

Basically, this bill would provide medicare coverage of drugs necessary for the treatment of specific diseases such as diabetes, high blood pressure, chronic respiratory and cardiovascular diseases, arthritis, rheumatism, cancer, chronic kidney disease, and so forth. The bill establishes a formulary committee to select the specific drugs to be covered. And, to save administrative costs and the need to handle large batches of paper, the bill provides for payment to be made directly to pharmacies on the basis, generally, of average wholesale price plus a professional fee or other dispensing charge.

In my view, there is simply no justification for asking older people to pay \$1 per prescription. The average cost of prescriptions likely to be covered under the bill is in the neighborhood of \$5. In es-

tablishing a copayment provision, we are really asking an older person with a chronic disease to pay on the average of 20 percent of each prescription. While it is arguable that copayments for other health care services may serve to deter unnecessary use of such services, this is certainly not the case here. A person has no choice in securing a prescription drug; the doctor alone decided that. The \$1 copayment, therefore, serves only to keep the cost of the program down, and I believe that this cost ought not to be borne by people who are living on fixed, low incomes and who are seriously ill. Therefore, I have not included a copayment provision in this bill.

Finally, this bill would prevent any person engaged in the manufacture, preparation, propagation, compounding,

or processing of a drug from being a member of the formulary committee. The committee holds the key to this piece of legislation. It decided what drugs should be included in the formulary and, therefore, to a great extent, what drugs are paid for by the Government under the medicare program. It should be composed of not only people who are expert in the field of health care, pharmacology, or pharmacy but, perhaps more important, individuals who have the consumer foremost in mind and not the massive drug companies. I want the formulary committee to work for the public interest, not the interest of the pharmaceutical industry and to reform current industry-oriented practices, not institutionalize them.

## HOUSE OF REPRESENTATIVES—Thursday, September 27, 1973

The House met at 12 o'clock noon. The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

*The salvation of the righteous is of the Lord; He is their strength in the time of trouble.*—Psalms 37: 39.

"O Thou, in whose presence our souls take delight,  
On whom in affliction we call,  
Our comfort by day and our song in the night,  
Our hope, our salvation, our all."

In this spirit, O God, we begin another day and with those of the Hebrew faith we begin another year. Incline our hearts to read Thy word, to obey Thy commandments, and to keep Thy law. Grant unto us the peace of those who put their trust in Thee, the strength of those who walk in Thy way, and the love of those who live with Thee.

Give to our people the mind to think good about our country, the heart to love her, and the spirit to so live that their conduct may carry with it the accent of cooperation. Keep our attention set upon the tasks of justice, mercy, and peace that working for the common good we may find the joy and satisfaction of a sober and honest life; to the glory of Thy holy name. Amen.

### THE JOURNAL

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

Without objection, the Journal stands approved.

There was no objection.

### MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Marks, one of his secretaries, who also informed the House that on the following dates the President approved and signed bills and a joint resolution of the House of the following titles:

On September 19, 1973:

H.J. Res. 695. A joint resolution authorizing the President to proclaim the period of September 15, 1973, through October 15,

1973, as "Johnny Horizon '76 Clean Up America Month."

On September 21, 1973:

H.R. 6912. An act to amend the Par Value Modification Act, and for other purposes.

On September 26, 1973:

H.R. 8070. An act to replace the Vocational Rehabilitation Act, to extend and revise the authorization of grants to States for vocational rehabilitation services, with special emphasis on services to those with the most severe handicaps, to expand special Federal responsibilities and research and training programs with respect to handicapped individuals, to establish special responsibilities in the Secretary of Health, Education, and Welfare for coordination of all programs with respect to handicapped individuals within the Department of Health, Education, and Welfare, and for other purposes.

### MESSAGE FROM THE SENATE

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

H.R. 7645. An act to authorize appropriations for the Department of State, and for other purposes.

The message also announced that the Senate insists upon its amendment to the bill (H.R. 7645) entitled "An act to authorize appropriations for the Department of State, and for other purposes," requests a further conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. FULBRIGHT, Mr. SPARKMAN, Mr. CHURCH, Mr. PELL, Mr. AIKEN, Mr. CASE, and Mr. JAVITS to be the conferees on the part of the Senate.

### CONFERENCE REPORT ON S. 795, NATIONAL FOUNDATION ON THE ARTS AND HUMANITIES

Mr. BRADEMAS (on behalf of Mr. PERKINS) filed the following conference report and statement on the bill (S. 795) to amend the National Foundation on the Arts and the Humanities Act of 1965, and for other purposes:

CONFERENCE REPORT (H. REPT. NO. 93-529)

The committee of conference on the disagreeing votes of the two Houses on the

amendment of the House to the bill (S. 795) to amend the National Foundation on the Arts and the Humanities Act of 1965, 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 disagreement to the amendment of the House and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the House amendment insert the following:

That this Act may be cited as the "National Foundation on the Arts and the Humanities Amendments of 1973".

### AMENDMENTS TO THE NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES ACT OF 1965

SEC. 2. (a) The National Foundation on the Arts and the Humanities Act of 1965 is amended in the following respects:

(1) Clause (7) of section 2 of such Act is amended by striking out all that appears after "a National Foundation on the Arts and the Humanities" and inserting in lieu thereof "or purchase", and by adding at the end thereof the following new sentence: "Such term also includes—

"(1) the renovation of facilities if (A) the amount of the expenditure of Federal funds for such purpose in the case of any project does not exceed \$250,000, or (B) two-thirds of the members of the National Council on the Arts (who are present and voting) approve of the grant or contract involving an expenditure for such purpose; and

"(2) the construction of facilities if (A) such construction is for demonstration purposes or under unusual circumstances where there is no other manner in which to accomplish an artistic purpose, and (B) two-thirds of the members of the National Council on the Arts (who are present and voting) approve of the grant or contract involving an expenditure for such purpose."

(3) (A) That part of subsection (c) of section 5 of such Act which precedes clause (1) is amended by striking out "the Federal Council on the Arts and the Humanities and".

(B) In clauses (1) and (2) of such subsection (c) such Act is amended by striking out "production" each time it appears and inserting in lieu thereof "projects and productions"; and, in clause (3) of such subsection, such Act is amended by striking out "projects" and inserting in lieu thereof "projects and productions".

(C) Clause (2) of such subsection (c) is further amended by striking out "in many areas of the country" and inserting in lieu thereof "for geographic or economic reasons".

(D) Clause (5) of such subsection (c) is amended by striking out "and planning in the arts" and inserting in lieu thereof "planning, and publications relating to the purposes of this subsection".

(E) Such subsection (c) is amended by adding at the end thereof the following new sentence: "In the case of publications under clause (5) of this subsection such publications may be supported without regard for the provisions of section 501 of title 44, United States Code, only if the Chairman consults with the Joint Committee on Printing of the Congress and the Chairman submits to the Committee on Labor and Public Welfare of the Senate and the Committee on Education and Labor of the House of Representatives a report justifying any exemption from such section 501".

(4) (A) Paragraph (1) of subsection (g) of section 5 of such Act is amended by striking out "the Federal Council on the Arts and the Humanities and".

(B) That part of paragraph (2) which precedes clause (A) of such subsection (g) is amended (i) by striking out "such assistance" and inserting in lieu thereof "assistance under this subsection" and (ii) by striking out "prior to the first day of such fiscal year" and inserting in lieu thereof "at such time as shall be specified by the Chairman".

(C) Clause (B) of paragraph (2) of such subsection (g) is amended by striking out "except that in the case of the first fiscal year in which the State is allotted funds after the enactment of this Act, a plan may provide that not to exceed \$25,000 of such funds may be expended to conduct a study to plan the development of a State agency in the State and to establish such an agency".

(D) Such subsection (g) is amended by striking out paragraphs (3) and (4) and inserting in lieu thereof the following:

"(3) Of the sums available to carry out this subsection for any fiscal year, each State which has a plan approved by the Chairman shall be allotted at least \$200,000. If the sums appropriated are insufficient to make the allotments under the preceding sentence in full, such sums shall be allotted among such States in equal amounts. In any case where the sums available to carry out this subsection for any fiscal year are in excess of the amount required to make the allotments under the first sentence of this paragraph—

"(A) the amount of such excess which is no greater than 25 per centum of the sums available to carry out this subsection for any fiscal year shall be available only to the Chairman for making grants under this subsection to States and regional groups, and

"(B) the amount of such excess, if any, which remains after reserving in full for the Chairman the amount required under clause (A) shall be allotted among the States which have plans approved by the chairman in equal amounts but in no event shall any State be allotted less than \$200,000.

"(4) (A) The amount of any allotment made under paragraph (3) for any fiscal year which exceeds \$125,000 shall be available, at the discretion of the Chairman, to pay up to 100 per centum of such cost of projects and productions if such project and productions would otherwise be unavailable to the residents of that State: *Provided*, That the total amount of any such allotment for any fiscal year which is exempted from such 50 per centum limitation shall not exceed 20 per centum of the total of such allotment for such fiscal year.

"(B) Any amount allotted to a State under the first sentence of paragraph (3) for any fiscal year which is not obligated by the State

prior to 60 days prior to the end of the fiscal year for which such sums are appropriated shall be available for making grants to regional groups.

"(C) Funds made available under this subsection shall not be used to supplant non-Federal funds.

"(D) For the purpose of paragraph (3) and paragraph (4) of this section the term 'regional group' means any multistate group, whether or not representative of contiguous States."

(E) Paragraph (5) of such subsection (g) is amended by inserting after "allotted" the following: "or made available".

(5) Subsection (f) of section 6 of such Act is amended, in the third sentence thereof—

(A) by striking out "\$10,000" and inserting in lieu thereof "\$17,500"; and

(B) by striking out the period at the end thereof and inserting in lieu thereof the following: "Provided, That the terms of any such delegation of authority shall not permit obligations for expenditure of funds under such delegation for any fiscal year which exceed an amount equal to 10 per centum of the sums appropriated for that fiscal year pursuant to subparagraph (A) of paragraph (1) of section 11(a)".

(6) (A) That part of subsection (c) of section 7 of such Act which precedes clause (1) is amended by striking out "the Federal Council on the Arts and the Humanities and".

(B) Clause (2) of such subsection is amended by adding at the end thereof the following: "any loans made by the Endowment shall be made in accordance with terms and conditions approved by the Secretary of the Treasury".

(C) Clause (6) of such subsection (c) is amended by striking out all that follows "the humanities" and inserting in lieu thereof of a period.

(D) Such subsection (c) is amended by striking out "and" at the end of paragraph (5), by striking out the period at the end of paragraph (6) and inserting in lieu thereof a semicolon and the word "and", and by adding after paragraph (6) the following new paragraph:

"(7) insure that the benefit of its programs will also be available to our citizens where such programs would otherwise be unavailable due to geographic or economic reasons."

(E) Such subsection (c) is further amended by adding at the end thereof the following new sentence: "In the case of publications under clause (6) of this subsection such publications may be supported without regard for the provisions of section 501 of title 44, United States Code, only if the Chairman consults with the Joint Committee on Printing of the Congress and the Chairman submits to the Committee on Labor and Public Welfare of the Senate and the Committee on Education and Labor of the House of Representatives a report justifying any exemption from such section 501".

(7) Subsection (f) of section 8 of such Act is amended, in the third sentence thereof—

(A) by striking out "\$10,000" and inserting in lieu thereof "\$17,500"; and

(B) by striking out the period at the end thereof and inserting in lieu thereof the following: "Provided, That the terms of any such delegation of authority shall not permit obligations for expenditure of funds under such delegation for any fiscal year which exceed an amount equal to 10 per centum of the sums appropriated for that fiscal year pursuant to subparagraph (B) of paragraph (1) of section 11(a)".

(8) Section 9(b) of such Act is amended to read as follows:

"(b) The Council shall be composed of the Chairman of the National Endowment for the Arts, the Chairman of the National Endowment for the Humanities, the United States Commissioner of Education, the Secretary of

the Smithsonian Institution, the Director of the National Science Foundation, the Librarian of Congress, the Director of the National Gallery of Art, the Chairman of the Commission of Fine Arts, the Archivist of the United States, the Commissioner, Public Buildings Service, General Services Administration, a member designated by the Secretary of State, and a member designated by the Secretary of the Interior, a member designated by the Chairman of the Senate Commission on Art and Antiquities, and a member designated by the Speaker of the House. The President shall designate the Chairman of the Council from among the members. The President is authorized to change the membership of the Council from time to time as he deems necessary to meet changes in Federal programs or executive branch organization."

(9) Clause (2) of subsection (a) of section 10 of such Act is amended by inserting after "purposes of the gift" the following: "except that a Chairman may receive a gift without a recommendation from the Council to provide support for any application or project which can be approved without Council recommendation under the provisions of sections 6(f) and 8(f), and may receive a gift of \$15,000, or less, without Council recommendation in the event the Council fails to provide such recommendation within a reasonable period of time".

(10) Clause (4) of subsection (a) of section 10 is amended by deleting the semicolon at the end thereof and by inserting in lieu thereof the following: "Provided, however, That any advisory panel appointed to review or make recommendations with respect to the approval of applications or projects for funding shall have broad geographic representation".

(11) Section 11 of such Act is amended by striking out subsections (a) and (b) and inserting in lieu thereof the following:

"Sec. 11. (a)(1)(A) For the purpose of carrying out section 5(c), there are authorized to be appropriated to the National Endowment for the Arts, \$54,000,000 for the fiscal year ending June 30, 1974, \$90,000,000 for the fiscal year ending June 30, 1975, and \$113,500,000 for the fiscal year ending June 30, 1976. For the purpose of carrying out section 5(g), there are authorized to be appropriated to the National Endowment for the Arts \$11,000,000 for the fiscal year ending June 30, 1974. Not less than 20 per centum of the funds appropriated under the first sentence of this paragraph for the fiscal years ending June 30, 1975, and June 30, 1976, may be used only for the purpose of carrying out section 5(g).

"(B) For the purposes of carrying out section 7(c), there are authorized to be appropriated to the National Endowment for the Humanities \$65,000,000 for the fiscal year ending June 30, 1974, \$90,000,000 for the fiscal year ending June 30, 1975, and \$113,500,000 for the fiscal year ending June 30, 1976.

"(2) There are authorized to be appropriated for each fiscal year ending prior to July 1, 1976, to the National Endowment for the Arts and to the National Endowment for the Humanities, an amount equal to the total amounts received by each Endowment under section 10(a)(2), except that the amount so appropriated for any fiscal year shall not exceed the following limitations:

"(A) For the fiscal year ending June 30, 1974, \$15,000,000.

"(B) For the fiscal year ending June 30, 1975, \$20,000,000.

"(C) For the fiscal year ending June 30, 1976, \$25,000,000.

"(b)(1) Sums appropriated pursuant to subsection (a) for any fiscal year shall remain available for obligation and expenditure until expended.

"(2) In order to afford adequate notice to interested persons of available assistance under this Act, appropriations authorized under subsection (a) are authorized to be included in the measure making appropria-

tions for the fiscal year preceding the fiscal year for which such appropriations become available for obligation."

(12) Sections 13 and 14 of such Act are repealed.

(b) The amendments made by subsection (a) shall be effective on and after July 1, 1973.

#### HUMANITIES GRANTS

SEC. 3. Section 7(d) of the National Foundation on the Arts and the Humanities Act of 1965 is amended by adding after the phrase "Federal programs" a comma and then the words "designated State humanities agencies".

#### AMENDMENT TO THE LIBRARY SERVICES CONSTRUCTION ACT, INCLUDING RESEARCH LIBRARIES IN THE DEFINITION OF "PUBLIC LIBRARY"

SEC. 4. (a) Section 3(5) of the Library Services and Construction Act is amended by adding at the end thereof the following new sentence: "Such term also includes a research library, which, for the purposes of this sentence, means a library which—

"(A) makes its services available to the public free of charge;

"(B) has extensive collections of books, manuscripts, and other materials suitable for scholarly research which are not available to the public through public libraries;

"(C) engages in the dissemination of humanistic knowledge through services to readers, fellowships, educational and cultural programs, publication of significant research, and other activities; and

"(D) is not an integral part of an institution of higher education."

(b) The amendment made by subsection (a) shall be effective on June 30, 1973, and only with respect to appropriations for fiscal years beginning after such date.

And the House agree to the same.

CARL D. PERKINS,  
JOHN BRADEMAS,  
PATSY T. MINK,  
LLOYD MEEDS,  
S. CHISHOLM,  
ALBERT H. QUIE,  
ORVAL HANSEN,

Managers on the Part of the House.

CLAIBORNE PELL,  
GAYLORD NELSON,  
TOM EAGLETON,  
WALTER F. MONDALE,  
J. JAVITS,

ROBERT TAFT, JR.,

Managers on the Part of the Senate.

#### JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendment of the Houses to the bill (S. 795) to amend the National Foundation on the Arts and Humanities Act of 1965, and for other purposes, submit the following joint statement to the House and the Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report.

The conference agreement adopts an amendment which is a substitute for both the Senate bill and the House amendment. The differences between the Senate bill and the House amendment and the substitute agreed to in conference are noted in the following outline, except for incidental changes made necessary by reason of agreements reached by the conferees and minor, clarifying, and technical changes.

Renovation of facilities.—Existing law permits the National Endowment for the Arts, as part of a project, to carry out the renovation of facilities, without limitation.

The Senate bill places a limitation of \$250,000 on the amount of Federal funds to be expended on a project involving renovation of facilities, except that such limitation may be exceeded if two-thirds of the members of

the National Council on the Arts who are present and voting approve of the project.

The House amendment creates the \$250,000 limitation but does not contain the exception in the case of a two-thirds vote on the Council. The House recedes.

Construction of facilities.—Existing law permits the National Endowment for the Arts, as a part of a project, to carry out the construction of facilities, without limitation.

The Senate bill limits construction authority by requiring that—

(1) there be a finding that the construction involved in the project either is for demonstration purposes or is a project in which there is no other means by which the artistic purpose of the project may be accomplished; and

(2) two-thirds of the National Council on the Arts, who are present and voting, approve of the projects.

The House amendment makes no provision for approval of a project involving construction by two-thirds of the Council. The House recedes.

Expanding availability of arts and humanities programs.—The Senate bill, but not the House amendment, provides authority for the Arts and Humanities Endowments to support programs in areas where citizens do not have access to such programs for geographical or economic reasons. The conference agreement adopts the provisions of the Senate bill.

Publications without regard for rules of the Joint Committee on Printing.—Under existing law, Government publications must be published under the auspices of the Government Printing Office. The National Endowment for the Humanities has, under existing law, an exemption from the Government Printing Office printing requirements, while the National Endowment for the Arts does not.

The Senate bill amends both such provisions of the National Foundation on the Arts and the Humanities Act of 1965, providing that both the Endowments may have an exemption from the Government Printing Office printing requirement if the Chairman consults with the Joint Committee on Printing and submits to the Committee on Education and Labor of the House and the Committee on Labor and Public Welfare of the Senate a justification of the exemption. The House bill makes no substantial change in existing law. The House recedes.

Allotment of funds appropriated to the National Endowment for the Arts for grants to States under section 5(g).—The Senate bill allots 100 percent of the appropriation for section 5(g) to the States. The Senate authorization figures break down, per State, as follows: fiscal year 1974, \$200,000; fiscal year 1975, \$350,000; fiscal year 1976, \$500,000.

The House amendment provides beginning in FY 1975 for a single authorization to carry out section 5(c) (General Art Grants) and section 5(g) (State and Regional Art Programs). The Senate recedes.

Further, the House amendment provides that not less than 20% of the funds appropriated for section 5 shall be used to carry out section 5(g). The Senate recedes.

The House amendment also provides that of the sums reserved for section 5(g), 75% is to be allotted among the states in equal amounts, and 25% is to be available to the Chairman for making grants under subsection (g) to states and regional groups, except that in no event is a state to receive less than a \$200,000 minimum allotment.

If insufficient funds are appropriated to meet this \$200,000 minimum allotment, each state is to be allotted an equal amount. If the amount appropriated is sufficient to meet the \$200,000 minimum state allotment but is insufficient to provide the Chairman with an amount equal to 25% of the total amount available for section 5(g), then the full

amount in excess of the amount necessary to meet the \$200,000 minimum state allotment is available only to the Chairman for making grants to states and regional groups. The Senate recedes with a clarifying amendment to assure that each state receives at least \$200,000 before any moneys are available to the Chairman for making grants to States and regional groups.

The Senate bill provides that that part of any State's allotment which exceeds \$125,000 and is not in excess of 20 percent of such State's total allotment is to be exempted from the 50 percent matching requirement. The House amendment exempts 20 percent of the total of a State's allotment from the matching requirement of that State, if the State matches its minimum allotment of \$200,000. The conference agreement retains the Senate provision. The Conference wishes to stress that the waiver of matching is applicable only to the amounts allotted to the states. Matching may not be waived at any time with respect to grants made by the Chairman to the States and regional groups.

The Senate bill provides that the discretion to expend funds without regard for the matching requirement be the State's, while the House amendment gives that authority to the Chairman. The Senate recedes.

Under existing law, any funds available to the States under section 5(g) which are not used by the States revert to the Chairman to be used under section 5(c) (the regular endowment program). The Senate bill leaves this provision unchanged. The House amendment provides that amounts allotted to the States which are unused sixty days prior to the end of a fiscal year shall be available for grants to regional groups. Any funds then remaining revert to the Chairman under existing law. The Senate recedes, and the conference agreement adopts a definition of regional groups under which such groups need not be representative of contiguous States.

Grants without Council Recommendation.—Under existing law, Chairmen of the Endowments may make grants not in excess of \$10,000 without the recommendations of their respective Councils. The Senate bill raises the \$10,000 limit on such grants to \$15,000, while the House amendment raises that limit to \$20,000. The conference agreement raises such limit to \$17,500.

Use of State humanities agencies.—The Senate bill, but not the House amendment, requires the Chairman of the National Endowment for the Humanities to correlate programs of that Endowment with State humanities agencies, to the extent practicable. The House recedes.

Membership of the Federal Council on the Arts and Humanities.—The Senate bill, but not the House amendment, expands the membership of the Federal Council on the Arts and the Humanities to include a member designated by the Senate Committee on Arts and Antiquities and a member designated by the Speaker of the House. The conference agreement adopts the provision of the Senate bill, with the understanding that the term "member" refers to a member of the Federal Council on the Arts and the Humanities, and not to a Member of the House or Senate (although a Member of the House or Senate may be designated a member of such Council by the appropriate authority).

Geographical representation of advisory panel.—Existing law authorizes the Chairmen of the Endowments to utilize experts and consultants. The House amendment, but not the Senate bill, requires that any advisory panel appointed under such authority to review or make recommendations with respect to the approval of applications or projects have broad geographic representation. The Senate recedes.

Authorization of appropriations.—The Senate bill and the House amendment pro-

vide authorizations for the Endowments as indicated in the following chart:

[In millions of dollars and fiscal years]

	1974	1975	1976
	Senate	House	Senate
	Senate	House	Senate
Sec. 5(c).....	59	54	105.75
Sec. 5(g).....	11	11	19.25
Sec. 7(c).....	70	65	125.00
Sec. 10(a)(2).....	20	15	30.00
			( <sup>1</sup> 2)
			152.5
			( <sup>1</sup> 2)
			27.5
			( <sup>1</sup> 2)
			180.0
			( <sup>1</sup> 2)
			40.0
			( <sup>1</sup> 2)

<sup>1</sup> Not less than 20 percent of the total amount appropriated to carry out secs. 5(c) and 5(g) may be used only to carry out sec. 5(g).

<sup>2</sup> Such sums."

The conference agreement provides such authorizations as indicated in the following chart:

[In millions of dollars and fiscal years]

	1974	1975	1976
Sec. 5(c).....	54	190	113.5
Sec. 5(g).....	11	( <sup>1</sup> )	( <sup>1</sup> )
Sec. 7(c).....	65	90	113.5
Sec. 10(a)(2).....	15	20	25.0

<sup>1</sup> Not less than 20 percent of the amount appropriated to carry out sec. 5(c) may be used only to carry out sec. 5(g).

It is the position of the conference agreement that the equality in authorization between the National Endowment for the Arts and the National Endowment for the Humanities, which has been present in the National Foundation on the Arts and the Humanities Act of 1965 since its enactment, has been maintained in such agreement, with the hope and the expectation that appropriations for the two endowments will be approximately equal.

Contingent extension of authorization of appropriations.—The Senate bill contains language which provides that, unless the Congress during the period beginning July 1, 1975, and ending July 1, 1976, passes or formally rejects legislation extending the authorizations of appropriations under the bill, each of the authorizations of appropriations is automatically extended for one fiscal year. The House amendment contains no comparable provision. The Senate recedes.

Research libraries.—The Senate bill, but not the House amendment, amends the Library Services and Construction Act to include in its definition of public libraries research libraries. The conference agreement adopts this provision of the Senate bill.

CARL D. PERKINS,  
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Managers on the Part of the Senate.

#### LEGISLATIVE PROGRAM

(Mr. ARENDS asked and was given permission to address the House for 1 minute.)

Mr. ARENDS. Mr. Speaker, I have asked for this time in order to ask the distinguished majority whip, the gentleman from California (Mr. McFALL), if he would kindly inform the House as to the program for next week.

#### PARLIAMENTARY INQUIRY

Mr. GROSS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state his parliamentary inquiry.

Mr. GROSS. Mr. Speaker, my parliamentary inquiry is this: Would a quorum call at this time deprive the leadership of announcing the program for next week? And would that be fatal if we did not get another booted, as I understand it, work program for next week?

The SPEAKER. The Chair will state to the gentleman from Iowa that the Chair is unable to reply to the gentleman's parliamentary inquiry.

Mr. GROSS. I thank the Speaker.

Mr. McFALL. Mr. Speaker, if the distinguished minority whip will yield, I will be happy to reply to the gentleman's inquiry.

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

Mr. McFALL. Mr. Speaker, there is no further legislative business for today, and upon the announcement of the program for next week I will ask unanimous consent to go over until Monday.

The program for next week is as follows:

On Monday we will have the Consent Calendar and then four suspensions:

H.R. 620, additional Assistant Secretary of the Interior for Indian Affairs;

H.R. 8029, Indian Claims Commission funds distribution;

S. 2419, Agriculture Act technical corrections; and

H.R. 10397, Cabinet Committee on Opportunities for Spanish-Speaking Peoples.

On Tuesday there will be the Private Calendar, suspensions—no bills—and S. 1914, Radio Free Europe, under an open rule, with 1 hour of debate.

On Wednesday and for the balance of the week we will have:

H.R. 6452, Urban Mass Transportation Act, under an open rule, with 2 hours of debate;

H.R. 10088, Big Cypress National Preserve, Fla., under an open rule, with 1 hour of debate;

H.R. 7730, San Carlos, Ariz., mineral strip purchase, subject to a rule being granted; and

House Joint Resolution 748, par value modification appropriations for fiscal year 1974.

Conference reports may be brought up at any time, and any further program will be announced later.

#### ADJOURNMENT OVER TO MONDAY, OCTOBER 1, 1973

Mr. McFALL. 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 California?

Mr. GROSS. Mr. Speaker, reserving the right to object, during the 3 weeks preceding the Fourth of July recess of Congress, when the House met early and then ran into bowels of the night on too

many occasions, we were told that the target date for adjournment was October 1.

I should like to ask the distinguished majority whip what happened to that target date, or has anything happened? Are we going to get out of here on October 1 on the basis of sine die adjournment?

Mr. McFALL. If the gentleman will yield, I can offer some comment with reference to a target date for adjournment, although I do not know whether the information I would provide to the gentleman from Iowa would substantiate an early adjournment, or even whether or not there was an October 1 target date in the first place.

As the gentleman knows, we tried before the 4th of July to get as many of the appropriation bills and as much of the business completed as was possible so that an early adjournment might be possible. At this time we have done very well with the priority legislation that we have.

We have some more priority legislation, but adjournment hangs on the following situation: The defense authorization bill, is being considered on the Senate floor this week, it will then go to conference, and the defense appropriation bill will then follow it. We then will have to pass some kind of a foreign aid appropriation bill or decide what we are going to do with foreign aid, whether it be a continuing resolution or what. The military construction authorization and appropriations bills will also be coming very soon.

At this point there is no way to tell what might be the adjournment date. It will depend upon priorities. What we do on defense may not be satisfactory to the President of the United States.

We have a Labor-HEW appropriations bill and several other appropriation bills which have not yet been finally enacted, and we may find ourselves in the situation where there will be vetoes on certain bills. Also some kind of an appropriation accommodation will be necessary to meet the expenditure ceiling which was passed in the impoundment legislation, and some kind of an accommodation between the House and Senate and the Executive will be necessary before the House can adjourn.

Mr. GROSS. I take it that the adjournment balloon that was floated in the 3 weeks preceding the 4th of July has been shot down somewhere along the line.

Mr. McFALL. The hopes and expectations of attempting to get done as rapidly as possible have been somewhat delayed, I would say.

Mr. GROSS. Will we be able to properly conduct the business of next week, and I just did get a schedule of it, with the big game hunters of the Banking and Currency Committee in Nairobi or will they have returned by that time?

Mr. McFALL. I understand the gentlemen who went to the International Monetary Conference in Nairobi will be back on September 30 and will be ready to present the mass transit bill to the House next week.

Mr. GROSS. That is helpful.

The gentleman thinks then that there is a possibility we can adjourn sine die by Christmas Eve?

Mr. McFALL. I have been here on numerous occasions when my friend has mentioned the possibility that we might stay until Christmas Eve.

Mr. GROSS. It usually came true, did it not, or close to it?

Mr. McFALL. Very close to it on a number of occasions. The gentleman was more right than a number of others I have listened to.

Mr. GROSS. I thank the gentleman, but I have no occult powers.

Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

**DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT**

Mr. McFALL. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule be dispensed with on Wednesday of next week.

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

There was no objection.

**PROPOSED PATENT MODERNIZATION AND REFORM ACT OF 1973—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 93-158)**

The SPEAKER laid before the House the following message from the President of the United States; which was read and referred to the Committee on the Judiciary and ordered to be printed:

*To the Congress of the United States:*

America's dramatic progress from a small agrarian nation to a great technological and industrial leader has been due, in no small degree, to the inventive genius of its people. Names such as Benjamin Franklin, Eli Whitney, Cyrus McCormick, Thomas Edison, Alexander Graham Bell, Samuel Morse, the Wright Brothers and Henry Ford speak volumes about the character of our Nation.

Our creative history, however, has not been a matter of individual inspiration alone. Our Founding Fathers understood the need for innovative thinking and wrote into the Constitution a means of encouraging invention—the patent system—which has enormously stimulated our progress and prosperity.

The national patent system authorized by the Constitution took on form and substance with enactment of special patent acts in 1790, 1793 and 1836. The act of 1836 provided statutory criteria for the issuance of patents and required the Federal Patent Office to examine applications to determine whether they conformed to those criteria. Although this 1836 law has since been amended, no basic change has been made in its general character and it now forms the basis for our present patent system.

While the patent system has changed only slightly since the nineteenth century, the social and economic structure of our Nation has, of course, undergone profound change. The individual inventor, often working alone and unaided, still makes an important contribution, but the lead role in exploring new frontiers of technology is now played by organized research—sophisticated and highly capable teams funded by our Government, industry and universities.

The changing nature of applied research has understandably raised questions about the adequacy of our patent system. Over the past seven years a number of searching studies have been made of that system, including a report by a special Presidential Commission in 1966. Those studies have shown that a successful patent system should meet at least four basic standards. It should:

- provide an incentive for new inventions by offering a meaningful reward to the inventor and to his supporters;
- promote early public disclosures of new discoveries, so that others may also benefit;
- encourage other researchers to explore alternative solutions to crucial technological problems; and
- through the process of discovery and disclosure, widen the opportunity for consumers to choose products of higher quality and lower price.

In recent years, it has become increasingly clear that our current patent system does not measure up to these standards. The United States Patent Office now examines patent applications in an *ex parte* fashion—a series of hearings involving only Patent Office personnel and the party applying for a new patent. The very nature of the examination process denies the Patent Office much information relevant to its decision about issuance of a new patent because that information is frequently held by those who may be in commercial competition with the patent applicant. Thus the Patent Office may grant a patent to one inventor without knowing that similar information already exists. As a consequence, legal disputes between a new patentee and his competitors have often arisen after the patent has been issued, and, because the courts can develop a more complete factual record, a large number of patents have been declared invalid. This litigation is often protracted and needlessly expensive, both for the patentees and their competitors. In addition, there have been increasing allegations of fraud and inequitable conduct in the procurement of patents. The net result is that public confidence in the reliability of our patent system has been eroded, and we have reached the point where reform is clearly desirable.

Accordingly, I am today proposing that the Congress enact the Patent Modernization and Reform Act of 1973. This legislation, which will today be transmitted to the Congress by the Commerce and Justice Departments, is designed to rid the patent system of many of its existing problems without sacrificing the indispensable stimulus to invention now afforded by that system.

Specifically, this bill has four major objectives:

1. Strengthening public confidence in the validity of issued patents;
2. Accelerating and improving the disclosure of new technology revealed by the patents;
3. Simplifying the procedures for obtaining patents; and
4. Enhancing the value of the patent grant.

**STRENGTHENING PUBLIC CONFIDENCE**

The single most important objective of reform must be the establishment of examination procedures which insure that new patents are both sound and reliable. The best way to achieve this objective is to obtain as much information from all sources as is practicable.

To remedy the defects of the present system, I am recommending that we broaden public participation in the review of patent applications, that we strengthen the hand of the patent examiner, and that we require applicants to give greater assistance to the examiner in bringing information to light. If we take these steps, I believe we would not only insure a more orderly and complete patent examination but also greatly strengthen public confidence in the validity of our patents.

Under the proposed bill, the Patent Office would publish all patent applications that seem worthwhile and would then give the public six months to bring to its attention information relevant to the application. Members of the public would be permitted to present their views to the Patent Office in an adversary proceeding, and new procedures for discovery of information and opportunities for the opposing parties to appeal the decision of the Patent Office through the courts would be established. The bill also provides for additional manpower for the Patent Office so that opposition proceedings can be conducted effectively.

The patent examiner, a critical figure in the application process, would also be given additional tools to perform his job. These would include, in appropriate cases, authorization to require an adversary examination proceeding and to obtain the assistance from a special patent office in such a proceeding, as well as access to adequate discovery techniques under the Federal Rules of Civil Procedure.

To further assist the examiner, patent applicants would be required to disclose all pertinent information at the outset of the examination proceeding along with a written memorandum describing why their inventions are patentable. In addition, this legislation spells out in considerable detail the duties of inventors, patent applicants and their attorneys to bring to the attention of the Patent Office all relevant information which comes to their attention during the examination process.

**ACCELERATING AND IMPROVING DISCLOSURE**

A basic premise of the patent system is that in exchange for commercial protection of his discovery, an applicant will disclose the techniques of his invention so that others may build upon this

knowledge. Some critics, however, have suggested that the current patent system is not bringing forth the full and rapid disclosure of technology that it should.

The legislation proposed by the Administration would encourage applicants to expedite the processing of their applications by granting a period of protection 20 years from the date the application is filed rather than the present 17-year period from the day a patent is granted. In addition, this legislation would require that patent claims be drafted with greater precision so that others would have a better understanding of how to use the invention.

#### SIMPLIFYING PROCEDURES

The Administration bill also sets forth several important steps to simplify the procedures for filing and obtaining patents. One reform would permit the owners of an invention, not just the inventor, to file the papers for, and directly obtain, a patent. This step should remove the present procedural hurdles to filing of applications by corporations, universities or other research organizations.

The bill would also simplify troublesome problems of amending applications and would give the Patent Office greater flexibility in examining applications containing more than one invention.

#### ENHANCING THE VALUE OF PATENTS

The legislation I am recommending would also enhance the value of the patent grant. The procedural reforms described above, which are designed to strengthen confidence in the examination process, would do much to achieve this goal. But other, more specific changes are also needed.

Current law leaves the owners of United States process patents unprotected against importers who sell foreign products that have been manufactured by utilizing processes developed in the United States. This law should be changed so that exclusive sales agents or affiliates of foreign competitors who handle such products will be considered patent infringers.

The proposed legislation would also permit the patent owner to settle disputes over the infringement and validity of his patent without resorting to expensive and time-consuming court litigation. Patent owners and those accused of infringing patents may instead, if mutually agreeable, turn to arbitration for resolution once a dispute arises between them. Where arbitration is not possible, improved disclosure and discovery techniques during the patent application process should reduce the expense and uncertainty of subsequent litigation.

In the event of a dispute over the validity of a patent, the legislation I am recommending would clarify the rights of the patentee or a person who might hold his patent, such as an assignee or licensee. Another provision would ensure that the patent laws not be construed to replace or preempt state laws concerning trade secrets so long as those state laws do not interfere with the free flow of ideas in the public domain. Decisions of the Supreme Court in both of these areas would also be left undisturbed.

#### PRESERVING THE BEST OF THE PRESENT SYSTEM

The Patent Modernization and Reform Act of 1973 is more than a reform bill. It would preserve and extend some of the best and most important aspects of our current patent system. In preparing this legislation, the Administration considered and analyzed a great many proposals for changing the present law—but our decision was to adopt only those proposals for change that would significantly improve the system.

We were particularly anxious to maintain present standards for the awarding of patents, including the requirement that inventions serve a useful purpose. One of the virtues of the American patent system is its emphasis upon practicality—its demands that ideas be reduced to a tangible form having a known usefulness before the public should grant a monopoly on the concept to the applicant.

My proposal would also preserve the American concept of giving the patent to the person who is first to invent, because he is the individual most deserving of recognition and encouragement. In doing so, we would reject the approach of certain other countries that award the patent to the first applicant to file for a patent.

In addition, the existing state of case law on antitrust standards for patent licensing that have been determined by the courts would not be changed. Some have argued that this case-by-case approach to patent licensing has increasingly eroded the value and reliability of the patent grant. Earlier this year, I requested that various proposals addressed to this issue be carefully studied and reviewed by the Secretary of Commerce, the Attorney General, and my chief advisers on economic policy. After much study, they concluded that there is no clearly demonstrated need or justification for introduction of any patent licensing proposals at this time. They also concluded that the legislation I recommended today will help counter the loss of public confidence by improving the reliability of patents that are issued.

#### CONCLUSION

Benjamin Franklin, a famous inventor as well as a statesman, reflected once that he wished it his destiny "to be born two or three centuries hence" so that he could not only enjoy the conveniences of modern life but also satisfy his curiosity. So long as the spirit of Franklin remains alive in America, we can be confident that our civilization will flourish.

Our patent system should always work to foster that spirit. Unfortunately, our current system does not always serve that end. With the changes I am recommending today, however, we can combine the best parts of our existing system with the most promising proposals for improving it. In that belief, I ask the Congress to give the proposals contained in the Patent Modernization and Reform Act of 1973 prompt and careful consideration.

RICHARD NIXON.

THE WHITE HOUSE, September 27, 1973.

#### PERMISSION FOR COMMITTEE ON GOVERNMENT OPERATIONS TO FILE REPORT

Mr. FASCELL. Mr. Speaker, I ask unanimous consent that the Committee on Government Operations have until midnight tonight to file a report.

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

There was no objection.

#### RECLAMATION OF STRIP-MINED LANDS IN THE WEST

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

Mr. HECHLER of West Virginia. Mr. Speaker, a recently completed report sponsored by the National Academy of Sciences concludes that reclamation of strip-mined lands in the arid west may take decades and even centuries. This fine report, entitled "Rehabilitation Potential of Western Coal Lands" concludes that lack of water and the nature of soils on our western plains result in even greater damage to the land gouged out by coal strip mining than occurs even in mountainous areas. Most people have assumed up to now that the greatest damage done by coal strip mining is in the mountainous Appalachian regions.

This new report concludes that even in the nonarid west, where the rainfall is above 10 inches per year, there is inadequate knowledge of reclamation to insure that erosion control, provision of suitable habitat for wildlife and protection of water quality can in fact be accomplished.

Furthermore, this valuable report recommends that coal gasification and liquification plants, which require vast amounts of water, should not be located in arid western areas. There is insufficient water available in these areas to support such plants, and diversion of water from other areas of the west would provide serious shortages for the people, farmers and those who will depend on water for recreational needs.

This report lends strong professional support for my contention that the strip mining of coal must be phased out within a reasonable period of 18 months, as my bill, H.R. 1000 provides. In the light of the huge reserves of stripable coal in Wyoming, Montana, Colorado, New Mexico, and other Western States, this report is so significant that I intend to extend excerpts of the report into the Record from time to time.

#### INTRODUCTION OF THE RESPONSIVE GOVERNMENTS ACT

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

Mr. WIDNALL. Mr. Speaker, today I have introduced the Responsive Governments Act (H.R. 10581) as another stone in the foundation of the administration's New Federalism. This legislation will add the planning and management compo-

nents to the basic development program found in the Better Communities Act. Enactment of each of these measures will provide our State and local governments with the capabilities to attack various urban ills with reduced Federal intervention and red tape.

In his community development message, the President stated that—

For nearly 20 years, the Federal Government has provided assistance to State and local governments in order to strengthen their planning and management capabilities.

This aid provided under the Comprehensive Planning Assistance Program, has always been helpful, but the program itself has several major flaws. It has tended, for instance, to stress one aspect of public administration—planning—without adequately recognizing other essential features such as budgeting, management, personnel administration, and information-gathering. Planning has often been irrelevant to the problems and the actual decisions. State and local governments have also found it difficult to coordinate their planning because of the fragmented way in which funds have been sent from Washington.

Mr. Speaker, the Responsive Governments Act would correct these deficiencies and assist State and local governments in meeting several important goals such as; developing reliable information on their problems and opportunities; developing and analyzing alternative policies and programs; managing the programs; and evaluating the results, so that appropriate adjustments can be made.

It is of course designed to sustain the achievements of the existing comprehensive planning and management program.

Experience has shown that an effective planning and management process provides the best insurance that Federal funds, as well as local resources, will be wisely invested. As States and local governments are freed from the restraints of narrow, categorical programs, and assume their full and rightful role in relation to community development problems, the assistance offered by the Responsive Governments Act will be vitally important.

Major improvements over the existing program will include:

Removal of constraints and excessive demands in processing and funding of grants.

Expansion of the list of eligible planning and management activities, with new emphasis in the management area.

Open ended authorizations to enhance the Congressional appropriations process.

Removal of requirements for local contributions matching the funds provided through Federal grants, and

Simplification of the application and delivery processes.

Mr. Speaker, the Responsive Governments Act will be a vital, key measure in the orchestration of programs to enhance community development efforts at the local level. I am sure that responsible officials at the State and local levels will substantiate the great need for this legislation.

#### INVESTIGATING CHARGES AGAINST VICE PRESIDENT AGNEW

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

Mr. HUTCHINSON. Mr. Speaker, today I am introducing a resolution directing the Committee on the Judiciary to conduct an investigation into certain charges which have apparently been made against the Vice President. Co-sponsoring this resolution are 14 Republicans on the Judiciary Committee.

Through leak and innuendo the character of the Vice President is being maligned. He has asked the House to investigate those charges and we are of the opinion the House has a constitutional duty to accede to his request.

Such action by the House should not be considered as being in lieu of judicial proceedings. The legal issues in this case may take the courts months, if not years, to resolve. The resolution which I am introducing, instructs the House Judiciary Committee, acting through a select subcommittee of nine members appointed by the chairman, to report to the full House the results of its investigation no later than three months after the date of the adoption of this resolution.

Mr. Speaker, the American public and the Vice President are entitled to a fair and expeditious disposition of a situation which threatens the very foundation of our form of government. The House is in a position to move with dispatch and should waste no time in acting upon this resolution.

#### INVESTIGATING CHARGES AGAINST VICE PRESIDENT AGNEW

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

Mr. McCLORY. Mr. Speaker, I join in sponsoring the resolution referred to by the ranking Republican member of the House Judiciary Committee, my colleague from Michigan (Mr. HUTCHINSON).

I appeal to the Speaker of the House and the leadership on both sides of the aisle to support this resolution and its objective. I do not think any man in public life at any time in history has been subjected to the vilification, trial by innuendo and inference, that the Vice President has experienced. It seems to me that his request to this House is fully legitimate and that we should acquiesce in this request.

As I stated on the floor of the House yesterday, the establishment of a Select Committee does not indicate we are going to try the case in the House. It does not mean we are going to assume jurisdiction which may rightfully belong to the courts. But it does mean we are going to be fair, that we are willing to provide a hearing that we wish to inform ourselves to determine what, if any, charges may involve impeachable offenses against him and

what, if any, action the House should take.

This, indeed, is our constitutional responsibility, and I believe we should exercise it.

#### INVESTIGATING CHARGES AGAINST VICE PRESIDENT AGNEW

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

Mr. MAYNE. Mr. Speaker, I have today joined 13 other members of the Judiciary Committee in introducing a resolution directing the committee to conduct a full and complete investigation of charges of impeachable offenses alleged to have been committed by SPIRO T. AGNEW. The investigation is to be conducted by a select subcommittee of nine members to be appointed by the chairman of the Judiciary Committee. While this resolution is responsive to the Vice President's letter to the Speaker which was read in this Chamber day before yesterday, it should not be interpreted as being filed in defense of the Vice President. I am not prejudging the truth or falseness of the charges which thus far have appeared only in the press based on undisclosed sources. Nor, is it my intention in supporting this resolution to impede the progress of or prejudice the result of any properly constituted judicial proceeding.

But I do believe that the Vice President and the American people are entitled to a full investigation and hearing of such charges to be aired in a public forum, that the House of Representatives is a proper forum for that purpose, and that this is a responsibility which Members of this House cannot in good conscience evade.

#### INVESTIGATING CHARGES AGAINST VICE PRESIDENT AGNEW

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

Mr. COHEN. Mr. Speaker, I commend the gentleman from Michigan, the ranking minority member of the committee, for introducing the resolution, and I wish to indicate my support for it, in addition to the resolution that was introduced yesterday.

Mr. Speaker, the time has come for the House of Representatives to recognize the responsibilities with which it has been charged under the Constitution, and to properly discharge them. This body alone has the duty to determine whether claims against high elected officials such as the Vice President are serious and substantial enough in nature to initiate impeachment proceedings. Whatever the outcome of a judicial proceeding, only we can decide whether such officials should continue in the office to which they have been elected.

We are all aware of the accusations which have been made against Vice President AGNEW regarding alleged criminal

activity. We also know that the Attorney General has reached a decision that sufficient evidence exists that a grand jury should consider the possibility of a criminal indictment.

These actions have created great uncertainty in this country and further eroded the public confidence necessary for effective leadership, particularly in times of national crisis. Not only has the situation placed tremendous burdens upon the Vice President, but, should the President suddenly be incapacitated with this matter yet unresolved, the present cloud over the Vice President could well lead to paralysis in our executive branch. The fact that the Vice President himself has requested an investigation by the House of Representatives underscores the need for immediate action.

I hope that the House will not place political considerations above its constitutional obligation and duty to the country.

#### THE TIME IS NOW

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

Mr. RANDALL. Mr. Speaker, this is the fourth installment of my effort to call daily attention to a situation which will worsen if this administration does not move quickly to inaugurate some mandatory allocations of gasoline, diesel fuel and propane to the farmers of our country.

Because of the wet spring, the normal time for cutting silage is already 3 weeks past due and yet I found repeated instances and examples of mechanized agricultural implements sitting idle in the fields, because the suppliers were ordered not to sell fuels they had in their tanks by the oil companies under threat of losing their franchise if they did.

What a spectacle—it is almost sickening to behold that the major oil companies are together on some kind of quota pattern, which results in the existence of available supply in the tanks of their distributors in the rural areas but the farmers' implements sit idle in the fields without fuel to move them.

Maybe this administration is trying to prove its friendship for or favoritism to the giants of the oil industry. I do not know. But whatever the reason for the long neglect, omission, and failure to issue by mandatory order a supply to our farmers to harvest their crops, this failure will boomerang in the months ahead, because of the highest prices for food that this country has ever witnessed in our history.

The time has passed to argue whether the Congress should act first or the administration should act first at the present time. In Public Law 93-28, section 2, the language of that statute plainly states the President may allocate petroleum products. Hopefully, the Congress in the next few days or weeks will enact such language as will leave no option to the President but that is not the situation at this moment.

The President has the authority now. The hour is late. Truly, the time to act is now.

#### ASIAN PEOPLES' ANTI-COMMUNIST LEAGUE CONFERENCE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. KEMP) is recognized for 30 minutes.

Mr. KEMP. Mr. Speaker, on July 17, I addressed the Captive Nations Rally in Taipei, Republic of China, a rally attended by over 3,000 representatives of organizations and governments throughout free Asia including many high-ranking government officials and members of the respective diplomatic corps. I have long been deeply concerned over the continuing plight of the once-free nations of Europe and Asia that are now, against their wills, a part of the Communist military and economic power structure. I am also concerned that the official policies of the United States tend to address themselves to the captive nations less and less. Throughout the course of my visit, I was impressed by the spirit of unity and cooperation which pervades the relations between these free nations.

It was, therefore, interesting to me to note the marked dissimilarity between the Asian Peoples' Anti-Communist League's 19th Conference in Taipei on August 20-23, and the so-called Nonaligned Nations Conference held during the past 2 weeks.

The APACL Conference was marked by a high degree of unity and cooperation among the anti-Communist nations of Asia, the Middle East, and Oceania. The conference was an encouraging display of the collective will of free nations to resist any foreign force or power which would destroy freedom and human dignity. In contrast, the Nonaligned Nations Conference was highlighted by open and vitriolic abuse of the United States and other free world nations. Such nonaligned spokesmen as Fidel Castro of Cuba and Prince Sihanouk, who now resides in Peking, were the principle speakers at the Nonaligned Nations Conference. When one contrasts these two conferences, it is clear even to the most casual observer that one conference—the APACL Conference—was composed of nations friendly to the United States and hostile to Communist aggression, while the other—the Nonaligned Nations Conference—was composed of nations who were openly hostile to the United States and the free world and who turned their backs on the oppression and repression occurring within the Communist and socialist countries.

Mr. Speaker, I have taken this special order today with my colleagues from Ohio (Mr. ASHBOOK) and from Illinois (Mr. CRANE) to bring the APACL to the attention of this body.

#### APACL CONFERENCE

Mr. Speaker, the APACL Conference was attended by 136 official delegates and observers from 24 nations. It was no isolated, rump session of inconsequential

powers. These delegates and observers freely exchanged views on the current world situation in general and the distressing Asian developments in particular. The conference was held during a period when it was becoming increasingly obvious that the North Vietnamese were accelerating their aggression in Southeast Asia, even now apparently constructing military airfields inside South Vietnam. To the end that more people may understand the viewpoint of the Republic of China, I include in the RECORD a message of greeting from President Chiang Kai-shek of the Republic of China, the host nation:

PRESIDENT CHIANG KAI-SHEK'S MESSAGE TO THE 19TH CONFERENCE OF THE ASIAN PEOPLES' ANTI-COMMUNIST LEAGUE

Mr. Chairman, delegates and distinguished guests: At this moment, when a miasma of appeasement obstructs the world's field of view and people are deceived by the illusion of temporary peace, it is highly significant that the Asian Peoples' Anti-Communist League should be convening its 19th Conference in Taipei, the wartime capital of the Republic of China. I wish to take this opportunity to extend my sincere and warm welcome to all of you. The Asian and Pacific region of today may be likened to a place swept by wind and rain in the darkness of the night. This notwithstanding, we are able to respond to one another's calls and communicate our common aspirations. Consequently, I am strengthened in my conviction that the righteous will be helped and the virtuous will never walk alone.

The anti-Communist situation of the world has undergone multiform change in recent years. But you have never doubted or given up your confidence in victory over Communism. We know that the annals of civilization's progress constitute a record of developing and improving human nature, resisting brute force, struggling for freedom and opposing enslavement. In the struggle against brute force and enslavement, men have encountered all manner of difficulties, reverses, sufferings and sacrifices. Yet human nature always prevails against the perversity of brute force and men go on to write new pages in history.

This is the way of human progress. We have, therefore, no reason to fear the Communists, no matter how rampant, terrible and rabid they may be at the moment. Nor should we be discouraged by the precariousness of the anti-Communist situation and the weakness shown by some people at this time.

Communist influence has been growing steadily since the end of World War II. This is principally because people are not sufficiently aware of Communist wickedness. They have become obsessed with the illusory quest for temporary peace through appeasement of these forces of evil; they even have sought temporary coexistence with these evil forces. They have lost their moral courage during the course of the struggle and abandoned the exalted goal which has been pursued by people from the beginning of human history. This goal is none other than the fulfillment of human nature as expressed in the pursuit of justice, peace, equality and freedom.

We are aware that in a dark age devoid of human dignity, human rights and freedom, there can be no protection of human life, no meaning to human existence and no attainment of true peace. Mankind today is confronted with an unprecedented challenge as human nature comes up against brute force and freedom faces enslavement. The

moral courage shown by the peoples and leaders of various countries in meeting this challenge will decide the weal or woe of these peoples and countries for a long time to come and shape the destiny of Asia and all the peoples of the world.

Schism within the Communist bloc in recent years has given rise to many illusions.

Some people believe these differences have greatly reduced the Communist threat to the security and peace of the world. This has led people to think of seeking temporary peace and of relaxing their vigilance against the Communists.

Others believe we should exploit the Communist schism through the tactic of "pititing one enemy against another enemy" and "making friends with the enemy." They wish to create a new balance of power and base the security and peace of the world on the contradictions between these enemies.

However, the contradictions within the Communist bloc have not changed its common objective of world communism, nor really altered its hostility toward the democracies. Communist expansion in one country or another is equally threatening to the security and peace of the world; other countries inevitably will be affected.

Consequently, we cannot afford to assume that contradictions between our enemies will bring true security and peace to the world. We must never relax our efforts to maintain solidarity and cooperation among the democracies.

An enemy's enemy cannot become a bona fide friend of the democracies; the enemies understand clearly the difference between brotherly contradictions and hostile contradictions and between a temporary power conflict and their unchanged common goal.

The democracies must, therefore, distinguish their relationship with allies from their relationship with enemies. They should never be confused by the temporary contradictions between their enemies or deceived by the enemy's intrigue of "uniting with tomorrow's enemy against today's enemy." Otherwise, they will be making a mistake of historical dimensions which will not be easy to correct.

All of the tragedies of war suffered by Asian peoples in the last two decades are outgrowths of the tragedy on the Chinese mainland. If we wish to ensure freedom and peace in Asia, we must begin with the restoration of human rights to the 700 million people on the mainland through their liberation from the Maoist Communist tyranny. Otherwise, this tragedy will eventually spread throughout the Asian and Pacific region and bring suffering to all. In the end all of mankind would surely be embroiled in a situation of tragic destruction.

The Chinese Communist regime has an appearance of strength but is weak internally. The 700 million oppressed people, including the frequently mentioned "close comrades-in-arms," are steadfastly opposed to the Communists in a life-or-death struggle. In the last two decades, the Maoist regime has been unable to stabilize its rule through the employment of brute force. To the contrary, rebellion and power seizure have never ceased.

The Chinese Communists are preparing to convene the "10th congress" of their party and the phony "national people's congress." They apparently hope to create a false image of solidarity and stability in order to hoodwink the world. In actuality, this is another power struggle and one which is sure to lead to more serious dissensions and bring the regime to the brink of collapse.

We can affirm that the 700 million people of the Chinese mainland will not accept the oppression of Communist brute force indefinitely. They are already engaged in an in-

creasingly fierce struggle to survive and wrest freedom from the handful of oppressors. Most Communist cadres have been awakened by their sufferings and are courageously taking an anti-Communist and anti-Maoist line.

Honorable delegates: The expansion and threat of Communist forces are global in scale. The security and peace of the world are indivisible. Consequently, final victory in the anti-Communist struggle requires incessant struggle based on the unity, common will and effort, and cooperation by the peoples of all regions, nations, races and religions. Although the democracies of the Asian and Pacific region may not be strong enough, each independent of the others, to stand alone against Communist aggression and threats, they can forge themselves into a formidable force and jointly assume the responsibility of ensuring security and peace within the area, provided only that they cooperate in good faith while clearly understanding their common danger and their common enemy, and also provided they are not so shortsighted, selfish and self-deceived as to seek temporary peace. So long as we unite and cooperate, we shall also win the sincere cooperation of the democracies in other regions. This is the way to hold the helm of our own destiny and open up a bright vista for Asia.

Events of the last two decades convince us that such drastic and self-negating changes as power seizure and rebellion may occur on the Chinese mainland within a single night. The facts of these two decades also serve to testify that no matter how the world may change, the Republic of China will never desist nor waiver in her struggle.

We have sufficient moral courage to carry on our fight against the Communists. We are prepared to endure any suffering and sacrifice in order to hold high the anti-Communist standard. Together with all peoples of benevolence and common will from the other democracies, we shall take our place at the head of the hundreds of millions of angry people shut behind the Iron Curtain in their march toward victory in the anti-Communist cause.

I wish you good health and your conference every success.

Mr. Speaker, if this Nation is not to turn its back on the varied and multitudinous peoples of the world that desire freedom and the prosperity which arises naturally from the lifting of economic and political oppression and repression—people whose only hope and encouragement lies in the determination of the United States to stand firmly against all forms of human enslavement, Communist on one side, fascist on the other—then we should heed the spirit and the letter of the APACL Conference.

#### ASIAN PEOPLES' ANTI-COMMUNIST LEAGUE CONFERENCE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. CRANE) is recognized for 30 minutes.

Mr. CRANE. Mr. Speaker, during a period when there is much discussion about the changed nature of communism, the Asian People's Anti-Communist League held a significant meeting in Taipei.

It is fitting that this conference should have been held in the capital of the Republic of China.

Despite its increasing political isolation, compounded by its expulsion from

the United Nations, the Republic of China remains a showcase of freedom and of the prosperity which only a system of free enterprise can produce.

The per capita income in Taiwan climbs steadily. It has doubled to \$400 annually in the last 6 years and should reach \$1,000 in the next 5. William B. Morrell, Jr., economic counselor of the U.S. Embassy in Taipei, notes that—

Taiwan is having the highest rate of growth of foreign trade of any significant trading nation in the world. In the next ten years Taiwan will be among the first 15 trading nations and will move to sixth place, with a \$6 billion, two-way trade.

It is important to remember that Taiwan, with only 15 million people, does approximately the same \$4.3 billion foreign trade as does Communist China with 700 to 800 million people. Writing in Fortune magazine, Louis Kraar reports that—

The per capita GNP—\$400—is already four times as large as in the People's Republic.

Even more important is the fact that the ancient Chinese religion and culture which has been destroyed on the Mainland, thrives in Taiwan. There religious freedom exists, and individuals have control over their own lives. This is a stark contrast to the mainland, where all freedoms have been eliminated and men and women are viewed simply as pawns of an all-powerful state.

Among those addressing the Asian Peoples' Anti-Communist League was Premier Chiang Ching-kuo of the Republic of China, and Dr. Ku Cheng-Kang, President of the Republic of China Chapter of the World Anti-Communist League and that organization's honorary chairman.

Premier Chiang Ching-kuo declared that—

What concerns us today is that the free world has been numbed by the Communists' smiling offensive. The dividing line between friend and foe has become unclear. Anti-Communist steps are no longer taken in cadence. The result is the emergence of serious gaps in the anti-Communist defense line of Asia and the world. To assure security, freedom and progress for Asia, we must exert ourselves for the timely termination of this crisis.

Dr. Ku pointed out that—

Turmoil in Asia is all because of the Chinese Communists who, aside from forcibly occupying the Chinese Mainland, have been instigating and supporting Communist armed aggressions and insurrections elsewhere. After so many years of name-calling against the United States, however, the Chinese Communists abruptly turned to soft-pedalling. This tactical change has aggravated the internal crisis of the Chinese Communists and forced them into an adventurous road. The Chinese Communists are seeking alliance with the United States so as to ward off Russian blows, consolidate their dangerously unstable rule of force at home, and at the same time carry out their designs of aggression and expansion in Asia.

Dr. Ku noted that—

Unless the democratic nations take steps to eliminate threats of Chinese Communist aggression once and for all, Asia can never be truly at peace.

It is essential that we in the United

States pay heed to these wise words from Premier Chiang Ching-kuo and Dr. Ku Cheng-Kang. We must not be deceived by a change in tactics by world communism, but must insist that any change be one which is accompanied by deeds, and not one which is limited to words.

While some speak of an era of détente, the fact remains that the Berlin Wall still stands, Soviet troops still occupy Czechoslovakia and other countries of Eastern Europe, Communists in Vietnam pursue their goal of total domination of that country, and everywhere in the Communist world all freedom has been eliminated. If communism has changed, there is no available evidence at this time to convince us of that fact.

It is essential that we not abandon staunch and faithful allies such as the Republic of China in the hope of an illusory peace based upon trust in the good faith of world communism. Any peace purchased at the expense of the freedom of other nations and other peoples would be a hollow one indeed, and one not worthy of our country.

I wish to share with my colleagues the addresses presented at the 19th meeting of the Asian Peoples' Anti-Communist League by Premier Chiang Ching-kuo and Dr. Ku Cheng-Kang. These addresses follow:

**DR. KU CHENG-KANG'S ADDRESS AT THE OPENING CEREMONY OF THE 19TH APACL CONFERENCE**

Honorable Delegates, Distinguished Guests, Observers, Ladies and Gentlemen:

As Asia and the world are embroiled in great confusion, the Asian Peoples' Anti-Communist League, moving steadfastly toward its goal, has advanced for this 19th Conference in Taipei the call "For the Security, Freedom and Progress of Asia." The people of the Republic of China feel honored. On behalf of the APACL China Chapter, I extend to all of you distinguished delegates, guests and observers our heartiest welcome and most sincere respect.

Careful observation reveals that the drastic changes in world situation have resulted from the prolonged anti-Communist struggle in Asia. As we view the world from Asia, we see that because of the Asian people's sustained heroic resistance to Communist aggression and rule of enslavement, the Russian and Chinese Communists have been forced to change their world communization tactics. Instead of hot war, they are now pushing offensives of hypocritical smiles and engage the free nations in negotiations. Viewing Asia from the standpoints of the world, we note that the Russians are trying to ally with the Americans to checkmate the Chinese Communists, while the latter are attempting to befriend the Americans for defense against the Russians. In both cases, the primary objective is to strengthen their control and final communization of Asia. Fundamentally, therefore, current world developments are merely the projection of Asian problems, and Asia is the center of gravity of the entire world.

The present Asian situation is still characterized by serious Communist threats of infiltration and subversion. Masses of people are exposed to Communist gunfire and many are dying. However, because of the anti-Communist awakening of Asian people and the continuous growth of freedom forces in the region, crushing blows have been dealt the Communist schemes to conquer free Asia through armed aggression and insurrection.

In Asia today, ceasefire in Vietnam is not yet in effect, and the Khmer Republic is under mounting Communist attacks. This shows that attempts to gain peace through talks with the Communists or to create a multipolar check and balance structure of one type or another are unpractical illusions, and that democratic nations can effectively realize true peace in Asia only by extending positive support to the anti-Communist struggles of free Asian nations, thus enabling them to defend their freedom with their own strength.

In the face of this Asian situation, we must distinctly understand that the road of anti-Communism is the only path for Asians and that neutralist line is positively infeasible. Despite the united front peace campaigns of the Communists, fundamental contradictions between the Communist bloc and the democratic camp remain unchanged. In spite of the tactics of negotiation instead of confrontation, contrast and contradiction continue between freedom and slavery and between democracy and totalitarianism. Given the Communist goal of world communization, satellite existence can only mean servitude and neutralism cannot exist outside the framework of satellite status. Therefore, we must now urge free Asian nations to positively take note of the following points:

No free nation in Asia can afford to entertain hopes that neutrality and self-preservation may be maintained between the fundamentally opposing worlds of democracy and Communism. Any such nation will find itself in the Communist trap of isolation and individual conquest.

In the rivalry between the Soviet Union and the Chinese Communists, free nations in Asia should never commit the mistake of aligning with Moscow to defeat Peiping or aligning with the Chinese Communists to counter the Russians. Any nation attempting to take sides will become either a Russian satellite or a Chinese Communist satellite and find itself engulfed in the inevitable fate of enslavement.

No one in free Asia can mistakenly believe that, in the face of Communist aggressors, a nation may be anti-Communist at home but may at the same time appease the Communists in other lands. No such two-sided approach will work. Also impossible is the self-deceiving line of simultaneous opposition to and appeasement of the Communists. No door should be left open for Communist infiltration and subversion. No free nation should permit its own spiritual disarmament and help the Communists further their communization designs.

Ladies and gentlemen, turmoil in Asia is all because of the Chinese Communists who, aside from forcibly occupying the Chinese mainland, have been instigating and supporting Communist armed aggressions and insurrections elsewhere. After so many years of name-calling against the United States, however, the Chinese Communists abruptly turned to soft-pedalling. This tactical change has aggravated the internal crisis of the Chinese Communists and forced them onto an adventurous road. The Chinese Communists are seeking alliance with the United States so as to ward off Russian blows, consolidate their dangerously unstable rule of force at home, and at the same time carry out their designs of aggression and expansion in Asia. This being the case, unless the democratic nations take steps to eliminate threats of Chinese Communist aggression once and for all, Asia can never be truly at peace. The Republic of China has suffered the longest and the most severely under Communist aggression and insurrection. The nation also has the bitterest of experiences in the face of alternative Communist use of peace talk and battlefield tactics. The Republic of China has the duty and responsibility to let

other free Asian nations learn of its painful lessons as well as its firm stand and unshakable faith.

The Republic of China's anti-Communist struggle is for the recovery of its lost territory and for the return of enslaved people to freedom. This fundamental national policy of the nation is positively unalterable. Because of its bitter experience, the nation will never conduct any negotiations with the Chinese Communists.

The Republic of China's anti-Communist struggle constitutes a shield for the security of the Western Pacific and against external Chinese Communist ventures.

The Republic of China's anti-Communist struggle will, together with the anti-slavery revolution of the people on the Chinese mainland, bring about a total destruction of Chinese Communist tyranny and decisively remove the source of turmoil in Asia.

The Republic of China's anti-Communist struggle will continue to promote the unity of overseas Chinese and their cooperation with the governments and people of their host countries. This in turn will generate formidable strength against Chinese Communist attempts at infiltration and subversion.

The Republic of China's anti-Communist struggle is not just for its own benefit. Instead, it has inseparably to do with the freedom and security of whole Asia. Victory for the Republic of China's anti-Communist struggle, therefore, will be an assurance for Asian freedom and security.

Ladies and gentlemen, a new Asian era with Asians safeguarding Asia is taking shape through the struggle of freedom forces against Communist forces. At this crucial moment to decide the course of history, we must grasp the turning point and strive to create a new situation for the victory of freedom.

For these reasons, we must consolidate our unity, fortify our faith, concentrate our will power, and muster all the momentous Asian strength for the defense of Asia. In this connection, we must gallantly make our stand known as follows:

We resolutely maintain that no secret diplomacy of power politics is to be introduced at the sacrifice of Asians. We strongly oppose any and all negotiations conducted against the free will of Asians.

We resolutely maintain that we must forever stand firmly on the side of freedom and democracy and continue our cooperation and common struggle with all the other free nations in the world. Asia's destiny should be decided by Asians. No arrangement of power balance is acceptable to Asians.

We resolutely maintain that free Asian nations should steer their struggle for freedom in the correct direction, oppose neutralist lines, give full play to the spirit of self-salvation and mutual salvation, and crush all Communist schemes to cause dissension and disintegration in the free world.

We resolutely maintain that peace has to be on the foundation of freedom and that peace is to be sought under the condition that all the people behind the Iron Curtain are restored to freedom.

We resolutely maintain that steadfast support must be given the governments and peoples of the Republic of Vietnam, the Khmer Republic and the Kingdom of Laos for their gallant struggle to win freedom and democracy, and that, in view of the urgent Indochinese situation following the end of U.S. bombing against Communist units in Cambodia, the United States and all the free Asian nations should, for the sake of common interest and for international moral obligations, swiftly come up with effective assistance and countermeasures.

We resolutely maintain that free nations in Southeast Asia and Northeast Asia should jointly and speedily seek ways and means to

promote regional cooperation in the political, economic, cultural and defense fields for the growth of free democratic Asian society so as to jointly safeguard the existence and freedom of the nations of this area. We oppose any and all plans to connive with the Russian or Chinese Communists to perpetrate their designs of expansion and aggression under the pretext of collective security or peaceful co-existence.

Ladies and gentlemen, the historical mission of the Asian Peoples' Anti-Communist League at the present stage is to act in line with the six major assertions that I have just declared, bring forth insistent Asian determination against slavery, aggression and totalitarianism. Through intensifying free Asian consciousness, self-efforts, and unity, we shall bring about a new high tide of anti-Communist endeavor. Together we shall check aggression, overthrow tyranny, fight for the realization of national independence, political democracy and economic equality and build up a new Asia of freedom, democracy, peace and prosperity.

**PREMIER CHIANG CHING-KUO'S ADDRESS TO THE 19TH CONFERENCE OF THE ASIAN PEOPLES' ANTI-COMMUNIST LEAGUE**

Mr. Chairman, distinguished guests, ladies and gentlemen:

It is a great pleasure for me to have this opportunity to meet prominent anti-Communist leaders from the Asian and Pacific region at today's opening ceremony of the 19th Conference of Asian Peoples' Anti-Communist League. First, I wish to express on behalf of my government and People our warmest welcome and sincere respect for distinguished guests who came from afar.

Your esteemed League was established for the purpose of uniting all Asian peoples to strive for Asia's security and peace under the righteous banner of freedom and survival in the struggle against Communism and enslavement. The continuing efforts and incessant expansion of your esteemed League in moving toward this exalted goal have made this respected anti-Communist organization a nucleus of the Asian peoples' resistance to Communist tyranny during the last 18 years.

Under your sponsorship and leadership, the World Anti-Communist League was established in 1967. Since then, peace-loving and anti-Communist peoples of all the world have been able to communicate their aspirations and support one another's will, thereby establishing a strong anti-Communist common front. Consequently, your esteemed organization has recorded outstanding achievements and made matchless contributions to the global anti-Communist movement. At this moment when Asia is in potentially grave danger from the menace of Communism, it is highly significant that your esteemed League is holding its conference here to orient the anti-Communist movement in Asia for the days to come, as well as to discuss "the struggle for the security, freedom and progress of Asia" as the meeting's theme. The effects will be far-reaching.

The spread of poisonous Communist ideology and the expansion of its perverse influence is the worst tragedy to afflict mankind in the twentieth century. Although this muddy current originated in Europe, it is Asia which has suffered the most in the last more than half a century. Since the Chinese mainland was shut behind the Iron Curtain, the Chinese Communists, who inherited the irrational and heretical theory of Marx and Lenin, have imposed an inhuman tyrannical rule on 700 million people. They have utilized starvation, terror and persecution to compel the people to serve as their instruments of international threat, blackmail and extortion. This has brought unprecedented tragedy to the Chinese people, transformed the Chinese mainland into

the biggest bastion of Communist aggression and made the mainland the epicenter of Asian disturbance and turmoil.

Our President has long pointed out that "the world's crisis lies in Asia and the question of Asia lies in China." Let us take a look at Asian situation since the Communist seizure of the mainland. The Korean war, Indo-China war, and turmoils from Northeast Asia, Southeast Asia and the so-called subcontinent, are without exception the results of Chinese Communist expansion and incitement. In these more than two decades, over half the Asian population has been brought under enslaving and tyrannical Communist rule, countless families have been separated and innumerable lives and properties have been destroyed by war. These tragic facts have testified to the world one fact: that the security of Asia has been threatened, the freedom of Asians has been infringed and the progress of Asian society has been impeded. All this is the result of Chinese Communist intrigue and ambition.

The excesses and iniquity of the Chinese Communists in the past have aroused animosity and invited attack from the free world. Additionally, the Communists face the affliction of domestic disruption. Consequently, they have had to change their tactics, put on the disguise of a smiling face, pretend to be amiable and talk peace and cooperation in order to deceive the world. If we relax our vigilance and defenses, we shall fall squarely into their trap. In fact, no matter how they pretend to be good nor what lies they tell to mislead the world, the real nature of their wickedness will never change and they will never abandon their intention of carrying out world revolution through Asian communization. We can say with full confidence that so long as the Chinese Communists continue to exist, there will be no true peace and tranquillity in Asia. Consequently, at this moment when your esteemed league has made "the security, freedom and progress of Asia" your solemn task, we should like to over some of our basic views:

The security of Asia can be attained only after the source of turmoil, the Chinese Communist regime, has been removed through the unity, cooperation and joint efforts of Asian countries.

The freedom of Asia can be ensured only after Communist infiltration, subversion and aggression have been smashed through the recognition of Asians that these are threats to freedom.

The progress of Asia can be assured only after the tyrannical rule of Communism has been annihilated and Asian countries are able to cooperate in good faith and pursue prosperity and development through joint efforts.

What concerns us today is that the free world has been numbed by the Communists' smiling offensive. The dividing line between friend and foe has become unclear. Anti-Communist steps are no longer taken in earnest. The result is the emergence of serious gaps in the anti-Communist defense line of Asia and the world. To assure security, freedom and progress for Asia, we must exert ourselves for the timely termination of this crisis.

We must point out: Freedom and slavery cannot coexist; democracy and totalitarianism are incompatible. The Communist bloc cannot be expected ever to abandon its ambition of world communization. Consequently, any desire or attempt to bargain with the tiger for its skin or to make friends with the enemy will not bring any new hope for the world. To the contrary, this will only fuel the malignant flames of Communism and exacerbate world turmoil.

We must also point out: So-called "peaceful coexistence" is to the Communists another form of struggle. The purpose is to

paralyze the opponent in his own illusions of peace so as to subject him to another political or military attack by the Communists.

We wish to point out further: The Chinese Communists are treacherous and crafty and completely untrustworthy. This has been fully exposed in their notorious deeds of the past. If the free world were not so prone to forget, it could recollect that some Asian countries have sought peaceful coexistence with the Chinese Communists through appeasement and that this resulted in endless trouble and tragedy once the wolf had been let in.

In view of these experiences and bitter historical lessons, we cannot be absolved from the responsibility of urging all peace-loving countries and peoples to uphold justice, stand firm on principle, take a strong stance and renounce all moves of appeasement so as to defend democracy and freedom, attain world peace and reconstruct a strong global anti-Communist defense line.

At the same time, we also have the obligation of advising free Asian countries which are directly threatened by the Communists to strengthen their political, economic, cultural and even defense cooperation and relationships as the precondition for removing the common danger and striving for collective security in order to fight on the common front, move toward the same goal and take concerted steps to realize our aspiration of security, freedom and progress for Asia.

Ladies and gentlemen: Our President also has pointed out: "The Communist threat to Asia began on the Chinese mainland and it will end there as well. As the Communist threat to Asia grew out of the Communist threat to China, it can be eliminated only by destroying the Chinese Communists." Consequently, the annihilation of the Chinese Communists and the suppression of Communist insurrection are inescapable and sacred responsibilities of the Republic of China and have been the basic national policy of our country for years. I should like to take this opportunity to reiterate that no matter how high the Communist flames may rise nor what changes occur in the world, we shall never change, waver or suspend our stand, our confidence and our actions to carry out these responsibilities.

Asia has a glorious history and has made indelible contributions to the progress of civilization and the defense of world peace; it will continue to shoulder its heavy burden and move ahead to make more and greater contributions. We deeply believe that with the intelligence and wisdom of Asians, we can clarify the Asian situation first and then lead the way to the restoration of a bright outlook for the world, and that with the moral courage and force of traditionally peace-loving and freedom-loving Asians, we can eventually overcome the tyrannical, totalitarian and perverse force of Communism. Let us treasure the glorious past of Asia and be proud of being Asians. Let us join together to defend this brilliant escutcheon, which shines as brightly as the rising sun, and do our utmost for the lasting happiness of Asia.

I am aware that all of the delegates to this conference of your League are strong and determined anti-Communist leaders of their countries. With your supreme wisdom, lofty prestige and outstanding leadership, you will open up a broader and smoother road for the Asian peoples' anti-Communist movement.

I wish you good health and happiness and the victory of Asian anti-Communism.

I thank you.

**ASIAN PEOPLES' ANTI-COMMUNIST LEAGUE CONFERENCE**

The SPEAKER pro tempore. Under a previous order of the House, the gentle-

man from Ohio (Mr. ASH BROOK) is recognized for 30 minutes.

Mr. ASH BROOK. Mr. Speaker, there are still many in the world who understand the threat posed by the Communist regimes. The 19th Conference of the Asian Peoples' Anti-Communist League brought together a large number of delegates—many of whose home countries are facing Communist aggression and/or subversion.

At the close of the conference the delegates issued a communique. As this communique has received no coverage in the American press; therefore, I wish to share excerpts of the communique with you:

**JOINT COMMUNIQUE OF THE 19TH CONFERENCE OF THE ASIAN PEOPLES' ANTI-COMMUNIST LEAGUE**

After a thorough analysis of the subjects presented, the conferees were convinced that the sustained anti-Communist struggle in Asia has had its impact on the entire world situation and that Asia remains at the center of gravity for changes around the world.

The Conference, therefore, unanimously maintains that:

To protect Asian security, nations of the region must, through unity and mutual assistance, check Communist infiltration, subversion, aggression and expansion;

To safeguard Asian freedom, nations of the region must, through unity and mutual assistance, and the perpetuation of social justice, strive to eliminate the sources of Communist scourges in Asia; and

To promote Asian progress, nations of the region must, through unity and mutual assistance, strengthen their political, economic and cultural cooperation for a more effective democracy and greater prosperity.

The Conference vigorously supports the heroic fighting of the Governments and peoples of the Republic of Vietnam, Khmer Republic and Kingdom of Laos for independence and freedom. In view of the critical Khmer situation, the Conference urgently requests the United States and other free democratic nations to provide unqualified assistance to the government and people of the Khmer Republic in their fight against Communist aggression. The Conference further seeks to help the people of war-torn areas to rebuild free and stable society. Sincere admiration of the conferees goes to Thailand, the Philippines, Indonesia, Malaysia, Saudi Arabia and Singapore and other free nations of Asia for their anti-Communist measures. Since Asia's common security is strictly indivisible, the conferees ardently hope that all the free Asian nations will continue to bear in mind the aggressive qualities and unchanging world communication goal of the Communists. These nations should abandon neutralist and non-alignment policies, strengthen cooperation, and forge ahead in their efforts to attain self-reliance and mutual security.

Deep regret has been expressed over Japanese Government's establishment of relations with the Chinese Communists and the consequent growth of leftist forces. Hopes are that Japanese people will influence their Government to exert common endeavors with the other free democratic nations for the protection of freedom and security in Northeast Asia. In this connection, full support of the Conference goes to the Republic of Korea for its judicious measures against infiltration and encroachment by North Korean Communists and for the maintenance of security and peace in the area.

Concern has been manifested over the unfavorable influences on the other free Asian-Pacific nations resulting from the establishment of ties with the Chinese Communists by Australia and New Zealand. For the sake of collective security in the entire region, the Conference sincerely hopes that the

Governments of Australia and New Zealand will continue to strengthen unity and cooperation with the free nations of the area...

The Conference ardently hopes that the United States, closely related to the free Asian nations and sharing the fate fully with them, will further enhance its glorious tradition of democracy and freedom. In view of the Communist offensive of smiles and united-front tactics, the Conference urges the United States to respect the rights and interests of the other free nations when conducting talks with the Communists, continue to fulfill its treaty obligations and defense commitments for its allies, and above all insist that peace must be on the foundation of freedom and under the condition that all the enslaved people are restored to freedom...

The world continues to undergo drastic changes, but the basic contradiction between democracy and Communism has not been altered as a result of detente. Confrontations, in fact, are ever more serious. The APACL, therefore, must fortify its indomitable traditional spirit as the vanguard in the defense of freedom and democracy, persist in its drive toward its goal, fight on to the very end, and bring about national independence, political democracy and economic prosperity in all of Asia. Anti-Communist unity of the whole world should be promoted on the basis of Asian accomplishments and for writing of a new page in the history of man's struggle for freedom...

The participants of the present Conference are convinced that the success of their undertaking marks the beginning of a new stage of action for the Asian peoples' anti-Communist campaign and provides a heartening assurance that the Asian peoples' anti-Communist struggle will achieve ultimate victory.

**CONSTITUENT OPINION POLL—NEW YORK'S 27TH CONGRESSIONAL DISTRICT—PART II**

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. ROBISON) is recognized for 10 minutes.

Mr. ROBISON of New York. Mr. Speaker, on yesterday I inserted in the RECORD at this point the first of perhaps four installments reporting, and commenting, upon the results of my recently completed constituent opinion poll. Yesterday's remarks covered the nature of the poll, referred to the minor criticism I had received concerning the form of some of the questions, and then concentrated on the results on my first question, one aimed at trying to discover, in my own way, the effects of Watergate on President Nixon.

Today, I wish to turn my attention to my second and third questions.

This was the second question:

Congress and President have fought all year over who should set "national priorities." Would you favor settling that argument by legislation compelling the President to spend all funds appropriated by Congress?

What I was trying to get at, Mr. Speaker, was, of course, the public attitude—and depth of comprehension—of what might be called the impoundment issue, a struggle over which we have, indeed, been marching up and down our respective hills all year long.

It was not an easy task to phrase this question in such a way as to produce a useful response; but, as far as I can recall, I received only one complaint, in letter form, as to the nature of my ques-

tion. That respondent wrote in these words:

Your survey (question) suggests that all arguments of "national priorities" are related to the budget and appropriations. You do not really believe that, do you?

My answer to his question would be, "No, I don't." However, I do think it true that citizen and Congressman alike, at least at this point in the history of what really is a protracted struggle between President and Congress—and one considerably antedating this current administration—ultimately view that question of national priorities in terms of whether or not spending on those priorities can be fitted within the confines of a Federal budget already bursting at the seams.

As a member of the Committee on Appropriations, I have found myself for several years in the middle of the effort to do just that—an effort our distinguished chairman, the gentleman from Texas (Mr. MAHON), once described as heavily involving "a mix of philosophy, fact, and faith."

It was inevitable, I suppose that, beginning with the growth of the Federal Government under Franklin Roosevelt, the increasing number of skirmishes between President and Congress over which best understood the needs of the Nation would eventually assume the nature of open warfare between the two, as is now more or less the case. I will not here attempt to argue the case for either President or Congress, Mr. Speaker—to here try to prove that the philosophy, facts, or faith of the one is better than that of the other. Even if I were so minded, our own experiences here this year in attempting to find some legislatively means for handling Presidential impoundments of funds voted by Congress indicate that I could not convince anyone in this House to change his or her mind.

I will only say, in my own judgment, underneath the surface clash of personalities that colors the current struggle, that there is a deep-seated unwillingness in Congress to accept responsibility for raising the revenues required to support its own spending desires. It is easier—as we know—to vote for this or that while laying the burden of reduced expenditures, or of finding new revenues, at the door of the President, whoever he happens to be at the moment. In this sense, then, it may well be true that—without our even realizing it—the practice of Presidential impoundments that has grown up over the years is part of a tacit agreement that Congress will get credit for voting the funds while the President takes Congress off the hook by refusing to spend them, or all of them. If this be true, Mr. Speaker—or anywhere near true—I have to wonder how badly any of us really wants to find, just now, a way to force a President to spend all we have voted in the way of funds.

I say "just now," because I again think, myself, that it is only possible to find a viable solution to this problem through the kind of reform of our own revenue and budgetary procedures as now recommended to us by the Joint Study Committee on Budget Control, or some variant of those recommendations. I strongly hope that those still-pending recommendations do not fall by the wayside.

just because they involve change, and most substantial change, at that. Change does not come easily around here. As Mr. MAHON has also recently noted—

... the House of Representatives is an anvil that has broken many a hammer.

But it is time for a change—for change in our own procedures for so relating Federal revenues to contemplated Federal expenditures as to make the question of Presidential impoundments an academic one. When, and if, that can be accomplished, then—and, perhaps, only then—can the Congress take its rightful place alongside the President in a partnership approach to the ongoing task of determining what are the true priorities of this Nation and its citizens.

However, to get back, Mr. Speaker, to my questionnaire, if I had hoped for guidance from my constituents as to which course they wanted me to follow in this regard, I must report I received none. For—believe it or not—when the actual totals are rounded off among the some 30,000 responses to my second question, as set forth earlier in these remarks, my constituents coming down on the side of the President ended up in a dead heat with those coming down on the side of Congress, with an almost exact 50 percent responding saying "Yes" to my question and the other 50 percent saying "No."

Happily, without choosing sides as to which was the right choice, responses to my third question did give me substantial guidance.

This was that third question:

A recent Supreme Court decision validated the kind of liberalized abortion laws adopted in recent years by New York and other States. Would you favor an amendment to the Federal Constitution to (in effect) repeal such laws and allow abortion only to save the life of the mother?

As I noted in my remarks on yesterday, several persons wrote in to worry over the possibility that my use of prefatory words "Would you favor," was ill advised in that any question so phrased tended to elicit agreement. However, such was not the case—at least in this instance. For, again reporting on some 30,000 individual responses, 32 percent said "Yes" to this question, while 68 percent said "No." As I also mentioned on yesterday, I did provide space on my post card return form for husbands and wives to separately state their opinions. This was one question on which I had anticipated finding some differences as between male and female respondents. Curiously enough, however, when the numbers are rounded off, there is virtually no difference, percentagewise, as between male and female respondents on this issue.

Was the question appropriately phrased? Was it fairly stated—so that the issue was clearly understood?

As I have said, Mr. Speaker, I am no expert in this regard—any such question would be difficult to phrase so as to be totally acceptable. However, I can report that I received no complaint—not one—as to the form of this question; and I can further report that, while the questionnaire was out I met, during the recess period, with a delegation of members of the Broome County, N.Y., Right

to Life Committee and asked them, then, if they felt my question was fairly stated and they replied that, in their judgment, it was.

To round out that conversation, however, in an effort to be totally fair, they did tell me that they felt there was a great deal of public misunderstanding of, and misinformation concerning, the abortion issue, the chief basis for which lies in their belief—most sincerely held—that human life begins at the point of conception and is thereafter continuous, whether intrauterine or extrauterine, until death. Put another way, it is their holding that a fetus begins a separate life from the moment of conception, so that abortion at any stage is the taking of a human life. It is their further view, as I understand it, that the Supreme Court ruled, in effect, that unborn children are not persons in the eyes of the Constitution, and that their lives can be taken from them at the request of the mother. In answer to the question, sometimes put in response to such a point of view: "Does a mother not have a right to her own body?" their answer is: "This is not her body but the body of another human person."

Mr. Speaker, I shall not here attempt to resolve the deep-seated emotional, moral, and religious differences so strongly—and sincerely—held on both sides of this difficult issue. But it is an issue that has been widely discussed and debated in New York State in recent years, in light of action by our State legislature to reform our anti-abortion laws, and I would tend to believe that most of our citizens understand the issue, although surely the debate will go on.

Now, in conclusion, let me say this—and what I say applies in general to the results obtained by me on all questions, except this one, in the sampling of constituent opinion on which I am reporting.

How should I interpret—and apply—those results?

As I see it, Mr. Speaker, I should use them as guidelines to my own decisions on related legislative matters—but as guidelines, only. This is because I have always believed that the great English statesman, Edmund Burke, put it best almost precisely 200 years ago when he said:

Your representative owes you, not his industry alone, but his judgment; and he betrays instead of serving you if he sacrifices it to your opinion.

It seems to me that this is the way representative democracy is supposed to work—and the way it works best.

However, the abortion issue is such a "human" issue, involving as it does such deeply held individual viewpoints that, whatever my own opinion or judgment on the same, this is one time that I should fashion my votes thereon—if any there are to be in the future—on the basis of what I conceive to be the majority opinion on it as held by the citizens I am privileged to represent in this House. It seems to me that, for the moment at least, the result obtained by me on this question is the best guide I have as to that opinion. I recognize the fact that it can change, and I intend to sample it again periodically to see if it has changed, in which event I would be guided thereby.

In subsequent installments, next week,

Mr. Speaker, I will report on the remaining questions—and the results thereon—as provided by this attempt at determining public opinion in New York's 27th Congressional District.

#### THIRTY-FIVE MEMBERS JOIN MATSUNAGA IN CALL FOR CABINET-LEVEL DEPARTMENT OF PEACE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Hawaii (Mr. MATSUNAGA) is recognized for 10 minutes.

Mr. MATSUNAGA. Mr. Speaker, along with 35 of my colleagues, I introduced today legislation to promote peace among nations by creating a Cabinet-level Department of Peace within our own Government.

Through our technological advances, we have now reached the point where the realization of peace is the only means of survival for man. "Hiroshima" by John Hersey, offers vivid evidence that if man fails to take the initiative in bringing about a lasting peace, one would not even wish to survive a third world war.

An important first step would be to create an entity within the Federal Government charged with the responsibility of creating the peace we have sought through so many years. Existing structures, committed to other goals, will not serve. One recent Secretary of State, for example, made no secret of his conception of his Department's primary mission:

Not for one minute do I believe the purpose of the State Department is to make friends. The purpose of the State Department is to look out for the interests of the United States. Whether we make friends I do not care . . . (what follows) will be a problem for some other Secretary of State, not me.

There is an immediate need to provide a sure answer to the question, "Who's in charge of peace around here?" and I believe that the legislation being reintroduced today provides at least a tentative answer.

I think those of my distinguished colleagues who are cosponsoring the proposed legislation with me, and that a list of their names, and a short sectional analysis of the bill, be included in the RECORD at the conclusion of my remarks:

#### DEPARTMENT OF PEACE BILL SPONSORS

Spark M. Matsunaga, Bella Abzug, Glen M. Anderson, Herman Badillo, John H. Blatnik, Frank J. Brisco, James A. Burke, Shirley Chisholm, Cardiss Collins, James C. Corman, Ronald V. Dellums, Robert F. Drinan, Don Edwards, Joshua Elberg, Paul Findley, Ella T. Grasso, Michael Harrington, and Augustus F. Hawkins.

Henry Helstoski, Robert L. Leggett, Clarence D. Long, Ralph H. Metcalfe, Robert H. Mollohan, John E. Moss, Robert N. C. Nix, Claude Pepper, Thomas M. Rees, Henry S. Reuss, Peter W. Rodino, Jr., Robert A. Roe, Benjamin S. Rosenthal, Edward R. Roybal, John F. Seiberling, Jerome R. Waldie, Charles H. Wilson, and Antonio Won Pat.

H.R. 4824

#### TITLE I—DEPARTMENT OF PEACE

A Department of Peace will be established at the Cabinet level, with a Secretary of Peace, four assistant Secretaries of Peace

and a General Counsel. All of these Presidential appointments would be with the advice and consent of the United States Senate.

The purpose of H.R. 4824 is to provide a means for achieving peaceful resolution of international conflicts. No entity of the United States Government is currently charged with this responsibility. A Department of Peace would be in keeping with our obligation under the Kellogg-Briand Pact of 1929, the Nuremberg Charter of 1945 and Articles 1 and 2 of the United Nations Charter to seek international peace.

Several functions currently carried out by other agencies would be transferred to the Peace Department. These include those functions carried out by the Agency for International Development (AID), the Arms Control and Disarmament Agency, the Peace Corps, and the International Agricultural Development Service. The Secretary of Peace would advise the President on the appointment of persons to represent the United States in the United Nations and related bodies, as well as assuming those duties of the Secretary of State relating to Article 57 of the U.N. Charter.

An annual report to the President by the Secretary of Peace would be required for submission to Congress.

#### TITLE II—NATIONAL PEACE ACADEMY

H.R. 4824 also establishes a National Peace Academy with instructors being appointed by the Secretary. A Board of Trustees composed of the Secretary, two officers of the Department, two members of the Senate and House, of different political parties, the Chairman of the Atomic Energy Commission, and the Chairman of the Federal Council on Arts and the Humanities, a member of the National Academy of Sciences, two prominent educators, two prominent persons associated with world peace, and the United States Ambassador to the United Nations.

Enrollment in the Institute will be limited to 150 qualified persons holding a bachelor's degree, or its equivalent from a foreign college or university.

#### TITLE III—JOINT PEACE COMMITTEE

A joint congressional committee, composed of seven members from each House, with party representation reflecting the relative membership of the majority and minority parties in each House, shall be established to study matters relating to the Department.

#### JEWISH NEW YEAR

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. ADDABBO) is recognized for 5 minutes.

Mr. ADDABBO. Mr. Speaker, it is with great hope that members of the Jewish faith again celebrate Rosh Hashanah. The beginning of each new year is a time of hope and of anticipation for a better world.

And as this new year begins for those of the Jewish faith, our thoughts turn again to a troubled world, and to the plight of so many who have faced such persecution for their religious beliefs.

We think of the tiny State of Israel, threatened on all sides by belligerent nations, and we can only hope that somehow reason will prevail in the year to come, and peace will finally arrive for the peoples of the Middle East.

We think also of the citizens of the Soviet Union who have waited so long and so patiently for the simple right to worship God as they choose, and to emigrate as they please.

We here in the Congress of the United States can only pray with them that a better day may soon come for the Soviet

Jews as we hope it will for the people of the Middle East.

But at least in the case of Israel, this Nation may intervene on behalf of justice through diplomatic negotiations, direct support and in whatever is needed to keep that small nation alive and free.

We in the Congress have fewer options in the case of the Soviet Jews. But I regard it as hopeful that the House Ways and Means Committee, strongly supported by a majority of the Members of the House, has refused to ratify a new trade bill without due consideration for the plight of the Soviet Jews.

The committee has approved the Mills-Vanik amendment, endorsed by myself and 287 other House Members, which will prohibit the United States from conferring favored nation status on any country that practices religious discrimination.

I would hope that the bill will be reported out of committee next week and will be sent to the floor for final consideration shortly afterward. I believe it will be passed overwhelmingly by the Members of this House.

While it is generally known that the bill has particular interest in the plight of the Soviet Jews, we in this Nation must always concern ourselves with discrimination against all or any people, and do what we can to eliminate it once and for all.

The right to worship God as a man chooses is a simple right, but it is fundamental to freedom. Until a man can worship as he pleases, he can never truly be called a free man. We therefore call upon the House of Representatives to reaffirm the faith in the freedom of religious worship that is the founding stone of this Nation by approving overwhelmingly the Mills-Vanik amendment when it comes to the floor of the House.

And we would hope that this action will signal the beginning of change within the Soviet Union, and in the Middle East as well. We believe that man is able to live side by side with his neighbor in peace; we would hope to see the new year bring this tranquility to the world.

And so as this new year begins, there is much that humanity can hope for, and there is much that all of us can do to bring these hopes a little closer to reality. We wish the members of the Jewish faith a happy and peaceful year to come. On this day of celebration, perhaps the best of what is in man will begin to emerge and to stay in sight forever.

#### 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. MILLER) to revise and extend their remarks and include extraneous material:)

Mr. YOUNG of Alaska, for 5 minutes, today.

Mr. KEMP, for 30 minutes, today.

Mr. CRANE, for 30 minutes, today.

Mr. ASHBROOK, for 30 minutes, today.

Mr. ROBISON of New York, for 10 minutes today.

Mr. FINDLEY, for 5 minutes, today.

September 27, 1973

#### SPECIAL ORDERS GRANTED

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

Mr. PICKLE, for 60 minutes, for Tuesday, October 2, 1973.

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

Mr. GONZALEZ, for 5 minutes, today.

Mr. MATSUNAGA, for 10 minutes, today.

Mr. ADDABBO, for 5 minutes, today.

#### EXTENSION OF REMARKS

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

Mr. HUBER to revise and extend his remarks in two instances.

Mr. BENNETT in two instances.

(The following Members (at the request of Mr. MILLER) and to include extraneous matter:)

Mr. GUBSER.

Mr. KEMP.

Mr. BAUMAN.

Mr. McCLORY in two instances.

Mr. MAYNE in two instances.

Mr. COHEN.

(The following members (at the request of Mr. BREAUX) and to include extraneous matter:)

Mr. GONZALEZ in three instances.

Mr. RARICK in three instances.

Mr. ULLMAN in two instances.

Mr. HARRINGTON in three instances.

Mr. ROONEY of Pennsylvania in two instances.

Mr. JOHNSON of California.

Mr. VANIK.

#### ADJOURNMENT

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

The motion was agreed to; accordingly (at 12 o'clock and 27 minutes p.m.) under its previous order, the House adjourned until Monday, October 1, 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:

1393. A letter from the Acting Assistant Secretary of the Army (Installations and Logistics), transmitting a report on the planned disposal of various munitions containing lethal chemical warfare agents; to the Committee on Armed Services.

1394. A letter from the Chairman, Civil Aeronautics Board, transmitting a draft of proposed legislation to amend the Federal Aviation Act of 1958 so as to extend the tariff-filing period for proposed tariff changes and to provide that the Board cannot suspend a proposed tariff for interstate or overseas air transportation less than 15 days before the time when the tariff would otherwise go into effect; to the Committee on Interstate and Foreign Commerce.

1395. A letter from the Chairman, Federal Power Commission, transmitting a copy of the publication entitled "Typical Electric go into effect; to the Committee on Interstate and Foreign Commerce.

## 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. PERKINS: Committee of conference. Conference report on S. 795 (Rept. No. 93-529). Ordered to be printed.

Mr. HOLFIELD: Committee on Government Operations. Report on stream channelization: what federally financed draglines and bulldozers do to our Nation's streams (Rept. No. 93-530). Referred to the Committee of the Whole House on the State of the Union.

## PUBLIC BILLS AND RESOLUTIONS

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

By Mr. DINGELL (for himself, Mr. MOAKLEY, and Mr. SEIBERLING):

H.R. 10580. 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. WIDNALL:

H.R. 10581. A bill to assist States and local governments to improve their capabilities for responsive and effective governmental action; to the Committee on Government Operations.

By Mr. BROYHILL of Virginia:

H.R. 10582. A bill to bring certain employees of the Department of Defense within the purview of the competitive civil service, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 10583. A bill to amend title 5, United States Code, to include as creditable service for the purposes of the civil service retirement system certain periods of service of civilian employees of nonappropriated fund positions in special services recreation and morale programs of the Armed Forces; to the Committee on Post Office and Civil Service.

By Mr. DE LUGO (for himself, Mr. WON PAT, Mrs. BURKE of California, Mr. BURTON, Mrs. CHISHOLM, Mrs. COLLINS of Illinois, Mr. CONVERS, Mr. CRONIN, Mr. DELLUMS, Mr. DIGGS, Mr. HAWKINS, Miss JORDAN, Mr. JOHN-

SON of California, Mr. JONES of Oklahoma, Mr. KETCHUM, Mr. MATSUNAGA, Mr. MEEDS, Mr. MELCHER, Mr. RANGEL, Mr. RONCALIO of Wyoming, Mr. SAYLOR, Mr. SEIBERLING, Mr. SKUBITZ, Mr. STEPHENS, and Mr. STOKES):

H.R. 10584. A bill to amend the public assistance provisions of the Social Security Act to provide that benefits thereunder (including supplemental security income benefits) shall be made available and financed in the case of Guam and the Virgin Islands on the same basis as in the case of other States; to the Committee on Ways and Means.

By Mr. DE LUGO (for himself, Mr. VIGORRO, and Mr. FAUNTRY):

H.R. 10585. A bill to amend the public assistance provisions of the Social Security Act to provide that benefits thereunder (including supplemental security income benefits) shall be made available and financed in the case of Guam and the Virgin Islands on the same basis as in the case of other States; to the Committee on Ways and Means.

By Mr. FISHER (for himself, Mr. NEDZI, Mr. RANDALL, Mr. CHARLES H. WILSON of California, Mr. LEGGETT, Mr. GUESER, and Mr. VAN DEERLIN):

H.R. 10586. A bill to amend title 10, United States Code, to authorize the use of health maintenance organizations in providing health care; to the Committee on Armed Services.

By Mr. HUTCHINSON:

H.R. 10587. A bill to amend the Export Trade Act, as amended, to provide for clarification of law, for prior Federal Trade Commission clearance of export trade associations, and for other purposes; to the Committee on the Judiciary.

By Mr. MATSUNAGA (for himself, Ms. ABZUG, Mr. ANDERSON of California, Mr. BADILLO, Mr. BLATNIK, Mr. BRASCO, Mr. BURKE of Massachusetts, Mrs. CHISHOLM, Mrs. COLLINS of Illinois, Mr. CORMAN, Mr. DELLUMS, Mr. DRINAN, Mr. EDWARDS of California, Mr. EILBERG, Mr. FINDLEY, and Mrs. GRASSO):

H.R. 10588. A bill to promote the peaceful resolution of international conflict, and for other purposes; to the Committee on Government Operations.

By Mr. MATSUNAGA (for himself, Mr. HARRINGTON, Mr. HAWKINS, Mr. HELSTOSKI, Mr. LEGGETT, Mr. LONG of

Maryland, Mr. METCALFE, Mr. MOLLOHAN, Mr. MOSS, Mr. NIX, Mr. PEPPER, Mr. REES, Mr. REUSS, Mr. RODINO, Mr. ROE, Mr. ROSENTHAL, Mr. ROYBAL, Mr. SEIBERLING, Mr. WALDIE, Mr. CHARLES H. WILSON of California, and Mr. WON PAT):

H.R. 10589. A bill to promote the peaceful resolution of international conflict, and for other purposes; to the Committee on Government Operations.

By Mr. MILLER:

H.R. 10590. A bill to provide effective relief from disruptive imports of nonrubber footwear in a manner that will be fair to producers, workers, and consumers; to the Committee on Ways and Means.

By Mr. MURPHY of New York (for himself, Mr. CLARK, Mr. STUBBLEFIELD, Mr. JONES of North Carolina, Mr. LEGGETT, Mr. BIAGGI, Mr. BOWEN, Mr. SNYDER, and Mr. YOUNG of South Carolina):

H.R. 10591. A bill to amend the act of June 13, 1933 (Public Law 73-40), concerning safety standards for boilers and pressure vessels, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. PEYSER (for himself and Mr. YATRON):

H.R. 10592. A bill to amend the Elementary and Secondary Education Act of 1965 to provide a program of grants to States for the development of child abuse and neglect prevention programs in the areas of treatment, training, case reporting, public education, and information gathering and referral; to the Committee on Education and Labor.

By Mr. ROSTENKOWSKI (for himself, Mr. KLUCZYNSKI, Mr. METCALFE, Mr. MURPHY of Illinois, and Mrs. COLLENS of Illinois):

H.R. 10593. A bill to amend the Federal Trade Commission Act (15 U.S.C. 45) to provide that under certain circumstances exclusive territorial arrangements shall not be deemed unlawful; to the Committee on Interstate and Foreign Commerce.

By Mr. HUTCHINSON (for himself, Mr. McCLOY, Mr. RAILSBY, Mr. WIGGINS, Mr. DENNIS, Mr. FISH, Mr. MAYNE, Mr. HOGAN, Mr. KEATING, Mr. BUTLER, Mr. COHEN, Mr. LOTT, Mr. FROELICH, and Mr. MARAZITI):

H. Res. 570. Resolution directing the Committee on the Judiciary to conduct an investigation into certain charges against Spiro T. AGNEW; to the Committee on Rules.

## SENATE—Thursday, September 27, 1973

The Senate met at 9 a.m. and was called to order by the President pro tempore (Mr. EASTLAND).

## PRAYER

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

O Lord who hast been our dwelling place in all generations, keep us ever under the canopy of Thy care. We ask not to be separated from the stresses and strains of life, nor kept from problems and pain, but to be kept by Thy grace amid all sunshine and shadow. Shelter us in our coming in, in our going out, and in our daily work that we may be used to advance Thy kingdom.

In Thy holy name, we pray. Amen.

## THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of

Wednesday, September 26, 1973, be dispensed with.

The PRESIDENT pro tempore. Without objection, it is so ordered.

## COMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that all committees may be authorized to meet during the session of the Senate today.

The PRESIDENT pro tempore. Without objection, it is so ordered.

## RELEASE OF RESTRICTIONS ON USE OF CERTAIN PROPERTY CONVEYED TO CITY OF ALGONA, IOWA, FOR AIRPORT PURPOSES

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 384, S. 1116.

The PRESIDING OFFICER. Is there

objection to the present consideration of the bill?

There being no objection, the bill (S. 1116) to authorize the Secretary of Transportation to release restrictions on the use of certain property conveyed to the city of Algona, Iowa, for airport purposes was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding section 16 of the Federal Airport Act (as in effect on March 20, 1947), the Secretary of Transportation is authorized, subject to the provisions of section 4 of the Act of October 1, 1949 (50 App. U.S.C. 1622c), to grant releases from any of the terms, conditions, reservations, and restrictions contained in the deed of conveyance dated March 20, 1947, under which the United States conveyed certain property to the city of Algona, Iowa, for airport purposes.*

Mr. MANSFIELD. Mr. President, I ask