Camp
Clancy
Clawson, Del.
Collins, Tex.
Conlan
Crane
Daniel, Robert
W., Jr.
Dennis
Devine
Dickinson
Froehlich
Gillman
Goodling
Gross

NOT VOTING—35

Adams
Ashbrook
Bell
Bowen
Burke, Fla.
Burleson, Tex.
Carey, N.Y.
Davis, Ga.
Dorn
Evins, Tenn.
Flynt
Gray
Hansen, Idaho

Hastings
Hébert
Hillis
Ichord
Lujan
McEwen
McKinney
Mann
Mills, Ark.
Patman
Pepper
Rhodes
Roy

Price, Tex.
Rarick
Robinson, Va.
Rousselot
Ruth
Satterfield
Scherle
Shuster
Skubitz
Snyder
Spence
Symms
Taylor, Mo.
Treen
Vander Jagt
Wampler
Whitten
Wilson
Charles H., Calif.
Young, Alaska
Young, Fla.
Young, S.C.
Zion
Zwachs

So the motion was agreed to.
The Clerk announced the following pairs:

Mr. Carey of New York with Mr. Roy.
Mrs. Sullivan with Mr. James V. Stanton.
Mr. Teague of Texas with Mr. Rhodes.
Mr. Pepper with Mr. Dorn.
Mr. Hébert with Mr. McKinney.
Mr. Gray with Mr. Charles Wilson of Texas.
Mr. Flynt with Mr. McEwen.
Mr. Burleson of Texas with Mr. Ashbrook.
Mr. Adams with Mr. Lujan.
Mr. Mills of Arkansas with Mr. Bell.
Mr. Young of Texas with Mr. Hillis.
Mr. Mann with Mr. Burke of Florida.
Mr. Talcott with Mr. Bowen.
Mr. Davis of Georgia with Mr. Evins of Tennessee.
Mr. Hastings with Mr. Ichord.
Mr. Patman with Mr. Sikes.
Mr. Wiggins with Mr. Taylor of North Carolina.

The result of the vote was announced as above recorded.

The SPEAKER. The Clerk will report the next amendment in disagreement.
The Clerk read as follows:

Senate amendment No. 41: Page 39, line 13, strike out "\$42,500,000" and insert "\$50,000,000".

MOTION OFFERED BY MRS. HANSEN OF WASHINGTON

Mrs. HANSEN of Washington. Mr. Speaker, I offer a motion.
The Clerk read as follows:

Mrs. HANSEN of Washington moves that the House recede from its disagreement to the amendment of the Senate numbered 41 and concur therein with an amendment, as follows: In lieu of the sum proposed by said amendment, insert "\$44,500,000".

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 42: Page 40, line 5, strike out "\$8,000,000" and insert "\$15,000,000".

MOTION OFFERED BY MRS. HANSEN OF WASHINGTON

Mrs. HANSEN of Washington. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mrs. HANSEN of Washington moves that the House recede from its disagreement to the amendment of the Senate numbered 42 and concur therein with an amendment, as follows: In lieu of the sum proposed by said amendment, insert "\$13,000,000".

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 47: Page 45, line 11, insert "in the contiguous 48 States".

MOTION OFFERED BY MRS. HANSEN OF WASHINGTON

Mrs. HANSEN of Washington. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mrs. HANSEN of Washington moves that the House recede from its disagreement to the amendment of the Senate numbered 47 and concur therein.

The motion was agreed to.

The SPEAKER. The Clerk will report the last amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 48: Page 45, line 14, insert "Provided, That this limitation shall not apply to specific quantities and species of timber which said Secretaries determine are surplus to domestic needs".

MOTION OFFERED BY MRS. HANSEN OF WASHINGTON

Mrs. HANSEN of Washington. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mrs. HANSEN of Washington moves that the House recede from its disagreement to the amendment of the Senate numbered 48 and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment, insert: "Provided, That this limitation shall not apply to specific quantities of grades and species of timber which said Secretaries determine are surplus to domestic lumber and plywood manufacturing needs".

The motion was agreed to.

A motion to reconsider the votes by which action was taken on the several motions was laid on the table.

GENERAL LEAVE

Mrs. HANSEN of Washington. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the conference report just agreed to.

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

There was no objection.

LAW ENFORCEMENT AND FIRE-FIGHTER PERSONNEL RETIREMENT

Mr. BRASCO. 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. 9281) to amend title 5, United States Code, with respect to the retirement of certain law enforcement and firefighter personnel, and for other purposes.

The SPEAKER. The question is on the motion offered by the gentleman from New York (Mr. BRASCO).

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. 9281, with Mrs. GRIFFITHS 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 New York (Mr. BRASCO) will be recognized for 30 minutes, and the gentleman from Iowa (Mr. GROSS) will be recognized for 30 minutes.

The Chair recognizes the gentleman from New York.

Mr. BRASCO. Madam Chairman, I yield to the distinguished chairman of the committee, the gentleman from New York (Mr. DULSKI), as much time as he may consume.

Mr. DULSKI. Madam Chairman, I rise in support of H.R. 9281, which is designed to more effectively attain the objective for which preferential retirement treatment was originally accorded Federal law enforcement personnel, and more recently, firefighting personnel. That is, to maintain a staff of relatively young and vigorous men capable of carrying out the Government's criminal law enforcement and firefighting functions by the replacement of older men who, because of the stringent physical requirements of their positions and the unusual mental, emotional, and physical stresses encountered in performing their duties, are no longer able to perform at peak efficiency.

The original legislation, enacted a quarter of a century ago, provided a differential of 33 percent between the annuity computation formulas. While the computation multiplier for employees in general was 1½ percent of average salary for each year of service, the Congress provided a 2 percent multiplier for law enforcement employees. The more liberal computation factor was provided not as a reward for the performance of hazardous duties, but because a more generous formula was necessary to make earlier retirement, with resultant shorter service, economically feasible.

Over the intervening years the computation formula has been improved for the bulk of Federal employees, but the initial flat 2 percent multiplier for law enforcement employees has remained unchanged. The differential presently approximates only 7 percent after 30 years of service.

Experience demonstrates that the

initial objective has not been realized with only a relatively few eligible employees having taken advantage of the early retirement opportunity at age 50 or prior to reaching age 55. I believe the reason is clear—it is not economically feasible for a man with 20 to 25 years of service to retire in his early 50's at the present rate of computation. Most are too old to begin a second career or, at best, have fewer opportunities even in less demanding occupations.

H.R. 9281 will, I believe, make it more economically practicable for these employees to retire before reduced proficiency and stamina make them a greater risk to themselves and others.

Madam Chairman, I urge the adoption of this legislation.

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

Madam Chairman, the purposes of H.R. 9281 are:

First, to assist in maintaining a relatively young, vibrant, and effective work force in the Federal law enforcement agencies and the Federal firefighters. To achieve this we must make it economically feasible for them to retire at an early age.

Second, to make the recruitment programs for these agencies competitive with local law enforcement and firefighters agencies.

While the intent of the legislation is not to reward our law enforcement officers and firefighters for performing their dangerous duties, but rather in recognition of the everyday psychological stress they must endure, it is a fact that these public servants do suffer fatalities and serious injuries during the course of daily activities. In an effort to make the record complete, I include at this point the 1973 analysis of assaults on Federal officers:

ANALYSIS OF ASSAULTS ON FEDERAL OFFICERS, SEMIANNUAL REPORT—1973 UNIFORM CRIME REPORTS

ASSAULTS ON FBI AGENTS

Eighty-two Special Agents of the Federal Bureau of Investigation (FBI) were assaulted in the line of duty in 47 separate incidents during the first six months of 1973. There were 53 Special Agents assaulted in 31 incidents during the same period in 1972. Forty-seven Special Agents were assaulted in 28 incidents in the line of duty from January through June of 1971. For the first six months of 1973 as compared with the first six months of 1972, there was a startling 55 percent increase in assaults on FBI Agents. The percentage increase in assaults for the first six months of 1972 compared with the same period in 1971 was computed at 13 percent.

Thirty-nine Agents were assaulted through the use of personal weapons such as hands, fists and feet; 17 by firearms; six by vehicles; four by knives; and four by blunt instruments. Eleven Agents were victims of threats made on their lives. One Agent was attacked when an assailant threw a hand grenade into the living room of his home.

The nature of injuries incurred by Agents of the FBI in the first six months were more serious than in previous years. One Agent was shot and killed in the line of duty while pursuing bank robbery fugitives. This is the twenty-fourth Agent to lose his life in the history of the FBI.

Three agents received gunshot wounds while engaged in gun battle situations. Fourteen Agents were reported to have received abrasions, lacerations, bruises, contusions and human bites. One Agent required medical

attention for cuts inside his mouth. These attacks resulted only in temporary incapacities to the victim Agents. No significant duty time was lost by the Agents as a result of these assault incidents.

During the period January-June, 1973, the incidents involving the receipt of gunshot wounds are portrayed as follows:

FBI Agents in Charlotte, North Carolina, located two known bank robbery fugitives at a motel. One of the subjects was apprehended when both tried to effect an escape on foot. Two other Agents continued to pursue the second subject on foot. During the chase, the subject and Agents exchanged gunfire. The subject shot and killed one of the Agents as the gun battle continued. The second Agent apprehended the subject receiving a grazing wound to the head while the subject was shot twice. The Agent subsequently disarmed the subject and placed him under arrest.

Two Agents, while on special assignment northwest of Wounded Knee, South Dakota, were instructed to arrest the driver and occupants of an Econoline van for transporting weapons to the occupied area of Wounded Knee. As the Agents approached the van, the driver accelerated in an effort to flee. While being chased by the Agents, one of the subjects started to shoot at the Agents. Both Agents returned fire immediately. As the exchange continued, one of the Agents received wounds to both his hands. The pursuit ended because the wounded Agent needed medical treatment.

Three Agents arrested an unlawful flight to avoid prosecution fugitive. Prior to the arrest, it was necessary for the Agents to force their way into a house in pursuit of the fugitive. While searching the bedroom, the subject appeared in a barricaded position in the bathroom just off the bedroom and fired two shots at the Agents. The Agents returned fire. As a result of this, one Agent was wounded in the hand by the subject. The subject subsequently surrendered and was placed under arrest.

During the first six-month period of 1973, as in 1972, more Agents were assaulted while making arrests than in any other activity. Fifty-eight Agents were assaulted in arrest situations; eight in investigations; three while taking custody of prisoners; two in search of premises; two while off duty; one as retribution against an Agent; and eight in miscellaneous activities. The arrests during which the assaults occurred were made as a result of alleged violations of eleven different Federal laws within the jurisdiction of the FBI. The number of assaults in arrest situations for Bank Robbery and Military Desertion were the greatest with 16 assaults in each of these violations.

In ten incidents, a total of 14 Agents were assaulted by persons who were not the subjects of the cases being investigated. These persons included relatives of the subjects, friends of the subjects or bystanders who apparently were unrelated to the subjects.

CLASSIFICATION OF ALLEGED OFFENSE IN ARREST ACTIVITY OF AGENT AT TIME OF ASSAULT

Classification	Number of victims	Number of known offenders
Military desertion.....	16	11
Bank robbery.....	16	8
Unlawful flight to avoid prosecution.....	10	5
Extortion.....	4	1
Interstate transportation of stolen property.....	3	2
Fraud against the Government.....	2	1
Theft from interstate shipment.....	2	1
Escaped Federal prisoner.....	2	1
Assaulting a Federal officer.....	1	1
Kidnapping.....	1	1
Antiracketeering.....	1	1
Total.....	58	33

Forty-nine of the subjects assaulting FBI Agents in the 47 incidents were identified and arrested. To date, the following table shows the status of prosecution and judicial handling of these assault cases:

Status	Number of victims	Number of known offenders
Pending trial.....	39	22
Sentenced.....	7	4
Prosecution declined.....	9	7
Pending prosecutive opinion.....	22	12
Charge dismissed.....	3	2
Acquitted.....	1	2
Justifiable homicide.....	1	2
Insufficient information to conduct investigation.....	1	Unknown
Total.....	82	49

Of the four offenders convicted in the first six months of 1973 of assaulting FBI Agents under the Assaulting Federal Officers Statute, one received life imprisonment; one was sentenced to nine years' confinement; one received a sentence of three years' confinement; and the fourth received a six-month confinement.

The 82 assaulted Agents were assigned in 31 Field Offices at the time of the respective assaults. In this analysis, the New York Office had the greatest number of Agents assaulted with nine in the first six months of 1973. The assaults on Agents were distributed as shown in the following table:

New York City.....	9
Minneapolis.....	7
Baltimore.....	5
Knoxville.....	5
Los Angeles.....	5
San Juan.....	5
Columbia.....	4
Philadelphia.....	4
Charlotte.....	3
Cleveland.....	3
Pittsburgh.....	3
Buffalo.....	2
Dallas.....	2
Memphis.....	2
Miami.....	2
Milwaukee.....	2
New Orleans.....	2
Saint Louis.....	2
San Diego.....	2
Tampa.....	2

Albany, Atlanta, Denver, El Paso, Houston, Louisville, New Haven, Oklahoma City, Portland, Richmond and San Francisco each had one Agent assaulted.

ASSAULTS ON OTHER FEDERAL OFFICERS

During the first six months of 1973, there were 79 cases of assaults on Federal Officers based on reports received by the Federal Bureau of Investigation (FBI) in connection with the FBI's investigative jurisdiction concerning these violations. One hundred and ten Federal Officers were assaulted by 95 known offenders in these 79 cases. This compares with 143 Federal Officers assaulted by 121 known offenders in 91 incidents in 1972 for the same period.

The agency with the greatest number of officers assaulted was the Bureau of Prisons with 28 victims in 18 incidents and 22 known offenders. The agency with the second greatest number of victims of assaults was the United States Border Patrol with 22 victims in 16 incidents with 24 offenders identified. The United States Marshals Service was the third highest in number of victims with 16. These officers were assaulted in ten incidents wherein 14 offenders were identified. The following table shows all the agencies included in this six-month analysis as compared to last year at this time:

OFFICERS ASSAULTED IN OTHER FEDERAL AGENCIES

Agency	Number of victims		Number of known offenders	
	1972	1973	1972	1973
Bureau of Prisons.....	38	28	27	22
U.S. Border Patrol.....	28	22	17	24
U.S. Marshals Service.....	30	16	31	14
Bureau of Indian Affairs.....	9	11	11	9
Immigration and Naturalization Service.....	8	10	7	7
U.S. Park Service.....	8	4	7	4
Drug Enforcement Administration (formerly BNDD).....	7	11	7	13
Federal Judiciary.....	7	5	8	1
U.S. Fish and Wildlife Service.....	2	2	3	---
U.S. Forest Service.....	2	2	2	---
U.S. Mail Inspector.....	2	---	1	---

Agency	Number of victims		Number of known offenders	
	1972	1973	1972	1973
General Services Administration.....	2	1	---	1
Assistant U.S. Attorney and U.S. Attorney.....	---	2	---	---
Total.....	143	110	121	95

A breakdown of the weapons used in these assaults shows that 51 of the victims were assaulted with the use of hands, fists and feet. Firearms were used to commit 30 of the assaults. Threats and verbal abuse were directed at ten officers. Knives were used to perpetrate eleven assaults and seven officers were assaulted with blunt instruments. A vehicle was used in an attempt to run down one of the victim officers.

There are presently five cases involving seven known offenders pending court disposition. Investigation is continuing in 39 cases involving 48 known offenders. Convictions have occurred in eleven cases involving 14 known offenders. Fifteen cases involving 16 offenders were declined; three cases involving five known offenders were dismissed; and in one case the offender was acquitted. Four known offenders, in two cases, were justifiably killed in assault matters. In three cases, because of insufficient information, no suspects were identified.

Four Agents of the Bureau of Alcohol, Tobacco and Firearms were reported to have received gunshot wounds as a result of these assaults. One of the four agents wounded was considered to be in critical condition. Of the 38 incidents that occurred during the first six months of 1973, prosecution has been authorized in 25 cases involving 26 known offenders. Court disposition is pending in six cases involving ten known offenders; three cases involving four known offenders were declined; and two cases involving two offenders were acquitted. In two cases involving three offenders, sentences were handed down totalling eight and one-half years' confinement. Of two offenders in connection with the above case, one was justifiably shot and killed while charges against another were dismissed.

WEAPONS USED IN ASSAULTS OF OTHER FEDERAL OFFICERS

Agency	Hands, fists and feet		Firearm	Knives	Blunt instrument	Vehicle	Threat
	1972	1973					
Bureau of Prisons.....	16	---	---	2	5	---	---
U.S. Border Patrol.....	14	6	---	---	---	---	---
U.S. Marshals Service.....	12	4	---	---	---	---	---
Bureau of Indian Affairs.....	1	7	---	1	---	---	1
Immigration and Naturalization Service.....	5	2	---	---	---	1	2
U.S. Park Service.....	2	1	---	---	1	---	---
Drug Enforcement Administration.....	1	10	---	---	---	---	---

Agency	Hands, fists and feet		Firearm	Knives	Blunt instrument	Vehicle	Threat
	1972	1973					
Federal Judiciary.....	---	---	---	---	---	---	5
Assistant U.S. Attorney and U.S. Attorney.....	---	---	---	---	---	---	2
General Services Administration.....	---	---	---	1	---	---	---
Total.....	51	30	11	7	1	10	---

Sentences were handed down to 14 offenders totaling 15 years' and 21 days' confinement; nine years' and 90 days' probation; and fines totaling \$500. Three offenders were sentenced under the Federal Youth Corrections Act and one offender was deported.

Wounded Knee

Because of the unusual circumstances which encompassed the siege at Wounded Knee, South Dakota, this incident has been handled separately from the six-month analysis of Federal Officers.

The occupation which began on February 27, 1973, and ended on May 8, 1973, involved Agents of the FBI as well as Federal Officers of the U.S. Marshals Service and the Bureau of Indian Affairs. These agencies engaged in a paramilitary-type action against a known militant Indian group illegally occupying Wounded Knee.

Because of this particular situation, it was necessary to employ the use of road blocks as well as armored personnel carriers and military weapons. FBI Agents, U.S. Marshals and personnel of the Bureau of Indian Affairs manned a total of seven road blocks positioned on various routes leading to Wounded Knee. Militant Indians were utilizing ten bunkers in order to defend a close perimeter to Wounded Knee as of March 6, 1973, one week into the occupation.

On numerous occasions, gunfire was exchanged between the Officers and Indians. Many rounds of ammunition were expended by each side during the siege. As a result of these gun battles, a total of six Indians were wounded and another two were killed. One FBI Agent and one U.S. Marshal were the only officers to be wounded during the siege. The wounds incurred by the U.S. Marshal may result in his being paralyzed for life.

Investigations are presently being conducted by the FBI involving 261 subjects who allegedly took part in the occupation of Wounded Knee, South Dakota.

ASSAULTS ON OFFICERS OF THE DEPARTMENT OF THE TREASURY

During the first six months of 1973, a total of 49 Treasury Agents considered to be in an enforcement or investigative capacity were assaulted in 38 incidents involving 47 known offenders. A breakdown by agencies under the Department of the Treasury shows the Bureau of Customs had the greatest number of personnel assaulted with 28 in 22 separate incidents involving 26 known offenders; U.S.

Secret Service had eight agents assaulted in five incidents involving eleven known offenders; the Bureau of Alcohol, Tobacco and Firearms (ATF) reported seven Agents assaulted by five known offenders in six separate incidents; and the Internal Revenue Service (IRS) reported six Agents assaulted by five known offenders in five separate incidents.

OFFICERS ASSAULTED IN TREASURY DEPARTMENT
JANUARY-JUNE, 1973

Agency	Number of victims		Number of known offenders	
	1972	1973	1972	1973
Bureau of Customs.....	28	---	26	---
U.S. Secret Service.....	8	---	11	---
Bureau of Alcohol, Tobacco and Firearms.....	7	---	5	---
Internal Revenue Service.....	6	---	5	---
Total.....	49	---	47	---

A total of 31 Agents were assaulted through the use of hands, fists and feet. Specifically, 25 Customs officers, five Secret Service Agents and one IRS Agent were assaulted by personal weapons. Firearms were used in ten assaults. Specifically, six ATF Agents, three IRS Agents and one Secret Service Agent were assaulted with these weapons. Two Customs officers and one ATF Agent were assaulted with knives. Two Secret Service Agents and one Customs officer were assaulted by a blunt instrument in two assaults. A total of two IRS Agents were assaulted by means of a vehicle and a threat made against the life of one of these officers.

WEAPONS USED IN ASSAULTS ON OFFICERS OF THE U.S. TREASURY DEPARTMENT

Agency	Hands, fists and feet		Firearms	Knives	Blunt instruments	Other
	1972	1973				
Bureau of Customs.....	25	---	2	1	---	---
U.S. Secret Service.....	5	---	1	---	2	---
Bureau of Alcohol, Tobacco and Firearms.....	---	---	6	1	---	---
Internal Revenue Service.....	1	---	3	---	---	2
Total.....	31	---	10	3	3	2

During this period, 27 Treasury Agents were assaulted while conducting searches of premises and persons. Twenty-five of the 27 Agents assaulted during this activity were Customs Officers. Their main responsibility is to conduct searches at all points of entry into the United States. Eleven Agents were assaulted while carrying out investigation and eleven agents were assaulted while making arrests.

Four Agents of the Bureau of Alcohol, Tobacco and Firearms were reported to have received gunshot wounds as a result of these assaults. One of the four agents wounded was considered to be in critical condition.

Of the 38 incidents that occurred during the first six months of 1973, prosecution has been authorized in 25 cases involving 26 known offenders. Court disposition is pending in six cases involving ten known offenders; three cases involving four known offenders were declined; and two cases involving two offenders were acquitted. In two cases involving three offenders, sentences were handed down totalling eight and one-half years' confinement. Of two offenders in connection with the above case, one was justifiably shot and killed while charges against another were dismissed.

PROSECUTIVE AND JUDICIAL HANDLING OF ASSAULTS OF U.S. TREASURY PERSONNEL—JANUARY-JUNE, 1973

Classification	Number of victims	Number of known offenders
Pending trial.....	7	10
Sentenced.....	4	3
Prosecution declined.....	4	4
Pending prosecutive opinion.....	31	26
Charge dismissed.....	---	1
Acquitted.....	3	2
Justifiable homicide.....	---	1
Insufficient information to conduct investigation.....	---	---
Total.....	49	47

To accomplish the objectives I mentioned earlier, H.R. 9281 would do the following:

First, it changes the method of computing retirement annuities, increasing the computation rate from the present 2 percent of average pay multiplied by the years of service to 2½ percent for

20 years of service plus 2 percent for every year over 20.

Second, it would include uncontrollable overtime hours worked by law enforcement officers as part of their base pay. Firefighters now have such pay credited to them.

Third, it would require mandatory retirement for an otherwise eligible law enforcement officer or firefighter at age 55, or upon completion of 20 years of service, whichever occurs later. It does, however, allow the agency to retain an employee until age 60 if it so desires.

Fourth, it gives the agency the authority to set minimum and maximum entry ages.

Fifth, it is estimated that the bill would increase the unfunded liability of the civil service retirement fund by \$664 million. To partially compensate for this there is a provision in the bill raising the employer contribution to the retirement fund from 7 percent to 7½ percent. This includes both regular and premium pay.

H.R. 9281 was approved by unanimous vote of the Subcommittee on Retirement and Employee Benefits with each member cosponsoring a clean bill. It passed the full committee by a voice vote.

During debate, you will no doubt hear that the committee, by its action, is favoring a select group of Federal employees. That is not so, because their qualifications and duties are different than those of any other Federal employees. Most of them must be college graduates with 2 years of business experience, and ready to accept assignments anywhere in the continental United States and, in some agencies, assignments abroad. They are asked to put their lives on the line daily.

No other category of employee requires this. These employees are firefighters and law officers involved in the apprehension and detention of criminals. They are agents of the Federal Bureau of Investigation, Marshalls, Secret Service, Bureau of Narcotics and Dangerous Drugs, Immigration and Naturalization Service, Internal Revenue Service, Criminal Division, Bureau of Customs, Bureau of Prisons, and intelligence officers of the Department of Defense.

Yes, they are different because we have asked them to do a difficult and dangerous job.

You will also hear in debate that this legislation affects only some 56,000 employees, and that the cost is out of line in comparison to the people it benefits. Madam Chairman, I maintain that the bill affects 220,000,000 Americans. The strength of our society and our cities and towns across the country depends in large part on our law enforcement personnel and our firefighters, who put their lives on the line each and every day, 24 hours a day.

The job is terribly dangerous. There is much loneliness and isolation associated with it, particularly in the area of law enforcement.

Therefore, Madam Chairman, I suggest that the cost is quite small, when one considers that all of us will benefit by a younger, more active and more vigilant law enforcement and firefighting work force.

During debate, you will hear that the administration cannot support the bill in its present form, so it must be perfected by amendment.

While I cannot speak for the administration, I know that the past actions of the President would indicate he does not agree with some of his people on this issue, because on October 26, 1970, the President signed into law Public Law 91-509, under which the Metropolitan Police Force, the District of Columbia Fire Department, the U.S. Park Police, the Executive Protection Service, and certain members of the Secret Service were given a 2½-percent computation factor; but, at the end of 20 years, instead of being reduced, it goes up to 3 percent plus a \$50,000 death benefit annuity.

The point is, however, that in signing that bill into law the President recognized the needs of the employees covered by this legislation.

I believe it is important to point out that during the course of the hearings on this bill the committee learned that unless we begin to take the type of action contemplated in H.R. 9281, the Federal Government is just not going to be able to compete with many local law enforcement agencies and fire departments in attracting and holding qualified and effective employees.

We heard testimony, for example, from Ed Kiernan, former president of the New York City Patrolmen's Benevolent Association, that the only educational requirement for New York City patrolmen is a high school diploma, that they have a wide range of benefits that the Federal law enforcement officer does not have... free medical care, free eyeglasses, eye care, dental care, and also free prescription drugs for himself and his family. They receive a \$25,000 death benefit and for this the policeman pays only 2½ percent of his salary toward the retirement fund.

To attempt to defeat or amend this legislation on the grounds that it costs too much or that our law enforcement personnel and firefighters have adequate benefits, is to close one's eyes to what the situation is in the real world in which these men find themselves.

In my view I believe that a vote for H.R. 9281 is a vote for a responsible approach in helping to solve an extremely serious problem and to do otherwise would be an injustice to these loyal and dedicated public servants.

I urge my colleagues to support H.R. 9281 and defeat all amendments.

Mr. FUQUA. Madam Chairman, will the gentleman yield?

Mr. BRASCO. I yield to the gentleman from Florida.

Mr. FUQUA. Madam Chairman, I thank the distinguished gentleman for yielding to me, the chairman of the subcommittee, who is bringing this bill to the floor, and the fine work the committee has done.

In section 4 of the bill, I note that a law enforcement officer who is eligible for retirement and entitled to an annuity, must be separated from service on the last day of the month in which he becomes 55 or completes 20 years of service if then over that age.

Therefore, if an employee is over 55 years of age and has completed fewer than 20 years of service, I take it he would be able to complete a full last year of service—his 20th year?

Mr. BRASCO. Yes.

Mr. FUQUA. Another question: If, however, an employee has completed more than 20 years of service and is less than 55 years of age on January 1, 1977, he would be separated on the last day of the month in which he becomes 55, regardless whether or not this date left him with some fraction of a last full year of service?

Mr. BRASCO. Yes.

Mr. FUQUA. Another question: Under existing law, is an employee entitled to complete a full year of service even though he reaches the mandatory separation age of 70 prior to completion of a full last year of service?

Mr. BRASCO. Yes.

Mr. FUQUA. Another question: Under existing law and under the bill, is an employee's annuity computed on total number of full years completed or would he be given credit for additional months and even days of service in computing his annuity?

Mr. BRASCO. He is given credit for fractions of the year—months and even days.

Mr. FUQUA. The last question: Notwithstanding present laws and the fact that fractions of a last year of service are credited, would the committee look with favor upon an amendment which would permit such an employee to remain in service beyond the date upon which he reaches the mandatory retirement age so that the employee might complete a full last year of service?

Mr. BRASCO. No. Present law requires mandatory separation for that employee who reaches 70 years of age regardless of whether this would leave him with a fraction for his last year of service. An employee is credited with the fraction in computing his annuity. The bill gives the agency authority to continue the employee in service until his 60th birthday in certain cases.

Mr. FUQUA. Madam Chairman, I thank the gentleman.

Mr. BRASCO. Madam Chairman, I might point out also to my good friend from Florida that he has referred to me as the chairman of the subcommittee. I am not. The distinguished gentleman from California (Mr. WALDIE) is chairman of the subcommittee. He will be managing the next bill.

I also would be remiss if I did not thank all of my colleagues on both sides of the aisle who put a tremendous effort into this bill.

Again, Madam Chairman, I urge its prompt passage.

Mr. GROSS. Madam Chairperson, I yield myself such time as I may consume.

Madam Chairman, I was interested to hear the gentleman speak of the special benefits given to municipal employees of the city of New York. I would say to my colleagues in the House that is probably one of the reasons why the city of New York has a municipal debt of \$6 to \$7 billion and is prob-

ably one of the worst debt-ridden cities in the entire United States.

Madam Chairman, this legislation, H.R. 9281, is but another example of unneeded, and unmerited "special interest" legislation designed to benefit 56,000 Federal personnel who already enjoy a more liberal retirement formula than other executive branch employees. In addition, the bill unjustly places the cost of these special benefits on all Federal employees, not just those employees who will receive them.

This legislation proposes to change the retirement computation formula for law enforcement and firefighting personnel from 2 to 2½ percent for the first 20 years, plus 2 percent for years of service exceeding 20.

Presently, law enforcement and Government firefighting personnel may retire with an annuity based on 2 percent of their high-3-year average pay times total years of service. They may retire voluntarily at age 50 with 20 years of service with no reduction for being under age 55, an early retirement penalty which other Federal employees are subjected to. Federal law enforcement and firefighting personnel accordingly receive the following percentage of their high-3 average pay for their service on the following basis:

For 20 years of service—40 percent.

For 25 years of service—50 percent.

For 30 years of service—60 percent.

H.R. 9281 would permit law enforcement and firefighting personnel to retire with 20 years of service at 50 percent of their high-3 average pay, with 25 years of service at 60 percent; and with 30 years of service at 70 percent of average pay.

This legislation is highly discriminatory and subverts the principal concepts of the Civil Service Retirement System by using the retirement fund as a reward for a particular type of service.

The Civil Service Commission estimates that the normal cost—that is the percentage of the total Federal payroll required to pay for retirement benefits—would increase by one-tenth of 1 percent—a cost which all employees would soon have to share—and the unfunded liability of the retirement fund will be increased by \$664 million. This incremental increase in the unfunded liability will have to be paid, under existing provisions of law, in 30 equal installments of approximately \$41.1 million for a total 30-year cost of over \$1.2 billion, and I repeat for 56,000.

Madam Chairman, this is ill-conceived legislation at any point in time. There is no demonstrated need for improving retirement benefits for law enforcement and firefighting personnel, which are already quite liberal. And, in addition, this legislation is before us when the administration and the Congress are supposedly embarked on a joint cooperative effort to hold down Federal spending, in an effort to fight inflation.

This is bad legislation. It should be defeated.

Mr. MILFORD. Madam Chairman, will the gentleman yield?

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

Mr. MILFORD. With this \$40 million per year for 30 years, are we not in effect committing future Congresses to pay that? Putting it another way, is that another back-door-spending item to be added to the budgets for the next 30 years?

Mr. GROSS. Yes. It is a mortgage upon the children of today and their grandchildren.

Mr. DOMINICK V. DANIELS. Madam Chairman, will the gentleman yield?

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

Mr. DOMINICK V. DANIELS. In reply to the question just asked by my respected colleague, I must disagree. This is not back-door spending.

In the 91st Congress, during which I had the honor of chairing the Retirement Subcommittee, we devoted our full time and attention to developing a positive plan of action to improve the financial status of the Civil Service Retirement System—the lack of which would otherwise have resulted in its bankruptcy in a matter of a relatively few years. That plan, enacted into law in October 1969 as Public Law 91-93, was the result of the administration's recommendations and a bipartisan effort of the Congress.

One of the major items of that measure was designed to provide for the orderly funding of new or liberalized benefits resulting from any newly enacted statutes so as to control the growth of the system's then existing \$60 billion unfunded liability.

Having been the sponsor of that legislation, I was then, and am now, fully aware that unfunded liabilities would be created in each instance when amendments to the retirement law are made. However, in that joint effort we laid down the policy that we would identify and recognize the costs of any such liberalizations, and fund those added costs by 30 equal annual appropriations.

I, for one, am willing to recognize that this bill will create an unfunded liability of \$664 million. However, I will point out to the gentleman, and to the Members of this body, that the present unfunded liability will not be increased by such an amount, since the existing financing provision of the law will amortize the cost of this bill; thus, precluding any growth in fund deficiencies attributable to this bill.

If it were not for that 30-year funding provision, whereby the cost of this bill will be amortized at the rate of \$41 million in each of the next 30 years, a growth in the unfunded liability of \$664 million would, under another statutory mechanism, require annual transfers from the Treasury to the retirement fund of approximately \$33 million in each year into infinity.

I thank the gentleman for yielding.

Mr. GROSS. Madam Chairman, let me ask the gentleman this question:

Where will the barren Federal Treasury or should I say the bare Federal Treasury get the billions of dollars that the gentleman states will be necessary?

Mr. DOMINICK V. DANIELS. Madam Chairman, will the gentleman yield?

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

Mr. DOMINICK V. DANIELS. Madam Chairman, I have conceded the fact that the unfunded liability will be increased by \$664 million, but due to the provisions of the 1969 act, to place the Civil Service Retirement Fund on a sound fiscal basis, we provided then for taking out a 30-year mortgage to amortize these unfunded liabilities.

Mr. GROSS. It will still be necessary to find the money. We would probably have to borrow or start the printing presses to get the money in the Treasury to pay these bills; is that not correct?

Mr. DOMINICK V. DANIELS. Madam Chairman, may I point out to the gentleman that if we want improved police protection, if we want to protect the President of the United States and protect all of the distinguished visitors who come to this country, if we want to preserve our streets from crime and muggings and all the other types of criminal offenses that are taking place, if we are going to provide for such protection, it is going to have to be paid for.

Mr. GROSS. I will say, Madam Chairman, in answer to my friend, the gentleman from New Jersey, that these are Federal employees and they already have hazardous duty pay written into their paychecks.

Mr. DOMINICK V. DANIELS. Madam Chairman, I do not think their paychecks are adequate in relation to the hazardous duties they have to undertake, and, therefore, I disagree with the gentleman's philosophy.

Mr. ST GERMAIN. Madam Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Rhode Island.

Mr. ST GERMAIN. Madam Chairman, do I understand that these people have to retire at age 55, that it is mandatory that they retire at age 55 without any reduction in pension?

Mr. GROSS. Yes, on the basis of their years in service.

Mr. ST GERMAIN. With 20 years in service, right?

I understand also that if they retire prior to age 55, there is no reduction in the amount of pension; is that correct?

Mr. GROSS. I believe that is right.

Mr. ST GERMAIN. Now, does this include the guards of the Federal buildings? As far as the employees involved here are concerned, the Federal police and fire employees, do these categories include, for instance, the guards at some of the office buildings where our local offices are located?

Mr. GROSS. There are 56,000 law enforcement and fire fighter personnel to be benefited by this special privilege legislation.

Mr. ST GERMAIN. Madam Chairman, GSA has put on these Federal guards. They have uniforms, and they carry firearms. Are they included?

Mr. GROSS. I assume some of them are included.

Mr. BRASCO. Madam Chairman, will the gentleman yield?

Mr. GROSS. Yes, I yield to the gentleman from New York.

Mr. BRASCO. Madam Chairman, the answer to the question which was asked is "No."

This bill covers, very simply, the people I mentioned. The generic definition covers those who are involved in criminal investigation, apprehension, or detention of criminals. Therefore, the building guards would not be covered. Of course, the firefighter is covered by virtue of a previous act of Congress which was signed into law by the President and would not be in this category of retirement that we are talking about now.

Mr. ST GERMAIN. Thank you.

Mr. MILFORD. Will the gentleman yield?

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

Mr. MILFORD. I wonder about these dangers that our Federal police officers and our Federal firefighters face. How are they different from those the Grand Prairie, Tex., police officers and firemen must face? As I understand it, they risk their lives just as greatly, yet do not draw near the pay and certainly do not have the benefits as those paid to Federal officers. I wonder where our sense of fairness is.

Mr. GROSS. Perhaps the proponents of this bill can answer that. I do think this is a bad bill. They are already compensated for hazardous duty. It is a part of their pay structure.

The CHAIRMAN. For the benefit of Members, the Chair would like to announce that the Chair is properly addressed as Madam Chairman. While she seems to be neutral, she is not neuter.

Mr. BRASCO. Madam Chairman, I yield 2 minutes to the gentleman from New York (Mr. RANGEL).

Mr. RANGEL. Madam Chairman, it surprises me that, when the President of the United States declares war against narcotics, we find some of the spokesmen in these great Halls debating as to whether or not we will be able to obtain the soldiers and what price we will have to pay for them.

As a former assistant U.S. attorney, I have worked very closely with the FBI and the Bureau of Narcotics and Dangerous Drugs, and have found it almost impossible to put a dollar sign on the hazards faced by the men and women in these professions because of their fearless dedication to the protection of this country against those that would destroy it. It does not bother me that we should consider certain people as being entitled to special types of benefits. The legislative record of this Congress does not show that we have excluded ourselves from special benefits, and yet, I do not believe, with the exception of a few of us, that we can consider our jobs as being hazardous. Nevertheless, when the House is faced with the opportunity of providing extra benefits to our Federal law enforcement agents and firefighters who are engaged in the most dangerous of activities, I find that many of my colleagues are unwilling to provide these dedicated public servants with the types of benefits already being offered to persons similarly employed on the State and local levels.

We have heard a great deal about how this bill is going to create unfunded liabilities in the retirement fund, and that the bill only helps a few thousand workers, and that these are serious

problems that are reason enough to defeat this bill. On the other hand, the gentleman from California, whose entire subcommittee supports the bill and who held extensive hearings on the bill, as well as my colleague from New York, tells us that the bill does not create problems. Indeed, the bill provides the House with an opportunity to vastly improve the Federal law-enforcement and firefighting services and I see no reason why we should not grasp this opportunity.

Let us see exactly what the bill would do. First, it would increase the computation rate in determining an employee's annuity, for the first 20 years of service from 2 to 2½ percent. Second, it would include uncontrollable overtime in base pay and, as a result, increase the amount of the employee's annuity. Third, it would require mandatory retirement at age 55 or upon completion of 20 years of service, whichever occurs later.

It is quite obvious, therefore, that what the bill is doing is encouraging Federal law enforcement officers and firefighters to retire after 20 years. Why? Primarily so that these work forces will remain organizations with young people doing the hazardous work in which they are so involved. To put employees engaged in a hazardous occupation on the same level as other Federal employees with respect to retirement benefits is simply not proper. The Federal offices and firefighter experiences hazards, isolation, loneliness, and indefinite hours and locations that other employees do not. And it takes young men to do the good job we require of them under these conditions.

I know this to be true from personal experience. As a U.S. attorney in New York, I have seen firsthand the problems and difficulties faced by Federal law enforcement officers, particularly the agents of the Bureau of Narcotics and Dangerous Drugs. Isolation from one's neighbors and friends is a common problem for these officers, but what may be even worse is the necessary lack of communication with one's family regarding his day-to-day activities. Combined with the hazards we all are aware of and the indefinite working hours, isolation makes the officer's years of duty a continuous string of stressful days and nights. Yet I ask, where would we be without his dedication and selfless efforts in combating organized crime?

Beyond the fact that passage of this bill is commonsense in terms of maintaining younger work forces, it is absolutely necessary if the Government is going to remain at all competitive with State and local governments in finding qualified and willing law enforcement officers and firefighters. In my city of New York, the policeman already has considerably better benefits than the Federal officer and yet we require the Federal officer to have a better education and more experience than the rookie city policeman. The New York City policeman pays 2 or 2.5 percent of his salary to the retirement fund, the Federal officer now pays 7 percent. The city policeman's benefits are higher. He receives

free eyeglasses and eye care for himself and his family. And he receives prescription drugs for himself and his family. And, he has a dental care program with a schedule of fees on dental benefits. Federal officers do not have this at all.

The list of benefits the New York patrolman has is much longer, and is only an example, of what exists elsewhere. But the point is obvious. Although the bill we have before us is not going to give the Federal officer parity with his city colleague, it at least is going to prevent him from falling further and further behind.

We cannot complain about the past, that people are being paid too much. What we need to consider is where can we recruit these people; are they available or are we willing to pay the price? It seems to me if we are so anxious to declare a war, we should be able to pay for the warriors.

Mr. BRASCO. Will the gentleman yield?

The CHAIRMAN. The time of the gentleman has expired.

Mr. BRASCO. Madam Chairman, I yield the gentleman 1 additional minute.

Mr. RANGEL. I yield to the gentleman.

Mr. BRASCO. My good friend was assistant U.S. attorney and I was assistant district attorney in Kings County.

This is in response to a question raised by our distinguished colleague about the fact that the risks involved in the job of the Federal law enforcement officer are not the same as the local risks.

Would the gentleman not agree with me that particularly, in most of our efforts where there is concerted action between the Federal law enforcement officers, FBI, police, and dangerous and narcotic drug police, with the local police department on the same raid, going in there for the same criminals, where they are doing the same job, but the inequities in terms of retirement and other benefits are so different, is that not a reason?

Mr. RANGEL. There is no question about that. Even when the Federal law enforcement officers are operating separately from the local police officers, the difference in pay, the difference in benefits are always a morale factor. It is something similar to having our troops in Korea, soldiering next to the Korean troops, where they are getting \$5 a month, and our troops are getting \$500 a month.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. GROSS. Madam Chairman, I yield 5 minutes to the gentleman from Illinois (Mr. DERWINSKI).

Mr. DERWINSKI. Madam Chairman, the legislation under consideration, H.R. 9281, is designed as a special benefit for some 56,000 Federal law enforcement and firefighting personnel and as such is bad legislation.

The package which finally emerged from the committee was conceived as H.R. 2654, a bill that had as its specific purpose a generous liberalization of retirement benefits for a group of Federal employees who already enjoy special benefits. Specifically, the original bill proposed to increase the special multi-

plier used to compute law enforcement annuities from 2 to 2½ percent of average salary. Since the reported bill carries forward this, in addition to other objectionable features, I cannot support it.

In a report to our committee on the original bill, the Office of Management and Budget offered some significant objections and clearly stated why preferential treatment for law enforcement employees is not warranted.

OMB made the point that there is no evidence that agencies which employ law enforcement personnel are encountering difficulty in recruitment. This is in marked contrast, they said, to the situation in most municipal police departments, where maintaining full strength is a continual problem.

The OMB report also pointed out that working conditions of Federal law enforcement personnel are not directly comparable to those of municipal police forces, but their compensation and fringe benefits compare favorably with the better metropolitan police systems.

The Civil Service Commission put its finger directly on the flaw in H.R. 9281 in its report on this legislation stating:

We would object to any proposal to establish a preferential computation formula as a reward for a particular kind of service, because we believe no one type of service merits a greater retirement reward than any other. The value of service of any kind is reflected in pay, which in turn directly affects ultimate retirement income. A purely preferential formula cannot be rationalized by asking the employee to pay a higher contribution rate. Almost any identifiable class of Federal employees would gladly pay more for a clearly more liberal computation method.

Madam Chairman, while H.R. 9281 must be opposed as a package, it might be salvageable. I have good reason to believe that if the proper alterations are made to the bill, it is likely to find its way to final enactment. With this in mind and in the interest of enhancing the track record of this body, I propose, at the appropriate time, to offer a few amendments to the bill. In doing so, my purpose is to remodel the legislation so that it fulfills its objective of encouraging a young and vigorous work force of Federal law enforcers and firefighters and improves its chances for acceptance.

The amendments I have prepared would deal with the following matters:

The U.S. Civil Service Commission concurs in the proposal to authorize a maximum age limit for entering into occupations covered by the bill. However, the Commission considers that the determination of the age limit on an agency-by-agency basis, as would be provided under H.R. 9281, is not an appropriate approach. Instead, it proposes that uniform age limits be set for these positions.

The Commission objects to the new 2½ percent a year computation formula proposed by H.R. 9281 as being excessively generous. It believes that the basic annuity formula used for employees generally, but with a guaranteed amount of not less than 50 percent of high-three average pay, as now applies to air traffic controllers, would be a more appro-

priate incentive for early retirement of law enforcers and firefighters, would assure an economically feasible retirement income, and would discourage covered employees from delaying retirement long enough to raise annuity above the 50-percent level.

I find that the Commission's suggestions are constructive suggestions, and recommend that H.R. 9281 be amended to conform with them. The amended bill will not just be a better one, it will be one more likely to find its way to final enactment.

Madam Chairman, before I continue with my prepared remarks I would point out to the members of the committee that I have a great affection and regard for the gentleman from New York (Mr. BRASCO). In this body where we have a great deal of talent, I consider the gentleman from New York (Mr. BRASCO) to be one of the unsung statesmen of this period. I think it is most appropriate that the gentleman is finally starting to show his wonderful ability by the surge of leadership he is demonstrating this afternoon.

Madam Chairman, I now must state my objection against the bill, and I would suggest that, having spent a few years in this body, I can almost see the inevitable passage of the bill, but I do not believe this necessarily will be one of the brighter moments in the history of the House of Representatives.

Basically what this bill does is provide special benefits to 56,000 Federal employees and, as such, this is bad legislation.

The argument in behalf of this bill that this is necessary to attract and keep qualified personnel is actually refuted by the record.

But, Madam Chairman, in the hope of salvaging something from a basically bad bill I intend to offer at the proper time amendments which I hope would receive the specific attention of the Members. The amendments will deal with the following matters:

The U.S. Civil Service Commission concurs in the proposal to authorize a maximum age limit for entering into occupations covered by the bill. However, the Commission considers that the determination of the age limit on an agency-by-agency basis as provided under this bill is not the appropriate approach. Instead, it proposes as a matter of fact that age limits be set for these jobs.

The Commission also objects to the 2.5 percent per year computation formula proposed under this bill. They feel it is excessively generous. It believes that the basic annuity formula used for employees generally with a guaranteed amount of not less than 50 percent of the high 3-year average pay as now applying to air traffic controllers will be a more appropriate incentive for early retirement for law enforcement officers and firefighters, and will insure an economically feasible retirement income, and would discourage covered employees from delaying retirement long enough to raise their annuity above the 50-percent level.

I find that the Commission's suggestions are constructive. I believe that they improve H.R. 9281 to the point where it might be acceptable, and I would trust at the time I offer amendments that I would receive the necessary support.

Mr. BRASCO. Madam Chairman, will the gentleman yield?

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

Mr. BRASCO. As the gentleman indicated, as one of the unsung heroes of the House, the gentleman would agree that we served on the same committee for a number of years—as a matter of fact, since I have been a Member of Congress on the Committee on Post Office and Civil Service—and we have gone through the entire gamut of categories of Federal employees. To that extent I would think that the gentleman does not really mean it when he states that we are carving out this group of employees for special consideration.

Is it not a fact that their job descriptions and the assignments that we in the Congress want them to perform, and the service the American people expect to receive, make them different because they are firefighters and law enforcement personnel and must put their lives on the line daily, 24 hours a day, which is not so of any other Federal employee in our committee's jurisdiction.

Mr. DERWINSKI. Their training and actually their compensation takes this into account.

Mr. BRASCO. That is a different point, but would the gentleman not agree that they are different, per se and we are not creating a special category?

Mr. DERWINSKI. Yes; we are. In that sense we are treating them differently.

The CHAIRMAN. The time of the gentleman has expired.

Mr. DERWINSKI. Will the gentleman from Iowa yield me 1 additional minute?

Mr. GROSS. I yield 1 additional minute to the gentleman from Illinois.

Mr. DERWINSKI. May I make a point to the distinguished gentleman from New York. Please understand I am trying to be objective and not create an unnecessary furor, but I think part of the problem that we in our committee face, and I think this charge could be made against any other committee of Congress, is that we get so engrossed in the subjects that have our immediate attention that we lose our perspective. I think we have spent so much time hearing from and being pressured by the Federal employee organizations that we do not maintain objectivity. I think this is a case where we have listened to the requests of some of these organizations, and we have not kept in mind the impact on the taxpayer which this precedent sets.

Mr. BRASCO. Madam Chairman, will the gentleman yield?

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

Mr. BRASCO. I thank the gentleman for yielding. With respect to that, if the gentleman knows the history of this bill, in the last session of Congress in the full Committee on Post Office and Civil Service, notwithstanding the enormous

pressures the gentleman said they were under, Mr. DANIELS of New Jersey made a motion to send this same bill back to the subcommittee to do certain things with it that would make it more responsive and responsible; so that we are not really under pressure when we try to do what the members of the committee and all members of the subcommittee have indicated before, which is to bring forth a bill that would do the job and be responsive.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BRASCO. Madam Chairman, I yield to the distinguished chairman of the subcommittee, the gentleman from California (Mr. WALDIE), as much time as he may consume.

Mr. WALDIE. I thank the gentleman for yielding.

Madam Chairman, I simply want to commend the gentleman for the work he has done on the bill.

Madam Chairman, I just want to make a brief comment on the statement we have heard today that the civil service retirement fund is in some trouble and this bill will only add to its problems.

I would point out that there is now an enormous surplus in the fund. In fact, it is estimated that employees have been contributing more into the fund, for several years, than what has been paid out of the fund in benefits—so much so that the Civil Service Commission has used \$450 million that employees contributed to retire fund debt instead of pay benefits.

It stands to reason that there is only two courses of action to take to correct this overpayment by Federal employees—either reduce the percent of contribution to the fund or provide additional benefits. We do not have legislation before us today to reduce the contribution rate, although we may well do so later. However, we do have legislation to provide needed additional retirement benefits.

So I say again to the Members: The retirement fund is not in trouble. More than enough money is coming into the fund to pay required, existing benefits. And even more important, the need for this bill is so obvious that I find it impossible to believe that anyone who seriously examines the law enforcement and firefighting pension program, would oppose it.

Mr. GROSS. Madam Chairman, I have no further requests for time.

Mr. BRASCO. Madam Chairman, I yield to the distinguished gentleman from New Jersey (Mr. DOMINICK V. DANIELS) such time as he may consume.

Mr. DOMINICK V. DANIELS. Madam Chairman, as one of its cosponsors, I rise in support of the bill under consideration, H.R. 9281.

In so doing, I invite the attention of the Members to the statements appearing on pages 3 and 4 of the committee's report on this legislation, and wish to emphasize the committee's intent in amending the provision of law, as proposed.

I believe that the legislative history of providing preferential retirement benefits to Federal criminal law enforcement

employees and firefighters is abundantly clear. Its primary purpose was to improve the quality, efficiency, and productivity of those workforces by making that activity a relatively "young man's service," by reducing the turnover among younger men while, at the same time, accelerating the retirement of older men. It is equally clear to me that the more generous computation formula was necessarily provided to make it economically practicable for those employees to retire at earlier than normal retirement age with the inherent shorter lengths of service.

While the element of hazard was, and is, recognized, I wish to emphasize that the special treatment originally and presently accorded these employees, and the benefit levels proposed in this bill, are provided not as a reward for them having been subjected to an inordinate degree of hazard during the performance of their primary duties.

The Retirement Subcommittee has been concerned for some time that in actual operation these special retirement privileges, enacted as far back as 25 years ago, have been only partially effective in attaining their originally intended purposes.

Such ineffectiveness, I believe, might be attributable to two deficiencies in the law. First, the fact that the early retirement option is available only to the employee, with management having no bilateral prerogative to retire, without stigma, one who suffers a loss of proficiency. Second, that the existing computation formula does not, in fact, make it economically possible for an individual to retire much before reaching the age of 60 and completing a substantially full career in Federal service.

Madam Chairman, in referring to the committee's report, at this point let me invite the Members' attention to the fact that a printing omission occurs in the last sentence of the third paragraph of page 4 of the report—an omission of the word "not." Let the record properly show that the committee does not—I repeat—does not accede to the concept that the more generous privileges provided by either existing law or those proposed in this bill are extended as a reward to an employee for his having performed hazardous duties.

Rather, I subscribe, as does the committee, to the original policy that the early retirement eligibility and preferred computation provisions are accorded as a means to assure a highly effective workforce to carry out Federal law enforcement and firefighting activities, by providing an incentive for young men and women to enter and remain in such careers, and that replacements within the service might be facilitated at younger ages without undue hardship.

Madam Chairman, in the belief that all of the elements of this bill will more effectively achieve the basic objectives for which special retirement treatment was originally designed, I urge its adoption.

Mr. HUNT. Madam Chairman, will the gentleman yield?

Mr. DOMINICK V. DANIELS. I yield to the gentleman from New Jersey (Mr. HUNT).

Mr. HUNT. Madam Chairman, I take this opportunity to compliment the gentleman in the well, my colleague from the State of New Jersey, and to add my support to H.R. 9281.

I am sure the gentleman can recall that shortly after the close of World War II, the State of New Jersey in 1947 and through 1948, did enact legislation that radically changed the retirement system for the New Jersey State Police. I am a veteran of more than 30 years service in county, State, and Federal law enforcement and I know whereof I speak in regard to retirement.

Someone said on the floor that this is a particular type of service. I refer to my colleague from the State of Iowa. That statement is correct, it is a particular type of service.

Someone else said, I believe it was the gentleman from New York (Mr. RANGEL) that we need a younger law enforcement group today. That is exactly what we did in 1947 and 1948 in New Jersey, and I am proud to have been the servant of the ad hoc committee that wrote the bill for the New Jersey State Police. It is practically identical to the bill we have before us today, almost verbatim. Our bill provided 50 years of age with 20 years of service and 55 years of age with 25 years of service, and later it was said they could be retained in an administrative position until age 60.

The screams of the do-gooders were heard from the Delaware River to the Atlantic Ocean. The bureaucrats and others including the do-gooders screamed to the high heavens. They said that it was a selective pensioning. Not one of them mentioned the fact that the Federal judges have a noncontributory pension to which they do not contribute one dime, I have never heard anybody in this House object to that, I never heard anybody object to it in my time in this House or in New Jersey or while I served on various committees in New Jersey.

I say today that this is exactly what we seek to do. The men who are in the particular grouping that this bill covers are as described by the gentleman from Iowa—not adversely, I hope—and it is a particular type of service.

The Federal Bureau of Investigation is undoubtedly one of the greatest law enforcement bureaus this Nation or any other nation has ever seen, contrary to what we have heard sometimes in the media. There should be some people here who would be very happy to pension off those fellows who have done such a great job at 55, be real happy to get rid of them. I wonder how many Members in this House have faced the gun, the knife, or the ax in law enforcement work; I wonder how they would measure up or how their wives would like it. They would like it no better than mine did. Many members of the grouping covered by this bill seldom spend more than a few nights each week with their families. So, they have given their lives to law enforcement and it is no more than right that we

give these men some privilege, some real reason to stay in.

We need better law enforcement; we are getting it. They are getting better schooling, better education, better training and measuring up to higher standards. Therefore, it must be that they have some incentive to come into the service and that incentive is to permit them to move up in the ranks when the time comes and not be hampered by a bunch of old do-does who are on top of the heap and will not get off.

That is one reason why I say this bill is so particular in my mind, that it resembles that of the State of Delaware where State police retire with 20 years service regardless of age. The State of Maryland has a bill in the same respect, and the gentleman from Texas (Mr. MILFORD) wants to compare this to his hometown in Texas. All they have to do down there in Texas is pass a bill of this nature because that comes under the State legislature and not the Federal.

Madam Chairman, I want to congratulate the committee and add my support to this bill because it is a wonderful opportunity for us to rejuvenate, as far as we are able, to help those men who have given so much of their time and service—20 years service facing a gun is a long time.

Mr. DOMINICK V. DANIELS. Madam Chairman, I want to thank the distinguished gentleman from New Jersey (Mr. HUNT) for his comments today and for his support of this very important legislation. I think that the provisions of the bill under consideration carry out the legislative objective of the legislation when it was originally enacted 25 years ago.

Madam Chairman, I urge all Members of the House to support the bill under consideration.

Mr. MILFORD. Madam Chairman, will the gentleman yield?

Mr. DOMINICK V. DANIELS. I yield to the gentleman from Texas.

Mr. MILFORD. Madam Chairman, I would like to take just a moment to reply to the gentleman from New Jersey. Texas, indeed, is doing its best for its law enforcement officers. However, we have a constitutional amendment which prohibits us from spending money we do not have. I think the gentleman will find that some of these fancy retirement plans are in States which have also equally fancy debts. Proudly, I can say that Texas does not have, and I hope this country and this Nation will so not have, either.

Mr. LEGGETT. Madam Chairman, I am not in complete agreement with the committee's reasoning on this bill. Nevertheless, on balance I believe it is desirable legislation and I shall vote for it.

Basically the bill is a modification of the retirement benefit structure for Federal law enforcement and firefighting personnel. Its purpose is to encourage and facilitate early retirement so as to maintain a young work force capable of the intense physical activity these jobs require.

Under the present system, apparently some of the most vigorous and desirable men in their 50s have retired, whereas

some others have remained until the mandatory retirement age of 70.

This bill would fix mandatory retirement at age 55 in most cases and would authorize the fixing of appropriate minimum and maximum ages for appointment and at 60 when in the public interest. It would increase retirement benefits derived from the first 20 years of service by 25 percent, allow credit for overtime, and increase employee contributions to pay for it.

In this way, it would require early retirement while at the same time being more than fair to the employees involved.

Now I do not share the committee's acceptance of the concept, mentioned in the report, that "more generous privileges are provided as a reward to an employee for his having performed hazardous duties." On the contrary, I must agree with the Civil Service Commission that hazardous duty differential should be provided in salaries, and reflected in retirement benefits in this way only. After all, "hazardous duty" means very simply that you can get killed on your job. The man who is killed would never see a hazardous duty retirement increment; we should give him a salary increment he can enjoy while he's alive.

But this reservation is parenthetical, since it deals with the reasoning behind the bill rather than the bill itself. The effect of H.R. 9281 will be to build a young, effective force while providing equitable treatment to the men involved; for this reason it deserves our support.

Mr. MATSUNAGA. Madam Chairman, I am pleased to express my complete support for H.R. 9281, which would make a number of improvements in the retirement system covering Federal firefighters and law enforcement personnel.

Congress long ago recognized that these activities are primarily "young men's service," best carried out by a youthful and vigorous work force. However, the statutory framework now in effect has not adequately promoted that goal.

Despite the provision permitting retirement after only 20 years of duty in the hazardous service, the average retirement age has been only 2½ months younger than all Federal employees. The length of employment has averaged only 2.4 years less. The Post Office and Civil Service Committee points out in its report on H.R. 9281 that those who have taken advantage of the early retirement law have tended to be the more alert and vigorous members of the force, with many of those remaining tending to stay until the mandatory retirement age of 70.

H.R. 9281, therefore, provides a system with both incentives and requirements that will promote earlier retirement:

Retirement would be required at age 55, or after 20 years of service, whichever comes later, unless the agency head permits continued service until age 60 is reached.

The present requirement that the Agency and the Civil Service Commission approve an early retirement request is deleted.

Retirement benefits themselves are improved, in two ways. First, the formula

for computing the retiree's annuity is increased from 2 to 2½ percent, times the high 3-year pay average, for each year of hazardous service up to 20. Later years are to continue to be computed at 2 percent. Second, the "basic pay" on which the annuity computation is based would include premium pay for uncontrollable overtime. To partially offset the increased costs occasioned by these improvements, the employee's contribution to his retirement fund is increased from 7 to 7½ percent.

In addition, the bill would give the employing agency discretion over the minimum and maximum ages, within which original appointments could be made. Madam Chairman, we are not speaking of a large number of people, but their role is vital.

In my own State of Hawaii, for example, the work done by brave firefighters is indispensable to our military installations. Federal firefighters must be able, at a moment's notice, to handle fuel tank explosions and jet aircraft crashes, among other exigencies. Today, in addition, nuclear materials are becoming commonplace at Federal installations and in the event of a nuclear accident, the Federal firefighter is the first one called upon to respond.

These professionals are currently doing a commendable job and are demonstrating the finest fire preventing program in operation today. But the hazardous duties they face daily demand a force of young, skilled, and physically able individuals. For this reason, I urge the passage of this bill which would, in effect, furnish added incentives for early retirement.

For these compelling reasons, Madam Chairman, I urge the passage of H.R. 9281.

Mr. MARTIN of Nebraska. Madam Chairman, this rule should be drafted this afternoon. It is fiscally irresponsible. This will create an additional unfunded liability in the retirement fund of \$664 million. That retirement fund, Mr. Speaker, is in not too good financial shape at the present time. There are approximately 56,000 employees in this category of emergency firefighter and law enforcement officers who would receive these benefits. That is 56,000. They are going to be charged an additional one-half of 1 percent increase, from 7 to 7.5 percent for these retirement benefits, but that amounts only to about \$50 a person a year.

We have a total amount that is going to have to be amortized over 30 annual appropriations of \$41,100,000. This \$50 per year for 56,000 employees will amount to \$2.8 million a year, so the general treasury is going to be tapped for approximately \$38 million to take care of this legislation if it is enacted into law.

This is not the kind of legislation which the Congress should be considering at the present time. The gentleman spoke about savings. There are no savings here. That is a phony argument. The only fact here is that we are going to create an unfunded amount in retirement funds of \$664 million, and require appropriations for the next 30 years of

\$41.1 million, a total of over \$1.2 billion, in amortizing that over 30 years.

The true cost is going to be about double the amount of the unfunded part of the retirement fund over 30 years time.

Mr. Speaker, I urge the Members to defeat this rule.

Mr. BRASCO. Madam Chairman, I have no further requests for time.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3307 of title 5, United States Code, is amended—

(1) by striking out in subsection (a) thereof "subsections (b) and (c)" and inserting in lieu thereof "subsections (b), (c), and (d)"; and

(2) by adding the following new subsection at the end thereof:

"(d) The head of any agency may, with the concurrence of such agent as the President may designate, determine and fix the minimum and maximum limits of age within which an original appointment may be made to a position as a law enforcement officer or firefighter, as defined by sections 8331 (20) and (21), respectively, of this title."

Sec. 2. (a) Section 8331(3) of title 5, United States Code, is amended—

(1) by striking out the word "and" at the end of clause (B) (ii);

(2) by inserting the word "and" immediately after the semicolon at the end of subparagraph (C);

(3) by adding immediately below subparagraph (C) the following new subparagraph:

"(D) with respect to a law enforcement officer, premium pay under section 5545 (c) (2) of this title"; and

(4) by striking out "subparagraphs (B) and (C) of this paragraph" and inserting in lieu thereof "subparagraphs (B), (C), and (D) of this paragraph".

(b) Section 8331 of title 5, United States Code, is amended by adding at the end thereof the following:

"(20) 'law enforcement officer' means an employee, the duties of whose position are primarily the investigation, apprehension, or detention of individuals suspected or convicted of offenses against the criminal laws of the United States, including an employee engaged in this activity who is transferred to a supervisory or administrative position. For the purpose of this paragraph, 'detention' includes the duties of—

"(A) employees of the Bureau of Prisons and Federal Prison Industries, Incorporated;

"(B) employees of the Public Health Service assigned to the field service of the Bureau of Prisons or of the Federal Prison Industries, Incorporated;

"(C) employees in the field service at Army or Navy disciplinary barracks or at confinement and rehabilitation facilities operated by any of the armed forces; and

"(D) employees of the Department of Corrections of the District of Columbia, its industries and utilities;

whose duties in connection with individuals in detention suspected or convicted of offenses against the criminal laws of the United States or of the District of Columbia or offenses against the punitive articles of the Uniformed Code of Military Justice (chapter 47 of title 10) require frequent (as determined by the appropriate administrative authority with the concurrence of the Commission) direct contact with these individuals in their detention, direction, supervision, inspection, training, employment, care, transportation, or rehabilitation.

"(21) 'firefighter' means an employee, the duties of whose position are primarily to perform work directly connected with the con-

trol and extinguishment of fires or the maintenance and use of firefighting apparatus and equipment, including an employee engaged in this activity who is transferred to a supervisory or administrative position."

SEC. 3. (a) The first sentence of section 8334(a) (1) of title 5, United States Code, is amended by inserting "a law enforcement officer, and a firefighter," following "Congressional employee."

(b) The first sentence of section 8334(c) of title 5, United States Code, is amended by adding at the end thereof the following new schedule:

"Law enforce-	2½—August 1, 1920, to
ment officer	June 30, 1926.
for law en-	3½—July 1, 1926, to June
forcement	30, 1942.
service and	5—July 1, 1942, to June
firefighter for	30, 1948.
firefighter	6—July 1, 1948, to Octo-
service.	ber 31, 1956.
	6½—November 1, 1956, to
	December 31, 1969.
	7—January 1, 1970, to
	December 31, 1973.
	7½—After December 31,
	1973."

SEC. 4. Section 8335 of title 5, United States Code, is amended by adding the following new subsection at the end thereof:

"(g) A law enforcement officer or a firefighter who is otherwise eligible for immediate retirement under section 8336(c) of this title shall be separated from the service on the last day of the month in which he becomes fifty-five years of age or completes twenty years of service if then over that age. The head of the agency, when in his judgment the public interest so requires, may exempt such an employee from automatic separation under this subsection until that employee becomes sixty years of age. The employing office shall notify the employee in writing of the date of separation at least sixty days in advance thereof. Action to separate the employee is not effective, without the consent of the employee, until the last day of the month in which the sixty-day notice expires."

SEC. 5. Section 8336(c) of title 5, United States Code, is amended to read as follows:

"(c) An employee who is separated from the service after becoming fifty years of age and completing twenty years of service as a law enforcement officer or firefighter, or any combination of such service totaling at least twenty years, is entitled to an annuity."

SEC. 6. Section 8339(d) of title 5, United States Code, is amended to read as follows:

"(d) The annuity of an employee retiring under section 8335(g) or 8336(c) of this title is—

"(A) 2½ per centum of his average pay multiplied by so much of his total service as does not exceed twenty years; plus

"(B) 2 per centum of his average pay multiplied by so much of his total service as exceeds twenty years."

SEC. 7. The amendments made by the first section, and sections 2(b), 5, and 6, of this Act shall become effective on the date of enactment of this Act. The amendments made by sections 2(a) and 3 of this Act shall become effective at the beginning of the first applicable pay period which begins after December 31, 1973. The amendment made by section 4 of this Act shall become effective on January 1, 1977.

Mr. BRASCO (during the reading). Madam 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 New York?

There was no objection.

AMENDMENT OFFERED BY MR. BROYHILL OF VIRGINIA

Mr. BROYHILL of Virginia. Madam Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BROYHILL of Virginia: On page 2, immediately after the comma in line 25, insert "including a member of the police force of the Washington National Airport and a member of the police force of the Dulles International Airport and".

Mr. BROYHILL of Virginia. Madam Chairman, I offer an amendment to H.R. 9281, to include in section 2(b) thereof, with respect to the definition of "law enforcement officer," members of the police forces of the Washington National and Dulles International Airports.

Our airports today are in many respects mobile communities, with an hourly population exceeding that of many of our cities. Larger airports are being built or are on the drawing boards and air travel is growing daily.

Yet, Madam Chairman, we have sorely neglected the security of two of the Nation's major airports, National and Dulles, where travelers from all over the world and all over the Nation come and go with a confidence that is an illusion, a confidence that the only two airports owned and operated by the Federal Government must be the safest in the land.

Any crime known to any city in America has at one time or another happened at these two airports. Skyjackings, bomb threats, drug smuggling, murder, armed assault and injury against officers and civilians, armed robbery, and mischance of unlimited varieties confront these underpaid, underpensioned, and often undertrained policemen. Yet their records of dedication and courage are unquestioned.

Promotions are slow or nonexistent; they face as many daily hazards as any policeman on a city beat; the potential for disaster lives with them every moment they stay on duty, most doing hours more overtime on a regular basis than any metropolitan police force would consider safe for its personnel. And yet, Madam Chairman, they are denied pay commensurate with their responsibility; they are undermanned and underappreciated. They should at least be paid equal to the men who police the docile, caged animals at the National Zoo, but they are not.

The police forces at National and Dulles Airports, who once were charged mainly with directing traffic into and out of the airport facilities and passengers onto and off waiting passenger planes, are now called upon to defend passengers, crews, airport personnel, international travelers, and all who do business in this Nation's Capital from an almost unlimited variety of offenses against person and property. The force at Dulles has been called upon three times to handle skyjacked planes, the force at National has lost count of the number of bomb threats they have handled with maximum efficiency and minimum inconvenience to travelers. All members of the Dulles force are sworn in when hired as special deputy U.S. marshals so that they can patrol the 14 miles of high-speed highway on the Dulles access

highway and be prepared to assist Customs and Immigration personnel in handling attempted smuggling and other violations by both domestic and foreign travelers.

Few of the officers at either airport would benefit from inclusion under provisions of this bill but the forces themselves would be drastically improved in the months to come. At National only 12 men could qualify for hazardous duty retirement, because the remainder of that force of 42 men—7 under authorized strength—are retired military men who can combine their military retirement with the miserably inadequate police pay to provide a reasonable income for themselves and their families. On the other hand, inclusion of these forces, and offering prospective candidates attractive salaries and fringe benefits could not help but result in rejuvenating both forces and in improving the forces themselves. Dulles had an authorized strength of 43 in June, with 41 onboard, 1 awaiting retirement and one who has since died. The new responsibility for screening passengers has brought them authorization for 38 additional positions, but thus far they have only been able to find 5 eligible candidates. One officer at Dulles told me the other day that the men have worked more overtime in the first 6 months of this year than in all of 1972.

The men at National and Dulles do the best they can with masses of people, hour after hour and day after day. But our neglect of them and their needs denies the realities of present air travel and future growth, and the burden laid on them when they don the uniform of their services.

I believe that we can and must do better by the men in airport police uniform and the thousands of men and women—citizen tourists of America and visitors of stature and whose international importance is vital to this Nation, and who use these major air travel gates to our Capital City.

We use them ourselves in our congressional travels and in our congressional duties. We, in a sense, use them as an adjunct to the Government of the United States and the men employed to protect these facilities are entitled to be treated as equals, along with any other agency of the Government assigned to duties of utmost importance to the smooth operation of the Capital of the United States.

Madam Chairman, I urge adoption of the amendment I offer to H.R. 9281.

Mr. BRASCO. Madam Chairman, will the gentleman yield?

Mr. BROYHILL of Virginia. I yield to the gentleman from New York.

Mr. BRASCO. I must oppose the gentleman's amendment. I do so quite reluctantly, because I know of the gentleman's great interest in and of his service as a former member of the Committee on Post Office and Civil Service, toward the advancement of salaries and fringe benefits for Federal employees.

However, I want to point out to the gentleman that the firefighters are included in this retirement program by a bill on which we had hearings, which

both Houses passed, which was signed into law by the President.

The other people in the categories we are talking about now are people who by statute are defined as individuals who are involved in criminal investigation and detention of criminals. The gentleman would concede that the airport people do not come within that category.

I understand the gentleman's great concern for the status of the airport patrolmen. I have discussed this matter with the gentleman from California (Mr. WALDIE) the chairman of the Retirement Subcommittee. I can assure the gentleman in the well we are also concerned. If the gentleman will withdraw his amendment I believe there is a satisfactory way of getting action on what he is trying to do, because I am well aware the gentleman has introduced a bill to upgrade the salaries paid to these individuals. I agree with the gentleman they are extremely low.

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

(On request of Mr. BRASCO, and by unanimous consent, Mr. BROYHILL of Virginia was allowed to proceed for 1 additional minute.)

Mr. BRASCO. I will tell the gentleman publicly, if the gentleman does withdraw his amendment we will have immediate consideration with respect to hearings on his bill and will make every effort to pass it.

Mr. BROYHILL of Virginia. Madam Chairman, let me say in answer to the gentleman that I am a realist, and I realize how difficult it would be if I attempted to proceed to get this amendment adopted without the support of the gentleman from New York and the Committee on Post Office and Civil Service.

With the assurances that have been made by the gentleman from New York, as well as those made by the gentleman from California, and realizing that the gentleman is sincere and does share with me a concern about the conditions, the salaries, and the protection of those men out at Washington National Airport and Dulles Airport, I am delighted to cooperate with him, as he has offered to cooperate with me.

Madam Chairman, I ask unanimous consent to withdraw my amendment.

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

There was no objection.

AMENDMENTS OFFERED BY MR. DERWINSKI

Mr. DERWINSKI. Madam Chairman, I offer two amendments, and I ask unanimous consent that they may be considered en bloc.

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

There was no objection.

The Clerk read as follows:

Amendments offered by Mr. DERWINSKI: On page 4, strike out all of section 3 of the bill and renumber the succeeding sections accordingly. On page 5, strike out all of section 6 and insert in lieu thereof the following:

SEC. 5. Section 8339(d) of title 5, United States Code, is amended to read as follows: "(d) The annuity of an employee retiring under section 8335(g) or 8336(c) of this title is computed under subsection (a) of this

section. That annuity may not be less than 50 percent of the average pay of the employee."

Mr. DERWINSKI. Madam Chairman, in support to my amendment, I want to reiterate one of the points I made in my statement earlier during general debate.

My amendment strikes out the 2½-percent annuity computation in this bill and substitutes language which puts these law enforcement and firefighting personnel on the same retirement footing as air traffic controllers. The amendment also eliminates the extra employee and agency contribution as this would be unnecessary under my amendment.

In support of my amendment, I would like to quote from the report of the U.S. Civil Service Commission on this bill:

To help pay these additional costs, section 3 of the bill would increase the contribution rate of law enforcement officers and firefighters from the present 7% to a new 7½% with a corresponding increase in the agency contribution rate. The Commission objects to this provision, believing that preferential benefit provisions for any class of employees can be justified only when they serve a management purpose. We could agree to changes in the law which would increase costs—early retirement and a guaranteed annuity of 50% of average pay after 20 years of service—but these are not special rewards or liberalizations intended primarily to benefit the class of employees affected. They are part of a plan to benefit management by keeping law enforcement and fire fighting services young and vigorous. The higher annuity rate provided for early retirement is for the sole purpose of making it economically feasible for employees to retire in their early fifties.

We would object to any proposal to establish a preferential computation formula as a reward for a particular kind of service, because we believe no one type of service merits a greater retirement reward than any other. The value of service of any kind is reflected in pay, which in turn directly affects ultimate retirement income. A purely preferential formula cannot be rationalized by asking the employee to pay a higher contribution rate. Almost any identifiable class of Federal employees would gladly pay more for a clearly more liberal computation method.

Thus, one of the purposes intended by H.R. 9281 is to achieve the management objective of a young and vigorous service, through a system of early retirements, and employees should not in our opinion be asked to help pay for a management tool.

The Commission objects to the new 2½-percent-a-year computation formula proposed by H.R. 9281 as being excessively generous. It believes that the basic annuity formula used for employees generally, but with a guaranteed amount of not less than 50 percent of high-three average pay, as now applies to air traffic controllers, would be a more appropriate incentive for early retirement of law enforcers and firefighters, would assure an economically feasible retirement income, and would discourage covered employees from delaying retirement long enough to raise annuity above the 50-percent level.

The minimum guaranteed annuity of 50 percent of high-three average pay, provided for air traffic controllers, is perhaps, one of the most significant civil service retirement provisions enacted by the Congress in recent years. It is preferable to the 2 percent per year of service computation formula currently used for law enforcers and firefighters. The cur-

rent formula tends to neutralize the incentive for early retirement by continuing the more liberal computation rate for employees who stay in service past the time when they first become eligible to retire. The guaranteed 50-percent formula provides 50 percent of average pay as annuity after 20 years' service rather than after 25 years' service, and provides no special incentive in the form of a higher annuity for working longer than 20 years.

Mr. BRASCO. Madam Chairman, I rise in opposition to the amendments.

Madam Chairman, I am strongly opposed to the amendment offered by the gentleman from Illinois (Mr. DERWINSKI) because I believe that after I am finished with the remarks as to why I am opposed to this amendment, the Members will find that the amendment offered by the gentleman is reading some of the employees that we are trying to assist right out of benefits in which they are presently vested.

The gentleman is advocating that we accord law enforcement personnel the same treatment which we extended to air traffic control personnel in the last Congress. Right at that point we have a different situation than what we are talking about today.

Madam Chairman, what the gentleman fails to tell us concerning that bill, although he does tell us about the 50-percent minimum, is this: He fails to tell us that the air traffic controller is guaranteed 2 years of retraining benefits, with all tuition, fees, and expenses paid by the Federal Aviation Administration, as well as continued payment of 2 years of his salary during that period of time.

What about the cost of that? We do not have any special provision in our bill, so right there in and of itself is a reason to defeat the gentleman's amendment.

Let me give you now a few examples of the limited effect of the amendment offered by the gentleman from Illinois and some examples of the circumstances under which an employee would realize no benefit whatsoever under the gentleman's amendment but would, as a matter of fact, reduce the benefits he gets under existing law.

For instance, if you have an individual who was appointed at age 26 with 24 years of service and retires at age 50, under existing law he gets 48 percent of his salary. Under the bill on the House floor today he would get 58 percent of his salary. Under the gentleman's amendment he would get 50 percent. So we only help him 2 percent.

Now let us listen to the next case. We take a gentleman who was appointed at age 26 with 26 years of service and he retires at age 52. Under existing law he gets 52 percent of his salary. We would attempt to give him 62 percent of his salary. Under the gentleman's amendment he would get 50 percent of his salary. So that gentleman would be penalized by subtracting 2 percentiles off what he already gets under existing law.

Let me give you another case in which we subtract even more. We have someone coming into the service at age 26

with 28 years of service. He retires at age 54. Under existing law he gets 56 percent of his salary. We would hope to give him 66 percent of his salary under the bill before the House today. Under the gentleman's amendment he would get 52 3/4 percent of his salary, which is a subtraction of 3 3/4 percent of what he gets under existing law. That is like giving ice away in the wintertime.

I have examples, but I do not want to belabor the Committee with them, of different arrangements of retirement situations where the gentleman's amendment, which he sets off as a perfecting amendment, does nothing more than turn this whole thing around. It penalizes most of the people that we are attempting to help under this bill.

Under those circumstances, I urge the committee to very resoundingly defeat the gentleman's amendment.

Mr. SMITH of New York. Madam Chairman, I move to strike the requisite number of words.

Madam Chairman, I rise to ask a question of the gentleman from Illinois (Mr. DERWINSKI) in regard to, not only the amendment, but the bill.

Is it correct to say that at the present time this group of Federal law enforcement employees and Federal firefighters receive the same benefits and are covered by the same pension scheme as all other Federal employees?

Mr. DERWINSKI. That is not correct.

Mr. SMITH of New York. Is it correct to say that generally they are covered by roughly the same pension requirements and provisions as other Federal employees?

Mr. DERWINSKI. I think the answer would be that it is slightly better. They have at the present time an improved pension plan over that of a normal clerk in a Government office.

Mr. SMITH of New York. I am talking only about civil service employees, of course, because we have a different pension system for judges and some other noncivil service Federal employees. Is there at the present time any evidence that it is difficult to recruit these people who do have a more dangerous function, probably, with the Government than some of the other employees?

Mr. DERWINSKI. No; the answer is no. As a matter of fact, a few minutes ago I read and I will again emphasize that, based on the report from the Office of Management and Budget, there is no evidence that agencies employing law enforcement personnel are encountering difficulty in recruitment.

Mr. SMITH of New York. Madam Chairman, I have one further question of the gentleman from Illinois, and that is this:

As a class, are the Federal law-enforcement personnel and the Federal firefighter personnel paid at a somewhat higher rate than people in the general services of equal GS status?

Mr. DERWINSKI. They receive a premium pay in lieu of overtime, and because of the unique nature of their assignments they are classified at higher levels.

Mr. SMITH of New York. I have one further question of the gentleman from Illinois, and that is this: Does this pre-

mium pay then actually amount in dollars and cents to a higher pension when they retire than the average civil servant might receive?

Mr. DERWINSKI. Not at the present time, but under this bill one of the provisions would in effect use their premium pay as part of base pay for their pension. In other words, this is an additional provision which is being offered in this bill.

Mr. SMITH of New York. It is not now counted?

Mr. DERWINSKI. No; not now.

Mr. SMITH of New York. I thank the gentleman.

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

The amendment was rejected.

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

Madam Chairman, I would appreciate the attention of the gentleman from New York (Mr. BRASCO) the excellent tactician on this legislation, and I would ask the distinguished gentleman, if he would entertain an unusual question on my part.

I have three other amendments here, and they are at the gentleman's desk. Would I be correct in assuming that the gentleman would also oppose these three amendments, just as the gentleman has the one that was just defeated?

Mr. BRASCO. That would be a correct assumption on the gentleman's part.

Mr. DERWINSKI. Regardless of any overpowering arguments on my part, the gentleman would also oppose them?

Mr. BRASCO. Yes, I would.

Mr. DERWINSKI. Frankly, Madam Chairman, this is one of those situations where I have counted noses, and I am afraid that I do not have the vote.

May I suggest to the gentleman from New York, in an effort to cooperate with the gentleman, since we have a Tuesday-to-Thursday Club operating this week, that instead of offering these amendments, I will incorporate them in a motion to recommit this legislation to the committee, and thus expedite time.

I thank the gentleman from New York for his courtesy in communicating to me his position.

Mr. BRASCO. I thank the gentleman from Illinois.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mrs. GRIFFITHS, 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. 9281) to amend title 5, United States Code, with respect to the retirement of certain law enforcement and firefighter personnel, and for other purposes, pursuant to House Resolution 547, she reported the bill back to the House.

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

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

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

MOTION TO RECOMMIT OFFERED BY
MR. DERWINSKI

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

The SPEAKER. Is the gentleman opposed to the bill?

Mr. DERWINSKI. I am, Mr. Speaker, in its present form.

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

The Clerk read as follows:

Mr. DERWINSKI moves to recommit the bill, H.R. 9281, to the Committee on Post Office and Civil Service with instructions to report the same back forthwith with the following amendments:

On page 1, strike out line 9 and all that follows through the end of line 4 on page 2 and insert in lieu thereof the following:

"(d) The President or such agent as he may designate, shall determine and fix the maximum limit of age within which an original appointment may be made to a position as a law enforcement officer or firefighter, as defined by section 8331 (20) and (21), respectively, of this title."

On page 2, strike out line 5 and all that follows through the end of line 18; and

On page 2, line 19, strike out "(b)" and insert in lieu thereof "Sec. 2".

On page 4, strike out all of section 3 of the bill and renumber the succeeding sections accordingly. On page 5, strike out all of section 6 and insert in lieu thereof the following:

Sec. 5. Section 8339(d) of title 5, United States Code, is amended to read as follows: "(d) The annuity of an employee retiring under section 8335(g) or 8336(c) of this title is computed under subsection (a) of this section. That annuity may not be less than 50 percent of the average pay of the employee."

On page 6, strike out all of section 7 of the bill and insert in lieu thereof the following:

Sec. 6. The amendments made by the first section, and sections 2, 4 and 5 of this Act shall become effective on the date of enactment of this Act. The amendment made by section 3 of this Act shall become effective on January 1, 1977.

The SPEAKER. Does the gentleman from Illinois desire to be heard on his motion?

Mr. DERWINSKI. Yes, Mr. Speaker.

Very briefly, Mr. Speaker, this motion to recommit with instructions covers three basic points. It strikes the 2½-percent computation and substitutes a guaranteed annuity. It eliminates the premium pay as a basis for retirement compensation. It provides that the President shall fix the uniform maximum age of retirement. All of these recommendations are Civil Service Commission recommendations which are incorporated in the report covered by the minority views in part, and they are in effect amendments requested by the Civil Service Commission.

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

Mr. BRASCO. Mr. Speaker, I rise in opposition to the motion to recommit.

I just want to take a moment of the Members' time to let them understand that the gentleman has incorporated all of his amendments in a motion to recommit. The first one was resoundingly defeated. These are along the same lines and only do damage to a program that I feel is responsible and necessary.

I ask the Members to vote against the motion to recommit.

The SPEAKER. Without objection, the

previous question is ordered on the motion to recommit.

There was no objection.

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. DERWINSKI. 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 116, nays 282, not voting 36, as follows:

[Roll No. 472]

YEAS—116

Abdnor	Fountain	Pike
Archer	Frenzel	Poage
Arends	Fröhlich	Powell, Ohio
Armstrong	Goodling	Price, Tex.
Beard	Gross	Quile
Blackburn	Gunter	Rarick
Bray	Guyer	Regula
Broyhill, N.C.	Haley	Robinson, Va.
Buchanan	Hammer-	Robison, N.Y.
Burgener	schmidt	Runnels
Burlison, Mo.	Hanrahan	Ruppe
Butler	Harvey	Satterfield
Carter	Hechler, W. Va.	Saylor
Casey, Tex.	Heckler, Mass.	Scherle
Cederberg	Heinz	Schneebeli
Chamberlain	Hinshaw	Sebellus
Clawson, Del.	Huber	Shuster
Cleveland	Hudnut	Sikes
Cochran	Hutchinson	Skubitz
Cohen	Jarman	Smith, N.Y.
Collier	Johnson, Colo.	Snyder
Collins, Tex.	Johnson, Pa.	Spence
Conable	Jones, Okla.	Stanton
Conlan	Kemp	J. William
Crane	Kuykendall	Steelman
Daniel, Dan	Landgrebe	Steiger, Ariz.
Daniel, Robert	Latta	Steiger, Wis.
W. Jr.	Lott	Symms
Davis, Wis.	McClary	Taylor, Mo.
Dellenback	Mallory	Treen
Dennis	Martin, Nebr.	Ware
Derwinski	Martin, N.C.	Williams
Drinan	Mayne	Wylie
du Pont	Michel	Wyman
Erlenborn	Miller	Young, Alaska
Findley	Minshall, Ohio	Young, Ill.
Fish	Montgomery	Young, S.C.
Fisher	Mosher	Zion
Ford, Gerald R.	O'Brien	Zwach
Forsythe	Perkins	

NAYS—282

Abzug	Brown, Calif.	Dent
Addabbo	Brown, Mich.	Devine
Anderson, Calif.	Brown, Ohio	Dickinson
Anderson, Ill.	Broyhill, Va.	Diggs
Andrews, N.C.	Burke, Calif.	Dingell
Andrews, N. Dak.	Burke, Mass.	Donohue
Annuizio	Burton	Downing
Ashley	Byron	Dulski
Aspin	Camp	Duncan
Badillo	Carey, N.Y.	Eckhardt
Bafalis	Carney, Ohio	Edwards, Ala.
Baker	Chappell	Edwards, Calif.
Barrett	Chisholm	Eilberg
Bauman	Clancy	Eshleman
Bennett	Clark	Evans, Colo.
Bergland	Clausen,	Evins, Tenn.
Bevill	Don H.	Fascell
Biaggi	Clay	Flood
Bieber	Collins, Ill.	Flowers
Bingham	Conte	Foley
Blatnik	Conyers	Ford,
Boggs	Corman	William D.
Boland	Cotter	Fraser
Bolling	Coughlin	Frelinghuysen
Bowen	Cronin	Frey
Brademas	Culver	Fulton
Brasco	Daniels	Fuqua
Breckinridge	Dominick V.	Gaydos
Brinkley	Danielson	Gettys
Brooks	Davis, Ga.	Gialmo
Broomfield	de la Garza	Gibbons
Brotzman	Delaney	Gillman
	Dellums	Ginn
	Denholm	Goldwater

Gonzalez	Mathias, Calif.	Roybal
Grasso	Mathis, Ga.	Ruth
Green, Oreg.	Matsunaga	Ryan
Green, Pa.	Mazzoli	St Germain
Griffiths	Meeds	Sarasin
Grover	Melcher	Sarbanes
Gubser	Metcalfe	Schroeder
Gude	Mezvinisky	Seiberling
Hamilton	Milford	Shipley
Hanley	Minish	Shoup
Hanna	Mink	Shriver
Hansen, Wash.	Mitchell, Md.	Sisk
Harrington	Mitchell, N.Y.	Smith, Iowa
Hastings	Mizell	Staggers
Hawkins	Moakley	Stark
Helstoski	Molohan	Steed
Henderson	Moorhead,	Steele
Hicks	Calif.	Stephens
Hillis	Moorhead, Pa.	Stokes
Hogan	Morgan	Stratton
Hollifield	Moss	Stubblefield
Holt	Murphy, Ill.	Stuckey
Holtzman	Murphy, N.Y.	Studds
Horton	Myers	Symington
Hosmer	Natcher	Taylor, N.C.
Howard	Nedzi	Teague, Calif.
Hungate	Nichols	Thompson, N.J.
Hunt	Nix	Thomson, Wis.
Ichord	Obey	Thone
Johnson, Calif.	O'Hara	Thornton
Jones, Ala.	O'Neill	Tiernan
Jones, N.C.	Owens	Towell, Nev.
Jones, Tenn.	Parris	Udall
Jordan	Passman	Ullman
Karth	Patten	Van Deerlin
Kastenmeier	Pettis	Vander Jagt
Kazen	Pickle	Vanik
Keating	Podell	Veysey
Ketchum	Preyer	Vigorito
King	Price, Ill.	Waggonner
Kluczynski	Pritchard	Waldie
Koch	Quillen	Walsh
Kyros	Railsback	Wampler
Landrum	Randall	Whalen
Leggett	Rangel	White
Lehman	Rees	Whitehurst
Lent	Reid	Whitten
Litton	Reuss	Wildnall
Long, La.	Riegle	Wilson, Bob
Long, Md.	Rinaldo	Wilson,
McCloskey	Roberts	Charles H.
McCollister	Rodino	Calif.
McCormack	Roe	Winn
McDade	Rogers	Wolf
McFall	Roncallo, Wyo.	Wright
McKay	Roncallo, N.Y.	Wyatt
McSpadden	Rooney, N.Y.	Wylder
Macdonald	Rooney, Pa.	Yates
Madden	Rose	Yatron
Madigan	Rosenthal	Young, Fla.
Mahon	Rostenkowski	Young, Ga.
Mailliard	Roush	Zablocki
Maraziti	Rousselot	

NOT VOTING—36

Adams	Harsha	Roy
Alexander	Hays	Sandman
Ashbrook	Hébert	Slack
Bell	Lujan	Stanton
Breaux	McEwen	James V.
Burke, Fla.	McKinney	Sullivan
Burleson, Tex.	Mann	Talcott
Davis, S.C.	Mills, Ark.	Teague, Tex.
Dorn	Nelsen	Wiggins
Esch	Patman	Wilson
Flynt	Pepper	Charles, Tex.
Gray	Peyser	Young, Tex.
Hansen, Idaho	Rhodes	

So the motion to recommit was rejected.

The Clerk announced the following pairs:

Mr. Hébert with Mr. Breaux.
Mr. Adams with Mr. Slack.
Mr. Davis of South Carolina with Mr. Burke of Florida.
Mr. Burleson of Texas with Mr. Lujan.
Mr. Mills of Arkansas with Mr. McKinney.
Mr. Gray with Mr. Wiggins.
Mr. Hays with Mr. Talcott.
Mr. Pepper with Mr. Rhodes.
Mrs. Sullivan with Mr. Peyser.
Mr. Young of Texas with Mr. McEwen.
Mr. Mann with Mr. Esch.
Mr. Flynt with Mr. Ashbrook.
Mr. Dorn with Mr. Nelsen.
Mr. Patman with Mr. Harsha.
Mr. Teague of Texas with Mr. Bell.
Mr. Charles Wilson of Texas with Mr. Joseph V. Stanton.
Mr. Alexander with Mr. Roy.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

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

Mr. DERWINSKI. 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 299, nays 93, not voting 42, as follows:

[Roll No. 473]

YEAS—299

Abzug	Evans, Colo.	Maraziti
Addabbo	Evins, Tenn.	Mathias, Calif.
Anderson,	Fascell	Mathis, Ga.
Calif.	Flood	Matsunaga
Anderson, Ill.	Flowers	Mazzoli
Andrews, N.C.	Foley	Meeds
Andrews,	Ford	Melcher
N. Dak.	William D.	Metcalfe
Annunzio	Forsythe	Mezvisinsky
Ashley	Fraser	Minish
Aspin	Frelinghuysen	Mink
Badillo	Frey	Minshall, Ohio
Bafalis	Fulton	Mitchell, Md.
Baker	Fuqua	Mitchell, N.Y.
Barrett	Gaydos	Mizell
Bauman	Gettys	Moakley
Bennett	Gialmo	Mollohan
Bergland	Gibbons	Montgomery
Bevill	Gilman	Moorhead,
Biaggi	Ginn	Calif.
Blester	Goldwater	Moorhead, Pa.
Bingham	Gonzalez	Morgan
Blatnik	Grasso	Moss
Boggs	Green, Oreg.	Murphy, Ill.
Boland	Green, Pa.	Murphy, N.Y.
Bolling	Grover	Myers
Bowen	Gubser	Natcher
Brademas	Gude	Nedzi
Brasco	Gunter	Nichols
Bray	Hamilton	Nix
Breaux	Hammer-	O'Hara
Breckinridge	schmidt	O'Neill
Brinkley	Hanley	Owens
Brooks	Hanna	Parris
Broomfield	Hansen, Wash.	Passman
Brotzman	Harrington	Patten
Brown, Calif.	Hastings	Perkins
Brown, Mich.	Hawkins	Pettis
Brown, Ohio	Heckler, Mass.	Pickle
Broyhill, Va.	Helstoski	Pike
Buchanan	Henderson	Podell
Burke, Calif.	Hicks	Preyer
Burke, Mass.	Hillis	Price, Ill.
Burton	Hogan	Pritchard
Butler	Holt	Quie
Byron	Holtzman	Quillen
Camp	Horton	Randall
Carey, N.Y.	Hosmer	Rangel
Carney, Ohio	Howard	Rees
Carter	Hungate	Reid
Chisholm	Hunt	Reuss
Clancy	Johnson, Calif.	Riegle
Clark	Johnson, Pa.	Rinaldo
Clausen,	Jones, Ala.	Roberts
Don H.	Jones, N.C.	Rodino
Clay	Jones, Tenn.	Roe
Cochran	Jordan	Rogers
Collier	Karth	Roncallo, Wyo.
Collins, Ill.	Kastenmeier	Roncallo, N.Y.
Conlan	Kazen	Rooney, N.Y.
Conte	Keating	Rooney, Pa.
Corman	Kemp	Rose
Cotter	Ketchum	Rosenthal
Coughlin	King	Rostenkowski
Cronin	Kluczynski	Roush
Culver	Koch	Rousselot
Daniel, Dan	Kuykendall	Roybal
Daniel, Robert	Kyros	Runnels
W., Jr.	Landrum	Ruth
Daniels,	Leggett	Ryan
Dominick V.	Lehman	St Germain
Danielson	Lent	Sarasin
Davis, Ga.	Litton	Sarbanes
de la Garza	Long, La.	Satterfield
Delaney	Long, Md.	Schroeder
Dellums	Lott	Seiberling
Denholm	McCloskey	Shipey
Dent	McCollister	Shoup
Dickinson	McCormack	Shriver
Dingell	McDade	Sikes
Donohue	McFall	Sisk
Downing	McKay	Slack
Dulski	Macdonald	Smith, Iowa
Duncan	Madden	Spence
Edwards, Calif.	Madigan	Staggers
Eilberg	Mahon	Steele
Eshleman	Mailliard	Steiger, Ariz.

Stephens
Stokes
Stratton
Stubblefield
Stuckey
Studds
Symington
Teague, Calif.
Thompson, N.J.
Thomson, Wis.
Thone
Thornton
Tiernan
Towell, Nev.
Udall
Ullman

Van Deerlin
Vander Jagt
Vanik
Veysey
Waggoner
Waldie
Walsh
Wampler
Whalen
White
Whitehurst
Whitten
Widnall
Williams
Wilson, Bob
Wilson,

Charles H.,
Calli.
Winn
Wolf
Wright
Wyatt
Wydler
Yates
Yatron
Young, Alaska
Young, Fla.
Young, Ga.
Young, Ill.
Zablocki
Zion
Zwach

NAYS—93

Abdnor	Fountain	O'Brien
Archer	Frenzel	Poage
Arends	Fröhlich	Powell, Ohio
Armstrong	Goodling	Price, Tex.
Beard	Grimms	Rarick
Blackburn	Gross	Regula
Broyhill, N.C.	Guyer	Robinson, Va.
Burgener	Halley	Robinson, N.Y.
Burrlison, Mo.	Hanrahan	Ruppe
Casey, Tex.	Harvey	Saylor
Cederberg	Hechler, W. Va.	Scherle
Chamberlain	Heinz	Schneebell
Chappell	Hinshaw	Sebelius
Clawson, Del	Huber	Shuster
Cleveland	Hudnut	Skubitz
Cohen	Hutchinson	Smith, N.Y.
Collins, Tex.	Ichord	Snyder
Conable	Jarman	Stanton,
Conyers	Johnson, Colo.	J. William
Crane	Jones, Okla.	Steelman
Davis, Wis.	Landgrebe	Steiger, Wis.
Dellenback	Latta	Symms
Dennis	McClory	Taylor, Mo.
Derwinski	Mallory	Taylor, N.C.
Drinan	Martin, Nebr.	Treen
du Pont	Martin, N.C.	Vigorito
Edwards, Ala.	Mayne	Ware
Erlenborn	Michel	Wylie
Findley	Millford	Wyman
Fish	Miller	Young, S.C.
Fisher	Mosher	
Ford, Gerald R.	Obey	

NOT VOTING—42

Adams	Harsha	Rhodes
Alexander	Hays	Roy
Ashbrook	Hébert	Sandman
Bell	Hollifield	Stanton,
Burke, Fla.	Lujan	James V.
Burleson, Tex.	McEwen	Stark
Davis, S.C.	McKinney	Steed
Devine	McSpadden	Sullivan
Diggs	Mann	Talcott
Dorn	Mills, Ark.	Teague, Tex.
Eckhardt	Nelsen	Wiggins
Esch	Patman	Wilson,
Flynt	Pepper	Charles, Tex.
Gray	Peyser	Young, Tex.
Hansen, Idaho	Rallsback	

So the bill was passed.

The Clerk announced the following pairs:

Mr. Hébert with Mr. Devine.
Mr. Adams with Mr. Diggs.
Mr. Davis of South Carolina with Mr. Burke of Florida.
Mr. Burleson of Texas with Mr. Lujan.
Mr. Mills of Arkansas with Mr. McKinney.
Mr. Gray with Mr. Wiggins.
Mr. Hays with Mr. Talcott.
Mr. Pepper with Mr. Rhodes.
Mrs. Sullivan with Mr. Peyser.
Mr. Young of Texas with Mr. McEwen.
Mr. Mann with Mr. Esch.
Mr. Flynt with Mr. Ashbrook.
Mr. Dorn with Mr. Nelsen.
Mr. Patman with Mr. Harsha.
Mr. Teague of Texas with Mr. Bell.
Mr. Charles Wilson of Texas with Mr. James V. Stanton.
Mr. Alexander with Mr. Roy.
Mr. Hollifield with Mr. McSpadden.
Mr. Rallsback with Mr. Stark.
Mr. Steed with Mr. Eckhardt.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. BRASCO. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks, and to include extraneous matter, on the bill just passed, H.R. 9281.

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

There was no objection.

INCREASING OF GOVERNMENT CONTRIBUTIONS FOR FEDERAL EMPLOYEES HEALTH BENEFITS

Mr. WALDIE. 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. 9256) to increase the contribution of the Government to the costs of health benefits for Federal employees, and for other purposes.

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

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. 9256, with Mr. BEVILL 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 California (Mr. WALDIE) will be recognized for 30 minutes, and the gentleman from Iowa (Mr. Gross) will be recognized for 30 minutes.

The Chair recognizes the gentleman from California.

Mr. WALDIE. Mr. Chairman, I yield such time as he may consume to the distinguished chairman of the full committee, the gentleman from New York (Mr. DULSKI).

Mr. DULSKI. Mr. Chairman, H.R. 9256 will accomplish, both initially and ultimately, what the Committee on Post Office and Civil Service had in mind when the Federal employees' health benefits program was enacted 14 years ago. It was then our belief that the Government initially should share premium costs at least equally with its employees and retirees. But at that time, because we had no previous experience, a dollar limitation was written into the law fixing a maximum contribution to be paid by the Government, and geared to the least expensive governmentwide low option plan.

Because of such dollar limitation, the Government's share of costs in 1970 was down to less than 25 percent and only a few low-option plans received a Government contribution equal to half the total premium charge. The enactment of Public Law 91-418, effective in January 1971, eliminated the maximum dollar amounts and expressed the Government contribution in terms of a percentage—that is, 40 percent of total charges—which is still well below the 50-50 sharing ratio initially contemplated.

This legislation will also fulfill the long-range intent of the 86th Congress, as expressed in the report that accom-

panied the enabling legislation, which reads as follows:

The Committee recognized that the maximum amounts indicated could not remain unchanged over a long period of years, any more than the cost-of-living has remained frozen. Medical care costs will undoubtedly fluctuate at least as widely as other items of living costs. The Committee believes that the Congress will continue to be responsive to the needs of the employees and will appropriately act to keep the proposed program in consonance with future developments.

Mr. Chairman, the studies and hearings conducted by our subcommittee during the 92d Congress and in this Congress fully justify the change to the graduated sharing ratios provided for in this legislation. H.R. 9256 is designed to update the health insurance program to a point where it will be in consonance with intervening and future developments, and whereby Federal employees and annuitants will be more reasonably on a par with those employed in the private sector.

I commend the chairman of our Subcommittee on Retirement and Employee Benefits, the gentleman from California (Mr. WALDIE), for the leadership he has demonstrated in obtaining committee approval of the bill. I commend the members of the subcommittee for their development and cosponsorship of the reported bill, and those members of the full committee, on both sides of the aisle, for their approval of this essential measure.

I urge the Members of this body to lend their support to the committee's endeavors by giving their approval to this legislation.

Mr. WALDIE. Mr. Chairman, I yield to the gentleman from Hawaii (Mr. MATSUNAGA) such time as he may consume.

Mr. MATSUNAGA. Mr. Chairman, I rise in support of H.R. 9256, a bill to increase the Federal Government's share of its employees' health insurance premiums from the present 40 percent, over a 4-year period, to 75 percent. I commend the distinguished gentleman from California (Mr. WALDIE) for the leadership he has displayed in bringing this bill to the floor.

More than 2½ years ago, in his health message to Congress, President Nixon proposed legislation to require private employers to contribute at least 75 percent of the cost of health insurance. Indeed, many major employers already pay the entire cost of their employees' health insurance.

It seems only reasonable, Mr. Chairman, for the Federal Government itself to provide the same sort of cost-sharing as the administration would require of the private sector.

That is the simple purpose of H.R. 9256. It would increase the Government share immediately to 55 percent, and increase that by 5 percent each year until it reached 75 percent.

There is no escaping the fact that this bill, if enacted, will cost the Federal Government money. But there is also no doubt, Mr. Chairman, that the Federal employee has suffered, as has his private sector counterpart, from skyrocketing health care costs. Over the past 10 years, those costs have more than doubled.

As the business of Government be-

comes ever more complex, we are faced with the growing problem of recruiting the highly skilled work force needed by the Federal Government. In some cases there are statutory restrictions on pay increases. An important benefit from H.R. 9256 will be an easing of the pressure for higher level civil servants to leave the Government altogether.

But the principal benefit will accrue to lower-level employees, a larger portion of whose income is expended for health care. This legislation will stem the rising tide of cost increases which has plagued the health sector of our economy.

Along with the major provision of H.R. 9256 which would increase the Government's share of health insurance premiums, other provisions would extend full health insurance coverage to elderly retired Federal employees not previously eligible for coverage. Those who retired prior to July 1960 are covered under a less comprehensive system and frequently are eligible for medicare or medicaid. H.R. 9256 would afford them the same status as those who retired after July 1960.

Mr. Chairman, if we are to encourage continued improvement of health service plans by employers, for the benefit of our vital and able work force, the Federal Government must lead the way. Our action in favor of this bill will be an important message to private firms, as well as serving to reward and assist the Federal work force.

I urge the passage of H.R. 9256.

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

Mr. Chairman, the American public can ill-afford the inflationary consequences of this legislation, H.R. 9256 which increases the Government's contribution to health benefits from 40 to 75 percent. If the Members of this House seriously desire to deal responsibly with the crisis of inflation that confronts us, then they should conclude there is no justification, whatsoever, to commit the Federal Government to the unbudgeted spending that would be dictated by this bill.

A little over a week ago the President, in his message to the Congress, stated:

The battle against inflation must be our first priority for the remainder of this year.

Yet, in the face of this announced goal, we have before us a bill to increase the Federal Government's contribution to the Federal employee's health benefits program, and proposing an additional outlay by the Government for this program of over \$231 million in fiscal year 1974. And the bill goes even further. By authorizing incremental increases on the part of the Government, by fiscal year 1978, the added cost to the Government will be \$649 million annually.

The 5-year cumulative price tag on this legislation is, Mr. Chairman, in excess of \$2 billion \$142 million.

Approval of this legislation during the current period of acute inflation is, I contend, unconscionable.

Mr. Chairman, the law which this legislation proposes to amend fixes at 40 percent the Federal Government's contribution toward the employee's health benefits program premium. This 40 per-

cent is calculated on the basis of the average premium of the six largest plans offered under the program. Since its enactment in the 91st Congress, this law has proved to be satisfactory. Following a substantial adjustment in January 1971, the Federal employee has enjoyed a measure of protection against rising health benefits premiums in January 1972 and January 1973 inasmuch as the 40-percent payment on the part of the Government translated in each instance into higher dollar amounts.

From the viewpoint of the Federal Government as an employer, studies show that the fringe benefit package as a whole—which is the only objective way to measure such benefits—offered by the Federal Government favorably compares with fringe benefits offered by large employers in both the public and private sector. A recent study by the U.S. Civil Service Commission showed that the Federal Government's program is surpassed by only one employer, the State of New York.

Mr. Chairman, I cannot emphasize too strongly the inflationary impact of this legislation. Its approval, I suggest, will provide added evidence to the American taxpayer that the Congress is completely insensitive to the economic crisis in our Nation.

I would remind the House that in fiscal year 1973, the civilian payroll cost of the Federal Government totaled \$33.3 billion—an all-time high. This is more than a billion and a half dollars higher than the previous fiscal year. There is just no way that we can begin to get a control over these payroll costs if we continue to enact legislation like these two bills now before you.

Mr. Chairman, regardless of how desirable or attractive this bill might be; regardless of the arguments pro and con; and, regardless of the views of the individual members of this committee on the bill, I sincerely believe that this is not the time to bring legislation of this nature to the House floor.

Mr. WALDIE. Mr. Chairman, I yield to the gentleman from New Jersey (Mr. DOMINICK V. DANIELS).

Mr. DOMINICK V. DANIELS. Mr. Chairman, I rise to urge the membership of this House to lend their support to the legislation under consideration, H.R. 9256, the major purpose of which is to relieve employees and annuitants from continuing to bear a disproportionately large share of the premium charges under the Federal employees' health benefits program.

Our committee has had a continuing concern over the spiraling costs of providing health benefits protection under the program within its jurisdiction—that concern being demonstrated by the subcommittee's extensive investigation of the program's administration and the operations of the participating carriers. The problem of escalating medical care costs is, of course, not peculiar to the Federal employees' program, but is a problem common to all Americans. Unfortunately, our scope of activity can have little impact upon minimizing or arresting escalating medical care costs.

The fact of the matter is that premiums must be sufficient to pay for the benefits provided, and rate increases are

recurrently approved in order to maintain the financial soundness of participating plans. As medical care costs rise, the portion of them not covered by insurance constitutes an increasing burden for retirees and employees, and, as premiums increase to cover those costs, an additional burden is imposed on them. These two facts add up to enrollees being faced with the increasingly difficult problem of paying for health benefits.

Testimony developed by the Subcommittee on Retirement and Employee Benefits during public hearings on this legislation supports, I believe, the contention that the Federal Government, as a major employer, lags far behind large employers in the private sector in this vitally important area of fringe benefit programs. The evidence, which is confirmed by Government analyses and statistics, showed that major industrial employers are paying, if not the total cost, most of the costs of their employees' health insurance, and providing benefits comparable to those offered in the Federal employee program.

It is the consensus of the committee, therefore, that the Government's contribution to subscription charges of this program be increased to achieve a more equitable sharing ratio similar to that which the President has proposed for the remainder of the Nation's workforce. That objection is embodied in the bill before us today. The need for this legislation is demonstrated by the fact that H.R. 9256 was overwhelmingly approved by both the subcommittee and the full committee.

I urge, Mr. Chairman, that this body also lend its overwhelming support to this legislation.

Mr. WALDIE. Mr. Chairman, I yield myself such time as I may consume, and that will not be much time.

Mr. Chairman, I just simply want to relate some history of this bill to the members of the committee present on the floor. Last year, we passed this almost identical bill by an overwhelming margin in the House of Representatives. It did not pass the Congress, however, because the Senate rejected the inclusion that was contained in the House version of the postal employees. Therefore, we were not able to get this bill through the Congress and to the President.

This year, the postal employees are not included in the bill, and so to that extent the bill is less inclusive and therefore less costly. The reason they are not included is because the postal employees, through the collective bargaining process, negotiated an increase in the employer portion of health benefit premiums larger than the increase provided in this bill. They negotiated an increase from the Postal Service from 40 percent to 55 percent in the first year—which is provided in our bill—and in the second year an additional 10 percent, whereas in this bill it is only 5 percent. So, it differs in that respect.

There is a contention made that to

grant this increase in premium from 40 percent to 55 percent the first year and then to an ultimate 75 percent in 5 years would be granting the employees a pay raise during a time when we can ill afford to incur additional costs. The employees have already sustained a pay cut, because of our inability to keep pace in terms of our contribution to the premiums that are being paid with the increases in those premiums granted to the insurance companies that carry the health insurance for the Federal employees.

For example, 2 years ago Blue Cross-Blue Shield had sought a 53-percent increase, although after a variety of actions seeking a reduction of that request they were ultimately only granted a 22-percent increase in health insurance premiums, but that resulted in a reduction in take-home pay of the employees, or a pay cut, by the amount of that increase in the premium.

This year, we do not know what they will be seeking or what they will be granted, because those figures are still under negotiation, but it is assumed it will be about a 20-25-percent increase in health insurance premiums, meaning that our Federal employees will again assume an additional pay cut. So, when we are asking the Federal Government, as the largest employer in the land, to increase its contribution to health benefits from 40 percent to 55 percent in 1 year, and 5 percent thereafter until it reaches 75 percent of the total premium, we are in fact probably not granting in any way a pay increase to these employees. We will be lucky if we stay even with the increase in the insurance premium that will be granted by the Civil Service Commission to the carriers from whom they purchase their policies.

The genesis of this bill is interesting, and I think that it should be particularly interesting to the minority side. The genesis of this bill was the President's health message to the Congress of 2 years ago when he said that in his view it would be a worthy objective to have all private employers in the United States pay up to 75 percent of the premium of their employees' insurance for health benefits.

I noted that message, and felt that it was in fact a progressive and a humane and a proper approach. I then drafted legislation to require the Federal employer, the largest employer in the United States, to have equally progressive guidelines in terms of how it treats its employees, so that when we speak as to how private employers should perform in terms of their responsibility to their employees, we could in fact buttress that record with an indication we have a commitment to the rhetoric, because we, too, as the most progressive employer in the land, pick up 75 percent of the employee premiums.

Well, we will not meet that objective the President seeks for the private employers, because we are postponed at least 1 year in reaching that objective and in the timetable, but we will come close to it if Congress will adopt this bill.

It is hard for me to believe the President would veto the bill—and I have no indication he would do so—inasmuch as it is in compliance essentially with his instructions to the private sector of our country. I would, therefore, hope it would be supported by the members of the committee, and I ask for a "aye" vote on the measure.

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

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

Mr. BRASCO. I just take a moment to rise in support of H.R. 9256 and to commend the distinguished gentleman from California, the chairman of the subcommittee, for his untiring efforts to bring this much needed legislation to the floor.

The Committee on Post Office and Civil Service considers the operation of the health benefits program to be one of its most important responsibilities. In fact, with the incessant inflation in medical care costs, it is fast becoming our greatest concern.

The Federal employee programs reflect the same experience common to all segments of our society, the same anguish of subscribers and providers of health insurance, as witnessed by the multitude of discussions on skyrocketing costs by various congressional committees and throughout the country. The obvious consequence of rising medical costs has been that premiums constantly have to be increased to maintain present standards of benefits. A further consequence, because of the Government's 40-percent contribution limitation, is that employees and annuitants are continuously burdened with an evergrowing share of premium charges.

I am reasonably certain that all Members of Congress recognize that the sharply rising costs of care and, consequently, the increases in that portion of premiums not paid by the Government, have resulted in less take-home pay for employees and annuitants. I am equally certain that most of us will agree that the Government should responsibly share the financial burden of such increases—the relevant variable being the percentage that the Government will equitably assume.

The bill under consideration, while not attaining the ideal of providing a cost-free health benefits program to Federal workers and retirees, offers a reasonable answer to the problem faced by several million employees, annuitants, and dependents by increasing immediately the Government's share from its present 40 to 55 percent of premiums, and gradually increasing by 5 percent each year until it reaches a more appropriate 75-25 cost-sharing ratio.

Mr. Chairman, H.R. 9256 will update the funding formula in a manner which assures that the Government is at least striving to match private industry's trend toward providing its workers cost-free health insurance. I urge the bill's unanimous adoption.

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

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

Mr. MOAKLEY. Mr. Chairman, I rise in support of this legislation to modernize the funding mechanism of the Federal employees' health benefits program. H.R. 9256 will, to a large extent, help Federal employees to reach the level of health insurance benefits offered by employees in private industry.

The promise of at least equal sharing of costs has been there since the inception of the program, but the actual Government participation at that level has failed to materialize. In fact, that promise has been quite elusive—the maximum contribution having attained 40 percent only within the past 15 or 16 months. Prior to January 1971, the Government was sharing only one-fourth of the costs.

The continuation of soaring increases in daily hospital charges and doctors' fees has raised the premiums an individual pays to receive coverage to a point whereby some of our Federal employees and annuitants cannot either afford coverage or many of them being unable to afford adequate protection. Few, if any, employees and retirees can afford not to have medical insurance, yet the day may be approaching when many will lack the financial ability to assure themselves and their dependents protection in the event of major illness.

In 1962 the Congress enacted the Federal Salary Reform Act, providing that Federal salary rates shall be comparable with those in private industry. Prior to that, in 1959, the Congress enacted a health benefits program for Federal employees which was intended to be comparable to that of employees in the private sector. While Federal employees have now approached comparability in terms of pay, they fall short of having attained comparability in terms of the Government, as the employer, paying an equitable share of health benefits premiums. In private industry today, the employer contribution, as a percentage of basic wages, is twice that of the Federal Government, more than half of private industry health insurance plans being financed solely by the employer, and with the employer paying more than half where the plan is financed jointly.

In my opinion, Mr. Chairman, the proposal embraced in this legislation is essential if the promise of comparability is to be kept. Therefore, Mr. Chairman, I urge the adoption of H.R. 9256.

Mr. GROSS. Mr. Chairman, I yield 2 minutes to the gentleman from Maryland (Mr. HOGAN).

Mr. HOGAN. Mr. Chairman, I rise in support of H.R. 9256, a long overdue proposal to increase the U.S. Government's contribution to health benefits premiums to 55 percent in fiscal year 1974, and an additional 5 percent thereafter until the contribution rate reaches 75 percent in fiscal year 1978.

As a cosponsor of this legislation, I believe it is an equitable approach to the need for updating the health benefits program to keep step with the rising cost of living, and the rising cost of medical expenses and insurance premiums and to

reach comparability with private industry.

Medical care costs in this country are at the crisis point. This fact is not disputable. To indicate the gravity of the problem, the President of the United States, on February 18, 1971, in his message to the Congress on the National Health Insurance Partnership Act, described the situation as follows:

One of the biggest problems is that fully 60 percent of the growth in medical expenditures in the last ten years has gone not for additional services but merely to meet price inflation. Since 1960, medical costs have gone up twice as fast as the cost of living. Hospital costs have risen five times as fast as other prices. For growing numbers of Americans, the cost of care is becoming prohibitive. And even those who can afford most care may find themselves impoverished by a catastrophic medical expenditure.

This legislation endorsed by the President proposed that private employers provide 65 percent of the cost of basic health insurance coverage for employees as of July 1, 1973, and 75 percent of the total cost in 1976.

The trend in private industry has been toward the employer assuming the major cost of employees' health insurance premiums and in many cases the full cost. Not only are major industrial employers paying a major portion of the premium costs, but they are also providing a level of benefits comparable to those provided under the various Federal employee plans. Many firms pay 100 percent of the costs of health benefits premiums and I have for the last three Congresses introduced legislation which would require the Federal Government to pay 100 percent of the cost of health benefits.

The Civil Service Commission prepared a report in December 1972, comparing the benefits offered by the Federal Government as an employer, and benefits offered by a sampling of private and public employers. The summary on health benefits coverage reads in part:

The financing of health benefits has long been a troublesome aspect of the Federal program, and the situation has not improved during the past year. While the numbers of employers who pay all or most of the health plan premiums for employees continues to increase, the Federal formula remains unchanged. In addition to lagging behind the private sector, the Federal contribution rate is now exceeded by many public employers at all levels.

Although one of the strengths of the Federal program has always been the generosity of its benefit levels, its pre-eminence in this area is being seriously threatened by the strides made by other employers in the past year. Overall, the program is still somewhat more generous than those of most employers, but not by a sufficient amount to constitute a significant competitive advantage.

As a personal note, my own company consisting of nine employees at our highest peak, which I ran before I was elected to Congress, paid 100 percent of medical insurance premiums.

The fact of the matter is that the Federal Government, the largest employer in the country, is lagging behind other non-Federal employers in providing health insurance coverage. For sometime now, I

have been a strong advocate of having the Federal Government lead in the area of providing fringe benefits for its employees rather than follow. Unfortunately, that view has not prevailed. Therefore, the situation now is that the Federal Government is not only not the leader in providing health benefits coverage, but is a poor follower.

To remain competitive in the employment of competent employees, the Federal Government must provide better fringe benefits, in this particular instance, health care benefits, at least comparable to those offered by other large non-Federal employers. To do less is not playing fair with our Federal employees. This kind of personnel policy can only create and foster a situation which will work to the detriment of the Federal Government.

Mr. Chairman, the graduated approach proposed in this bill to increase the Government contribution to health benefits premium is realistic and should be approved.

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

Mr. GROSS. Mr. Chairman, I yield 2 minutes to the highly distinguished gentleman from Illinois (Mr. DERWINSKI).

Mr. DERWINSKI. I thank the gentleman from Iowa. I wish he would be as complimentary of me when I am handling bills involving the beloved United Nations of ours.

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

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

Mr. GROSS. I deeply regret I failed to refer to the gentleman also as being the former United States of America Representative to the United Nations.

Mr. DERWINSKI. Mr. Chairman, I forgive the gentleman for his oversight.

With all due respect to the future Governor of California, I rise to oppose the bill.

Mr. Chairman, the real question before us today is not whether the Federal Government needs to increase its contribution to health benefits premium to remain competitive with other large employers, which the proponents of this legislation claim, but rather is the Federal Government going to continue to fan the fires of inflation by spending money it does not have on unwarranted proposals.

Today, the administration is in an uphill battle to arrest the growth of inflation in our economy. To achieve this objective, the President has called on the Congress to control the Federal budget. The President stated in his recent message to the Congress:

Every dollar we cut from the Federal deficit is another blow against higher prices. And nothing we could do at this time would be more effective in beating inflation than to wipe out the deficit altogether and to balance the Federal budget.

This is not only a desirable and necessary goal, but one which is realistic. However, if the Congress intends to cooperate in this effort, then it must reject pro-

posals such as H.R. 9256, which is not only costly but without merit.

In December 1972, the Civil Service Commission completed a study which compared the overall fringe benefit package of the Federal Government to the fringe benefit packages that are offered by 11 large non-Federal employers. The results showed the Federal Government fringe benefits package is more liberal than four employers; comparable with six employers; and was only less liberal than one—the State of New York. Therefore, in effect, the overall fringe benefits package offered by the Federal Government is either better or equal to 10 of the 11 large employers surveyed. These include New York State, Aetna, city of Baltimore, Du Pont, General Motors, IBM, the State of Michigan, the State of Georgia, Pacific Gas & Electric, United States Steel, and the State of Wisconsin.

On the basis of this study, the majority can hardly argue that the Federal Government is not competitive in the area of fringe benefits. In fact, the opposite seems to be true. The Federal Government is not only a fair employer, but I might add, a generous one.

As a note to this discussion, I would like to point out that if this bill is enacted into law the cost to the Government for its contribution for coverage for Members of Congress will be:

Fiscal year 1974—\$50,000—additional cost.

Fiscal year 1975—\$75,000—additional cost.

Fiscal year 1976—\$104,000—additional cost.

Fiscal year 1977—\$125,000—additional cost.

Fiscal year 1978—\$145,000—additional cost.

These figures were received from the Civil Service Commission and are based on a total of 501 enrollees using the "dynamic" model of costs.

Mr. Chairman, there is no demonstrated need for this legislation which is estimated to cost the Federal Government \$231.7 million in fiscal year 1974 and eventually will increase to \$649.9 million in fiscal year 1978.

It should be rejected.

Mr. GROSS. Mr. Chairman, I yield 5 minutes to the gentleman from California (Mr. ROUSSELOT).

Mr. ROUSSELOT. Mr. Chairman, I must oppose this legislation because there is no justifiable need for increasing the Federal Government's contribution to health benefits premium and because it is too costly.

The Congress is committed to the principle of pay comparability for Federal employees, to which I also subscribe. I believe we have an obligation to compensate Federal employees, in pay and fringe benefits, on a level comparable with other large employers in the private sector. This is a fair and equitable policy.

Now, the majority argues that the Government contribution to health benefits premium must be increased because it is not comparable with other large non-Federal employers. This may be true; however, what must be borne in mind is

that the Federal Government compares most favorably with other large employers when the overall fringe benefit package is considered.

To illustrate this point, the Bureau of Labor Statistics, in its 1972 study on the subject of pay supplements, reported that in private industry employer expenditures for pay supplements amounted to 26.6 percent of basic wages and salaries, and in the Federal Government, expenditures amounted to 27.8 percent of basic wages and salaries.

The Civil Service Commission also conducted a study comparing the fringe benefits of the Federal Government and 11 other large employers. The finding was the Federal Government was equal to or superior to 10 of the employers surveyed.

On the basis of these studies, I find it incredible that such a proposal, as H.R. 9256, is before us. It is logically indefensible and fiscally irresponsible.

Lately, we have been hearing much on the subject of rising prices and the need to fight inflation. This is important. But, no amount of talk or bureaucratic regulations will solve our economic needs. To fight inflation the Congress must begin at its source—excessive Government spending.

Today, we can demonstrate what we have been talking about by defeating this legislation, which cannot be justified, and which will cost the taxpayers of this country a whopping \$2,242,000,000 over the next 5 years. Thereafter, the increased annual costs to the Government are estimated to be over \$649 million.

Mr. Chairman, if the Congress is serious about being fiscally responsible, then it must defeat proposals such as this legislation.

Mr. GROSS. Mr. Chairman, I yield such time as he may require to the gentleman from Indiana (Mr. HILLIS).

Mr. HILLIS. Mr. Chairman, this legislation, H.R. 9256, which I cosponsored, is a constructive proposal to increase the Federal Government's contribution rate to health benefits premium.

Under the present law, the Federal Government, the Nation's largest employer, contributes 40 percent of the average high option of six large representative plans to the total subscription charge for an enrollee's health benefits plan. To illustrate, in 1973, the monthly Government contribution is \$8.75 for a self-only and \$22.03 for a family enrollment. Under the provisions of H.R. 9256, this contribution would be increased in fiscal year 1974 to 55 percent, resulting in a dollar increase to \$12.03 for a self-only and \$30.29 for a family enrollment.

In subsequent years, the average for the six plans will be computed in the event of changes in premium rates, with the Government's contribution being adjusted upward in accordance with the percentages prescribed.

This legislative approach which progressively increases the Government's contribution rate to 75 percent in fiscal year 1978 is a step in the right direction. For too long now, medical care costs have been increasing at an alarming rate, resulting in higher health insurance pre-

mum rates. Yet, the Federal Government's contribution rate has remained pegged at 40 percent. This rate is unrealistic in view of the high premium charges and the fact that many major non-Federal employers are currently paying 100 percent of the health benefits premium.

If current trends in medical costs continue—and at this time there is little likelihood they will not—and the Federal Government rate of contribution to health benefits premium continues pegged at 40 percent, then I am afraid what we will witness is a significant number of low- and middle-paid Federal employees just not being financially able to provide proper medical care for themselves and families. They will not be able to afford the premium.

I do not believe that is the intent of those opposing this bill, but I am fearful that is what will happen unless the Congress provides some relief as outlined in this legislation.

Mr. Chairman, this legislation provides equitable treatment to Federal employees, and should be approved.

Mr. LEGGETT. Mr. Chairman, again in the 93d Congress we are discussing legislation to increase the Federal contribution to our employees' health benefit plans. The need for this legislation remains the same; if anything, employee expenses for health care have increased since we debated this measure last year. We are all aware that medical costs are increasing faster than either wages or the cost of living as a whole since 1960. Federal employees are not immune from these costs.

There are, of course, many figures I could cite as evidence of this meteoric increase:

In 1960, 5.3 percent of our gross national product went for health care; in 1971, it was 7 percent.

In 1970, the average health bill for an American family was \$324; in 1960, it was \$145.

From 1967 to 1972, the consumer price index increased 27.3 percent while medical costs increased 34.4 percent.

That these costs are a major concern of all employers is very ably demonstrated on pages 4 and 5 of the committee's report on this bill. In just the last year the number of States paying more than 50 percent of employee medical insurance premiums rose from 16 to 22. Of 17 major employers who have changed their premium structures in the past year, 12 are now paying two-thirds or more of health insurance premiums.

There is a vital point which I would like to make in answer to those who say that this bill is fiscally not responsible. First, as the committee has so ably pointed out, the President himself called for even more generous contributions than are provided in this bill. Under the President's proposal our contribution would have been 65 percent of premiums next year instead of the 55 percent in this bill, and he would have had us contributing 75 percent in 1976 instead of the 70 percent recommended here. I would like to commend the committee at

this time for its exercise of fiscal restraint in this area.

Second, the committee lists on page 4 of its report a number of major private employers who pay the full cost of their employees' health insurance benefits. This is a very impressive list, particularly when one notes how profitable some of these corporations have been. I would like to add to the names of some of these companies listed by the committee the profit increase they showed in the second quarter of 1973 over a similar period in 1972:

International Paper, 73.2 percent increase; Union Carbide, 47.9 percent increase; Alcoa, 46.9 percent increase; Dupont, 39.5 percent increase; Ford Motor Co., 39.4 percent increase; Minnesota Mining & Manufacturing, 28.6 percent increase; Caterpillar Tractor, 20 percent increase.

And there are others. Only one of the companies listed by the committee for which I have profit figures, American Airlines did not show a profit in the second quarter of 1973. Gentlemen, if those are the results of fiscal irresponsibility, I say we need a lot more of it.

As employers, we have a responsibility to our employees that has obviously been recognized by the companies I mentioned to their great benefit. I strongly urge that we take a lesson from their example and pass this bill without delay.

Mrs. HOLT. Mr. Chairman, I rise to express my support for the passage of H.R. 9256 which will increase the Government's contribution to the Federal employee's health benefits program.

The need for this action can be demonstrated by a speedy review of health care costs and a comparison of the Federal program versus those available in private industry. The dramatic increase in health care costs in America in recent years is evident to all of us. As these costs increase, the portion of them not covered by the program constitutes a greater burden for Federal employees and annuitants.

I think it is also evident that the Federal contribution rate is now far behind most of the private sector and it is even exceeded by many public employers at the State and local level. The Bureau of Labor Statistics in 1966 reported that 64 percent of plant workers and 49 percent of office workers were employed by establishments which paid the full cost of health insurance coverage. This can be compared to the current Government contribution rate of 40 percent.

The bill before us today would remedy this situation by increasing the Government contribution to 75 percent over a 4-year period. I strongly urge my colleagues to join with me and support the passage of H.R. 9256.

Mr. BROYHILL of Virginia. Mr. Chairman, I rise in support of H.R. 9256, a long overdue effort to bring the Federal Government as an employer more into line with the private sector with regard to its employer contribution to employee group health benefits.

As our colleagues know, both Houses of Congress agreed to the necessity for an increase in the Federal contribution to Federal employee health insurance

last year, but a difference between two bills as passed by House and Senate resulted in a disagreement and failure to enact the needed legislation.

I was privileged to serve on the Committee on Post Office and Civil Service when we first inaugurated the health insurance program for Federal employees in 1959. We were even then some years behind private industry at that time.

In 1959 we determined that a 50-50 participation plan was fair and reasonable. But because it was a new program and the cost to the Government was not yet estimated, we adopted a formula wherein the Government would pay 50 percent of the cost of the least expensive low-option family program. By virtue of the type of insurance plan the employees adopted, however, the cost distribution at the time of enactment amounted to a 38-percent cost to the Government and a 62-percent cost to the employee.

By 1970 when Congress considered the plans again, high medical costs and premium increases had reduced the formula to a 24-76 ratio. That year the House acted to restore the program to the 50-50 ratio Congress originally intended only to have the amount of Federal contribution reduced to 40 percent in a conference after tremendous opposition from the administration to even so large an amount.

When the President sent his message to Congress on February 18, 1971, proposing as a major part of his legislative program a national health insurance program which would require every employer in the Nation to pay 65 percent of the premium of his employees' health insurance for 2½ years, then 75 percent thereafter, those of us who had worked for years for a more equitable formula for Federal employees were most encouraged. Unfortunately, Uncle Sam as an employer did not feel compelled to serve as a leader and example to other employers, for the Civil Service Commission once again recommended against enactment of this legislation.

When I appeared before our colleagues on the House Committee on Post Office and Civil Service in September of that year, I expressed my inability to understand how the administration could oppose this legislation for so-called economy reasons when just a few weeks later they would be parading before the Committee on Ways and Means urging passage of their brand new health insurance proposal for the private sector. A few weeks later, on October 20, 1971, I had the opportunity of posing that question directly to then Secretary of Health, Education and Labor, the Honorable Elliot Richardson, in the Ways and Means Committee. As I believe his response represented total agreement with our position today, I should like to read a brief extract from the Ways and Means hearing for that day at this point:

Mr. BROYHILL. Mr. Secretary, under the administration's plan, employers would be required to contribute 75 percent of the insurance costs for their employees. Under existing law, which we amended in 1970, we provide for a 40-percent contribution on the part of the Federal Government, as the employer, for health insurance programs for Federal em-

ployees. Actually, we were late in even inaugurating a health insurance program for Federal employees. I think it was 1959 when the Federal Government reluctantly put through a health insurance program for its employees after industry already had been providing such programs for a good many years. I believe since the Federal program has been in effect, the average contribution on the part of the Government as the employer, has been in the neighborhood of 25 to 30 percent.

The administration opposed the 40-percent program last year. Actually, there was a 50-percent contribution proposed last year, and again this year a proposal for a 50-percent Federal Government contribution, as an employer contribution, was again vigorously opposed by the administration.

My question is, Since the administration feels that it is fair and equitable and proper to require all employers to contribute ultimately 75 percent of the cost of a health insurance program, why shouldn't the Federal Government take the lead and initiative as an employer, to provide a 75-percent, or at least a 50-percent, contribution for its employees? I am sure you feel that Federal employees should be treated equally with other employees.

Secretary RICHARDSON. Well, I can only say, Mr. Broyhill, that your logic is irrefutable. I think the Federal Government should be a model employer, and I think that the recommendation that we make for other employees should cause a reconsideration of the position the Federal Government takes in the cost sharing of health insurance of its own employees.

Mr. BROYHILL. What would be the effective date of the administration bill?

Secretary RICHARDSON. July 1, 1973.

Mr. BROYHILL. At that point, it would be 65 percent, would it not?

Secretary RICHARDSON. Yes.

Mr. VENEMAN. Not to exceed 85 percent for the worker.

Mr. BROYHILL. It might be a great encouragement to industry if the administration would send its people to the Post Office and Civil Service Committee to recommend that a 65-percent contribution be effective around January 1, 1973. I am a cosponsor of the legislation, and I would accept the amendment to make it effective January 1, 1973, and you might find that, since the Federal Government has taken the initiative in that area, the employers throughout the country, along with the big unions that Mrs. Griffiths is talking about, might put this into effect without your requiring it through legislation.

Secretary RICHARDSON. I think that we could certainly pursue this, Mr. Broyhill. As far as the Federal employees are concerned, I would have to, of course, enlist the interest of my colleagues in the administration.

Mr. BROYHILL. There may be some disagreement in the administration, regarding the Federal employee program.

Secretary RICHARDSON. I have no reason to think that the general validity of the point that you have made that we should be prepared as an employer to do what we are asking other employers to do, would be the subject of serious dispute, but I am only saying that that is not a matter that falls directly within my province to say.

Mr. Chairman, under provisions of this legislation, the Federal Government's contribution to the employee plan will be increased to 55 percent 30 days after enactment with increased increments in January of each year until 1977, when it will reach 75 percent that recommended by the administration for all employers outside Government. Moving in this way we will attain this goal just 1 year after private industry would have had the

President's proposal of February 1971 enacted into law. The President in his message on human resources in March of this year reaffirmed that "a major goal of this administration has been to develop an insurance system which can guarantee adequate financing of health care for every American family." With enactment of this legislation we will assure that goal for at least those families whose breadwinners serve as Federal employees.

Another desirable provision in this legislation is the section which permits pre-1960 annuitants to participate in the more comprehensive Federal employees' health benefit program. For those annuitants enrolled in the retired Federal employees' health benefits program who are covered by medicare parts A and B, the retired program provides a supplement to their basic medicare protection. However, for those not eligible for full medicare, career employees who never worked under social security, the retired program benefits are inadequate. Since the aged are hardest hit by the continued rise in medical costs, I am glad to see this problem addressed in H.R. 9256.

Finally, experience has shown that in instances in which the carrier has refused to pay certain benefits, and the Civil Service Commission has determined they should be paid, the Commission is without authority under law to comply payment. Under provisions of H.R. 9256, a determination by the Commission in favor of the employee or retiree shall be binding on the carrier, as it should be.

Mr. Chairman, each time health benefits premiums are increased employees receive smaller checks, sometimes smaller than they did prior to a cost-of-living pay increase. We made a step toward preventing such reductions in pay in January 1971, when we eliminated the maximum dollar amounts of Federal contribution and expressed the Government contribution in terms of a percentage of total subscription charges. Since we did not even then come up to the 50-50 we had contemplated in first inaugurating the program we might say that we started then, but started behind. Now with passage of H.R. 9256 we start forward, first with 55 percent Federal contribution, then gradually on up to 75 percent. We still have a long way to go, and we are competing with private industry, a large segment of which is now paying the full premium for its employees, but we are starting forward, and I urge our colleagues today to take this long delayed and greatly overdue start.

Mr. Chairman, I urge immediate passage of H.R. 9256.

Mr. BOB WILSON. Mr. Chairman, as the sponsor of very similar legislation, I would like to express my strong support for H.R. 9256, which would increase the Federal Government's contribution under the Federal employees' health benefits program.

With the upward climb in hospital and other medical expenses in the past decade, we have become increasingly concerned about the need to assure that all Americans have access to quality health care at reasonable cost. Both the ad-

ministration and the Congress have devoted much attention to this subject and a number of proposals are currently under consideration. Since the President has proposed that employers provide health insurance for their employees on a cost-sharing basis, it is incumbent upon the Federal Government, as a major employer, to set a good example. H.R. 9256 coincides with the administration's goal of requiring the employer to pay 75 percent of the premium cost on a phased-in basis. The Government's contribution, under the provisions of this legislation, would reach 75 percent in 1977.

In addition, this legislation contains an important section which would permit pre-1960 annuitants to participate in the more comprehensive Federal employees' health benefits program available to post-1960 retirees. For those annuitants enrolled in the retired Federal employees' health benefits program who are covered by medicare parts A and B, the retired program provides a supplement to their basic medicare protection. However, for those not eligible for full medicare, these benefits may not be adequate. The aged are hardest hit by the continued rise in medical costs, and I am pleased that this legislation deals directly with this problem.

H.R. 9256 is a major step forward in health care legislation and I urge my colleagues' favorable consideration.

Mr. PRICE of Illinois. Mr. Chairman, I rise in support of the bill H.R. 9256, which the House is called upon to consider today. This important legislation would increase the Government share of Federal employees' health premiums.

The cost of health care has increased alarmingly over the past few years, and the trend continues. Citizens are offered no choice; when it comes to their health, they cannot afford not to pay for the care they need. Some sort of insurance to cover costly catastrophes is essential today, but the rising cost of health care carries with it the cost of insurance coverage.

At the present time, the Federal Government contributes 40 percent of the premium payments under Federal employees' health benefit plans. H.R. 9256 would increase this contribution to 55 percent beginning in 1973 with an additional 5 percent increase each subsequent year until 1977 when the Government contribution would reach 75 percent.

The bill further provides that the 2 million annuitants who retired prior to July 1, 1960, and who are now covered under the Retired Federal Employees' Health Benefits Act may elect instead coverage under the more comprehensive health benefit plan for active employees. The employees who retired after June 30, 1960 already have the option.

The existing law does not provide for an adequate administrative remedy for Federal employees who receive favorable decisions on claims from the Civil Service Commission only to learn that the insurance carriers refuse to comply. Section 3 of H.R. 9256 would require an insurance contractor to pay for or provide a service or supply whenever the Civil Service Commission determines that a

covered individual is so entitled under the terms of the contract.

Mr. Chairman, I believe it is consistent with the highest aspirations of our Nation to provide increased Government service in matters of health protection, and I urge my colleagues in the House to vote for this proposal.

Mr. HARSHA. Mr. Chairman, as the recipient of the 1973 Award of Life for my work on highway safety legislation presented by the American Safety Belt Council, it will be necessary for me to be in Vail, Colo., for the presentation of this award.

Therefore, I will necessarily have to be absent when the House considers H.R. 9256 to increase the Government contribution for Federal employees' health benefits and will, unfortunately, miss the vote on this important measure.

I am a strong supporter of this legislation and, if present, would vote for its passage. Although the cost of living in recent years has increased considerably, the cost of medical care and services has soared astronomically. As a result, the premium charges have risen substantially and this has constituted an additional financial burden on Federal employees and retirees.

The Federal program has always been most generous in its benefit levels and in the past served as a model for other health insurance programs. However, in recent years the trend in private industry has been to assume all or a larger percentage of the costs of employee health insurance premiums, and the Federal program has been falling behind. I feel the Federal Government should follow the lead of employers in the private sector and hope the House will see fit to approve this legislation which is designed to assure that the Government is at least striving to match private industry's efforts to relieve its workers and retirees of the financial burden of today's high cost of health insurance.

During the last Congress, I supported similar legislation to increase the Federal contribution, but, most regrettably, final action was not realized on this proposal although it was approved by both the House and the Senate in different forms. I earnestly hope a similar imbroglio will not develop this year and that we will be successful in enacting this much-needed and long-overdue measure.

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

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

The CHAIRMAN. If there are no further requests for time, the Clerk will read the bill.

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 (a) subsections (a) and (b) of section 8906 of title 5, United States Code, are amended to read as follows:

"(a) The Commission shall determine the average of the subscription charges in effect on the beginning date of each contract year with respect to self alone or self and family enrollments under this chapter, as applicable, for the highest level of benefits offered by—

"(1) the service benefit plan;
 "(2) the indemnity benefit plan;
 "(3) the two employee organization plans with the largest number of enrollments, as determined by the Commission; and
 "(4) the two comprehensive medical plans with the largest number of enrollments, as determined by the Commission.

"(b) (1) Except as provided by paragraph (2) of this subsection, the biweekly Government contribution for health benefits for an employee or annuitant enrolled in a health benefits plan under this chapter shall be adjusted, beginning on the first day of the first applicable pay period of each year, to an amount equal to the following percentage, as applicable, of the average subscription charge determined under subsection (a) of this section: 55 percent for applicable pay periods commencing in 1973; 60 percent for applicable pay periods commencing in 1974; 65 percent for applicable pay periods commencing in 1975; 70 percent for applicable pay periods commencing in 1976; and 75 percent for applicable pay periods commencing in 1977 and in each year thereafter.

"(2) The biweekly Government contribution for an employee or annuitant enrolled in a plan under this chapter shall not exceed 75 percent of this subscription charge."

(b) Section 8906(e) of title 5, United States Code, is amended by striking out "subsections (a) and (b)" and inserting "subsection (b)" in lieu thereof.

(c) Section 8906(g) of title 5, United States Code, is amended by striking out "subsection (a) of".

Sec. 2. (a) Notwithstanding any other provision of law, an annuitant, as defined under section 8901 (3) of title 5, United States Code, who is participating or who is eligible to participate in the health benefits program offered under the Retired Federal Employees Health Benefits Act (74 Stat. 849; Public Law 86-724), may elect in accordance with regulations prescribed by the United States Civil Service Commission, to be covered under the provisions of chapter 89 of title 5, United States Code, in lieu of coverage under such Act.

(b) An annuitant who elects to be covered under the provisions of chapter 89 of title 5, United States Code, in accordance with subsection (a) of this section, shall be entitled to the benefits under such chapter 89.

Sec. 3. Section 8902 of title 5, United States Code, is amended by adding at the end thereof the following subsection:

"(j) Each contract under this chapter shall require the carrier to agree to pay for or provide a health service or supply in an individual case if the Commission finds that the employee, annuitant, or family member is entitled thereto under the terms of the contract."

Sec. 4. (a) The first section of this Act shall take effect on the first day of the first applicable pay period which begins on or after the thirtieth day following the date of enactment.

(b) Section 2 shall take effect on the one hundred and eightieth day following the date of enactment or on such earlier date as the United States Civil Service Commission may prescribe.

(c) Section 3 shall become effective with respect to any contract entered into or renewed on or after the date of enactment of this Act.

(d) The determination of the average of subscription charges and the adjustment of the Government contributions for 1973, under section 8906 of title 5, United States Code, as amended by the first section of this Act, shall take effect on the first day of the first applicable pay period which begins on or after the thirtieth day following the date of enactment of this Act.

Mr. WALDIE (during the reading).
 Mr. Chairman, I ask unanimous consent

that the bill may be considered as read, printed at this point in the RECORD, and open to amendment at any point.

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

There was no objection.

AMENDMENT OFFERED BY MR. WALDIE

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

The Clerk read as follows:

Amendment offered by Mr. WALDIE: On page 2, line 22, strike out the word "this" and insert in lieu thereof the word "the".

Mr. WALDIE. Mr. Chairman, the amendment corrects a typographical error. That is all that it is offered for.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California (Mr. WALDIE).

The amendment was agreed to.

The CHAIRMAN. Are there any further amendments? If not, under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. BEVILL, 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. 9256) to increase the contribution of the Government to the costs of health benefits for Federal employees, and for other purposes, pursuant to House Resolution 546, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

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

The question is on the amendment.

The amendment was agreed to.

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

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

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

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

Mr. ROUSSELOT. 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 217, nays 155, not voting 62, as follows:

[Roll No. 474]

YEAS—217

Abzug	Bolling	Clark
Addabbo	Brademas	Clausen,
Anderson,	Brasco	Don H.
Calif.	Breckinridge	Clay
Anderson, Ill.	Brinkley	Collins, Ill.
Andrews,	Broomfield	Conyers
N. Dak.	Brotzman	Corman
Aspin	Brown, Calif.	Cotter
Badillo	Brown, Mich.	Cronin
Barrett	Broyhill, Va.	Culver
Bauman	Burke, Calif.	Daniel, Robert
Bevill	Burke, Mass.	W., Jr.
Blaggi	Burlison, Mo.	Daniels,
Biester	Burton	Dominick V.
Bingham	Carney, Ohio	Danielson
Blatnik	Carter	Davis, Ga.
Boggs	Chisholm	de la Garza

Delaney	Kazen	Riegler
Dellums	Kluczynski	Rodino
Dent	Koch	Roe
Dickinson	Kyros	Rogers
Diggs	Leggett	Roncallo, N.Y.
Donohue	Lehman	Rooney, N.Y.
Dulski	Lent	Rooney, Pa.
Eckhardt	Long, La.	Rose
Edwards, Calif.	Long, Md.	Rosenthal
Eilberg	McCloskey	Rostenkowski
Evans, Colo.	McCollister	Roush
Evins, Tenn.	McCormack	St Germain
Fascell	McDade	Sarasin
Flood	McFall	Sarbanes
Flowers	McKay	Schroeder
Foley	Macdonald	Seiberling
Ford,	Madden	Shipley
William D.	Mailliard	Shoup
Forsythe	Maraziti	Shriver
Fraser	Mathias, Calif.	Sikes
Frey	Mathis, Ga.	Slack
Froehlich	Matsunaga	Smith, Iowa
Fulton	Mazzoli	Staggers
Fuqua	Meeds	Stark
Gaydos	Meicher	Steele
Gialmo	Metcalfe	Stokes
Gilman	Mezvinaky	Stubblefield
Ginn	Mink	Stuckey
Gonzalez	Minshall, Ohio	Studds
Grasso	Mitchell, Md.	Symington
Gray	Mitchell, N.Y.	Thompson, N.J.
Green, Pa.	Moakley	Thomson, Wis.
Grover	Moorhead, Pa.	Tierman
Gude	Morgan	Udall
Gunter	Moss	Ullman
Hamilton	Murphy, Ill.	Van Deerin
Hanley	Murphy, N.Y.	Vanil
Harrington	Myers	Veysey
Hawkins	Natcher	Vigorito
Hechler, W. Va.	Nedzi	Waldie
Heckler, Mass.	Nichols	Walsh
Heinz	Nix	Whalen
Helstoski	Obey	White
Henderson	O'Hara	Whitehurst
Hicks	O'Neill	Widnall
Hillis	Parris	Williams
Hogan	Patten	Wilson, Bob
Hollifield	Perkins	Wilson,
Holt	Pike	Charles H.,
Holtzman	Podell	Calif.
Howard	Preyer	Winn
Hungate	Price, Ill.	Wolf
Hunt	Pritchard	Wright
Johnson, Calif.	Randall	Wyder
Johnson, Pa.	Rangel	Yatron
Jones, N.C.	Rees	Young, Alaska
Karth	Reid	Zablocki
Kastenmeier	Reuss	Zion

NAYS—155

Abdnor	Edwards, Ala.	McSpadden
Andrews, N.C.	Erlenborn	Madigan
Archer	Eshleman	Mahon
Arend	Findley	Mallory
Armstrong	Fish	Martin, Nebr.
Ashley	Fisher	Mayne
Bafalis	Ford, Gerald R.	Michel
Baker	Fountain	Miller
Beard	Frelinghuysen	Mizell
Bennett	Gibbons	Montgomery
Bergland	Goldwater	Moorhead,
Blackburn	Goodling	Calif.
Boland	Green, Oreg.	Mosher
Bowen	Griffiths	Nelsen
Breaux	Gross	O'Brien
Broyhill, N.C.	Gubser	Owens
Buchanan	Guyer	Passman
Burgener	Haley	Pettis
Butler	Hammer-	Poage
Byron	schmidt	Powell, Ohio
Camp	Hanrahan	Price, Tex.
Casey, Tex.	Harvey	Quie
Cederberg	Hastings	Rarick
Chamberlain	Hinshaw	Regula
Chappell	Horton	Roberts
Clancy	Hosmer	Robinson, Va.
Clawson, Del	Huber	Robison, N.Y.
Cleveland	Hudnut	Roncallo, Wyo.
Cochran	Hutchinson	Rousset
Cohen	Ichord	Runnels
Collier	Jarman	Ruppe
Collins, Tex.	Johnson, Colo.	Ruth
Conable	Jones, Okla.	Satterfield
Conlan	Jones, Tenn.	Saylor
Coughlin	Keating	Scherle
Crane	Kemp	Schneebell
Daniel, Dan	Ketchum	Sebellus
Davis, Wis.	King	Shuster
Dellenback	Kuykendall	Skubitz
Denholm	Landgrebe	Smith, N.Y.
Dennis	Landrum	Snyder
Derwinski	Latta	Spence
Downing	Litton	Stanton,
Duncan	Lott	J. William
du Pont	McClory	Steed

Steelman	Teague, Calif.	Whitten
Steiger, Ariz.	Thone	Wyllie
Steiger, Wis.	Thornton	Wyman
Stephens	Towell, Nev.	Yates
Stratton	Treen	Young, Fla.
Symms	Vander Jagt	Young, S.C.
Taylor, Mo.	Waggonner	Zwach
Taylor, N.C.	Ware	

NOT VOTING—62

Adams	Hansen, Idaho	Rhodes
Alexander	Hansen, Wash.	Rinaldo
Annunzio	Harsha	Roy
Ashbrook	Hays	Roybal
Bell	Hébert	Ryan
Bray	Jones, Ala.	Sandman
Brooks	Jordan	Sisk
Brown, Ohio	Lujan	Stanton
Burke, Fla.	McEwen	James V.
Burleson, Tex.	McKinney	Sullivan
Carey, N.Y.	Mann	Talcott
Conte	Martin, N.C.	Teague, Tex.
Davis, S.C.	Millford	Wampler
Devine	Mills, Ark.	Wiggins
Dingell	Minish	Wilson
Dorn	Mollohan	Charles, Tex.
Drinan	Patman	Wyatt
Esch	Pepper	Young, Ga.
Flynt	Peyser	Young, Ill.
Frenzel	Pickle	Young, Tex.
Gettys	Quillen	
Hanna	Rallsback	

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Mollohan for, with Mr. Hébert against.
 Mr. Annunzio for, with Mr. Mann against.
 Mr. Davis of South Carolina for, with Mr. Pickle against.
 Mr. Peyser for, with Mr. Martin of North Carolina against.
 Mr. Rinaldo for, with Mr. Rhodes against.
 Mr. Sandman for, with Mr. Devine against.
 Mr. Burke of Florida for, with Mr. Talcott against.
 Mr. Minish for, with Mr. Bray against.
 Mr. Wampler for, with Mr. Millford against.
 Mr. Rallsback for, with Mr. Quillen against.
 Mr. Carey of New York for, with Mr. Wiggins against.
 Mr. Drinan for, with Mr. Young of Illinois against.
 Mrs. Sullivan for, with Mr. Burleson of Texas against.

Until further notice:

Mr. Adams with Miss Jordan.
 Mr. Esch with Mr. Alexander.
 Mr. Dingell with Mr. Ashbrook.
 Mr. Brooks with Mr. Bell.
 Mr. Hanna with Mr. McEwen.
 Mr. Wyatt with Mr. Frenzel.
 Mr. Young of Georgia with Mr. James V. Stanton.
 Mr. Sisk with Mr. Roy.
 Mr. Harsha with Mr. Conte.
 Mr. Flynt with Mr. Brown of Ohio.
 Mr. Dorn with Mr. McKinney.
 Mr. Hays with Mr. Gettys.
 Mrs. Hansen of Washington with Mr. Lujan.
 Mr. Mills of Arkansas with Mr. Ryan.
 Mr. Young of Texas with Mr. Jones of Alabama.
 Mr. Roybal with Mr. Pepper.
 Mr. Teague of Texas with Mr. Charles Wilson of Texas.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. WALDIE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to

include extraneous matter on the bill H.R. 9256, just passed.

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

There was no objection.

PERSONAL EXPLANATION

Mr. YOUNG of Illinois. Mr. Speaker, I should like to say that I was present on the floor during the last vote on the bill (H.R. 9256) to increase the contribution of the Government to the costs of health benefits for Federal employees, and I failed to get my vote recorded. I should like for the Record to show that if I had recorded the vote I would have recorded it against that bill.

LEGISLATIVE PROGRAM

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

Mr. MICHEL. Mr. Speaker, I ask for this opportunity to proceed for 1 minute for the purposes of inquiring of the distinguished majority leader as to what the program will be for the balance of the week and for the following week.

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

Mr. MICHEL. I yield to the distinguished majority leader.

Mr. O'NEILL. Mr. Speaker, if the gentleman will yield, I will announce the program.

There is no further legislative business for today. Upon the announcement of the program for next week, I will ask unanimous consent that we go over until Monday.

The program for the week of September 24 is as follows:

Monday is District day and there are no bills.

Tuesday there will be consideration of House Joint Resolution 727, continuing appropriations, fiscal year 1974; and H.R. 981, Immigration and Nationality Act amendments, under an open rule, with 2 hours of debate.

Wednesday we will consider S. 1914, Radio Free Europe, under an open rule, with 1 hour of debate; and H.R. 10088, Big Cypress National Preserve, Fla., subject to a rule being granted.

Thursday and Friday are religious holidays.

That is the program for the week.

Conference reports may be brought up at any time, and any further program will be announced later.

ADJOURNMENT OVER TO MONDAY, SEPTEMBER 24, 1973

Mr. O'NEILL. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet on Monday next.

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

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Mr. O'NEILL. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule may be dispensed with on Wednesday next.

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

There was no objection.

PERSONAL EXPLANATION

Mr. REES. Mr. Speaker, on rollcall No. 452, on September 13, 1973, I was recorded as voting "present."

Obviously, Mr. Speaker, I made a mistake with the voting machine. My desire would have been, if I had voted correctly, to vote "aye."

RETIREMENT OF WILLIAM P. ROGERS

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

Mr. GERALD R. FORD. Mr. Speaker, I think it is fair to say that I know of no public official who has worn so well or who has changed so little in his essential character over the years as Bill Rogers who recently retired as Secretary of State. His contributions to this country have been enormous and certainly merit the gratitude of this House and of all Americans. He already had two distinguished careers before joining President Nixon's Cabinet 4½ years ago, serving throughout the Eisenhower administration as Deputy Attorney General and Attorney General of the United States and since 1960 in the private practice of law to which he now returns, still a relatively young man.

Bill began his Washington career on Capitol Hill as chief counsel for the Senate War Investigating Committee and his relations with the Congress have always been mutually satisfying and genuinely cordial. His word has always been good and his respect has always been sincere and reciprocated by those of us who have worked with him, regardless of political differences. He is known as a close and loyal friend of the President, and I believe Bill is as good an example as I have seen of the counsel Shakespeare put in the mouth of Polonius:

This above all, to thine own self be true; and it must follow as the night the day, thou canst not then be false to any man.

Mr. Speaker, not many Americans have done as much for peace in the world, and for civility and courtesy in government, as the Honorable William P. Rogers. I value his friendship and on behalf of my wife Betty and myself wish him and his charming wife Adele all the best in the years ahead.

Mr. MAILLIARD. Mr. Speaker, I would like to pay tribute today to a distinguished American, William P. Rogers.

Bill Rogers who retired on September 3 as Secretary of State is deserving of the highest praise and appreciation for his contribution to the momentous developments in U.S. foreign policy that occurred during the 4½ years he served as the President's chief cabinet officer for foreign policy.

We all know of Secretary Rogers' talents in the field of quiet persuasion—talents which lend themselves to largely unsung accomplishments in the conduct of foreign policy.

But we should take note of the many accomplishments for which this very human, modest, and diplomatic man can take a large measure of credit. He was intimately involved in ending the war in Vietnam, particularly the closing phase of our involvement in that war. He was instrumental in bringing about the cease-fire in the Middle East, a cease-fire that now has lasted 3 years. He played a key role in bringing about the satisfactory conclusion of the first phase of the Conference on Security and Cooperation in Europe.

Bill Rogers also deserves credit for the tremendous amount of time he devoted to keeping the Congress informed on foreign policy. I always found him to be well informed, responsive, and gracious as a witness before the House Committee on Foreign Affairs and in my personal dealings with him.

Of course, all of us know of his prior public service in which he served with distinction as Deputy Attorney General and then Attorney General in President Eisenhower's administration. Much of his appreciation and respect for the role of Congress no doubt dates back to his early years of public service when in the late 1940's he served as Chief Counsel of the Senate War Investigating Committee and the Senate Investigations Subcommittee of the Executive Expenditures Committee.

We will miss Bill Rogers, and I wish him well as he returns to private life.

COST OF LIVING COUNCIL

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

Mr. ICHORD. Mr. Speaker, while the American people are facing the dilemma of whether to watch Bonnie and Clyde take on the FBI or to watch the battle of the sexes between Bobby Riggs and Billie Jean King, I have been drafting an open letter to the President of the United States calling for the dismissal of John Dunlop and a restructuring of the Cost of Living Council.

Mr. Speaker, the recent action of the Cost of Living Council freezing retail gas prices at the January 10 level and the wholesale gas prices at the May 15 level without permitting retail gas merchants to pass on interim wholesale price increases forces one to the conclusion that Cost of Living Council is either incom-

petent, in collusion with the large oil companies to force independent gas station owners out of business, or intentionally trying to subvert any efforts to curb inflation by price control.

Mr. Speaker, the action of the same Council in freezing the price of phosphate and nitrogen in this country and at the same time failing to institute concomitant export controls, I fear, has severely and irrevocably damaged the ability of the American farmer to increase the production of food and fiber in this country.

At this point I would like to insert my letter to the President in the RECORD.

SEPTEMBER 20, 1973.

The President,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: In 1970 I reluctantly advocated and voted for the Economic Stabilization Act because of the failure of the Federal Government to place its fiscal house in order and to take other steps to alleviate imminent runaway inflation. Recent events, however, have caused me not only to regret my vote but also to consider the feasibility of introducing legislation to repeal the Stabilization Act.

The Cost of Living Council, under the leadership of Dr. John Dunlop, has established a program of price controls so ill-conceived and ill-planned that thousands of independent gas retailers are facing economic ruin and this nation's capacity to increase its production of food has already been severely, and I fear, irreparably damaged.

The recent action of the Cost of Living Council in freezing retail gas prices at the January 10th levels and wholesale gas prices at the May 15th levels without permitting retail gas merchants to pass on interim wholesale price increases forces one to the conclusion that the Cost of Living Council is either incompetent, in collusion with the large oil companies to force independent gas station owners out of business, or intentionally trying to subvert any efforts to curb inflation by price controls.

The action of the Cost of Living Council freezing the domestic price of nitrogen and phosphate below world prices without the concomitant use of export controls has caused nitrogen and phosphate producers to sell their fertilizer abroad making only small amounts of phosphate and nitrogen available to the American market. Several fertilizer dealers have informed me that they cannot buy phosphate or nitrogen on the American market at this time. The experts also advise me that so much nitrogen has been sold abroad that we do not have the capacity to meet the fertilizer needs of the American farmer next spring.

Mr. President, the price control program as conceived and administered by the Cost of Living Council has been a dismal failure. The actions of the Council on gas and fertilizer alone, in my opinion, are grounds for the immediate dismissal of the Council and its Chairman and the restructuring of the Council to insure a "common sense" administration of the price control program. I respectfully request that you take immediate steps to correct the gross errors of the Cost of Living Council which not only threaten the financial destruction of thousands of our small independent businessmen but are assured of my cooperation and support for any such action.

Sincerely,

RICHARD H. ICHORD,
Member of Congress.

PRESENTATION BY MRS. ARLO HULLINGER

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

Mr. CULVER. Mr. Speaker, last night my wife, Ann, and I were very pleased to be able to attend a dinner of 100 Iowa Farm Bureau Federation women delegates representing each county farm bureau in the State of Iowa who are visiting the Nation's Capital this week.

A most excellent presentation was made on this occasion by one attending delegate, Mrs. Arlo Hullinger, who spoke about the concerns of the Midwest and Iowa farmers. Many of her views, I am sure, are representative of the concerns being expressed today by many of the Nation's farmers.

In her talk, Mrs. Hullinger discusses the effect the recent soybean embargo had upon "confused and frustrated" farmers, the concern of farmers over having adequate grain storage space and railroad transportation and gas shortage for crop drying this fall, the possible threat to the family farmer from increasing instances of tax-loss farming activities, the need for and problems of expanded crop production, and the deep concern of farmers about misguided economic policies with regard to food products and inflation in our Nation. All of these are issues on which I have expressed my own profound concern in the past and which must receive greater attention by Congress and the administration in the future.

Mr. Speaker, I believe this presentation can be very useful in helping my urban colleagues both appreciate and better understand some of the many problems being faced by the Nation's farmers in these critical areas. It is in the interests of their own constituents that they do so. As Mrs. Hullinger states, these farmer's wives from Iowa have a story to tell, and they are not going to be bashful about telling it, nor should they be, for what they are saying is very much in the national interest.

I include Mrs. Hullinger's presentation at this point in the RECORD:

SPEECH BY MRS. ARLO HULLINGER

Distinguished guests and Farm Bureau friends, I am so very happy to be here representing the Iowa Farm Bureau women. I really appreciate the time you have taken to come here tonight to be with us. I feel I can call most of the senators and representatives by their first names and have really enjoyed their friendship, patience and understanding.

I would like to begin by saying Farm Bureau protests extension of soybean export controls. Administration and consumers keep agriculture reeling by surprise moves that keep farmers confused and frustrated. We are told that more production is needed and then government tells us that more production is not economically feasible because of price ceilings, export controls and/or rising production costs. Our signals and rules keep changing until we find it difficult to make production plans. We hope the Commerce Department will reconsider and lift export controls soon.

Farm Bureau seeks immediate action to aid bankrupt railroads. There is a crucial need for legislation by the Congress to provide a mechanism for maintenance and reconstruction of vital rail service. Such action may be necessary as a temporary measure to continue vital rail services. Midwest grain producers are concerned that the loss of rail service will directly affect the midwest farmers' grain market.

An Iowa Farm Bureau survey of the Iowa grain marketing system indicates that storage space and railroad transportation facilities will not be adequate to handle the 1973 crop. There is a large carryover of corn and soybeans on farms and at elevators. Elevator managers in North Central Iowa expect to receive only $\frac{1}{2}$ of the railroad cars needed to move the grain. In central and southwest Iowa, elevators are holding grain equal to 60% of their capacity. In Eastern Iowa elevators are about $\frac{1}{2}$ full. These circumstances will result in four possible situations. (1) No cash market for grain due to lack of storage and transportation, (2) Some areas where there will be no elevator purchases of corn, (3) Substantial discounts where transportation is limited only to trucks, (4) A definite need for more on-farm grain storage.

Less than 4% will store grain on the ground this year. Most will buy only when the space is available.

Gas shortage during the heavy drying season concerns many managers.

Strong support is also voiced for year around navigation on the Mississippi River.

Inflation is by far the top issue today. It overshadows the Watergate scandal. Economy is the overriding issue. "America's pride has been hurt by Watergate, but our economy is the issue" was one of the statements heard as Congress returned after recess.

The index may show that farm prices increased more than 20% during the month of August and that the over-all wholesale price index increased by more than a staggering 45%. This increase would far exceed the post-World War II record increase of 2.8% in July 1950. Economists say most of the big increase in retail food prices still lies ahead.

We still recommend that Congress attack the cause of inflation by bringing federal spending into line with federal revenue. If this can be accomplished, we would be able to abandon wage and price controls which, in the long run, cannot succeed in a private enterprise economy. The present level of food prices is not out of line when you consider the costs of other items. Food production is being increased and further price controls will disrupt this production and lead to chaotic conditions.

Farmers are deeply concerned over inflation in our nation and the world. We do not feel that inflation can be curbed by applying direct wage and price controls on raw farm production.

In my prepared speech last spring (that the snowstorm prevented me from giving), I stated that we had real concerns on price ceilings set on meat products. Inevitably this would lead to shortage of meat products for the consumer. History shows that direct controls on farm products have never been successful any place in the world.

At a Farmers Union meeting in Ames last week, farmers were told by an assistant to Senator Clark that there has been a drastic drop in the value of Iowa's four major products since August 13, a 19 to 45% decline. Such fluctuations in prices this year have seen commodity prices soar to record levels. This is not good for farmers either. It has been 20 years since farmers achieved 102% of parity in prices.

The Secretary of Treasury conceded that

the U.S. got burned in the Soviet wheat deal. He said, "they were very sharp in their buying practices." I ask why weren't we "very sharp" in our selling practices? We must wake up to the fact that Russia and other countries knew more about world conditions than we did and took advantage of it. We ask how many costly economic lessons must we endure?

An increasing number of non-farm people are involving themselves in livestock operations with the purpose of showing book losses for tax purposes. Farm Bureau members in our area consider such tax loss involvements attracting additional capital and people into farming as a threat to the family farmer and we feel this provision should be eliminated.

I read where 5% of crop losses are due to pollution, 8% are due to weeds and 12% are due to diseases and insects. I would be the first one to help in controlling pollution—we Farm Bureau women have had several good lessons on pollution and ways to control it, but I think in some areas we are over-doing the pollution bit. We are not in favor of the total ban on DDT. Also Farm Bureau recommend continued use of Aldrin for corn insects. This insecticide is used to protect this first year corn from southern corn rootworm, wireworm and cutworm. It is not used on continuous corn. The use of the insecticide is important in our area because when corn is planted early, soil conditions are favorable to damage from these insects. There are no sickness or ill effects reported from the use of these chemicals that I am aware of.

We don't think it is right that Bureaus can be appointed to have the power to hand down rules and regulations and enforce by fines. Citizens should have the right to be able to change these lawmakers. How far are we going in this direction?

Iowa dirt farmers hesitate to expand for several reasons: (1) We have been sold this "feed the world" bit before, (2) We need some sort of guarantee that we could get a fair price, (3) We're in trouble if we get another drought, (4) It's a gamble to buy feeder cattle anyway and this fall it's suicide, (5) Some think the farm program out to have more soil conservation in it, more money to put in terraces and protection for our land, (6) We can't put all of our land in crops—we need grass for cow-calf herds and for beef raising purposes.

Agriculture—greatest industry in the world. I'm proud to be a farmer's wife and to help contribute to an expanding world economy. I believe that our executive and legislative branches of government should work together and not be gnashing at each other all the time. The Watergate has disillusioned us in our government and we wonder who we can trust and if our government will fade away as we have known it. I know we can be proud of our senators and representatives we have chosen to serve us from Iowa. We must be alert to elect them for their courage to stand up for what they believe is right and then be willing to back them in their decisions when we believe they are right.

I've tried to touch on some of the main concerns of the midwest Iowa farmers. I realize we have good times, record prices and production; we also have bad times. I'm not here to complain, but to just talk over some of our problems that seem to jump up in our way.

Farmers need to continue to tell their story. There is criticism of food prices by consumers. Everyone is looking for a culprit. The Iowa Farm Bureau and county Farm Bureau public relations committees are taking advantage of opportunities to tell the tremendous story of agriculture. Agriculture

rates top marks in productivity and efficiency. We believe our efficiency in agriculture has been an antidote for inflation. We are passing along the benefits.

We, the farmers' wives from Iowa have a story to tell, and we're not going to be bashful about telling it!

SOUTH DAKOTA'S WATER RESOURCES

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

Mr. ABDNOR. Mr. Speaker, today I have introduced two measures to provide for more efficient and effective management of two relatively minor sources of South Dakota's relatively scant water resources. One of these would authorize the construction of a dam and reservoir on the Little White River near Rosebud, S. Dak., and the other would authorize the construction, operation, and maintenance of a larger, more adequate spillway for the Belle Fourche Dam near Belle Fourche, S. Dak.

Please note that when I refer to "minor sources" and "scant water resources" I say "relatively."

Relatively minor and relatively scant are exactly what I mean in referring to these water resources. The Little White River may be a relatively minor source of water by comparison to the Potomac, but only relatively so. The water of the Little White River is just as important to the residents of the Little White River Basin as the water of the Potomac, polluted though it be, is to the residents of Washington, D.C., and the millions who reside in the suburbs.

The Belle Fourche Dam may be a relatively insignificant structure as public works go, but the people living below the dam are subject to drowning just as much as the more than 230 persons who perished in the Rapid City flood. Rapid City is not far from Belle Fourche, nor is the washout of the dilapidated and inadequate spillway far from the realm of immediate possibility.

South Dakota's water resources may be scant, but only relatively so. In matter of fact, South Dakota has abundant water resources which are scantily, inefficiently, and ineffectively used—not relatively, but absolutely.

The Corps of Engineers maintains that the Little White River Dam is not justified because the "tangible benefits are exceeded by the costs by a wide margin." The corps does point out, however, that economic benefits to the people of the basin would result.

The corps also recognizes that the basin, much of which is taken up by Indian reservation lands, is an economically depressed area. The population of the basin is declining, but the population of the reservations continues to increase at a level far exceeding the population growth of other segments of American society.

The exodus from this small portion of rural America contributes to the already

overcrowded conditions of urban America. The increase in the Indian population in the lack of economic opportunity contributes more poor, discouraged, and discontented people.

The problems of the Indian people have been the subject of much concern and great expenditures of funds over the years. We are all painfully aware of the recent incidents at the BIA in Washington and at Wounded Knee. These are tragedies which have created great strains on Indian/non-Indian relations, as well as causing dissension among the Indian people themselves. If there is any possible good which may come from these incidents, however, it will be that Congress will be forced to take a whole new look at Indian programs. Those programs which will emerge will be those which stress providing economic opportunities. The Little White River Dam is just that sort of program.

Of course funds are short in every area of need. If we can afford to spend \$2 million to repair the BIA building, \$67,000 to send the militants home, and then \$5 million to guard them at Wounded Knee once we had given them time to regroup and reentrench themselves, however, we can afford to invest a roughly equal sum—\$7.5 million—in a project which addresses the roots of the problem.

Nor will the "intangible" benefits to the Indian people be the only benefits which do not make the corps cost-benefit calculations.

The Belle Fourche Dam spillway has been given more favorable consideration by the Bureau of Reclamation than the Little White River Dam has received from the Corps of Engineers.

The Bureau has notified my office that they believe that this problem should be given high priority to avert a disaster. They have also informed me, however, that legislation will be required to authorize construction. I trust that Congress will give expeditious consideration to this measure.

There is no single factor which so limits the future of my district, and the State of South Dakota, as water resource development. Nor is there a factor which gives us such hopes.

Without economic development, South Dakota's young will continue the exodus to opportunities in the urban centers and our Indian people will continue to be poor, discouraged, and discontent.

In South Dakota economic development and water resource development are one. Congress favorable consideration for these relatively minor proposals will reap relatively great rewards.

EMERGENCY MEDICAL SERVICES LEGISLATION

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

Mr. HEINZ. Mr. Speaker, last week the House sustained the President's veto

of S. 504, the Emergency Medical Services Act. As nearly all of our House colleagues would agree, EMS legislation is a high congressional priority if we are to correct the appalling weaknesses in this country's emergency medical facilities and practices.

As one who strongly supports Federal legislation to improve emergency health care, I regret that the amendment of S. 504 to include nongermane legislation relating to the Public Health Service hospitals compelled me to vote to sustain the President's veto.

But the need for EMS in this country is overwhelmingly clear. Just in the treatment of victims of heart attacks and of auto accidents, conservative estimates are that as many as 35,000 Americans could be saved each year from tragic, senseless deaths.

This is why on September 11, 50 Members of the House, including all minority members of the Public Health and Environment Subcommittee joined in introducing the Emergency Medical Services Act. This new bill, H.R. 10175, is identical to H.R. 6458, the bill reported earlier this year from our Health Subcommittee and the full Interstate and Foreign Commerce Committee. It contains no provision relating to the Public Health Service hospitals.

On Tuesday, September 18, all five minority members of the Health Subcommittee, including the ranking minority member, the gentleman from Minnesota, wrote President Nixon of our intention to push hard for congressional passage of H.R. 10175 and inviting Presidential support in the fight for critically needed Federal assistance for EMS. This complements yesterday's Senate vote of 93 to 0 for a similar EMS bill.

I hope the President will quickly accept our invitation to join us in the battle to improve emergency health care, and I hope to hear no talk of Presidential veto.

In my opinion, the support in the House of Representatives for EMS is much broader and deeper than for the bill, S. 504, which veto was narrowly sustained.

The conflict engendered by a prospective Presidential veto of H.R. 10175 will not help any American.

But, if we all cooperate—Republicans and Democrats, Congress and the executive branch—we can make this legislation the law of the land in a matter of weeks.

Mr. Speaker, I include the letter to the President at this point:

WASHINGTON, D.C.,
September 18, 1973.

The President,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: On Tuesday, September 11, we, the Republican members of the House Public Health and Environment Subcommittee with a total of 50 Republican House members, joined in introducing the Emergency Medical Service Act, H.R. 10175. This bill is identical to the bill, H.R. 6458, reported with bipartisan support earlier this year from our Subcommittee and the full Interstate and Foreign Commerce Committee.

As you know, this original EMS legislation reported by our Committee contained no provisions requiring the retention of the Public Health Service Hospitals. Similarly, our new EMS bill does not contain any reference to these hospitals.

We strongly support enactment of H.R. 10175 and pledge our full and immediate attention to reporting to the full committee and to the House floor without further delay. Additionally, an EMS bill identical to H.R. 10175 has also been introduced in the Senate, and we confidently hope for and expect rapid congressional action on this legislation.

Last Monday in your second State of the Union Message, you spoke most appropriately of the need for cooperation between the Executive and the Legislative branches, if we are to solve our Nation's problems. In the spirit of that message of reconciliation, we would like to urge your strong support and leadership on this legislation establishing a critically needed federal program to improve our Nation's emergency medical care.

Justifiably, the American people have become intensively aware of the tragic and unnecessary deficiencies in the quality and availability of emergency medical care in this country. The recent conflict over the vetoed S. 504 has further served to emphasize the public's interest. We believe there is wide and deep popular support for the implementation of emergency health care. Moreover, we feel the public fully recognizes your historical commitment to progressive and necessary health legislation of benefit to all Americans. This is why we, as members of the Health Subcommittee, have pledged our strongest efforts to accelerate legislative consideration of H.R. 10175. We are strongly convinced that failure to adopt this legislation will mean a lost opportunity to significantly improve the health care delivery system of this country, and, therefore, respectfully urge your careful consideration and support of H.R. 10175.

We invite you to join us in the battle for emergency medical services. Your leadership would assure the rapid enactment of this legislation.

Respectfully yours,

H. JOHN HEINZ III,
JAMES F. HASTINGS,
ANCHER NELSEN,
TIM LEE CARTER,
WILLIAM H. HUDNUT III,
Members of Congress.

FINANCIAL SOUNDNESS IS KEY ELEMENT OF H.R. 9682—DISTRICT OF COLUMBIA SELF-GOVERNMENT ACT

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

Mr. REES. Mr. Speaker, the House will soon have before it for consideration H.R. 9682, the District of Columbia Self-Government and Governmental Reorganization Act. I would like to commend the efforts of my distinguished colleagues on the Subcommittee on Government Operations and the full committee which has produced this comprehensive legislation.

I would like to take this opportunity to call particular attention to those sections of the bill which establish a sound financial management system for all the District of Columbia governmental operations. Financial management in the

District government is unusually complex because of the District's unique relationship with the Federal Government and its responsibility for a combination of State, county, and municipal functions. As in other areas of District affairs, the financial provisions of H.R. 9682 combine major reforms in the organization and operation of the District government with a recognition that locally elected officials should be responsible for those government matters which are local in nature.

The Commission on the Organization of the Government of the District of Columbia, often referred to as the Nelsen commission, recognized in the early stages of their work that financial management in the city lacked a focal point of responsibility. Responding to this deficiency, Mayor Walter E. Washington established a financial management improvement system under his personal direction. The program has already made significant progress in developing new basic accounting principles and in centralizing responsibility in the new Office of Budget and Financial Management. The provisions in H.R. 9682 build on this foundation, and will result in improved procedures and in timely financial information being forwarded to both the Council and the Congress as well as to the general public. These provisions are detailed, but workable and have been developed in consultation with the General Accounting Office and the Mayor's budget staff.

There are two important aspects of a sound financial management system: First, budget formulation and approval; and second, budget execution. This bill mandates improvements in both of these areas.

BUDGET FORMULATION AND APPROVAL

Part D of title IV of the bill institutes a comprehensive program budget system for both operating and capital outlay activities of the new city government. The Mayor is responsible for the preparation and submission to both the Council and the Congress of the city's budget consisting of seven documents:

First. Detailed, balanced budget for the next fiscal year which provides the basis for revenue measures and line-item, balanced budget appropriations by the Council;

Second. Budget message and supporting financial and statistical material;

Third. Multiyear plan which places annual expenditure and revenue plans in the context of past experience and future plans and requires analysis of major program changes, anticipated revenue gaps, salary increases, pension plans, and debt service requirements;

Fourth. Multiyear capital improvement plan which identifies all projects on a full funding basis, requires coordination with land use plans, and assures that capital projects which are considered will not result in financial burdens in excess of the debt ceiling imposed by Congress under H.R. 9682;

Fifth. Program performance report which compares actual performance against budget plans and includes status

of efforts to comply with the reports of the District of Columbia Auditor and the Comptroller General of the United States;

Sixth. Issue analysis statement providing in-depth consideration of issues identified during budget deliberations of the previous year; and

Seventh. Summary to be distributed to the general public.

Taken together these documents and the planning required to produce them will provide the District of Columbia with an excellent budgeting system which identifies both broad program analysis and detailed line item expenditures. A sound budgeting system cannot, of course, guarantee good decisions. But a sound system, especially one which provides for full public disclosure of information, increases substantially the probability of good decisions.

I would especially like to emphasize that the budget system I have described, combined with the Federal payment provisions of title V, will assure adequate congressional oversight of District financial affairs. The planning requirements of the budget process and the year in advance Federal payment request together will result in the elimination of much of the surprise and crisis element which has, unfortunately, characterized the financing of local services in the District of Columbia. For example, the provision for multiyear expenditure plans specifically will require the city to set forth its plan for financing the various employee retirement systems and will facilitate orderly handling of the outstanding unfunded liability in the police and firemen's retirement fund. The multiyear capital improvements plan is required to include a complete plan for the city's payment of bonds issued on its capital projects and the debt servicing of congressionally approved projects.

BUDGET EXECUTION

Under H.R. 9682 the Mayor is responsible generally for the administration of the financial affairs of the District of Columbia—collection and disbursement of funds and accounting supervision and control. In carrying out these duties, however, there are very definite standards which are set forth in the bill to assure soundness of the budget execution process.

Since more than 60 percent of the District of Columbia's operating expenditures are for employee salaries and benefits, a most important standard is that contained in section 447 of the bill. Under this section the Mayor is required to maintain consistency between the budget, accounting, and personnel systems. Employees can only be hired according to allotments in balanced budgets approved by the Council.

Legal and proper expenditure of all District funds is also safeguarded through three separate audits. First, the Mayor's office conducts an internal audit of all accounts, operations and agency records to verify that bills paid are in fact legal transactions. Second, H.R. 9682 creates the office of the District of Co-

lumbia Auditor. The Auditor is selected and approved by the Council and conducts on an ongoing basis a thorough review of all the city's accounts and operations. The Auditor/Council relationship is modeled after the GAO/Congress relationship. Third, the bill authorizes an independent audit by the General Accounting Office of the accounts and operations of the District to determine if programs are being conducted on an efficient and effective manner and in line with the purposes for which the monies were appropriated. Such an audit by GAO would, of course, include the proper expenditure of the federal payment to the District. GAO will submit its audit reports to the Congress, the Mayor, and the Council and the Mayor is required within a time limit to respond to this report. In the program performance statement of the budget the Mayor is also required annually to indicate progress being made to comply with audit reports. I would point out that each of these auditing provisions were developed in close consultation with the Comptroller General.

In conclusion, the executive budget system prescribed in this important legislation recognizes that the budget process is an important tool for the implementation of policy, but does not obscure its equally important function as a management control mechanism for producing improved accounting based budgets and for exercising controls to insure that funds are spent for the purpose approved by the Mayor, the Council, and the Congress.

THE PRESIDENT'S MESSAGE ON HOUSING POLICY RECOMMENDATIONS

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

Mr. WIDNALL. Mr. Speaker, yesterday, the President sent over his long-awaited housing message, and on the whole, I am enthusiastic about his statement. We must realize that the recommendations are based upon a concentrated study, including an extensive effort to consider the views of all interested parties. It must be viewed as a goals-oriented package, one that seeks to serve the national needs across a broad range of complex requirements. The acceptance and implementation of many of the specific elements now rest with the Congress, particularly the Housing Subcommittee. I, as ranking minority member of the subcommittee, certainly plan to urge careful and open-minded discussion among all those involved. The subject of housing is much too important to be clouded by partisan rhetoric.

With the present mortgage credit situation, immediate action to moderate this tight money problem is clearly needed to provide new mortgage money for prospective homebuyers. The President's recommendations for a program

of forward commitments from the Federal Home Loan Bank Board, a revival of the tandem plan for the Government National Mortgage Association, and raising the permissible mortgage amounts of FHA loans, are crucial to resolving the problem. These solutions are, of course, intertwined with national fiscal policy and regulatory authorities. We will want to look closely at such proposals.

With respect to the specific provisions of providing a tax credit for mortgage portfolio interest, while this proposal has considerable promise for stabilizing funds in the mortgage market, the congressional jurisdiction is with the Ways and Means Committee. I would hope that the committee would find the opportunity to explore the question.

The President's proposals concerning housing for low-income persons and the efforts to improve assistance to communities, I read with great interest. The emphasis apparently being placed on rehabilitated housing in connection with the housing allowance program, and the ability of the recipient of such aid to better choose the neighborhood in which he wishes to live are two of the elements I find most appealing. This is specifically due to the focus being placed on aiding the elderly. I will be particularly interested to see the details of the promised housing allowance program, to be proposed in 1974 or early 1975, as a result of careful studies now being conducted around the country.

Further, I was pleased that there is to be an immediate release of \$60 million for section 312 rehabilitation loan programs, and that housing production under section 23 leased housing will be resumed and expanded. The fact that section 23 will be recognized as a prime vehicle in housing low-income families is gratifying to one who authored the concept in 1965, and has urged its increased use over the years.

The additional proposals for improving the operation of present public housing, neighborhood preservation, improving rural housing, and assuring equal opportunity, all have merit. I look forward to the promised studies and legislative efforts concerning these topics.

With particular respect to the operation of public housing the administration's proposals parallel legislation I have sponsored. The questions of minimum rent and the definition of income for tenants in public housing were embodied in H.R. 8102 which I introduced on May 23, and added to H.R. 8879 in the Housing Subcommittee. Administration support for the provisions is certainly welcomed.

All in all, I must say that the administration is offering a carefully outlined blueprint for consideration. In those areas where there is great departure from established systems, the thought is to begin with experimental programs or at least modest initiation of expandable concepts. To me, this is reasonable and commendable. I would hate to see us rush headlong into another high-pro-

duction quagmire, which gets us in over our heads. The approach is sound and we will be anxious to consider the merits of each proposal when the details are submitted. It is certainly deserving of immediate attention in the Congress. The national urgency in the housing dilemma will not permit further delay.

In addition, I have sponsored two provisions dealing with the Federal National Mortgage Association and the Federal Home Loan Mortgage Corporation which would expand the operation of these secondary markets to assist home purchasers throughout the country. While these have been favorably acted upon by the Housing Subcommittee, I hope we can get full committee action as soon as possible.

PROPOSED LEGISLATION TO AMEND THE FEDERAL ELECTION CAMPAIGN ACT OF 1971

The SPEAKER pro tempore (Mr. DANIELSON). Under a previous order of the House, the gentleman from Illinois (Mr. YOUNG) is recognized for 5 minutes.

Mr. YOUNG of Illinois. Mr. Speaker, committees of the Congress are presently considering proposed legislation to amend the Federal Election Campaign Act of 1971.

Currently, there are many different proposals for setting new standards in this area.

I am introducing today two bills which I believe will contribute to improvements in campaign financing, which, in turn, will generate greater public confidence in our political system.

The proposals which I am making are important and far-reaching, and will cover the following:

First, provide for the administration of the campaign law by a commission with full powers of subpoena and enforcement;

Second, provide for a "central campaign committee" to collate reports of all committees supporting the same candidate;

Third, limit campaign spending to \$50,000 in a primary and \$175,000 in the general election for candidates in the House of Representatives, with an extra \$15,000 available for a challenger to an incumbent;

Fourth, limit individual contributions to \$3,000 in a primary and \$6,000 in a general election for congressional candidates, and \$100,000 for Presidential candidates;

Fifth, provide for public financing of five and one half-hour television programs for Presidential candidates, three and one half-hour programs for senatorial candidates, and two and one half-hour programs for House of Representatives candidates;

Sixth, increase deductions for political contributions up to \$100 per candidate with an aggregate deduction limitation of \$500.

I am opposed to general public financ-

ing of political campaigns for candidates for the House of Representatives or for the Senate. I think that the public should not be required to pay for political campaigns. The need for public financing is eliminated when we put limitations on the amount of money that can be spent.

I would favor limited public financing for the Presidential campaign—limited to free television time to the major party Presidential candidates.

HUMAN RIGHTS IN CHILE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Minnesota (Mr. FRASER) is recognized for 10 minutes.

Mr. FRASER. Mr. Speaker, today I am introducing a concurrent resolution along with eight cosponsors which would call on the new government in Chile to insure protection of the rights of all persons, Chilean and non-Chilean, who are now being held in custody for political reasons. In the other body, Senator KENNEDY is introducing an identical resolution.

As a result of last week's coup d'etat in Santiago it is reported that more than 5,000 persons are now being held in custody. Those being held include former high government officials, members of both houses of the Chilean Congress, numerous students and professors and non-Chilean nationals who are political refugees from their home countries. These prisoners are civilians, but the Government of Chile has announced its intention to try them in military courts. All of us have a responsibility to express our concern, through our own Government, that the cases of these prisoners be handled in compliance with international legal standards and conventions on human rights.

Although the change in government in Chile is a matter which should be free from active foreign intervention, the protection of human rights is a legitimate interest of all persons throughout the world who believe in maintaining standards of due process under humanitarian laws. Such standards do exist and it is the responsibility of every government to see that they are observed. In the current situation in Chile, the relevant international legal instruments are the Universal Declaration of Human Rights, the Geneva Conventions, the UN Standard Minimum Rules for the Treatment of Prisoners, the Declaration on Territorial Asylum and the Convention and Protocol Relating to the Status of Refugees. These instruments make guarantees such as the right of political asylum and safe conduct and humane treatment of prisoners.

Regarding the large number of non-Chilean nationals who are political refugees from their home countries, these instruments prohibit Chile from deporting them to their home countries or other countries where they would likely be

subject to persecution. The United Nations High Commissioner for Refugees has issued a statement asking that foreign refugees in Chile not be repatriated against their will. But so far there is no indication that the United States has taken a firm stand in behalf of these refugees.

In an atmosphere of international suspicion concerning the U.S. role in the coup in Chile, it is particularly important for this country to make strong representations on behalf of the rights of the political prisoners. If the United States remains silent on this subject, our motives will become even more suspect in the international community.

The resolution I am introducing neither condemns the new Chilean Government nor criticizes U.S. policy. It merely asks that the Chilean Government demonstrate respect for human rights and that the American Government support respect for human rights. In calling for protection of the rights of political prisoners, the resolution also asks that a list of the names of those being held be published as soon as possible along with the charges brought against them. Such a public disclosure would do a great deal for building confidence and credibility in the new Government of Chile.

I believe our foreign policy must at all times reflect the values of human decency to which this country has traditionally aspired for its own citizens. Too often, we become preoccupied with power politics, forgetting what the effect of our policy will be on the lives of individuals. The resolution I am introducing today is a reaffirmation of those values.

The text of the resolution and a list of cosponsors follow:

H. CON. RES. 308

Resolved by the House of Representatives (the Senate concurring),

Whereas in the aftermath of the change of government in Chile there is widespread concern over the possible danger to human lives and human rights in that country;

Whereas thousands of people are being held in custody including former cabinet-level officials, members of both Houses of Congress, students and professors of universities and non-Chilean nationals who are political refugees from their home countries;

Whereas the Government of Chile has stated an intention to apply military justice to those being held in custody;

Now, therefore, be it resolved by the House of Representatives (the Senate concurring), That it is the sense of the Congress that the President should request the Government of Chile to undertake the following:

(a) to ensure protection of human rights of all individuals, Chilean and foreign, as provided in the Universal Declaration of Human Rights and other relevant international legal instruments guaranteeing the granting of asylum, safe conduct and humane treatment of prisoners as provided in Article 3 of the Geneva Conventions, Article 14 of the Universal Declaration of Human Rights, the UN Standard Minimum Rules for the Treatment of Prisoners, the Declaration on Territorial Asylum, and the Convention and Protocol Relating to the Status of Refugees; and

(b) to publish as soon as possible the names of those being held in custody and the charges against them.

LIST OF COSPONSORS

Robert W. Kastenmeier of Wisconsin.
Paul N. McCloskey, Jr. of California.
Ogden R. Reid of New York.
William A. Steiger of Wisconsin.
David R. Obey of Wisconsin.
Joe Moakley of Massachusetts.
Charles W. Whalen, Jr. of Ohio.
Andrew Young of Georgia.

BILL FOR FUNDS TO AID HEMOPHILIACS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. GONZALEZ) is recognized for 5 minutes.

Mr. GONZALEZ. Mr. Speaker, there are 25,400 hemophiliacs in our country today, and I understand that it is not unusual to find annual medical bills of \$10,000 to \$20,000 among these afflicted. I received a letter from one of my constituents who suffers from hemophilia, and he informed me that it cost him \$2,000 last fall for 4 days of treatment. I am sure we all would agree that such a cost is outlandish. Hemophilia is, in short, an economic as well as a physical disaster. Ironically, the high cost is due to the very advances that now make it possible for hemophiliacs to lead a near-normal life.

I am proposing legislation today that will be of help to all hemophiliacs. My bill would guarantee individuals suffering from hemophilia their entitlement to care commensurate with the technology and skills that are available. The Federal Government would pay a portion of this treatment. Just how large a portion would be determined by the individual's own financial situation. Presumably, low-income hemophiliacs would end up paying very little for care, while more affluent ones still would shoulder most of their own expenses. A second provision of this bill calls for the establishment of a network of hemophilia treatment and diagnostic centers.

I am sure that we all agree that treatment, and the most advanced treatment, should be available to all persons suffering from hemophilia, regardless of their financial situation, and my bill would accomplish just that. I believe that it is not unreasonable to expect our Government, which promises life, liberty, and the pursuit of happiness to all citizens, to find the funds necessary to aid our Nation's hemophiliacs. I plan to work toward this end, and I hope many of my colleagues will join me in this task.

PRESIDENTIAL CAMPAIGN FINANCING ACT OF 1973

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. BRADEMAs) is recognized for 5 minutes.

Mr. BRADEMAs. Mr. Speaker, I am today introducing a bill, the Presidential Campaign Financing Act of 1973, that would provide for the public financing of Presidential primary and general elections.

This bill would: first, set strict limitations on the amount of money spent in Presidential primaries and general elec-

tions; second, place a ceiling on individual contributions; and third, authorize the payment of Federal funds to meet a substantial proportion of Presidential campaign expenses.

I should note, Mr. Speaker, that a companion Presidential campaign financing bill has been introduced in the Senate by the distinguished Senator from Minnesota, WALTER F. MONDALE, who has been one of the great leaders in the effort to seek meaningful election campaign reform.

Mr. Speaker, public confidence in our Government is today being seriously eroded. The integrity of conscientious public officials—Democrats, Republicans, and Independents, alike—is being seriously questioned.

This decline in public confidence was underscored in a recent Harris poll which found that only 45 percent of the American people felt that they could trust the Government "most of the time." This figure is in contrast with a 66 percent favorable response in 1966.

And, Mr. Speaker, the same poll found that only 27 percent of the people had "a great deal of confidence" in the executive branch of the Government—a drop from 41 percent in 1966.

Mr. Speaker, I believe this decline in confidence is due in great measure to our system of financing Federal election campaigns, which relies heavily on large, private contributions.

The whole series of events which has come to be called "Watergate," including revelations of widespread spending abuses and violations of law during the 1972 campaign, has come to symbolize the corrupting influence on the political process of huge private contributions.

The illegalities, the excessive influence of political contributions, or simply the appearance of excessive influence can be eliminated only when our system of political financing no longer relies on big money contributions.

Mr. Speaker, the bill I am introducing today would provide a blend of private and public financing of primary and general elections for the Presidency of the United States.

The bill would create a Presidential primary matching payment fund, financed by funds from the Federal Treasury. This fund would provide matching payments to each candidate in Presidential primaries for contributions of up to \$100. To guard against frivolous candidates, the bill would require that, in order to qualify for Federal funds, each candidate collect at least \$100,000 in matchable contributions. The bill would make matching funds available for 14 months before the date of the general election and would impose an overall spending limit of \$15 million during the prenomination period.

For the general elections, the bill would retain and strengthen the existing \$1 check-off system by providing that every dollar designated by an individual be matched by another dollar from the Treasury. The bill would impose a \$30 million limit on general election expenditures. Major party candidates would be entitled to check-off funds of approximately \$20 to \$22 million. Minor party

candidates or new candidates would be entitled to a proportionately smaller share of public funds.

In addition, the bill would limit individual contributions to \$3,000 or less, prohibit cash transactions of \$100 or more, and require that each candidate designate a single campaign committee and single campaign depository. The bill would also double the existing tax credit and tax deduction for political contributions.

Mr. Speaker, although I strongly support the principle of public financing, I am not committed to each and every provision of the bill which Senator MONDALE and I are sponsoring. Rather, I hope the introduction of the Presidential Campaign Finance Act of 1973 will stimulate serious discussions in the House of public financing as a means of election campaign reform with the result of effective new legislation.

Mr. Speaker, this measure would go a long way toward restoring a balance to our Presidential campaigns and public confidence in elected officials. Under the Mondale-Brademas bill, the corrosive influence of big money so prevalent in the past would be greatly reduced, if not eliminated. America's President, of either party, would thus be far more likely to represent the true interests of the majority of Americans who elected him.

A BILL TO PROHIBIT THE MAILING OF KNIVES TO MINORS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. WOLFF) is recognized for 5 minutes.

Mr. WOLFF. Mr. Speaker, I rise today to introduce legislation which would prohibit the mail-order sale of knives of any kind to children under 18. My bill is designed to strictly limit access to these deadly weapons, so that only responsible, experienced adult sportsmen can buy them. Knives, particularly long-bladed hunting and stiletto models, can easily inflict serious injury when held in unskilled hands, and have no place in children's games. Therefore, I believe the Congress must move to control their proliferation.

This grave situation was brought to my attention by a resident of my district, Mr. Fred E. Ahlert, Jr., when he sent me lurid advertisements and two knives ordered and received by his 13-year-old son from a mail-order house specializing in small weapons. This youngster paid less than \$5 for two folding lock knives with blades 3½ and 4 inches long. I am certain other Members share my concern that these lethal weapons be kept away from children.

There is ample precedent for this bill. In 1958, the Congress enacted legislation to outlaw switchblade knives, and in the last 5 years, we have moved to keep guns out of the hands of minors. We have already recognized the wisdom of keeping guns away from young people; we should now act to keep them from obtaining knives, as well.

I have written my colleagues to ask their support and urge their cosponsor-

ship of this bill. No one denies that knives are useful and necessary in hunting and fishing; I also believe we all realize that youngsters ought to learn from experienced adults the proper ways to use knives, under safe and supervised conditions. However, if we allow children unlimited access to these weapons, we deny them the opportunity to learn the proper way to use them and expose these children to the risk of grave harm.

At this point in the RECORD, I would like to include Mr. Ahlert's letter along with the text of my bill. I hope many of you will join me in urging early consideration of this measure.

GREAT NECK, N.Y.,
July 26, 1973.

Congressman LESTER L. WOLFF,
Washington, D.C.

DEAR CONGRESSMAN WOLFF: Enclosed herewith are two knives that my 13 year old son purchased from an ad in a magazine.

Upon examining these knives, I think you will agree that these are dangerous weapons and should not be readily available to just anyone. As a concerned parent I don't know if there is anything that can be done to stop this type of business but you are the only person I can turn to for help.

Surely the people who sell these knives don't have a handwriting analyst at their disposal (nor do I think they care) but I'm sure if they looked at the handwriting on the sales request it would be obvious that the handwriting of a 13 year old is certainly not that of an adult.

I don't think I am off base in calling this to your attention and I do hope that you feel there is some merit to my complaint.

Best wishes.

Yours sincerely,

FRED E. AHLERT, JR.

THE ADMINISTRATION AGAIN FAILS TO COMPLY WITH A CONGRESSIONAL ENACTMENT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Montana (Mr. MELCHER) is recognized for 5 minutes.

Mr. MELCHER. Mr. Speaker, on August 10, which was 41 days ago, the Agriculture and Consumer Protection Act was signed by the President and became law.

The act contained a section (818) dealing with an Agricultural Census, which reads:

AGRICULTURAL CENSUS

SEC. 818. Notwithstanding any other provision of law, the Secretary of Commerce shall conduct a census of agriculture in 1974 as required by section 142 of title 13, United States Code, and shall submit to the Congress, within thirty days after the date of enactment of the Agriculture and Consumer Protection Act of 1973, an estimate of the funds needed to conduct such census.

The 30 days for submission of a budget estimate has elapsed. I have made inquiry and have been advised that no budget estimate has been submitted to the Congress by the Department of Commerce as required by that law.

The intent of Congress in that section is completely clear. But despite the clarity of the language—it is completely definitive—the Secretary of Commerce has not complied with the statute.

Because of the history of the effort to kill off the Agricultural Census of 1974,

in which the Office of Management and Budget has had a key role, this failure to comply with section 818 takes on more than casual significance.

The message I get, after compiling a chronology of events in relation to the Agricultural Census issue, is that someone downtown is making a test case of this matter and that the failure to get a budget estimate up to Congress is more than just an oversight, or clerical negligence.

If the Secretary of Commerce or someone else has decided that, as an agent of the President, he does not have to comply with definitive orders either of the Supreme Court or the Congress, then we need to know it, and determine whether it is a Cabinet officer or a member of the President's personal staff who is behind it.

I am including the chronology of events in relation to this matter in the RECORD with these remarks.

Unless the required budget estimate is forthcoming, I expect to request the Agriculture Committee to hold a hearing on this new evidence of executive disdain and disregard for either congressional or judicial directives to determine where the responsibility lies for this particular flaunting of our specific and definitive directive.

The chronicle of the long road of circumvention and disregard for enacted law—including the continued impoundment of \$1.3 million in funds appropriated in the past for the agricultural census—is as follows:

September and October 1972—Bureau of Census submitted FY 1974 budget plans to include funds for 1974 Census of Agriculture and also funds for mid-decade survey of population.

October 1972—Office of Management and Budget advised Department of Commerce that funds to conduct mid-decade survey must come from some other program.

Department of Commerce determined to postpone 1974 Census of Agriculture and to use those funds for mid-decade survey of population (FY 1973 funds for Census of Agriculture impounded).

November 1972 to February 1973—Data users requested information on status of 1974 Census following impoundment of 1973 funds. Members of Congress also attempted to obtain answers. No one was able to obtain anything but an ambiguous answer.

Late January 1973—FY 74 budget submitted to the Congress—it included a statement to the effect that a census of agriculture is required by law in 1974 but that the administration had elected to ignore the law and at some later time would submit legislative proposal to get Congress to legitimize their actions.

February 23, 1973—Agricultural Advisory Committee members met and stated strongly that: they had never been consulted and that a Census of Agriculture should be conducted.

Mid April 1973—S.J. Res. 95 and H.J. Res. 518 introduced by Sen. Humphrey and Congressman Evans—Colo.

Two days later a proposal to change the law was sent to the Congress by the Department of Commerce.

Subsequently, H.J. Res. 554 and H.J. Res. 580 were introduced. (Identical to H.J. Res. 518.)

Mid May 1973—Department of Commerce changes its stance—and says a 1974 Census of Agriculture is needed.

Office of Management and Budget says "No—but we can meet the letter of the law

by authorizing a survey to provide some State level estimates."

The proposal is for \$8 million spread over 4 years rather than \$20 million.

Commerce reluctantly agrees to OMB dictate.

May 18, 1973—Hearings held by Senate Post Office and Civil Service Committee. Data users state a complete Census with County data is needed.

June 18, 1973—Senate included an amendment to the Farm Bill stating that "Sec. 818. Notwithstanding any other provision of law, the Secretary of Commerce shall conduct a census of agriculture in 1974 as required by Section 142 of Title 13, United States Code, and shall submit to the Congress, within thirty days after the date of enactment of the Agriculture and Consumer Protection Act of 1973, an estimate of the funds needed to conduct such census."

June 19, 1973—Senate Post Office and Civil Service Committee reports out S.J. Res. unanimously. The report stated in part . . .

"Nevertheless, the Committee's hearings have revealed a consensus to the effect that considerable restructuring is necessary to insure that agricultural data and statistics are produced, not only in timely fashion, but in terms that meet the needs of the Nation and of its largest industry—agriculture. So, not only do we need a Census of Agriculture or its equivalent, but we need one that reflects more accurately the reality of the industry. In short, new concepts are needed. The Committee believes that careful attention should be given to hooking these new concepts onto the vehicle of the 1974 census while still insuring that all farms and farmers, however small, are counted and considered.

Under current law, a Census of Agriculture is mandated for 1974. This Resolution, therefore, would result in no additional costs not now required by law. The 1974 Census of Agriculture is estimated at a cost of \$28 million, spread over a five-year period."

House Agriculture Committee by a vote of 17-16 decided not to include the Census amendment in the House version of the Farm Bill. The question of germaneness was raised.

June 22, 1973—The House Appropriations Committee on June 22 in approving the Appropriations bill for the Department of State, Justice, Commerce, the Judiciary, and related agencies recommended that the House order the \$1.36 million appropriated last year to the Census of Agriculture "be transferred to and merged with this appropriation" of expenses necessary to prepare for taking, compiling, and publishing . . . the census of agriculture. . . . This Committee action was taken in recognition of the testimony before Congressman Rooney's Subcommittee, where James A. Taft, Acting Administrator of the Social and Economic Statistics Administration, stated:

" . . . With respect to the financing, we did have money appropriated in fiscal 1973 for beginning the 1974 Census of Agriculture. That was \$1,360,000. We would use that for the 1974 work if we are required to take the census. If additional funds are required, we would probably have to ask for a supplemental appropriation."

June 22, 1973—Senate approved S.J. Res. 95 and sent it to the House.

June 27 and 28, 1973—House Post Office and Civil Service Committee holds hearings on H.J. 580 (and others). Data users are emphatic stating that a complete Census providing county data is needed.

July 11, 1973—House Post Office and Civil Service Committee held additional hearings to ask questions of an Office of Management and Budget representative.

July 24, 1973—OMB seeks to obtain funds to conduct a survey providing State estimates in lieu of taking a Census of Agri-

culture. Hearings are scheduled in the Senate Appropriations Subcommittee.

Aug. 1, 1973—The Census Subcommittee of the House Post Office and Civil Service Committee met and reported out S.J. Res. 95 without amendment.

Aug. 3, 1973—The House and Senate approved the 1973 Agriculture and Consumer Protection Act (Farm Bill) which included the amendment requiring the 1974 Census of Agriculture.

Aug. 10, 1973—The President signed the Farm Bill containing the Census amendment.

Sept. 20, 1973—\$1.3 million impounded monies have not been released.

Appropriation request has not been submitted to the Congress in accordance with enacted law.

LEGISLATION TO CURB "SILENCING" AT WEST POINT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Massachusetts (Mr. HARRINGTON) is recognized for 5 minutes.

Mr. HARRINGTON. Mr. Speaker, James Pelosi, a June graduate of the U.S. Military Academy at West Point, was "silenced" for 19 months for a minor infraction of the cadet honor code. He had been accused of cheating on a test by continuing to write after the instructor had asked the class to stop.

The Cadet Honor Committee found him initially guilty. Pelosi denied the charge and produced witnesses on his behalf. Although Lt. Gen. William Knowlton, the Superintendent for West Point, ordered the case dismissed for "command influence"—a note from an officer urged the committee to "expedite" the case because it was thought to be a clear-cut honor violation—a referendum was nevertheless held anyway, resulting in the silencing of Pelosi.

Beginning in November 1971 and continuing until his graduation, the cadet was completely ostracized from all contact with the student body. He talked to no one and no one talked to him except on official business. He ate alone. He roomed alone. He was barred from social activities. Other, and more serious tactics employed against him ranged from physical assault and direct threats to destruction of mail, nondelivery of messages, and theft of personal property.

The "silence" is rarely imposed. It is saved for those found guilty of an honor violation and refuses to resign from the Academy when insufficient evidence is found to warrant discharge.

The decision to "silence" is the choice of cadets. Neither is it officially sanctioned nor is it specifically prohibited. It is a cadet conspiracy to abridge the rights of another cadet.

On August 26, 1973, the U.S. Military Academy issued new cadet regulations. One provision prohibits "hazing," which is defined as "any unauthorized assumption of authority by one cadet over another whereby the latter shall suffer or be exposed to any cruelty, indignity, humiliation, hardship, or other oppression, deprivation or abridgement of his legal rights." Although not specifically mentioning the "silence," it could be interpreted as such. Further, the Cadet Honor Committee decided to discontinue the practice. However, nothing in the future

would prevent its reinstitution by the Corps of Cadets.

Mr. Speaker, the legislation I am introducing would put into law the cadet decision and would strengthen the anti-hazing provision. It would prohibit any cadet from conspiring or engaging in any act which deprives any cadet of any right or privilege to which such cadet is entitled. Any cadet who violates this provision would be barred from receiving any academic credits for the session in which the violation occurred. Second offenders would be dismissed from the Academy, with the option to request a court martial. Further, any professor, instructor, or commissioned or cadet officer who has knowledge of such an offense and fails to report it to the superintendent shall also be penalized.

This bill is based on an anti-hazing law enacted by Congress in 1906 and applicable to the Naval Academy. It is hoped that the wisdom of Congress in 1906 will still be evident today.

The "silence" is a form of cruel and unusual punishment that has no place anywhere in American life, and particularly not in an institution of higher learning where respect for law is supposedly taught.

Mr. Speaker, I would like to insert a copy of the bill in the CONGRESSIONAL RECORD so that it may be considered by my colleagues:

H.R. —

A bill to amend chapter 403 of title 10, United States Code, to prohibit the administration of any unauthorized or unofficial deprivation of any right or privilege against any member of the Corps of Cadets of the United States Military Academy

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That chapter 403 of title 10, United States Code, is amended by redesignating sections 4354 and 4355 as sections 4355 and 4356, respectively, and by inserting immediately after section 4353 the following new section:

"§ 4354. Cadets: Prohibition of unauthorized sanctions

"(a) No cadet shall engage, or conspire to engage, in any act which is not authorized by regulations issued by the Superintendent of the Academy and which deprives any other cadet of any right or privilege to which such cadet is entitled as a member of the Corps of Cadets.

"(b) Any cadet who violates the provisions of subsection (a) shall be barred from receiving any credit for his course of instruction during the academic session in which such violation occurs. For a second offense, the cadet shall be dismissed from the Academy.

"(c) Any cadet charged with a violation of the provisions of subsection (a) which is punishable by dismissal from the Academy may request in writing a trial by general court-martial, and, upon making such request, may not be dismissed for such violation except under sentence of such court.

"(d) Any cadet dismissed under this section may not be reappointed to the Corps of Cadets and shall be ineligible for appointment as a commissioned officer in a regular component of the Army, Navy, Air Force, or Marine Corps, until two years after the graduation of his class at the Academy.

"(e) (1) Any person who is a professor, assistant professor, instructor, academic officer, cadet, or other officer or employee of the Academy and has knowledge of any violation of subsection (a), shall report such knowledge as soon as possible to the Superintendent of the Academy.

"(2) Any cadet who violates the provisions of paragraph (1) shall be barred from receiving any credit for his course of instruction during the academic session in which such violation occurs. Any officer other than a cadet who violates such provisions shall be tried by a general court-martial and, if convicted, dismissed from the service. Any civilian instructor or other employee of the Academy who violates such provisions shall be dismissed from the Academy."

Sec. 2. The table of sections for chapter 403 of title 10, United States Code, is amended by striking out the items relating to sections 4354 and 4355 and inserting in lieu thereof the following new items:

"4354. Cadets: Prohibition of unauthorized sanctions.

"4355. Buildings and grounds: Memorial hall; buildings for religious worship.

"4356. Board of Visitors."

SCANDALOUS TREATMENT OF SOVIET JEWISH SPORTS FANS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from South Carolina (Mr. Davis) is recognized for 5 minutes.

Mr. DAVIS of South Carolina. Mr. Speaker, the following news article is from the National Conference on Soviet Jewry. The tone of the article deals with the scandalous treatment of Soviet Jewish sports fans at the recent World University Games in Moscow. This condition was allowed, perhaps even encouraged, by the Soviet Government. By allowing this condition to exist, the U.S.S.R. shows itself to be unconscionable, but for America to allow this action to go unchallenged would be unthinkable. I would like to present the article for consideration.

The news from Moscow that some Soviet Jews with tickets were barred from the World University Games, and others beaten, is a shocking reminder of the gap between Soviet promises and realities, especially in regard to its Jewish citizens. The violence committed against Jews was an unconscionable and organized act of terror by Soviet authorities.

The incident was the latest in a series of events in blatant violation of the spirit of international sports cooperation which have made the games a political battleground. Contrary to the right of free information, Israeli journalists were barred from Moscow despite their initial invitation. At the games, organized claque shouted anti-Semitic epithets against the Israeli athletes who were functioning under the shadow of the recent massacre of their colleagues at the Munich Olympics.

We contrast these acts by Soviet authorities with the friendly welcome in the United States of Soviet participants in the International Trot at Roosevelt Raceway, and the soccer matches between Soviet and American

championship teams. Clearly, efforts towards international cooperation on all levels have been flouted by the Soviet Union.

As a result of the ugly anti-Jewish and anti-Israel action by Soviet authorities at the World University Games, the National Conference on Soviet Jewry, on behalf of millions of American Jews and non-Jews, is this day:

(1) Sending a formal protest to the International Federation of University Sports urging that Soviet athletes be barred from future events it sponsors until a full redress of wrongs and an official apology are made by Soviet authorities.

(2) Demanding that consideration of Moscow as a site for the 1980 Olympics be withdrawn, since the U.S.S.R. has failed this 1973 dress rehearsal by turning the sports arena into a political arena.

(3) Preparing to seek a halt to the gathering of funds for the 1980 Olympics if Moscow should be chosen as a site.

(4) Launching a protest by American sports figures in the interest of true cooperation and international sports competition. We cannot stand idle while Soviet officials encourage violence, anti-Semitism and international hostility.

Mr. Speaker, I would like to add my voice to the National Conference on Soviet Jewry and protest the possible selection of Russia as the host site of the 1980 Olympics. I feel it would be difficult to support such a bid when the fans are "roughed up" when they try to cheer for their team. Such a display is not only boorish, but has the added possibility of turning brutal. Until such time as the Soviet Union can show without qualification they are truly ready for "détente," I believe the United States should keep all options open.

RESULTS OF QUESTIONNAIRE SUBMITTED TO POSTAL PATRONS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. HENDERSON) is recognized for 10 minutes.

Mr. HENDERSON. Mr. Speaker, I am inserting in the RECORD a copy of a questionnaire submitted to all postal patrons in my district in the early summer, and I wish to share with my colleagues the results of this survey:

The federal government is in some ways like an American household. There is almost no limit on the amount of money your household could spend on things which are useful, desirable, or enjoyable. But, because your income is limited, you must decide what is really urgent and spend your money on that first. Only if you have money left after having met the most urgent needs, should you consider items which are desirable, but not absolutely necessary.

There are literally thousands of "good causes" on which the federal government spends money. The result is that we have spent more than we have taken in every year for a long time. This has created a national debt of staggering proportions. Even many so-called "liberals" are now conceding that we need a rigid budget and a new order of priorities.

Below is a listing of ten major categories of federal spending. Indicate your own set of priorities by designating whether you favor more, less, or about the same amount of federal spending in each category. Each adult member of the household is invited to express an opinion.

(Choice of more, less, same for man of the house, woman of the house, or other adult of the house.)

1. Solving the problems of the farmer and the consumer of farm products.
2. Providing aid to cities for solution to housing, transportation, sanitation problems and urban blight generally.
3. Continuing space exploration.
4. Maintaining our national defense.
5. Giving federal aid to education in addition to state and local funding.
6. Assisting foreign nations both militarily and economically (including repair of war damage in Vietnam).
7. Renewing the "War on Poverty" by providing programs designed to assist poor people through community action and other channels.
8. Increasing assistance to elderly persons through increased Social Security, medical and nursing home care, special tax considerations, etc.
9. Establishing a program for general health care for all citizens.
10. Stressing environmentally oriented goals such as clean air, clean water, etc.
11. What other categories, in addition to the above, do you feel should get increased funding?
12. What other categories do you feel should get decreased fundings?
13. What do you feel to be the most vital task facing the Congress today?

Although it is not necessary to sign your name(s) or to indicate your age category or sex, information as to age and sex will be helpful in my tabulations if you do give it. And, of course, if you indicate below that you would like to have my newsletter sent to someone in your household, I will need that person's name and address.

Approximate age: Man of the house; woman of the house; other adult of the house.

Do you receive my weekly newsletter?
If not, would you like to be added to the mailing list?
Name(s)
Man of the House:
Woman of the House:
Other Adult of the House:
Address:
Box number, street, or rural route:
City:
Zip Code:

OVERALL TOTALS AND PERCENTAGES

	More	Less	Same	Total response	Percent of total
1. Solving the problems of the farmer and the consumer of farm products.....	2,567	579	1,066	4,212	
Percent.....	60.9	13.7	25.3		
Breakdown by age group:					
Age 18 to 35.....	943	154	316	1,413	
Percent.....	66.9	10.8	22.3		33.5
Age 35 to 55.....	1,012	270	463	1,745	
Percent.....	57.9	15.4	26.5		41.4
Age 55 and over.....	612	155	287	1,054	
Percent.....	58.0	14.7	27.2		25.0

OVERALL TOTALS AND PERCENTAGES—Continued

	More	Less	Same	Total response	Percent of total
2. Providing aid to cities for solution to housing, transportation, sanitation problems and urban blight generally	1,173	1,359	1,601	4,133	
Percent	28.3	32.8	38.7		
Breakdown by age group:					
Age 18 to 35	479	396	529	1,404	
Percent	34.1	28.2	37.6		33.9
Age 35 to 55	416	620	682	1,718	
Percent	24.2	35.0	35.6		41.5
Age 55 and over	278	343	390	1,011	
Percent	27.4	33.9	38.5		24.4
3. Continuing space exploration	428	2,684	1,062	4,174	
Percent	10.2	64.3	25.4		
Breakdown by age group:					
Age 18 to 35	200	795	425	1,425	
Percent	14.0	55.9	29.9		34.0
Age 35 to 55	164	1,102	459	1,725	
Percent	9.5	63.8	26.6		41.3
Age 55 and over	64	787	178	1,029	
Percent	6.2	76.4	17.2		24.6
4. Maintaining our national defense	1,313	766	2,117	4,196	
Percent	31.2	18.2	50.4		
Breakdown by age group:					
Age 18 to 35	409	319	685	1,413	
Percent	28.9	22.5	48.4		33.6
Age 35 to 55	558	279	905	1,742	
Percent	32.0	16.0	51.9		41.5
Age 55 and over	346	168	527	1,041	
Percent	33.2	16.1	50.6		24.8
5. Giving Federal aid to education in addition to State and local funding	1,516	1,243	1,428	4,187	
Percent	36.2	29.6	34.1		
Breakdown by age group:					
Age 18 to 35	676	269	472	1,417	
Percent	47.7	18.9	33.3		33.8
Age 35 to 55	585	576	571	1,732	
Percent	33.7	33.2	32.9		41.3
Age 55 and over	255	398	385	1,038	
Percent	24.5	38.3	37.0		24.7
6. Assisting foreign nations both militarily and economically (including repair or war damage in Vietnam)	101	3,663	390	4,154	
Percent	2.4	88.1	9.3		
Breakdown by age group:					
Age 18 to 35	32	1,226	158	1,416	
Percent	2.2	86.5	11.1		34.0
Age 35 to 55	34	1,511	159	1,704	
Percent	1.9	88.6	9.3		41.0
Age 55 and over	35	926	73	1,034	
Percent	3.7	89.5	7.0		24.8
7. Renewing the war on poverty by providing programs designed to assist poor people through community action and other channels	1,014	2,104	1,087	4,205	
Percent	24.1	50.0	25.8		
Breakdown by age group:					
Age 18 to 35	364	664	390	1,418	
Percent	25.6	46.8	27.5		33.7
Age 35 to 55	371	947	415	1,733	
Percent	21.4	54.6	23.9		41.5
Age 55 and over	279	493	282	1,054	
Percent	26.4	46.7	26.7		25.0
8. Increasing assistance to elderly persons through increased social security, medical and nursing home care, special tax considerations, etc.	2,794	344	1,129	4,267	
Percent	65.4	8.0	26.4		
Breakdown by age group:					
Age 18 to 35	922	139	366	1,427	
Percent	64.6	9.7	25.6		33.4
Age 35 to 55	1,117	141	504	1,762	
Percent	63.3	8.0	28.6		41.2
Age 55 and over	755	64	259	1,078	
Percent	70.0	5.9	24.0		25.2
9. Establishing a program for health care for all citizens	2,058	1,130	968	4,156	
Percent	49.5	27.1	23.2		
10. Breakdown by age group:					
Age 18 to 35	659	417	333	1,409	
Percent	46.7	29.5	23.6		33.9
Age 35 to 55	818	502	390	1,710	
Percent	47.8	29.3	22.8		41.1
Age 55 and over	519	211	245	1,037	
Percent	56.0	20.3	23.6		24.9
11. Stressing environmentally oriented goals such as clean air, clean water, etc.	2,474	479	1,270	4,223	
Percent	58.5	11.3	30.0		
Breakdown by age group:					
Age 18 to 35	981	128	324	1,433	
Percent	69.4	8.9	22.6		33.9
Age 35 to 55	907	214	612	1,733	
Percent	52.3	12.3	35.3		41.0
Age 55 and over	586	137	334	1,057	
Percent	55.4	12.9	31.9		25.0

It is seen that with more than 4,000 of my constituents responding, in only 3 of the 10 categories did a clear majority favor maintaining the present level.

Almost two-thirds of all respondents—64.3 percent—favored reduced spending for space exploration. Among those age 55 or over, this percentage rose to 76.4 percent—more than 3 out of 4.

Foreign aid—including repair of war damage in Vietnam—was heavily opposed, with 88.1 percent favoring less spending and many writing special notes to urge that no U.S. funds at all be appropriated for this purpose.

An even 50 percent urged less spending for the war on poverty, with 24.1 percent favoring more and 25.8 percent advocating the maintenance of current levels.

The rural nature of the district was reflected in the response on solving the problems of the farmer and the consumer of farm products as compared to solving city and urban problems.

More than 60 percent favored increased spending on farm and farm-related consumer problems, while only 28.3 percent favored increased spending to solve city and urban problems. Nearly

a third—32.8 percent—favored less for this purpose.

A slight majority favored maintaining current levels of spending for national defense—50.4 percent—with 31.2 percent feeling that this should be increased and only 18.2 percent believing that it should be reduced.

Almost two-thirds—65.4 percent—favored more assistance to elderly persons through increased social security, medical and nursing home care, special tax considerations, et cetera.

This support was consistent in all age groups: 64.6 percent in the 18-35 cate-

gory; 63.3 percent in the 35-55 category; and, as might be expected, 70 percent in the age 55-and-over group.

Almost half—49.5 percent—favored more spending to establish a program for health care for all citizens, with 23.2 percent favoring maintaining such spending at current levels. Again, in the older age category—55 and over—support was stronger with 56 percent of this group favoring more spending for a health care program for all citizens.

Age, also, was reflected in support for increased spending for education. Overall, 36.2 percent of the respondents favored increased spending; 29.6 percent, less; and 34.1 percent, about the same.

In the 18-35 age group, 41.7 percent wanted more Federal spending, with only 18.9 percent favoring less. By contrast, in the 55-and-over group, only 24.5 percent favored increased Federal funding for education, with 38.3 percent advocating less.

The same kind of result appeared in support for more spending for environmentally oriented goals. In the 18-35 age group, a huge majority—69.4 percent—favored increased spending, while in the age 55-and-over category, only 55.4 percent gave such an indication.

My staff has not completed the processing of all the data obtained by the survey. Eventually, I will have county-by-county breakdowns, as well as breakdowns by sex on each issue specifically covered by the survey.

The survey clearly shows that my constituents are opposed to high levels of spending for space, foreign aid, and the poverty program.

They are cool toward spending to solve urban problems, but strongly support farm and farm-related consumer programs, national defense, and aid to elderly persons. Younger constituents, particularly, want an increased Federal effort in the areas of education and the environment.

The most impressive thing to me from the preliminary processing of the survey was the strong support for increased aid to elderly persons. Obviously, this is an area which has gotten a lot of attention from Congress in recent years, but the people of the Third District of North Carolina, at least, feel that it needs more. With the lifespan increasing, due to better health care and other factors, we are going to have to give increasing attention to the problems of the aging.

CONGRESSIONAL RIGHT TO INFORMATION ACT

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

Mr. BINGHAM. Mr. Speaker, today I have introduced a bill designed to alleviate serious problems we face concerning congressional access to information in the possession of members of the various executive departments. This bill has been introduced in the other Chamber with bipartisan support and has been reported favorably by the Senate Subcommittee

on Intergovernmental Relations of the Committee on Government Operations. The bill would amend title III of the Legislative Reorganization Act of 1970 by adding a new part 4, "Keeping the Congress Informed."

The proposal would enable the several committees of Congress to compel the production of information from the executive branch, punish the arbitrary refusal to comply with a congressional request for information, and provide for the judicial settlement of disputes over information sought by Congress and which officials of the executive branch want to withhold.

A section-by-section description of the measure follows:

Section 341(a) would require every Federal agency to keep each joint committee and standing committee "fully and currently informed" of all matters relating to the agency and within the respective committees' jurisdiction.

Section 341(b) would allow a joint or standing committee, or two-fifths of the members thereof, to request any information relating to any matter within the committee's jurisdiction. It will be the duty of the Federal agency receiving such a request to provide that information.

Section 342(a) provides that when an officer or employee of the United States is summoned to testify or to produce information, he shall do so unless instructed otherwise by the President in writing.

Section 342(b) provides that the joint or standing committee requesting the information or testimony would determine whether the Presidential instruction is without foundation in law, and if it so determines, the officer or employee may be ordered by the committee to appear and produce the information requested of him.

Section 342(c) provides that if the committee then determines that the officer or employee has failed to comply with that order, it shall introduce a resolution in its respective House citing the failure to comply. Such a resolution would be privileged business for immediate consideration.

Section 343(a-d) establishes the mechanism to proceed toward a resolution finding the officer who failed to comply with the request for information in violation of this act. Adoption of the resolution would bring an immediate suspension of the salary of the officer or employee and his supervisor unless and until he complies with the order to produce the information. An elaborate procedure for dealing with specific procedural problems is also dealt with in this section.

Section 344(a-d) provides that the aggrieved officer or employee may initiate a civil action in the U.S. District Court for the District of Columbia for appropriate relief on the grounds that the joint or standing committees' determination with respect to the sought information was invalid because: (1) there was no failure to comply with the provisions of the bill or the committee's order to produce information, or (2) that the failure to comply with the provisions of the bill or the committee's order was proper and justified.

Section 345 provides that each House of Congress and the joint and standing committees of each House of Congress would be required to adopt appropriate measures to ensure the confidentiality of any information so obtained.

Section 346 provides that the term "Federal Agency" has the same meaning as the term under section 207 of this Act and includes the Executive Office of the President.

Section 347 provides that nothing in the bill would be construed to require the pro-

duction of any information if such production of information is prohibited by an Act of Congress.

RESPONSE TO CRITICISM OF SES PROGRAM

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

Mr. HÉBERT. Mr. Speaker, in the absence of press coverage by the local papers of a release I issued Wednesday, I want to include it and documentary material from the Navy in the Record.

I believe that the Members of the House have a right to know and they have a right to get two sides of a story. As you will note, my release answers criticism of the Navy's surface effect ship program. The criticism came from a member of my committee, the House Armed Services Committee; namely, Mr. LES ASPIN.

I think you will find that the following speaks for itself. I never object to criticism or the press giving coverage to anyone, but I would hope that they also give coverage to me as well.

The release follows:

PRESS RELEASE

WASHINGTON.—Chairman F. Edward Hébert of the House Armed Services Committee today openly attacked challenges made by a member of his panel to the Navy's efforts to develop a Surface Effect Ship, which will speed across the water on a cushion of air.

Rep. Les Aspin, D-Wis., issued a press release Tuesday in which he said that the program to develop the Surface Effect Ships is experiencing "serious technical difficulties."

"I am tired of these continuous statements being made without the House Armed Services Committee being furnished with the documentation of these headline-catching phrases," Hébert said.

He noted that Aspin's release, which was highly critical of the Surface Effect Ship program, said that "there is clearly a problem of cost overruns and mismanagement in the program."

"Aspin has provided no documentation, made no request to the committee to look into the situation, and failed to bring this up when the Surface Effect Ship program was before the committee," the chairman said.

Hébert said that the Navy's intensive efforts to develop a new war ship, capable of speeds well in excess of 80 miles per hour, is critical to future national security and deserves the support of the Congress.

"If Aspin is sincere in his support of the need for the development of this type of naval vessel, he would be doing his nation a great service if he presented his allegations together with the documentation to the House Armed Services Committee, which has responsibility over these matters," Hébert said.

The chairman noted that Aspin said failures in the program have seriously impeded the ongoing test program on this craft, leaving the impression that the program is bogged down.

"The fact is that this is a research and development program requiring new advances in technology and design which inevitably require adjustment, the chairman said.

"However, the mechanical problems encountered in the program have been overcome and the test crafts have been operating successfully at speeds of more than 80 miles an hour," he added.

Hébert said Aspin pointed out that he favors development of these "super-speedy" ships if the cost can be kept within reason, but he carefully avoided identifying a suggested ceiling on these costs.

In Aspin's release, he mentioned a \$69 million cost increase in the program and attributed it to cost overruns, costs of correcting technical problems and inflation. Hébert said he could not comment on this so-called increase because Aspin "hasn't even attempted to convey this information to the committee where it will do some good."

The chairman released documentation provided by the Navy on the present condition of the program. "If Mr. Aspin has any substantial information to refute the facts outlined in these documents, I hope he will bring them to the attention of the Armed Services Committee at the earliest possible moment," Hébert said.

"In my judgment," the chairman said, "critics of Defense programs who obtain publicity by being negative and offer no constructive criticism or alternatives are doing a disservice to the country and are creating more problems than they solve."

"It is about time for Aspin to put up or shut up. From now on I will challenge every erroneous, misleading, and distorted statement he makes," Hébert said.

NAVY COMMENTS ON CONGRESSMAN LES ASPIN'S RELEASE ON SURFACE EFFECT SHIPS

The Navy disagrees with statements made by Congressman Les Aspin in a press release dated Sept. 18th to the effect that cost increases and technical problems are plaguing the Navy's efforts to develop high speed "surface effect" ships.

Congressman Aspin has evidently misinterpreted information provided to him by the Navy on the technical status of this research and development program, its past expenditures and future cost projection.

The Navy's surface effect ship program, which began several years ago, has developed a wide base of technological knowledge and has included construction and test of several high speed craft including two of 100-tons each. These test craft have had some mechanical problems in their early stages of testing which is not unusual for a research and development effort, but within the past 18 months these problems have been progressively overcome and the craft have been operated successfully at speeds of over 80 miles an hour.

The cost of the development, construction, and operation of these developmental test craft and the associated supporting technology programs through 30 June 1973 has grown by approximately \$25M over the period of time since construction on these craft was started in 1970. This represents roughly a 30% increase in 3 years which is not unusual in a program involving new technology. Also, we have seen a large inflationary increase in labor and material cost.

Concomitantly, the early difficulties with these craft delayed the Navy's decision to begin the next phase of the program, i.e., design effort on 2200-ton ocean-going surface effect ship until the fall of 1972 when the Navy awarded preliminary design contracts to four industrial teams to study the basic design of a 2200-ton ocean-going surface effect ship. Results of these studies, combined with the favorable results of the two 100-ton test craft over the past year, have laid the foundation for the Navy's plan for detailed design and construction of ocean-going prototype ships. The Navy has requested sufficient funds this fiscal year to support two major design contractors during the design stage. If test results and development progress warrants, the Navy will recommend the actual construction of two such ships beginning in fiscal year 1975. The total program cost from its inception in 1967 through the completion of these ships in approximately 1977, is estimated by the Navy to approach a half billion dollars. If successful, this program will have demonstrated the Navy's capability to have revolutionary ships capable of 80-100 knots in the fleet of the future.

The cost of this program has increased from a 1970 estimate of \$210M to \$507M primarily due to Navy decision to budget for two rather than one ocean-going prototype ships. Although only one ship may ultimately be built, the Navy considers it prudent to budget for two ships in order to permit the development and test of alternate techniques for achieving a viable Surface Effect Ship platform. Many of our weapons development programs have found such an approach necessary and valuable. Economic escalation over which the Navy has no control has also increased costs, while the Navy has made a decision to install after successful platform demonstration, a modest suit of combat equipment in order that the military utility of such ships can be demonstrated, the primary objective of the program is, and always has been to develop viable Surface Effect Ship platforms.

The only funds spent so far by the Navy on the 2200-ton ships have been approximately \$10M for preliminary design studies. The Navy has spent no funds to date for armament of the two 100-ton ships that had been built and are currently in operation. These are research platforms.

Congressman Aspin has accused the Navy of refusing to estimate the cost of a fully equipped surface effect ship. The Navy has provided Congressman Aspin, to the best of its ability, with the total estimated cost of the currently planned development program. Beyond that, it is premature, at this stage, to speculate on the costs of future warships employing the surface effect platform technology until such time as the development prototype ships have been successfully demonstrated.

Q. Has the cost of research and development for the SES program increased from \$210.6M to nearly half a billion dollars?

A. Yes. The cost of the program from inception in 1967 to estimated completion in 1977 has increased from an original estimate of \$210.6M to approximately \$500M. This increase is due almost entirely to increases in the program scope and to the estimated effect of inflation—not due to contract cost overruns, excessive technical difficulties or other evidences of mismanagement.

Q. What are the basic reasons for the Navy's estimated increases in cost?

A. The increase is primarily in the projected cost of the 2200-ton phase of the program due to decisions to plan and budget for development of two ships rather than one, and to equip these ships, after their successful test as a surface fleet ship platform, with sufficient combat equipment to fairly demonstrate their military utility to the Navy. Projected economic escalation is a third major factor, not originally included in the Navy's estimate. Approximately 25M of the increase in total program costs of requirements to modify the 100 ton test craft. Such modifications are to be expected in any new technology development program.

Q. Has Rep. Aspin accurately portrayed the current and projected status of the SES program?

A. Rep. Aspin has evidently misinterpreted the information provided to him on the program by attributing some projected future cost increases related to the proposed 2200-ton ships to the cost of the 100-ton test craft currently being tested.

Q. Has there been a \$69M cost increase related to the 100-ton craft program as alleged by Rep. Aspin?

A. The basis for the \$69M figure is not clear

to the Navy. Actual cost increases in the 100-ton test craft and related technology effort since 1970 have included:

The total of \$3.1M for design changes.

The total of \$1.5M for back-up transmission for the SES 100-B.

The total of \$7.3M for contract cost increases, including the ship modifications to insure adequate performance.

A total of \$11.9M.

In addition, the cost of testing these craft has increased by \$13.0M. Increased testing and delays are to be expected in a new technology program of this scope.

These figures include the effects of inflation through June 1973 but do not include the estimated program costs due to economic escalation from now to program completion.

Q. Has the Navy equipped the 100-ton craft with armament?

A. No.

Q. Does the Navy intend to equip the 2200-ton ships with armament?

A. Yes. The Navy plans after successful surface effect ship platform demonstration, to equip these ships with appropriate combat equipment in order to demonstrate their military utility. Final decisions have not been made, however, and no funds have been spent on this portion of the program.

Q. Have the 100-ton test craft suffered serious technical difficulties?

A. In the past both craft have experienced numerous mechanical and electrical failures which caused delays in their testing. These difficulties, which are to be expected in such a program, have been progressively overcome, and both craft have operated repeatedly at high speeds. Since Feb. of this year the SES 100-B has consistently met its test schedules, including demonstration of its ability to operate in relatively rough seas.

Engine problems in the SES 100-A have been a source of continuing concern to the Navy primarily because of the interruptions caused in the test program. It should be noted, however, that the engine used in the 100-A by no means compares with the large marine gas turbine that is planned for the 2200-ton ships. This turbine will be a proven, off-the-shelf item.

Q. Is the Navy proper in pushing forward with the building of larger ships even though all the technical difficulties may not have been corrected in the 100-ton craft?

A. As in any research and development program, there is some degree of technical risk. Air cushion vehicles and surface effect ships are in successful operation in several countries. Our own 100-ton test craft results have clearly validated the theory that is the basis for design of 2200-ton ships. Our preliminary design studies for the 2200-ton ship have confirmed the feasibility of undertaking the design and construction of such ships. These studies have also measured the technical risks involved in scaling up to 2200-tons and the area where emphasis must be given in the supporting technology program during the design of the ships. Also, these are to be prototype ships and no initiation of a building program for fleet ships will be initiated until these prototypes have been proven successful.

By comparison with many other major development that have been successful, the ocean-going surface effect ship does not represent an unwarranted technical risk. On the contrary, the payoff of success in this program, both to the Navy and to the Maritime industry, will be very great and the program therefore deserves the highest priority that we are able to give it.

Q. Has the Navy refused to estimate the cost of a fully equipped surface effect ship?

A. The Navy has provided the Congress with its best estimate of the comprehensive research and development program needed to

design, build, and test two 2200-ton surface effect ships, including an estimate of the combat equipment that is planned for these ships. It is premature to speculate on the costs of operational surface effect warships of the future until such time as the 2200-ton R&D prototypes have been evaluated.

NATIONAL CAMPSITE ASSISTANCE ACT

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

Mr. WHITEHURST. Mr. Speaker, today I am introducing the National Campsite Assistance Act, which would provide assistance to the States for the planning, acquisition, development, and maintenance of a campsite system. The need for this legislation stems from the vast increase in camping by our citizens in recent years and the resulting overcrowding which has occurred in our national and State parks.

The rapid and continuing growth of our Nation's population, the increasing mobility of the American public in pursuit of recreation, and the growing awareness of and appreciation for the outdoors and America's natural beauty have all contributed to the tremendous increase in the popularity of camping. The Department of the Interior has estimated that Americans will participate in 173 million camping occasions each year by 1980, and 328 million by the year 2000. This represents an increase of over 200 percent above the current level.

Unless the Congress acts now to assist the States in the planning and development of new campsites, serious overcrowding is bound to result. Even now, at many campsites trailers are crowded together, and tent stakes and support lines overlap.

A related problem is the unplanned proliferation of commercial recreation areas. As Russell E. Train, Director of the Environmental Protection Agency, said a few months ago:

To date we are only beginning to perceive that an uncontrolled recreational land boom threatens to destroy the very values that attract people in the first place.

My bill will provide the States with the capacity to plan in a comprehensive way, so that the commercial areas can be developed in conjunction with the State and national parks, to insure that the environment will be protected and that campsites will be readily available to the greatest number of people.

The Federal assistance would be derived from a user tax on the sale of camper trailers, travel trailers, truck campers, motor homes, pick-up covers, and tents used for recreation purposes. This method of financing would enable us to begin this important program without putting further strain on our already overburdened Federal budget. In addition, it is an equitable tax, since those who enjoy the benefits of the campsites would pay for their improvement.

A user tax on this type is not new. It has precedent in the Dingell-Johnson Sport Fish Restoration Act, the Land

and Water Conservation fund, the Pittman-Robertson Wildlife Restoration Act, and the excise tax on tires, gasoline, and oil used in highway construction. The 4 percent tax that is provided in the bill would raise an estimated \$100 million in revenue each year. This amount would be sufficient to assist the States in developing outstanding campsite systems.

Camping as an outdoor recreation is a singularly important process for encouraging beneficial economic development, enhancing the environment, and maintaining conditions conducive to improving the quality of life. The American people deserve nothing less. I urge prompt approval of this measure.

BUDGET REFORM RECOMMENDATIONS

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

Mr. GIAIMO. Mr. Speaker, our colleagues, DAVID R. OBEY and WILLIAM A. STEIGER, both of Wisconsin have prepared a scholarly and a very well-thought-out statement on budget reform recommendations. They presented this statement to the Rules Committee on September 18, 1973, as part of their testimony in favor of budgetary reform. I believe all Members should be aware of this statement and under unanimous-consent order I include it in the Record.

BUDGET REFORM RECOMMENDATIONS

(By Representatives DAVID R. OBEY and WILLIAM A. STEIGER, both of Wisconsin)

Over the past six months we have been among those who have been raising questions about proposals made by the Joint Study Committee on Budget Control contained in H.R. 7130. That does not mean we do not believe that there is a strong need for budget reform. We need it badly, and if we get it, it will be in no small measure due to the efforts of members of the Joint Study Committee—especially the efforts of Al Ullman and Jamie Whitten.

We hope Congress will enact a budget procedures reform bill in this session, but it must be a workable bill that will be compatible with the processes and traditions of Congress. In our statement here today we will try to do two things:

(1) Explain why we strongly question certain procedural aspects of H.R. 7130, the Joint Study Committee proposal, and

(2) Give some suggestions as to modification of that plan which we believe would make it acceptable.

1. *What is wrong with the Joint Study Committee Proposal?*

That proposal already has been modified by its sponsors substantially in an effort to soften some of its harsher provisions. But there still remain basic procedural defects that cannot be remedied merely by expanding the composition of the budget committees or by a slight relaxation of the rigid rules which would be imposed on the consideration of budget matters.

The problem, as we see it, is that supporters of H.R. 7130 simply come before the committee and say "we have a terrible problem; the budget process is impossible"—which everyone agrees with. But then they jump to the statement "so let's pass our bill."

We agree that something must be done. But we think it is critically important that that something be the *right thing*. If it isn't,

if it is unnecessarily complicated and does not reflect reality in the House, it will fail. The price of the 1947-49 legislative budget fiasco was 25 years of waiting before another drive for budget reform could get off the ground. If we fail again, it may be difficult to move on this matter for another generation. We dare not bequeath to the 1980's the tale: "They tried to change it in 1973, but it didn't work." If we are not to repeat the mistakes of the 1940's, we must not readopt the simplistic notion of a legislative budget.

Let us briefly outline the four problems we see with H.R. 7130:

Problem No. 1: A monopoly of budgetary power. Virtually every reform that the House has adopted in the last four years has tried to do two things:

1. Provide additional tools for the Leadership, and
2. Build an increased sense of participation on the part of individual members of the House.

The problem with H.R. 7130 in this regard is that its thrust is just the opposite. Under the original plan Members of the new budget committee would have been largely self-appointed (from Ways and Means and Appropriations). Elaborate procedure and the two-thirds requirement would have denied to a majority of the House an opportunity to work its will on the most important piece of legislation we deal with each year.

In short, it would have created a tremendously powerful committee which could set ceilings and subceilings for the over-all budget and all of its subcategories before the average House Member even knew what was in the budget recommended by the Budget Committee. Gentlemen, that is not a procedure which the membership of the House will allow to stand over the long run.

Problem No. 2: Premature spending decisions. The problem with the proposal is that it calls for the establishment of the over-all budget ceiling and subceilings early in the year, before public hearings have been held on the various budgets by Appropriations. A number of problems are associated with that procedure which we believe are profoundly unrealistic and needlessly complicated.

The Congress is forced to make macro-economic and priority choices at a time when their best judgments about future economic conditions are nothing more than seat of the pants guesstimates.

Priority choices will be made without adequate opportunity for review by any outside groups—giving any President an advantage in the budget process he should not have.

Problem No. 3: A hopelessly complicated process. The establishment of an early session budget resolution adds another step to an already complicated budget process and will further delay the passage of actual appropriations bills.

A. If the over-all ceilings and subceilings are binding—as they are in the original Whitten-Ullman proposal and in the Senate bill—the most controversial and important budget decisions each member is asked to make—i.e., over-all spending levels and priority choices—will be made at the time when individual members of Congress are least able to make intelligent choices.

The will be at a much greater disadvantage in terms of budget information available to them than will members of the budget committee. They will not even have any reasonably firm estimates regarding program spending levels in the previous fiscal year. For example, as late as June 1972, the Administration was several billion dollars off in its projection of the amount of money that would be spent in the fiscal year that ended only one month later.

They will not have been able to read appropriations subcommittee hearing records to determine what facts were brought before

the committee by witnesses who know the most about individual programs—including administration witnesses.

That procedure will put a very few people—members of the budget committee—in the driver's seat. It will severely handicap every other member of the House.

The winners in such an arrangement would be 21 members of the House who would collectively wield more power than any group since the time of Speaker Cannon.

The losers would be many:

Individual members of the House—especially younger members—who are interested in and want to retain their ability to have an effect on budget priorities;

The appropriations process itself, because the appropriations process would become meaningless. The ceilings for the committee and each subcommittee would be established by the concurrent resolution of the budget committee, and while the committee could change its priorities within a subcommittee, it could not significantly alter the emphasis between subcommittees by, for example, cutting money for defense and using it for health, except within certain very narrow limits;

The elected Leadership of both caucuses, who would have even less input in budget decisions rather than the additional input which is badly needed;

The public because budget levels would be established before the public has had a chance, through hearings in the Appropriations Committee process, to assess the adequacy of Presidential budgetary recommendations and to try to effect changes which they deem necessary;

The authorizing committees which would be deprived of an opportunity for meaningful participation in setting program priorities. The new budget committee would be able to work its will without regard for the oversight work conducted by the other committees. Thus, while authorizing legislation would have a June 30 cutoff date under H.R. 7130, the concurrent resolution on the budget would have been decided two months earlier, by May 1.

In short, we would be replacing one solitary king in the budget-making process—the President—with a collection of 21 new and enormously powerful demi-gods—members of the budget committee itself.

B. If the ceilings and subceilings are merely suggestive in nature—in other words unbinding targets—they will be a meaningless additional layer of procedures on top of an already complicated appropriations procedure and the result will be more delay. In short, it will not get the country off a continuing resolution, and that is the main procedural problem facing this Congress in budget reform.

Problem No. 4: The needless creation of another committee. H.R. 7130 would needlessly complicate the appropriations process by adding another committee. At the present time, the Bolling Committee (Select Committee on Committees) is trying to remedy problems of committee jurisdictions. Many of these problems arise from the tendency of the House to create another committee or subcommittee whenever a problem arises. It is ironic that a budget reform aimed to do something about the incredible fragmentation of the budget process proposes to further fragment the process by layering still another committee into the process. What we need is not additional committees, but a sensible restructuring of the committee process already in place.

What supporters of Whitten-Ullman say is that the traditional role of the Appropriations Committee—the coordination of Congressional budget actions has been so eroded that the Appropriations Committee no longer can do the job. It exercises control over only a minority portion of the budget. Backdoor spending—contract authority—

and the like, is in other hands. A new budget committee is created to piece together the pieces. It is given the power to make macro-economic decisions.

Gentlemen, that is a Rube Goldberg approach. If you do that, you will have a three-stage authorizing and appropriating process. Authorizing committees will authorize.

Appropriating committees will appropriate. The budget committee will reconcile the results with fiscal reality.

Gentlemen, if you are going to do that, you are really suggesting that the Appropriations Committee should be abolished. The logical outcome of the creation of another committee—the budget committee to reconcile committee action with economic and fiscal considerations—is the abolition of the Appropriations Committee. Members of Congress will look at the system in a few years and they will say "since the budget committee decides priorities and reconciles spending with macro-economic reality, why do we need the Appropriations Committee anymore? Why not just abolish the Appropriations Committee, add their functions to the budget committee, let the budget committee set over-all ceilings and subceilings and let the authorizing committees parcel out the money to individual programs within the targets set out by the budget committee?"

If that is what should be done, let's do it now. Let's not refuse to face the logic of our decisions. Let's not add yet another layer. Let's do it right the first time.

And gentlemen, we think we can do it right—and do it within the present committee structure in a very simple way.

AN ALTERNATIVE APPROACH TO BUDGET REFORM

The Joint Study Committee recommended that Congress equip itself to do two things: Give Congress an opportunity to deal with macro-economic questions; and give Congress an opportunity to deal with priorities within a comprehensive decision process.

Both of these opportunities are absolutely necessary and we suggest we can do them without passing a premature budget resolution each year; without setting up another layer of budget committees; and without concentrating unprecedented budget power in a budget committee.

The remedy must fit the problem. The evidence gathered by the Joint Study Committee points to a different conclusion than the one it drew. The evidence is that concerning those matters within the province of the Appropriations Committee, Congressional action is timely and responsible. In each of the past 20 years, the Appropriations Committees have carefully examined the money bills brought before them and have reduced the amounts recommended by the President. Even as it operates through subcommittees—as any Congressional committee with a broad workload must—the Appropriations Committees have kept an eye on spending totals. Some would say that they have done too good a job of budget-cutting, but none can accuse them of being reckless spenders.

The Joint Study Committee also showed that appropriations action usually comes only a short time after the authorizations bottleneck has been removed. It is not the appropriations process that is responsible for the flood of continuing resolutions, and no change in that process will bring relief from this undesirable practice.

Let's recognize that fact and act accordingly.

What should be done?

1. *Move the fiscal year to October 1st.* As Comptroller General Staats has stated: "It is clear that the Congress cannot reasonably be expected to complete appropriation action on the budget by July 1." An October 1st date would enable the Congress to adequately consider the budget and it would enable the President to submit a budget using actual prior year figures. That would do a great deal to solve the most pressing problem we

have—getting the country off continuing resolutions—provided that it is accompanied by other budget reforms. Other advantages are outlined by Mr. Staats, and we will not outline them here.

2. *Early Congressional access to budget estimates.* Require federal agencies to give Congress their budget estimates at the same time they are submitted to OMB in the Fall of each year. This would give Congress an early start on preparing the next year's appropriations, and equally important, it would give Congress some independence from the dogmatic estimates contained in the President's budget. While this might seem to be a radical breach in the executive budget process, it is nothing of the sort. When we served in the Wisconsin Legislature, we obtained agency estimates at the time they went to the Governor. In fact, this practice is followed in well over half of the states—without any dire consequences and, in many instances, with continuing cooperation between the executive and legislative branches.

3. *June 30 deadline for new authorizations.* Prohibit appropriation of money for any program unless it has been authorized by June 30, three months before the start of the new fiscal year (which would begin on October 1). Of course, there would be ample provision for the Rules Committee to vote exceptions in emergency cases. Two advantages would flow from early authorizations. First, the main cause of delays and continuing resolutions would be eliminated. The authorizing committees would have a full half year to report new legislation, but (with the fiscal year change) there still will be three months for completion of all appropriations. Second, these committees will be freed during the second half of each year to review and evaluate agency programs, a responsibility which currently often is pre-empted by the continuing pressure of authorizing legislation. (Of course, even more lead time could be obtained by simply requiring authorizations to be completed the previous calendar year. Either approach would be preferable to the present system.)

4. *Return jurisdiction over backdoors to the Appropriations Committee.* The Joint Study Committee presented conclusive evidence that backdoor spending is the practice which accounts for the fragmentation of the budget process and the inability of Congress to maintain effective control over spending. Backdoor practices means that rather than one set of committees with authority over appropriations, any committee can play the backdoor game. Backdoors come in a number of forms—contract authority, borrowing authority, mandatory spending—but their over-all effect is to put certain categories of spending beyond the reach of Congress. It is now common to hear that 75 percent of the budget is uncontrollable. One of the main reasons why this percentage is so high is the upsurge in backdoor spending in recent years.

At the present time, more than \$100 billion in spending does not go through the Appropriations committees. Most of this money is in the form of permanent appropriations, which doesn't go through any committee of Congress—it is appropriated automatically. As a matter of fact, we soon will reach the point where more spending—in the form of tax expenditures and direct expenditures—will go through the Ways and Means Committee than will go through Appropriations.

If the backdoor is again policed by Appropriations, it will be possible to control total spending in accord with economic policy and to balance the spending needs of all programs within the regular appropriations process.

5. *Expand the initial overview hearings of the Appropriations Committee.* Now the

Committee hears only the Administration's witnesses: Treasury OMB, etc. Expand hearings somewhat along the lines suggested by Comptroller General Staats by providing each department head—such as Defense, HEW, HUD—an opportunity to discuss major program developments and issues in their particular agencies. Presently the Appropriations Committee functions too exclusively on the subcommittee level. A two-week period of hearings on major developments in every policy field would give the Appropriations Committee members a better understanding of budget policy problems in areas other than their own subcommittee jurisdiction.

Also give the Joint Economic Committee and the Ways and Means Committee an opportunity in the same hearing, to respond to the major macro-economic policy judgments in the President's budget. This could provide an early Congressional response to the President's over-all budget decisions by those best qualified to make that response without locking Congress into an early decision on those decisions.

That is important in this year's budget because early macro-economic decisions by Congress this year would not be worth a plugged nickel today because of the rapid changes in the economic situation (in the 4-month period between Feb. 1 and June 1 revenue estimates increased by \$10 billion). Finally, the Committee would hear outside witnesses from national organizations which have made special studies of federal programs, expenditures and their impacts.

6. Give authorizing committees greater input into appropriations process. Have the Appropriations subcommittees proceed with hearings on submitted budgets just as they do now with one change. After the department secretaries present their policy statements to the appropriate Appropriations subcommittee, provide an opportunity for comment by the chairman and ranking minority members of each of the authorizing committees involved. This cooperative procedure should help to narrow the authorizations-appropriations gap which has proved so troublesome in recent years. The authorizing committees would have a direct channel of input into appropriations.

7. Individual appropriations bills. Allow the Appropriations Committee to bring each bill to the floor just as it now does. Allow the Committee of the Whole to work its will on each appropriations bill but in contrast to present procedure, when Committee of the Whole consideration is completed, instead of putting the bill to a final vote in the House, recommit it to the Appropriations Committee with instructions to report it back unchanged later in the session as part of an over-all omnibus appropriations bill. (A possible variation would be to allow the House to complete action on each appropriation bill and send it to the Senate. After the Senate has acted, the subcommittees would go to conference and bring back the bills just as they do now. When the House finally acts on the conference report, refer that back to Appropriations for inclusion in the later omnibus bill. That would mean we would deal in the omnibus bill with the end product of the Congress rather than just the House. It would have the advantage of reducing the items in disagreement between each house in the final conference and it could vote the final conference faster and more manageably.)

8. After all 13 appropriation bills have been dealt with by the House, require the Appropriations Committee, acting in its budget control capacity, to bring back to the floor two measures:

(a) An omnibus appropriations bill representing the sum total of all the actions

taken by the House on appropriations (including backdoor spending), and

(b) A substitute amendment representing its best judgment as to the reductions that are necessary in the light of fiscal and economic realities. Those recommendations would be made by Appropriations on the basis of prior recommendations to the House by the Joint Economic Committee on the preferable income, outgo, deficit or surplus given economic conditions at the time.

The final Appropriations Committee report on the omnibus bill could indicate the over-all budget policy underlying its recommendations much the way the President provides such estimates associated with his recommendations for Congressional action on the budget.

This report could include:

A. The revenues estimated to be available given the current tax structure and the latest readings on the economy.

B. The estimated outlays associated with the committee recommendations on budget authority.

C. A statement of the estimated deficit or surplus, and the borrowing necessary to fund the spending plan.

D. A comprehensive listing of tax expenditures and the associated revenue losses.

This aspect of the report could be based on consultation between the Ways and Means Committee and Appropriations Committee thereby providing the House with an up-to-date and comprehensive picture of the over-all budget at the time when final spending decisions are under consideration. This reporting procedure could be carried through the conference stage.

It could be possible to stage the process so that action on the individual appropriations measures is completed prior to the August recess—one month after the authorizations deadline, but two months before the new fiscal year starts. Congress would take up the omnibus measure upon its return in September.

With this improved timetable, we will be able to put an end to continuing resolutions or markedly shorten their duration.

9. Final action on appropriations. The House would then work its will on the recommendation of the Appropriations Committee. It could stick to its original action. It could accept Appropriations Committee recommendations, or it could modify them.

We believe this procedure would have a number of advantages.

1. It relies as much as possible on the current committee structures of the House; and

2. It is relatively simple and uncomplicated. It contains no reserve funds, no contingency funds as under the Joint Study Committee plan. It provides for no early straight-jacket on the Congress.

And most importantly:

1. It does give the Congress an opportunity to deal with the crucial problem of priorities.

2. It does give the Congress an opportunity to confront and make decisions about over-all economic and fiscal reality facing the country and the government.

It provides for consideration of both these questions at a time in which the maximum number of House members are informed to the greatest possible extent about individual programs, the content of individual budgets, and the economic problems of the country—at the end of this decision-making process—not at the beginning. It would parallel the construction of the President's budget which, after all, is the sum total of a great many individual decisions. It would be what it should be—an end product of the decision-making process, not an early stage, running, flying guess based on little specific information.

It also provides that macro-economic decisions will be made at a time which gives the Congress the best chance of actually guessing right. It gives Congress the opportunity to obtain the very latest economic news possible before making its economic decisions.

It also provides an opportunity for a greater degree of party accountability in the budget-making process by providing the leadership of each caucus an opportunity to help influence the outcome.

These procedures do not guarantee that Congress will make the right choices. But, they do guarantee that Congress will have the opportunity as it does not now have, to accomplish the two goals laid out in H.R. 7130:

1. To determine priorities among competing programs.

2. To face the economic and funding problems for the country, and decide clearly whether it will be responsible or not.

And it does it in a way which we believe is workable. It contains no magic procedural formula for guaranteeing that Congress will make the right decisions, but it does contain a practical way to make Congress face its choices clearly with knowledge and forewarning of the consequences of its acts. And in a legislative body of 435 people that is all you can ask. When we finish with budget action under this procedure, it will be clear who did what and the public will be able to hold us accountable.

We would like to file with the Committee later a bill which reflects in greater detail the recommendations which we are making now.

GENERAL LEAVE

Mr. O'BRIEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 days to extend their remarks following those of the minority leader (Mr. GERALD R. FORD) on the public service of former Secretary of State William P. Rogers.

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

There was no objection.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

Mr. O'NEILL requests leave of absence for Mr. PEPPER, for today, on account of official business.

Mr. GERALD R. FORD requests leave of absence for Mrs. HECKLER of Massachusetts through September 30, 1973, on account of official business.

Mr. GERALD R. FORD requests leave of absence for Mr. RINALDO through September 30, 1973, on account of official business.

Mr. GERALD R. FORD requests leave of absence for Mr. RONCALLO of New York through September 30 on account of official business.

SPECIAL ORDERS GRANTED

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

(The following Members (at the request of Mr. O'BRIEN) to revise and ex-

tend their remarks and include extraneous matter:

Mr. YOUNG of Illinois, for 5 minutes, today.

Mr. KEMP, for 15 minutes, today.

Mr. STEELE, for 10 minutes, today.

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

Mr. FRASER, for 10 minutes, today.

Mr. GONZALEZ, for 5 minutes, today.

Mr. BRADENAS, for 5 minutes, today.

Mr. WOLFF, for 5 minutes, today.

Mr. MELCHER, for 5 minutes, today.

Mr. HARRINGTON, for 5 minutes, today.

Mr. DAVIS of South Carolina, for 5 minutes, today.

Mr. HENDERSON, for 10 minutes, today.

EXTENSION OF REMARKS

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

Mr. GERALD R. FORD, to extend his remarks in the body of the RECORD.

Mr. STEIGER of Wisconsin, and to include extraneous matter, immediately preceding action on the Senate amendment to the House amendments to the ACTION bill.

Mr. SEIBERLING, immediately following the debate on the strip mining prohibition during consideration of the conference report on H.R. 8917 today.

Mr. GAIAMO, and to include extraneous matter notwithstanding the fact that it exceeds 2¼ pages of the CONGRESSIONAL RECORD and is estimated by the Public Printer to cost \$470.25.

(The following Members (at the request of Mr. O'BRIEN) and to include extraneous matter:)

Mr. CONTE in two instances.

Mr. BOB WILSON in two instances.

Mr. NELSEN.

Mr. HOSMER in three instances.

Mr. SPENCE.

Mr. QUILLEN in two instances.

Mr. WINN.

Mr. BURGNER in two instances.

Mr. FISH in two instances.

Mr. WIDNALL.

Mr. HUBER.

Mr. FRENZEL.

Mr. SYMMS.

Mr. KEATING in two instances.

Mr. WHALEN.

Mr. COUGHLIN in two instances.

Mr. KEMP in four instances.

Mr. ZWACH in five instances.

Mr. QUIE.

Mr. McDADE.

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

Mr. CONYERS.

Mr. BRINKLEY.

Mr. GONZALEZ in three instances.

Mr. RARICK in three instances.

Mr. BENNETT in three instances.

Mr. MILFORD.

Mr. DAN DANIEL.

Mr. DINGELL in two instances.

Mr. REID.

Mr. FUQUA in three instances.

Mr. WOLFF.

Mr. DULSKI in six instances.

Mr. McKAY.

Mr. FASCELL in three instances.

Mr. HARRINGTON in four instances.

Mr. HAWKINS in two instances.

Mr. DOWNING.

Mr. NIX.

Mr. STOKES.

Mr. HUNGATE.

Mr. PODELL.

Mr. ROE in two instances.

Mr. VAN DEERLIN in two instances.

Mr. CULVER.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 666. An act for the relief of Slobodan Babic.

ADJOURNMENT

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

The motion was agreed to; accordingly (at 4 o'clock and 45 minutes p.m.), under its previous order, the House adjourned until Monday, September 24, 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:

1367. A letter from the Secretary of Commerce, transmitting an estimate of the cost of conducting a 1974 Census of Agriculture, pursuant to section 818 of Public Law 93-86; to the Committee on Agriculture.

1368. A letter from the Acting Director, Office of Management and Budget, Executive Office of the President, transmitting watershed plans of improvement for Prickett Creek, W. Va., and Lost Creek, Mo., neither of which involves a structure which provides more than 4,000 acre-feet of total capacity, pursuant to 16 U.S.C. 1005; to the Committee on Agriculture.

1369. A letter from the Acting Director, Office of Management and Budget, Executive Office of the President, transmitting plans for works of improvement in various watersheds, each of which involves at least one structure which provides more than 4,000 acre-feet of total capacity, pursuant to 16 U.S.C. 1005; to the Committee on Public Works.

RECEIVED FROM THE COMPTROLLER GENERAL

1370. A letter from the Comptroller General of the United States, transmitting a report on progress made by Federal agencies in developing and improving their accounting systems, covering the 18 months ended June 30, 1973; to the Committee on Government Operations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MAHON. Committee on Appropriations. House Joint Resolution 727. Joint resolution making further continuing appropriations for the fiscal year 1974, and for other purposes (Rept. No. 93-519). Referred to the Committee of the Whole House on the State of the Union.

Mr. WHITTEN. Committee of conference. Conference report on H.R. 8619 Rept. 93-520). Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

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

By Mr. ABDNOR (for himself and Mr. DENHOLM):

H.R. 10410. A bill to authorize the Secretary of the Interior to construct, operate, and maintain a larger and adequate spillway, and to improve the upstream slope protection of Belle Fourche Dam, Belle Fourche project, Belle Fourche, S. Dak., and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 10411. A bill authorizing the construction of a dam and reservoir on the Little White River, S. Dak. (Rosebud site); to the Committee on Public Works.

By Mr. BINGHAM:

H.R. 10412. A bill to authorize the President of the United States to allocate crude oil and refined petroleum products to deal with existing or imminent shortages and dislocations in the national distribution system which jeopardize the public health, safety, or welfare; to provide for the delegation of authority to the Secretary of the Interior; and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 10413. A bill to establish a procedure assuring Congress the full and prompt production of information requested from Federal officers and employees; to the Committee on Rules.

By Mr. BLACKBURN (for himself, Mrs. COLLINS of Illinois, Mr. BRASCO, Mrs. HOLTZMAN, and Mr. WALDIE):

H.R. 10414. A bill to amend the Clayton Act to encourage competition in the production, refining, and marketing branches of the petroleum industry by prohibiting any oil company from engaging in more than one such branch of the industry; to the Committee on the Judiciary.

By Mr. BROOMFIELD:

H.R. 10415. A bill to amend section 1905 of title 44 of the United States Code relating to depository libraries; to the Committee on House Administration.

By Mr. BROYHILL of Virginia (by request):

H.R. 10416. A bill to provide a government for the District of Columbia; to the Committee on the District of Columbia.

By Mr. CHAMBERLAIN:

H.R. 10417. A bill to require the licensing by the States or the Federal Government of operators of certain vessels on waters subject to the jurisdiction of the United States, and on the high seas; to the Committee on Merchant Marine and Fisheries.

By Mr. DINGELL (for himself, Mr. WILLIAM D. FORD, Mr. PODELL, Mr. CONYERS, Mr. HELSTOSKI, Mr. CORMAN, Mr. EDWARDS of California, Mr. DRINAN, Mr. BROWN of California, Ms. ABZUG, Mr. STARK, and Mr. ROYBAL):

H.R. 10418. A bill to regulate commerce by assuring adequate supplies of energy resource products will be available at the lowest possible cost to the consumer, and for other purposes; to the Committee on the Judiciary.

By Mr. DULSKI (for himself, Mr. HENDERSON, and Mr. DERWINSKI) (by request):

H.R. 10419. A bill to amend title 5, United States Code, to provide for additional positions in grades GS-16, 17, and 18; to the Committee on Post Office and Civil Service.

By Mr. FISH:

H.R. 10420. A bill to provide for the continued supply of petroleum products to independent oil marketers; to the Committee on Interstate and Foreign Commerce.

By Mr. FRASER:

H.R. 10421. A bill to amend the Clean Air Act to require the Administrator of the

Environmental Protection Agency to prescribe regulations to promote greater fuel economy in motor vehicles subject to Federal emission standards; to the Committee on Interstate and Foreign Commerce.

By Mr. FRENZEL (for himself, Mr. McKINNEY, and Mr. HEINZ):

H.R. 10422. A bill to amend the Economic Stabilization Act of 1970 to make mandatory the systematic allocation of petroleum products in accordance with the procedures established under that act; to the Committee on Banking and Currency.

By Mr. GONZALEZ:

H.R. 10423. A bill to amend the Public Health Service Act to provide for programs for the diagnosis and treatment of hemophilia; to the Committee on Interstate and Foreign Commerce.

By Mr. HAMILTON:

H.R. 10424. A bill to amend title 10 of the United States Code in order to specify those officials of the Department of Defense who are entitled to the use of Government-owned passenger vehicles for transportation between their places of domicile and places of employment; to the Committee on Armed Services.

By Mr. HAMMERSCHMIDT:

H.R. 10425. A bill to amend the Economic Stabilization Act of 1970, as amended; to the Committee on Banking and Currency.

H.R. 10426. A bill to amend the Economic Stabilization Act of 1970, as amended; to the Committee on Banking and Currency.

By Mr. HANNA:

H.R. 10427. A bill to provide for the appointment of additional district judges, and for other purposes; to the Committee on the Judiciary.

By Mr. HARRINGTON (for himself and Ms. HOLTZMAN):

H.R. 10428. A bill to amend section 102 of the National Security Act of 1947 to prohibit certain activities by the Central Intelligence Agency and to limit certain other activities by such Agency; to the Committee on Armed Services.

By Mr. HAWKINS:

H.R. 10429. A bill to amend title III of the act of March 3, 1933, commonly referred to as the "Buy American Act", with respect to determining when the cost of certain articles, materials, or supplies is unreasonable; to define when articles, materials, and supplies have been mined, produced or manufactured in the United States; to make clear the right of any State to give preference to domestically produced goods in purchasing for public use, and for other purposes; to the Committee on Public Works.

By Mr. HEBERT (for himself and Mr. BRAY) (by request):

H.R. 10430. A bill to amend title 10, United States Code, to authorize officers of flag rank to serve in the Medical Service Corps in the Navy, and for other purposes; to the Committee on Armed Services.

By Mr. JOHNSON of Pennsylvania:

H.R. 10431. A bill to amend the Community Mental Health Centers Act to reorganize certain grant programs, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. KEMP:

H.R. 10432. A bill to restore the value of the dollar and restrain inflation by providing for a Federal budget in which expenditures shall not exceed Federal revenues; to the Committee on Government Operations.

By Mr. KING:

H.R. 10433. A bill to amend the Tariff Schedules of the United States with respect to the entry of horses; to the Committee on Ways and Means.

By Mr. LENT:

H.R. 10434. A bill to amend the Rules of the House of Representatives and the Senate to improve congressional control over budgetary outlay and receipt totals, to pro-

vide for a Legislative Budget Director and Staff, and for other purposes; to the Committee on Rules.

By Mr. MORGAN (for himself and Mr. GAYDOS):

H.R. 10435. A bill to authorize the disposal of zinc from the national stockpile and the supplemental stockpile; to the Committee on Armed Services.

By Mr. REUSS:

H.R. 10436. A bill to amend the Natural Gas Act in order to expand the jurisdiction of the Federal Power Commission under such act; to the Committee on Interstate and Foreign Commerce.

By Mr. REUSS (for himself and Mr. KASTENMEIER):

H.R. 10437. A bill to amend the Federal Credit Union Act with respect to the termination of insured status under the act of credit unions other than Federal credit unions; to the Committee on Banking and Currency.

By Mr. RINALDO:

H.R. 10438. A bill to restore, support, and maintain modern, efficient rail service in the northeast region of the United States, to designate a system of essential rail lines in the northeast region, to provide financial assistance to rail carriers in the northeast region, to improve competitive equity among surface transportation modes, to improve the process of Government regulation, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. RODINO (for himself and Mr. HUTCHINSON):

H.R. 10439. A bill to amend title 28 of the United States Code to provide for an exclusive remedy against the United States in suits based upon acts or omissions of U.S. employees, and for other purposes; to the Committee on the Judiciary.

By Mr. ROONEY of Pennsylvania (for himself, Mr. HECHLER of West Virginia, Mr. ANDREWS of North Dakota, Mr. DE LUCA, Mr. PODELL, Mr. GUDE, Mr. HELSTOSKI, Mr. MURPHY of New York, Mr. ROUSH, Mr. MOAKLEY, Mr. NIX, Mr. CHARLES H. WILSON of California, Mr. ECKHART, Mr. MATHIS of Georgia, and Mr. RONCALLO of New York):

H.R. 10440. A bill to amend section 223 of the Communications Act of 1934 to prohibit harassing telephone calls made to collect alleged debts, and to inform the public of their right to be free from harassing, coercive, abusive, and obscene telephone calls; to the Committee on Interstate and Foreign Commerce.

By Mrs. SCHROEDER (for herself, Ms. BOGGS, Mr. FASCELL, and Ms. HOLTZMAN):

H.R. 10441. A bill to provide for the establishment within the Department of Health, Education, and Welfare of a National Center on Child Development and Abuse Prevention, to provide financial assistance for demonstration programs, and for other purposes; to the Committee on Education and Labor.

By Mr. STEIGER of Arizona:

H.R. 10442. A bill to provide for the general welfare of the Fort Mojave Indian Tribe; to the Committee on Interior and Insular Affairs.

By Mr. UDALL (for himself and Mr. HANLEY):

H.R. 10443. A bill to amend title 5, United States Code, to provide for appropriate pay relationships under the level V pay limitation in pay comparability adjustments under subchapter I of chapter 53 of such title; to the Committee on Post Office and Civil Service.

By Mr. VANIK:

H.R. 10444. A bill to provide that the special cost-of-living increase in social security benefits enacted by Public Law 93-66 shall become effective immediately, and for other

purposes; to the Committee on Ways and Means.

By Mr. VANIK (for himself and Mr. PREYER):

H.R. 10445. A bill to prohibit most-favored-nation treatment and commercial and guarantee agreements with respect to any non-market 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. WHITE (for himself, Mr. FISHER, Mr. MANN, Mr. WON PAT, Mr. RUNNELS, and Mr. UDALL):

H.R. 10446. A bill to amend the Immigration and Nationality Act to provide for the issuance of nonimmigrant visas to certain aliens entering the United States to perform services or labor of a temporary or seasonal nature under specific contracts of employment and fair employment conditions; to require an immigrant alien to maintain a permanent residence as a condition for entering and remaining as an immigrant of the United States; and for other purposes; to the Committee on the Judiciary.

By Mr. WHITE (for himself and Mr. HANLEY):

H.R. 10447. A bill to amend title 13, United States Code, to prohibit delaying or postponing the preparation, the taking or the publishing of any of the statistical compilations or periodic censuses required by said title, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. WHITEHURST:

H.R. 10448. A bill to establish a national campsite system, to authorize the Secretary of the Interior to make grants to encourage and assist the States to prepare, implement, and maintain a campsite system, and for other purposes; to the Committee on Ways and Means.

By Mr. BOB WILSON:

H.R. 10449. A bill to amend title II of the Social Security Act to increase from \$2,100 to \$3,600 the amount of outside earnings permitted each year without any deductions from benefits thereunder; to the Committee on Ways and Means.

By Mr. WOLFF:

H.R. 10450. A bill to amend title 39, United States Code, to prohibit the mailing of knives to persons under the age of 18 years, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. YOUNG of Florida:

H.R. 10451. A bill to expand the membership of the Advisory Commission on Intergovernmental Relations to include elected school board officials; to the Committee on Government Operations.

By Mr. ANDERSON of California (for himself, Ms. HOLTZMAN, and Mr. FREY):

H.R. 10452. A bill to provide for a 7-percent increase in social security benefits beginning with benefits payable for the month of January 1974; to the Committee on Ways and Means.

By Mr. BRADEMAS:

H.R. 10453. A bill to amend the Internal Revenue Code of 1954 to increase the maximum credit and deduction allowable with respect to contributions to candidates for public office, to make certain changes in subtitle H of such code with respect to the financing of Presidential election campaigns, and for other purposes; to the Committee on Ways and Means.

By Mr. DENT (for himself, Mr. ANDREWS of North Carolina, Mr. BRESSTER, Mr. BRINKLEY, Mr. CARTER, Mr. CHAPPELL, Mr. COUGHLIN, Mr. ESHLEMAN, Mr. FUQUA, Mr. GOODLING, Mr. HEINZ, Mr. NICHOLS, Mr. PREYER, Mr. SAYLOR, Mr. SHUSTER, Mr. WARE, and Mr. YOUNG of Georgia):

H.R. 10454. A bill to require that a percentage of U.S. oil imports be carried on

U.S.-flag vessels; to the Committee on Merchant Marine and Fisheries.

By Mr. FRASER:

H.R. 10455. A bill to establish within the Department of State a Bureau of Humanitarian Affairs, and for other purposes; to the Committee on Foreign Affairs.

By Mr. GUDE:

H.R. 10456. A bill to authorize recomputation at age 60 of the retired pay of members and former members of the uniformed services whose retired pay is computed on the basis of pay scales in effect prior to January 1, 1972, and for other purposes; to the Committee on Armed Services.

By Mr. PODELL:

H.R. 10457. A bill to provide that the value added to the private real estate of any person who is protected by the Secret Service under section 3056 of title 18 of the United States Code, by reason of any improvement made at Government expense, other than an improvement reasonably related to the security or protection of such persons, shall be recoverable by the United States and constitutes a lien against the real estate so improved; to the Committee on the Judiciary.

By Mr. QUIE (for himself, Mr. ERLÉN-BORN, Mr. DELLENBACK, Mr. ESCH, Mr. KEMP, Mr. TOWELL of Nevada, Mr. ZWACH, Mr. MAYNE, Mr. WARE, Mr. KEATING, Mr. LENT, and Mr. FRELING-HUYSEN):

H.R. 10458. A bill 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; to the Committee on Education and Labor.

By Mr. RINALDO:

H.R. 10459. A bill to authorize the Secretary of Health, Education, and Welfare to make grants to conduct special educational programs and activities designed to achieve educational equity for all students, men and women, and for other related educational purposes; to the Committee on Education and Labor.

By Mr. ROSENTHAL (for himself, Mr. Brown of California, Mr. BURTON, and Ms. HOLTZMAN):

H.R. 10460. A bill to amend title 5, United States Code, to provide for the establishment of a special cost-of-living pay schedule containing increased pay rates for Federal employees in heavily populated cities and metropolitan areas to offset the increased cost of living, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. ROYBAL:

H.R. 10461. A bill to prohibit revenue sharing under Federal laws and programs designed to assist or serve migrant and seasonal farmworkers; to the Committee on Education and Labor.

H.R. 10462. A bill to provide for the establishment of a National Office for Migrant and Seasonal Farmworkers within the Department of Health, Education, and Welfare, with responsibility for the coordinated

administration of all of the programs of that Department serving migrant and seasonal farmworkers; to the Committee on Education and Labor.

By Mr. YOUNG of Illinois:

H.R. 10463. A bill to improve the regulation of Federal election campaign activities; to the Committee on House Administration.

H.R. 10464. A bill to amend section 218 of the Internal Revenue Code of 1954 to increase the maximum deduction allowable with respect to contributions to candidates for public office; to the Committee on Ways and Means.

By Mr. HUDNUT:

H.J. Res. 738. Joint resolution proposing an amendment to the Constitution of the United States relating to open admissions to public schools; to the Committee on the Judiciary.

By Mr. FUQUA:

H. Con. Res. 304. Concurrent resolution expressing the sense of Congress with respect to the missing in action in Southeast Asia; to the Committee on Foreign Affairs.

By Mr. FUQUA (for himself, Mr. TEAGUE of Texas, Mr. MOSHER, Mr. BELL, Mr. BERGLAND, Mr. BROWN of California, Mr. CAMP, Mr. CONLAN, Mr. COTTER, Mr. CROWIN, Mr. DAVIS, of Georgia, Mr. DOWNING, Mr. ESCH, Mr. FLOWERS, Mr. FREY, Mr. GOLDWATER, Mr. GUNTER, Mr. HANNA, Mr. MCCORMACK, Mr. MARTIN of North Carolina, Mr. MILFORD, Mr. PARRIS, Mr. PICKLE, and Mr. ROE):

H. Con. Res. 305. Concurrent resolution designating the week of October 1 through 7, 1973, as "National Space Week"; to the Committee on the Judiciary.

By Mr. FUQUA (for himself, Mr. TEAGUE of Texas, Mr. MOSHER, Mr. SYMINGTON, Mr. THORNTON, Mr. WINN, and Mr. WYDLER):

H. Con. Res. 306. Concurrent resolution designating the week of October 1 through 7, 1973, as "National Space Week"; to the Committee on the Judiciary.

By Mr. FRASER:

H. Con. Res. 307. Concurrent resolution expressing the sense of the Congress with respect to the forthcoming diplomatic conference being convened by the International Committee of the Red Cross to revise the laws of war; to the Committee on Foreign Affairs.

By Mr. FRASER (for himself, Mr. KASTENMEIER, Mr. McCLOSKEY, Mr. REID, Mr. OBEY, and Mr. STEIGER of Wisconsin):

H. Con. Res. 308. Concurrent resolution expressing the sense of the Congress with respect to the observance of human rights in Chile; to the Committee on Foreign Affairs.

By Mr. FRASER (for himself, Mr. KASTENMEIER, Mr. YOUNG of Georgia, Mr. McCLOSKEY, Mr. REID, Mr. STEIGER of Wisconsin, Mr. MOAKLEY, and Mr. WHALEN):

H. Con. Res. 309. Concurrent resolution expressing the sense of the Congress with re-

spect to the observance of human rights in Chile; to the Committee on Foreign Affairs.

By Mr. FRASER (for himself and Mr. FINDLEY):

H. Con. Res. 310. Concurrent resolution expressing the sense of the Congress with respect to the organization of the United Nations in the field of human rights; to the Committee on Foreign Affairs.

H. Con. Res. 311. Concurrent resolution expressing the sense of the Congress with respect to the structure of the United Nations for the prevention of human rights violations; to the Committee on Foreign Affairs.

H. Con. Res. 312. Concurrent resolution expressing the sense of the Congress with respect to measures to be taken by the United Nations to prevent the practice of torture; to the Committee on Foreign Affairs.

H. Con. Res. 313. Concurrent resolution expressing the sense of the Congress with respect to U.S. participation in the United Nations Decade for Action to Combat Racism and Racial Discrimination; to the Committee on Foreign Affairs.

By Mr. HUBER (for himself and Mr. FULTON):

H. Con. Res. 314. Concurrent resolution expressing the sense of Congress with respect to the missing in action in Southeast Asia; to the Committee on Foreign Affairs.

By Mr. FRASER:

H. Res. 556. Resolution expressing the sense of the House with respect to access to the International Court of Justice; to the Committee on Foreign Affairs.

By Mr. FRASER (for himself and Mr. FINDLEY):

H. Res. 557. Resolution expressing the sense of the House with respect to the proposed ratification by the U.S. Senate of international conventions concerning human rights; to the Committee on Foreign Affairs.

By Mr. HARRINGTON (for himself and Ms. HOLTZMAN):

H. Res. 558. Resolution to amend the Rules of the House of Representatives to create a standing committee to be known as the Committee on the Central Intelligence Agency, and for other purposes; to the Committee on Rules.

By Mr. MOAKLEY:

H. Res. 559. Resolution establishing a Select Committee on Separation of Powers; to the Committee on Rules.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

By Mrs. BOGGS:

H.R. 10465. A bill for the relief of John T. Knight; to the Committee on the Judiciary.

By Mr. YOUNG of Illinois:

H.R. 10466. A bill for the relief of the Continental Chemiste Corp.; to the Committee on the Judiciary.

SENATE—Thursday, September 20, 1973

The Senate met at 9:15 a.m. and was called to order by the Acting President pro tempore (Mr. METCALF).

PRAYER

The Reverend Father Robert M. Beach, Our Lady of Guadalupe Parish, Taos, N. Mex., offered the following prayer:

O Holy Lord, almighty Father, eternal God, bless most abundantly our beloved Nation and make it true to the ideals of

freedom and justice and brotherhood for all which make it great. Guard us from war, from calamity and disaster, from compromise, insecurity, fear, and confusion.

Be close to these Senators, to all our lawmakers, to our President, our diplomats. Give them vision and courage as they ponder decisions affecting peace and love, the dignity of man, and the future of all Your creation.

Let every citizen become more deeply

aware of his heritage—realizing not only his rights and privileges, but also his duties and responsibilities as a part of this grand Nation of ours.

Make this great land and all its people know clearly Your will, that we may all fulfill the destiny ordained for us in the salvation of the nations and the restoring of all things in Your divine providence. Hear and answer our humble prayer. O good God. Amen.