be of interest to inquire as to how a small, land-locked African nation, which has attacked no one, was officially declared by the U.N. Security Council to be "a threat to the peace," when no such action was taken against North Vietnam during its long aggression in Southeast Asia, or against the Soviet Union and the Warsaw Pact nations at the time of the 1968 invasion of Czechoslovakia.

Fifth, I would hope that the managers of the bill presented by the Senator from Minnesota would be prepared to discuss in some detail the governments and potential contributions of the new members—namely, those admitted to membership after the original 51. The Senate and the Nation, I believe, would be interested in just what types of governments these new United Nations members have.

Sixth, I should think the Senate and the people of our Nation would have great interest in the financial aspects of the United Nations. Most certainly, we should know, and consideration of the proposed legislation would present a good opportunity to get a full accounting, just how much money the United States has contributed to the United Nations since it was organized in 1945. We need to know not just the regular assessments—the dollar amount and percentages, and so forth—but also the various voluntary contributions with dollar amounts, percentages, and so forth.

These are a few thoughts that come to my mind, and undoubtedly other Senators will have many other areas that should be explored during consideration of the proposed legislation.

It has been many years since there has been a full-scale discussion in the Congress as to the role of the United Nations and its many ramifications.

Now would be a good time to give full consideration to the various matters I have mentioned above.

I hope when this legislation is called up, possibly next week, that the Senate would enter into a full-scale discussion of the United Nations, the many problems concerning that world organization, and the financial contributions of the United States to it.

I end as I began:

The legislation Senator HUMPHREY's proposal would repeal says this:

The President may not prohibit the importation of a strategic material from a non-Communist country if such material is imported from a Communist-dominated country.

Except for the fact that the United Nations does not like it, and Russia does not like it—what is the matter with the existing legislation, which was passed by the Congress, signed by the President, and upheld by the courts?

ORDER FOR AGREEMENT TO COMMITTEE AMENDMENTS TO S. 2589 AT THE TIME OF ITS CONSIDERATION

Mr. JACKSON. Mr. President, in line with the desire of all of us to expedite action on the emergency energy bill, S. 2589, which has been reported by the Committee on Interior and Insular Affairs, I ask unanimous consent that when the Senate proceeds to the consideration of S. 2589, the committee amendments be considered as having been agreed to en bloc and that the bill as amended be treated as original text for the purpose of further amendment.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Washington? The Chair hears none, and it is so ordered.

QUORUM CALL

Mr. HARRY F. BYRD, JR. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HARRY F. BYRD, JR. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL 10 A.M.

Mr. HARRY F. BYRD, JR. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in adjournment until 10 a.m. tomorrow.

The motion was agreed to; and at 1:25 p.m., the Senate adjourned until Wednesday, November 14, 1973, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate November 13, 1973:

DEPARTMENT OF JUSTICE

Evan LeRoy Hultman, of Iowa, to be U.S. attorney for the northern district of Iowa for the term of 4 years. Reappointment.

IN THE NAVY

Rear Adm. Eli T. Reich, U.S. Navy, retired, for appointment to the grade of vice admiral on the retired list pursuant to title 10, United States Code, section 5233.

IN THE AIR FORCE

The following officer under the provisions of title 10, United States Code, section 8066, to be assigned to a position of importance and responsibility designed by the President under subsection (a) of section 8066, in grade, as follows:

To be lieutenant general

Maj. Gen. Royal N. Baker, [redacted] FR (major general, Regular Air Force), U.S. Air Force.

HOUSE OF REPRESENTATIVES—*Tuesday, November 13, 1973*

The House met at 12 o'clock noon.

Rev. Edward M. Gladden, St. Andrew's Methodist Church, Salisbury, Md., offered the following prayer:

Our Father, inspire the Members of this body, and the people of this Republic, to fulfill their destiny as a nation that Thou hast blessed; here they have come citizens from every race. Here they have found refuge; here they built homes; and here they invested their lives. We thank Thee for those who were heroic in times of peril, and gave freely to the last full measure of devotion. Let us not waste their sacrifice. Teach us to bring durable peace out of war, order out of chaos, brotherhood out of conflict. So may our people learn to do justly, love mercy, and walk humbly with Thee.

We commend the Congress of our great Nation to Thy loving care and fatherly goodness. 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.

THE REVEREND EDWARD M. GLADDEN

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

Mr. BAUMAN. Mr. Speaker, the Reverend Mr. Edward M. Gladden comes to us today from the United Methodist Church of Salisbury on the Eastern Shore of Maryland. A distinguished member of his community, he was born in Chance, Somerset County, Md., which is the mother county of that great area of the Free State. He has pastored several churches on his native Eastern Shore and his pastorate now includes St. Andrew's in Salisbury and Melson's near Delmar, with more than a thousand souls.

After elementary and high school, he attended Wesley College in Dover, Del., and Duke Divinity School, Duke University, Durham, N.C. He has had pastorates at Galestown and Newark, Md., and on beautiful Smith Island, out in the Chesapeake Bay, one of the most picturesque communities in my district.

I know all the Members welcome Reverend Gladden here today and thank him for his inspirational prayer which has opened our session.

THANKSGIVING RECESS

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

Mr. ROUSH. Mr. Speaker, the program which has been announced for the next few weeks calls for a 10-day recess over Thanksgiving. I cannot in good conscience agree with such a schedule. The Congress has work to do. We still have three appropriations bills to pass in the House and numerous others to deal with by way of conference reports. The con-

firmation vote on Vice-President-designate GERALD R. FORD, is of the utmost importance. The appointment of a special prosecutor is legislation which by all means deserves immediate attention. The trade bill, the pension bill, the social security bill, and numerous other pieces of legislation demand attention. We are living in a period of crises. For the Congress to leave Washington at a time when the country and, indeed, the world is in a period of crisis is neither wise nor prudent. I believe our people will not look approvingly on a congressional 10-day recess. I suggest we stay on the job.

FROM DEPENDENCY TO INDEPENDENCY IN ENERGY

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

Mr. HANNA. Mr. Speaker, I have been very impressed by the responses that have come from the administration and the work that is being done by the Congress on the crisis of energy. I am disturbed, however, that we have very little other than a crisis response.

I should like to point out to the House that the most important thing that we can do is to look at the constructive things that are going to be required to meet the long-range thrust of what a movement from dependence to inpendence in energy will mean. I am very disturbed that there is not being addressed to this House plans and projects predicated on a reality of knowing where the money is going to come from, where the manpower is going to come from, and where the materials are going to come from to establish these new projects and these new sources that will support the economy of the United States.

Mr. Speaker, I sorely am afraid that we are looking at an increase in unemployment in the dimensions of 6 percent next year, and, if we do not act affirmatively and effectively, perhaps as much as 13-percent unemployment in the next 3 years.

ANNOUNCEMENT OF RECESS FROM NOVEMBER 15 TO NOVEMBER 26, 1973

(Mr. O'NEILL asked was given permission to address the House for 1 minute.)

Mr. O'NEILL. Mr. Speaker, I take this time to make an announcement. Upon the conclusion of the legislation which is now being managed by the gentleman from New York (Mr. ROONEY), I will offer a concurrent resolution that when the House adjourns on Thursday, November 15, 1973, it stand adjourned until 12 o'clock meridian, Monday, November 26, 1973.

APPOINTMENT AS MEMBER OF FEDERAL COUNCIL ON ARTS AND HUMANITIES

The SPEAKER. Pursuant to the provisions of section 9(b), Public Law 89–209, as amended by section 2(a)(8), Public Law 93–133, the Chair appoints as a member of the Federal Council on the Arts and the Humanities the gentlewoman from Connecticut (Mrs. GRASSO).

CONFERENCE REPORT ON H.R. 8916, DEPARTMENTS OF STATE, JUSTICE, COMMERCE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS, 1974

Mr. ROONEY of New York. Mr. Speaker, I call up the conference report on the bill (H.R. 8916) making appropriations for the Departments of State, Justice, Commerce, the Judiciary, and related agencies, for the fiscal year ending June 30, 1974, and for other purposes, and ask unanimous consent that the statement of the managers be read in lieu of the report.

The Clerk read the title of the bill.

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

There was no objection.

CALL OF THE HOUSE

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

The SPEAKER. Evidently a quorum is not present.

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

A call of the House was ordered.

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

[Roll No. 576]

Ashley	Esch	Nelsen
Blackburn	Gonzalez	O'Hara
Burke, Calif.	Gray	Powell, Ohio
Chappell	Gubser	Rees
Chisholm	Hébert	Reid
Clark	Heckler, Mass.	St Germain
Clausen, Don H.	Jarman	Skubitz
	Jones, Okla.	Steele
Conlan	Keating	Stephens
Conte	Kluczynski	Teague, Tex.
Davis, Wis.	Lent	Thompson, N.J.
Dellums	McKay	Tiernan
Diggs	Mathias, Calif.	Young, S.C.
Du Pont	Mizell	
Edwards, Calif.	Murphy, N.Y.	

The SPEAKER. On this rollcall 391 Members have recorded their presence by electronic device, a quorum.

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

PERMISSION FOR COMMITTEE ON RULES TO FILE PRIVILEGED REPORTS

Mr. BOLLING. Mr. Speaker, I ask unanimous consent that the Committee on Rules may have until midnight tonight to file certain privileged reports.

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

There was no objection.

CONFERENCE REPORT ON H.R. 8916, DEPARTMENTS OF STATE, JUSTICE, COMMERCE, AND RELATED AGENCIES APPROPRIATIONS, 1974

The SPEAKER. The Clerk will read the statement.

The Clerk read the statement.

(The conference report and statement, see proceedings of the House of November 8, 1973.)

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

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

There was no objection.

The SPEAKER. The gentleman from New York (Mr. ROONEY) is recognized for 30 minutes, and the gentleman from Michigan (Mr. CEDERBERG) is recognized for 30 minutes.

The Chair now recognizes the gentleman from New York.

(Mr. ROONEY of New York asked and was given permission to revise and extend his remarks and include extraneous matter.)

Mr. ROONEY of New York. Mr. Speaker, the pending bill (H.R. 8916) which makes appropriations for the Departments of State, Justice, and Commerce, the Judiciary and related agencies for the fiscal year ending June 30, 1974, and for other purposes, as agreed to by the House-Senate conferees, contains a total of $4,466,012,000 in new obligational authority plus $221,515,000 for liquidation of contract authorizations.

The bill before you is $313,066,000 above the bill as originally passed by the House. However, the other body considered estimates totaling $287,821,000 which were not considered by the House.

This bill is $56,889,000 below the total of the budget estimates, and it is $2,313,-081,850 below the total new obligational authority for fiscal year 1973.

Mr. Speaker, I should like at this time to express my appreciation to all of the members of the subcommittee as well as the full committee for their cooperation and assistance in connection with this year's bill. I especially want to commend the distinguished and highly capable gentleman from West Virginia (Mr. SLACK) for so ably chairing the subcommittee during my illness.

Mr. Speaker, at this time I ask unanimous consent to insert in the RECORD a table giving by departments and agencies the details of the bill as agreed to by the conferees, and also that I may be permitted to revise and extend my remarks.

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

There was no objection.

(The material referred to follows:)

DEPARTMENTS OF STATE, JUSTICE, AND COMMERCE, THE JUDICIARY, AND RELATED AGENCIES, 1974

Department or agency	New budget (obligational) authority, fiscal year 1973	Budget estimates of new (obligational) authority, fiscal year 1974	New budget (obligational) authority recommended in House bill	New budget (obligational) authority recommended in Senate bill	New budget (obligational) authority recommended by conference action	Conference action compared with—			
						New budget (obligational) authority, fiscal year 1973	Budget estimates of new (obligational) authority, fiscal year 1974	New budget (obligational) authority recommended in House bill	New budget (obligational) authority recommended in Senate bill
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
Department of State	$587,185,650	$633,050,000	$595,571,000	$606,482,750	$618,559,000	+$31,373,350	−$14,491,000	+$22,988,000	+$12,076,250
Department of Justice	1,778,078,000	1,860,824,000	1,808,112,000	1,844,262,000	1,842,262,000	+64,184,000	−18,562,000	+34,150,000	−2,000,000
Department of Commerce	1,612,074,500	1,210,992,000	961,804,000	1,227,852,000	1,223,578,000	−388,496,500	+12,586,000	+261,774,000	−4,274,000
The Judiciary	193,642,600	205,529,000	202,364,000	204,514,000	203,442,000	+9,799,400	−2,087,000	+1,078,000	−1,072,000
American Battle Monuments Commission	3,711,000	3,800,000	3,800,000	3,800,000	3,800,000	+89,000			
Arms Control and Disarmament Agency	10,000,000	7,735,000	6,935,000	7,935,000	7,735,000	−2,265,000		+800,000	−200,000
Commission on American Shipbuilding	550,000	205,000	205,000	205,000	205,000	−345,000			
Commission on Civil Rights	4,948,000	5,814,000	5,566,000	5,814,000	5,700,000	+752,000	−114,000	+134,000	−114,000
Commission on the Organization of the Government for the Conduct of Foreign Policy	200,000	1,100,000		1,100,000	1,050,000	+850,000	−50,000	+1,050,000	−50,000
Department of the Treasury, Bureau of Accounts: Fishermen's Protective Fund	3,000,000					−3,000,000			
Equal Employment Opportunity Commission	32,000,000	46,934,000	40,000,000	46,934,000	43,000,000	+11,000,000	−3,934,000	+3,000,000	−3,934,000
Federal Maritime Commission	5,679,000	6,040,000	6,000,000	6,000,000	6,000,000	+321,000	−40,000		
Foreign Claims Settlement Commission	16,943,000	810,000	800,000	800,000	800,000	−16,143,000	−10,000		
International Radio Broadcasting	39,670,100	49,934,000	45,000,000	45,000,000	45,000,000	+5,329,900	−4,934,000		
Marine Mammal Commission		825,000	412,000	825,000	412,000	+412,000	−413,000		−413,000
National Commission for the Review of Federal and State Laws Relating to Wiretapping and Electronic Surveillance		332,000	332,000	332,000	332,000	+332,000			
National Commission on Fire Prevention and Control	450,000					−450,000			
National Tourism Resources Review Commission	400,000					−400,000			
Small Business Administration	2,273,530,000	248,273,000	248,123,000	248,123,000	248,123,000	−2,025,407,000	−150,000		
Special representative for trade negotiations	1,014,000	1,550,000	1,500,000	1,500,000	1,500,000	+486,000	−50,000		
Subversive Activities Control Board	350,000					−350,000			
Tariff Commission	6,000,000	7,300,000	7,000,000	7,300,000	7,100,000	+1,100,000	−200,000	+100,000	−200,000
United States Information Agency	209,668,000	231,854,000	219,422,000	200,699,500	207,414,000	−2,254,000	−24,440,000	−12,008,000	+6,714,500
Total, new budget (obligational) authority	6,779,093,850	4,522,901,000	4,152,946,000	4,459,478,250	4,466,012,000	−2,313,081,850	−56,889,000	+313,066,000	+6,533,750
Appropriations to liquidate contract authorizations	(232,000,000)	(221,515,000)	(221,515,000)	(221,515,000)	(221,515,000)	(−10,485,000)			

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

Mr. ROONEY of New York. I am happy to yield to my friend, the distinguished gentleman from Iowa (Mr. GROSS).

Mr. GROSS. Mr. Speaker, I thank the gentleman from New York for yielding. I would like to say at the outset that I am more than pleased to see my friend, the gentleman from New York, back, I might say, at the old stand handling this bill on the House floor. I am happy to see the gentleman has recovered from his illness, and I hope that the gentleman from New York will be with us for a long, long time. While the gentleman from New York has been ably represented by the vice chairman, the gentleman from West Virginia (Mr. SLACK), it has not been quite the same in the absence of Mr. ROONEY. It is good to have him back.

Mr. Speaker, I should like to ask a question concerning a favorite topic when a State Department appropriation bill comes before the House, and that is the increase for representation allowances. Does that mean that booze and food, as indulged in by the State Department, has increased in price, or more of it is being consumed, or is this due to the devaluation of the dollar?

Mr. ROONEY of New York. I should like to say to my distinguished friend, the gentleman from Iowa (Mr. GROSS), that I thank him for his kind remarks. I have always had high regard for the gentleman personally. The gentleman has always been my friend, even though we have disagreed at times. I think that together we have accomplished some significant things over the many years in saving the taxpayers' money.

In response to the inquiry of the gentleman from Iowa, may I say that the amount approved by the conferees would not allow over a gill more than they presently have in alcoholic beverages. However, we must realize that the price of Coca-Cola and Pepsi-Cola has advanced to such an extent over a good part of the world that it became necessary to allow this slight increase in this item for representation allowances.

The House conferees did succeed in saving some money by helping to make up for this increase in other boards and commissions where the other body allowed funds to do quite a bit of entertaining.

Mr. GROSS. Is the gentleman from New York saying that Pepsi-Cola and Coca-Cola have become heavy items of consumption in the State Department these days?

Mr. ROONEY of New York. Oh, they always have been.

Mr. GROSS. Is that due to the influence of our new Secretary of State?

Mr. ROONEY of New York. No, the consumption started quite a few years back. They have had to drink Coca-Cola exclusively in many countries where alcoholic beverages are not permitted.

Mr. GROSS. Does the gentleman think that the Department of State will be content and satisfied with $1,200,000 for what my friend, the gentleman from New York, has been pleased to call tools of the trade?

Mr. ROONEY of New York. I should think they should be.

Mr. GROSS. I thank the gentleman for his response.

With respect to the payments for the International Center in Washington, D.C., an item of $2,200,000, was there such an item in the original House bill?

Mr. ROONEY of New York. It was not authorized at the time that this bill was before the committee.

Mr. GROSS. But it is now authorized; is that correct?

Mr. ROONEY of New York. It is presently authorized.

Mr. GROSS. I thank the gentleman.

Mr. CEDERBERG. Mr. Speaker, the

distinguished chairman of our subcommittee, the gentleman from New York (Mr. ROONEY), has adequately explained this conference report. I just want to say that I am sure I can speak for all of the members of the subcommittee and the Members of the House that we are delighted to see that the chairman is back and feeling well, and to note that when he was in conference with the Members of the other body, he was the same JOHN ROONEY we have always known.

Mr. ROONEY of New York. Will the distinguished gentleman from Michigan yield?

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

Mr. ROONEY of New York. I sincerely thank the gentleman. I will tell the gentleman one thing: I would feel much better if there were some heat in this Chamber. I think there is no sense in our coming here and spending all day in this temperature. I have been told not too many months ago that if I get another cold, I am in trouble.

Mr. CEDERBERG. May I say to the distinguished gentleman we will wind this up in a real hurry. The rumor is they turned on the air-conditioning so we could get the temperature down to 65. With all of the hot air in here, sometimes it is hard to keep it as cool as it has been.

Mr. Speaker, I should just like to say I have no further requests for time, and I yield back the balance of my time.

Mr. HAMMERSCHMIDT. Mr. Speaker, I rise in support of the conference report on H.R. 8916, making appropriations for the Departments of State, Justice, and Commerce and related agencies for fiscal year 1974. I specifically single out the appropriation of $245 million for the programs under the Economic Development Administration.

As my colleagues know, the administration at the beginning of the year opposed the extension of EDA and requested only termination funds for this program. I am pleased that Congress saw fit to extend this valuable act despite these objections. The President reconsidered and signed the 1-year extension.

Since these events took place during the consideration of H.R. 8916, this body did not have the opportunity to consider any program appropriation request for EDA. Consequently, conferees could only review action taken by the other body which acted on the administration's recommendations for EDA funds. I am pleased that all moneys appropriated by the Senate have been retained in conference.

However, the $245 million is considerably less than previous years' appropriations. Additionally, vital programs under EDA have received no funding whatsoever. Title III district funds are lacking. Title II business loans have been eliminated. I am confident, though, that funds for districts, totaling $6.5 million will be included in a supplemental appropriation bill now in committee and expected later this month. This program deserves our extended support. Districts are a proven workable tool to deliver the Federal dollar to meet the local need.

Additionally, the supplemental could fill any dollar gap created by the early commitment of fiscal year 1974 EDA funds. I hope EDA considers itself in full operation for the entire fiscal year, and does not attempt to terminate operation at the beginning of the 1974 calendar year.

I urge passage of this conference report.

Mr. McCLORY. Mr. Speaker, it appears that the conference report in making appropriations for the Department of Justice—accompanying H.R. 8916—includes funds totaling $870 million for the Law Enforcement Assistance Administration—LEAA.

Mr. Speaker, it is my understanding that of this sum, the National Institute on Law Enforcement and Criminal Justice will receive approximately $40 million for fiscal year 1974. This sum should enable the National Institute to make a substantial start in fulfilling its important roles of research and training, as well as the numerous other related activities for which this important agency is responsible.

Mr. Speaker, I have been favorably impressed with the expanded authority granted to the National Institute, and I have been tremendously impressed by its Director, Jerry Kaplan. I hope that substantial progress in behalf of the vital assistance to the local and State law enforcement agencies and all others concerned with law enforcement and criminal justice will occur during the coming year.

Mr. RAILSBACK. Mr. Speaker, I am pleased to add my vote in favor of passage of the conference report on H.R. 8916, State, Justice, Commerce, and judiciary appropriations for fiscal year 1974.

Last June when the legislation was considered by the House, I offered an amendment to the judiciary appropriations section of H.R. 8916 which would have the effect of restoring 170 probation officers.

Members of Subcommittee No. 3, on which I serve as ranking Republican, have had an opportunity to investigate many prisons. We had the opportunity to hear the testimony of people who are expert in the field of corrections, including people with the administration and people outside of the administration.

Time after time, expert witness after expert witness made the point that something is wrong in this country when we have a recidivism rate that points out nearly three-fourths of our first-time youthful offenders who have gone to prison are going to be back in prison within a 5-year period. Our entire criminal justice system could and should be indicted on that particular statistic alone.

Of some encouragement is that various probation systems have provided the ex-offender with the support to become a meaningful part of society. However, unfortunately, the probation caseload is expanding so rapidly that a probation officer may have a caseload as high as 80 or more.

The witnesses the committee heard stated that a good caseload would be about 35 cases per caseworker. I would suggest to all of you that if we really want to do something about crime—if we really want to do something about the rates of recidivism—we cannot cut the funding of our probation officers.

My amendment, adopted by the full House membership earlier in the year, appropriated $83,372,000 for supporting personnel. This figure was increased to $83,522,000 by the Senate, and the joint House-Senate conference has set that figure at $83,450,000. I am convinced this is a fair figure, and I would hope there would be no delay in passage of the conference report today on H.R. 8916.

While there are quite obviously many other important sections of the legislation, I am particularly concerned that we provide funds to assist the young offender—for he has the potential to become either tomorrow's law-abiding citizen or tomorrow's costly liability caught in the revolving door of recidivism. I strongly believe that a dollar spent on rehabilitation of the young offender is the best investment we can make, and the legislation before us will go a long way in providing the needed resources.

I urge immediate passage of the conference report on H.R. 8916, the State, Justice, Commerce, and judiciary appropriations bill for fiscal year 1974.

Mr. ROONEY of New York. I thank the gentleman.

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

The previous question was ordered.

The SPEAKER. The question is on the conference report.

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

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

The SPEAKER. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 394, nays 11, not voting 28, as follows:

[Roll No. 577]

YEAS—394

Abdnor	Arends	Bennett
Abzug	Armstrong	Bergland
Adams	Ashbrook	Bevill
Addabbo	Ashley	Biaggi
Alexander	Aspin	Biester
Anderson, Calif.	Badillo	Bingham
Anderson, Ill.	Bafalis	Blatnik
Andrews, N.C.	Baker	Boggs
Andrews, N. Dak.	Barrett	Boland
Annunzio	Bauman	Bowen
	Beard	Brademas
	Bell	Brasco

Bray	Fuqua	Martin, Nebr.
Breaux	Gaydos	Martin, N.C.
Breckinridge	Gettys	Mathis, Ga.
Brinkley	Giaimo	Matsunaga
Brooks	Gibbons	Mayne
Broomfield	Gilman	Mazzoli
Brotzman	Ginn	Meeds
Brown, Calif.	Goldwater	Melcher
Brown, Mich.	Gonzalez	Metcalfe
Brown, Ohio	Goodling	Mezvinsky
Broyhill, N.C.	Grasso	Michel
Broyhill, Va.	Green, Oreg.	Milford
Buchanan	Green, Pa.	Miller
Burgener	Griffiths	Mills, Ark.
Burke, Fla.	Grover	Minish
Burke, Mass.	Gude	Mink
Burleson, Tex.	Gunter	Minshall, Ohio
Burlison, Mo.	Guyer	Mitchell, Md.
Burton	Haley	Mitchell, N.Y.
Butler	Hamilton	Moakley
Camp	Hammer-schmidt	Mollohan
Carey, N.Y.	Hanley	Montgomery
Carney, Ohio	Hanna	Moorhead, Calif.
Carter	Hanrahan	Moorhead, Pa.
Casey, Tex.	Hansen, Idaho	Morgan
Cederberg	Hansen, Wash.	Mosher
Chamberlain	Harrington	Moss
Chappell	Harsha	Murphy, Ill.
Chisholm	Harvey	Myers
Clancy	Hastings	Natcher
Clark	Hawkins	Nedzi
Clawson, Del	Hays	Nichols
Clay	Hébert	Nix
Cleveland	Hechler, W. Va.	Obey
Cochran	Heckler, Mass.	O'Brien
Cohen	Heinz	O'Neill
Collier	Helstoski	Owens
Collins, Ill.	Henderson	Parris
Conable	Hicks	Passman
Corman	Hillis	Patten
Cotter	Hinshaw	Pepper
Coughlin	Hogan	Perkins
Cronin	Holifield	Pettis
Culver	Holt	Peyser
Daniel, Dan	Holtzman	Pickle
Daniel, Robert W., Jr.	Horton	Pike
Daniels, Dominick V.	Hosmer	Poage
Danielson	Howard	Podell
Davis, Ga.	Huber	Preyer
Davis, S.C.	Hudnut	Price, Ill.
de la Garza	Hungate	Price, Tex.
Delaney	Hunt	Pritchard
Dellenback	Hutchinson	Quie
Denholm	Jarman	Quillen
Dennis	Johnson, Calif.	Railsback
Dent	Johnson, Colo.	Randall
Derwinski	Johnson, Pa.	Rangel
Devine	Jones, Ala.	Rees
Dickinson	Jones, N.C.	Regula
Diggs	Jones, Okla.	Reuss
Dingell	Jones, Tenn.	Rhodes
Donohue	Jordan	Riegle
Dorn	Karth	Rinaldo
Downing	Kastenmeier	Roberts
Drinan	Kazen	Robinson, Va.
Dulski	Kemp	Robison, N.Y.
Duncan	Ketchum	Rodino
Eckhardt	King	Roe
Edwards, Ala.	Koch	Rogers
Edwards, Calif.	Kyros	Roncalio, Wyo.
Eilberg	Landrum	Roncallo, N.Y.
Erlenborn	Latta	Rooney, N.Y.
Esch	Leggett	Rooney, Pa.
Eshleman	Lehman	Rose
Evans, Colo.	Litton	Rosenthal
Evins, Tenn.	Long, La.	Rostenkowski
Fascell	Long, Md.	Roush
Findley	Lott	Roy
Fish	Lujan	Roybal
Fisher	McClory	Runnels
Flood	McCloskey	Ruppe
Flowers	McCollister	Ruth
Flynt	McCormack	Ryan
Foley	McDade	Sandman
Ford, Gerald R.	McEwen	Sarasin
Ford, William D.	McFall	Sarbanes
Forsythe	McKay	Satterfield
Fountain	McKinney	Scherle
Fraser	McSpadden	Schneebeli
Frelinghuysen	Macdonald	Schroeder
Frenzel	Madden	Sebelius
Frey	Madigan	Seiberling
Froehlich	Mahon	Shipley
Fulton	Mallary	Shoup
	Mann	Shriver
	Maraziti	Sikes
Sisk	Teague, Calif.	Williams
Skubitz	Teague, Tex.	Wilson, Bob
Slack	Thompson, N.J.	Wilson, Charles H., Calif.
Smith, Iowa	Thomson, Wis.	Wilson, Charles, Tex.
Smith, N.Y.	Thone	Winn
Snyder	Thornton	Wolff
Spence	Tiernan	Wright
Staggers	Towell, Nev.	Wyatt
Stanton, J. William	Treen	Wydler
Stanton, James V.	Udall	Wylie
Stark	Ullman	Wyman
Steed	Van Deerlin	Yates
Steele	Vander Jagt	Yatron
Steelman	Vanik	Young, Alaska
Steiger, Ariz.	Veysey	Young, Fla.
Steiger, Wis.	Vigorito	Young, Ga.
Stokes	Waggonner	Young, Ill.
Stratton	Waldie	Young, S.C.
Stubblefield	Walsh	Young, Tex.
Studds	Wampler	Zablocki
Sullivan	Ware	Zion
Symington	Whalen	Zwach
Talcott	White	
Taylor, Mo.	Whitehurst	
Taylor, N.C.	Whitten	
	Widnall	
	Wiggins	

NAYS—11

Archer	Crane	Rarick
Byron	Gross	Shuster
Collins, Tex.	Ichord	Symms
Conyers	Landgrebe	

NOT VOTING—28

Blackburn	Gray	Nelsen
Bolling	Gubser	O'Hara
Burke, Calif.	Keating	Patman
Clausen, Don H.	Kluczynski	Powell, Ohio
Conlan	Kuykendall	Reid
Conte	Lent	Rousselot
Davis, Wis.	Mailliard	St Germain
Dellums	Mathias, Calif.	Stephens
du Pont	Mizell	Stuckey
	Murphy, N.Y.	

So the conference report was agreed to.

The Clerk announced the following pairs:

Mr. Murphy of New York with Mr. Gubser.

Mr. Kluczynski with Mr. Davis of Wisconsin.

Mr. O'Hara with Mr. Conte.

Mr. Reid with Mr. Conlan.

Mr. Gray with Mr. Blackburn.

Mrs. Burke of California with Mr. du Pont.

Mr. Stephens with Mr. Don H. Clausen.

Mr. St Germain with Mr. Dellums.

Mr. Stuckey with Mr. Kuykendall.

Mr. Patman with Mr. Lent.

Mr. Mailliard with Mr. Mizell.

Mr. Rousselot with Mr. Nelsen.

Mr. Powell of Ohio with Mr. Mathias of California.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

AMENDMENTS IN DISAGREEMENT

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

The Clerk read as follows:

Senate amendment No. 24: page 23, insert the following:

DRUG ENFORCEMENT ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses of the Drug Enforcement Administration, including hire of passenger motor vehicles; payment in advance for special tests and studies by contract; not to exceed $70,000 to meet unforeseen emergencies of a confidential character, to be expended under the direction of the Attorney General, and to be accounted for solely on his certificate; purchase of not to exceed 344 passenger motor vehicles (of which 210 are for replacement only) for police-type use without regard to the general purchase price limitation for the current fiscal year; payment of rewards; payment for publication of technical and informational material in professional and trade journals; purchase of chemicals, apparatus, and scientific equipment; payment for necessary accommodations in the District of Columbia for conferences and training activities; lease, maintenance, and operation of aircraft; employment of aliens by contract for services abroad; research related to enforcement and drug control; $107,230,000, of which not to exceed $4,500,000 for such research shall remain available until expended.

MOTION OFFERED BY MR. ROONEY OF NEW YORK

Mr. ROONEY of New York. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. ROONEY of New York moves that the House recede from its disagreement to the amendment of the Senate numbered 24 and concur therein.

The motion was agreed to.

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

The Clerk read as follows:

Senate amendment No. 26: Page 25, line 5, insert the following: ": *Provided*, That notwithstanding the provisions of this section, not to exceed $7,821,000 from any funds in the Treasury of the United States to the credit of the District of Columbia shall be available for reimbursement to the United States pursuant to this section."

MOTION OFFERED BY MR. ROONEY OF NEW YORK

Mr. ROONEY of New York. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. ROONEY of New York moves that the House recede from its disagreement to the amendment of the Senate numbered 26 and concur therein.

The motion was agreed to.

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

The Clerk read as follows:

Senate amendment No. 27: On page 26, line 12, insert the following:

ADMINISTRATION OF ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

For necessary expenses of administering the economic development assistance programs, not otherwise provided for, $19,000,000, of which not to exceed $800,000 may be advanced to the Small Business Administration for proccessing of loan applications: *Provided*, That none of the funds appropriated in this Act or otherwise available for expenditure by the Department of Commerce shall be used to discontinue or phase out the economic development assistance programs (including Regional Action Planning Commissions) undertaken under the Public Works and Economic Development Act of 1965, as amended.

MOTION OFFERED BY MR. ROONEY OF NEW YORK

Mr. ROONEY of New York. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. ROONEY of New York moves that the House recede from its disagreement to the amendment of the Senate numbered 27 and concur therein.

The motion was agreed to.

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

The Clerk read as follows:

Senate amendment No. 30: On page 28, line 6, insert the following:

DEVELOPMENT FACILITIES

For grants and loans for development facilities as authorized by titles I, II, and IV of the Public Works and Economic Development Act of 1965, as amended (79 Stat. 552; 81 Stat. 266; 83 Stat. 219; 84 Stat. 375, 85 Stat. 166), $159,000,000 of which not more than $25,000,000 shall be for grants and loans to Indian tribes, as authorized by title I, section 101(a) and title II, section 201(a) of such Act: *Provided*, That upon the enactment of the Indian Tribal Government Grant Act the unobligated balances of the amounts appropriated for Indian tribes under title I, section 101(a) and title II, section 201(a) shall be transferred to carry out such purposes of the Indian Tribal Government Grant Act: *Provided further*, That none of the above amounts shall be subject to the restrictions of the last sentence of section 105 of the Public Works and Economic Development Act of 1965, as amended.

MOTION OFFERED BY MR. ROONEY OF NEW YORK

Mr. ROONEY of New York. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. ROONEY of New York moves that the House recede from its disagreement to the amendment of the Senate numbered 30 and concur therein with an amendment, as follows: in lieu of the matter inserted by said amendment, insert the following:

DEVELOPMENT FACILITIES

For grants and loans for development facilities as authorized by titles I, II, and IV of the Public Works and Economic Development Act of 1965, as amended (79 Stat. 552; 81 Stat. 266; 83 Stat. 219; 84 Stat. 375; 85 Stat. 166), $159,000,000 of which not more than $25,000,000 shall be for grants and loans to Indian tribes, as authorized by title 1, section 101(a) and title II, section 201(a) of such Act: Provided, That upon enactment of the Indian Tribal Government Grant Act the unobligated balances of the amounts appropriated for Indian tribes under title 1, section 101(a) and title 11, section 201(a) shall be transferred to carry out such purposes of the Indian Tribal Government Grant Act.

The motion was agreed to.

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

The Clerk read as follows:

Senate amendment No. 37: On page 33, line 1, insert the following:

COASTAL ZONE MANAGEMENT

For carrying out the provisions of Public Law 92-583, approved October 27, 1972, $15,000,000, to remain available until expended. This appropriation shall be in addition to the appropriations otherwise made to the National Oceanic Atmospheric Administration by this Act and expenditures of such other appropriations shall not be reduced on account of expenditures of this appropriation: *Provided*, That States eligible for grants under the requirements of section 305 or 306 of Public Law 92-583 shall be entitled to receive a pro rata share of the amounts appropriated for uses according to the provisions of such sections of such Act. No finding of invalidity or absence of rule or regulation promulgated pursuant to such Act shall be construed to prevent obligation or expenditure of funds appropriated under this Act to such eligible States: *Provided further*, That this appropriation shall not be used by a recipient coastal State for areas outside its coastal zone which it has included in an application for Federal financial assistance under a national land use policy and planning assistance Act which may hereafter be enacted.

MOTION OFFERED BY MR. ROONEY OF NEW YORK

Mr. ROONEY of New York. Mr. Speaker I offer a motion.

The Clerk read as follows:

Mr. ROONEY of New York moves that the House recede from its disagreement to the amendment of the Senate numbered 37 and concur therein with an amendment, as follows: In lieu of the sum proposed by said amendment insert the following: "$12,000,000".

The motion was agreed to.

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

The Clerk read as follows:

Senate amendment No. 39: On page 40, line 16, insert the following: *Provided*, That not to exceed $75,000 of the unobligated balance of the appropriation under this head for the fiscal year 1973 is hereby continued available until June 30, 1974.

MOTION OFFERED BY MR. ROONEY OF NEW YORK

Mr. ROONEY of New York. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. ROONEY of New York moves that the House recede from its disagreement to the amendment of the Senate numbered 39 and concur therein.

The motion was agreed to.

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

The Clerk read as follows:

Senate amendment No. 46: On page 47, line 18, insert the following:

COMMISSION OF THE ORGANIZATION OF THE GOVERNMENT FOR THE CONDUCT OF FOREIGN POLICY

SALARIES AND EXPENSES

For necessary expenses of the Commission on the Organization of the Government for the Conduct of Foreign Policy, authorized by title VI of the Foreign Relations Authorization Act of 1972, $1,100,000 to remain available until June 30, 1975, and of which not to exceed $6,000 may be expended for official reception and representation expenses.

MOTION OFFERED BY MR. ROONEY OF NEW YORK

Mr. ROONEY of New York. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. ROONEY of New York moves that the House recede from its disagreement to the amendment of the Senate numbered 46 and concur therein with an amendment, as follows: In lieu of the matter inserted by said amendment, insert the following:

COMMISSION ON THE ORGANIZATION OF THE GOVERNMENT FOR THE CONDUCT OF FOREIGN POLICY

SALARIES AND EXPENSES

For necessary expenses of the Commission on the Organization of the Government for the Conduct of Foreign Policy, authorized by title VI of the Foreign Relations Authorization Act of 1972, $1,050,000 to remain available until June 30, 1975.

The motion was agreed to.

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

The Clerk read as follows:

Senate amendment No. 50: On page 50, line 1, insert the following: "of which not to exceed $1,725, shall be available for expenses incurred in fiscal year 1973."

MOTION OFFERED BY MR. ROONEY OF NEW YORK

Mr. ROONEY of New York. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. ROONEY of New York moves that the House recede from its disagreement to the amendment of the Senate numbered 50 and concur therein.

The motion was agreed to.

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

GENERAL LEAVE

Mr. ROONEY of New York. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the conference report just agreed to, and that the committee may insert tables and other such matter in explanation of the conference.

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

There was no objection.

PERMISSION FOR COMMITTEE ON APPROPRIATIONS TO FILE A PRIVILEGED REPORT ON MILITARY CONSTRUCTION APPROPRIATIONS, 1974

Mr. SIKES. Mr. Speaker, I ask unanimous consent that the Committee on Appropriations may have until midnight tonight to file a privileged report on the military construction appropriation bill for the fiscal year ending June 30, 1974, and for other purposes.

(Mr. CEDERBERG reserved all points of order on the bill.)

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

There was no objection.

PROVIDING FOR ADJOURNMENT FROM THURSDAY, NOVEMBER 15 TO MONDAY, NOVEMBER 26, 1973

Mr. O'NEILL. Mr. Speaker, I offer a privileged concurrent resolution (H. Con. Res. 378) and ask for its immediate consideration.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 378

Resolved by the House of Representatives (the Senate concurring), That when the

House adjourns on Thursday, November 15, 1973, it stand adjourned until 12 o'clock meridian, Monday, November 26, 1973.

Mr. O'NEILL. Mr. Speaker, I move the previous question on the concurrent resolution.

The previous question was ordered.

The SPEAKER. The question is on the concurrent resolution.

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

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

The SPEAKER. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 215, nays 190, not voting 28, as follows:

[Roll No. 578]

YEAS—215

Adams	Evins, Tenn.	Melcher
Addabbo	Fascell	Metcalfe
Alexander	Fisher	Mezvinsky
Anderson, Calif.	Flood	Milford
Annunzio	Flowers	Minish
Arends	Foley	Mink
Aspin	Ford, Gerald R.	Moakley
Badillo	Ford, William D.	Mollohan
Baker	Fountain	Montgomery
Barrett	Fraser	Moorhead, Pa.
Bergland	Fulton	Morgan
Biaggi	Gaydos	Moss
Bingham	Gettys	Myers
Blatnik	Gibbons	Natcher
Boggs	Gonzalez	Nedzi
Boland	Green, Oreg.	Nelsen
Bolling	Green, Pa.	Nichols
Bowen	Griffiths	Obey
Brademas	Grover	O'Neill
Brasco	Haley	Owens
Bray	Hanley	Passman
Breckinridge	Hanna	Patman
Broyhill, Va.	Hansen, Idaho	Patten
Burke, Fla.	Hansen, Wash.	Pepper
Burke, Mass.	Harrington	Perkins
Burlison, Mo.	Hawkins	Pike
Byron	Hays	Podell
Carey, N.Y.	Hébert	Preyer
Carney, Ohio	Helstoski	Price, Ill.
Carter	Henderson	Quillen
Casey, Tex.	Hicks	Rangel
Cederberg	Holifield	Rarick
Chamberlain	Holt	Rees
Chappell	Horton	Reuss
Chisholm	Howard	Rhodes
Clark	Ichord	Rinaldo
Clawson, Del	Jarman	Roberts
Clay	Johnson, Calif.	Robinson, Va.
Cleveland	Johnson, Pa.	Rodino
Collins, Ill.	Jones, Ala.	Roe
Collins, Tex.	Jones, N.C.	Roncallo, N.Y.
Conlan	Jones, Tenn.	Rooney, N.Y.
Conyers	Jordan	Rose
Corman	Kastenmeier	Rosenthal
Crane	Kazen	Rostenkowski
Cronin	Koch	Roybal
Daniel, Dan	Landrum	Sarbanes
Daniels, Dominick V.	Leggett	Satterfield
Danielson	Lehman	Scherle
Davis, Ga.	Long, La.	Seiberling
Delaney	Long, Md.	Shipley
Denholm	McCormack	Sikes
Dent	McFall	Sisk
Derwinski	McKay	Slack
Dingell	Macdonald	Smith, Iowa
Dorn	Madden	Smith, N.Y.
Downing	Mahon	Snyder
Dulski	Martin, Nebr.	Staggers
Eckhardt	Martin, N.C.	Stanton, J. William
Edwards, Calif.	Matsunaga	Stanton, James V.
Eilberg	Mayne	Steed
Erlenborn	Mazzoli	Steiger, Ariz.
	Meeds	
Stokes	Vigorito	Wilson, Charles H., Calif.
Stratton	Waggonner	
Stubblefield	Ware	
Sullivan	Whalen	Wilson, Charles, Tex.
Symms	White	
Teague, Tex.	Whitten	Wolff
Thompson, N.J.	Widnall	Wright
Thornton	Williams	Wydler
Tiernan	Wilson, Bob	Young, Ga.
Udall		Young, S.C.
Vanik		Zwach

NAYS—190

Abdnor	Gilman	Parris
Abzug	Ginn	Pettis
Anderson, Ill.	Goldwater	Peyser
Andrews, N.C.	Goodling	Pickle
Andrews, N. Dak.	Grasso	Poage
	Gross	Price, Tex.
Archer	Gude	Pritchard
Armstrong	Gunter	Quie
Ashbrook	Guyer	Railsback
Bafalis	Hamilton	Randall
Bauman	Hammer-schmidt	Regula
Beard		Riegle
Bell	Hanrahan	Robison, N.Y.
Bennett	Harsha	Rogers
Bevill	Harvey	Roncalio, Wyo.
Biester	Hastings	Rooney, Pa.
Breaux	Hechler, W. Va.	Roush
Brinkley	Heckler, Mass.	Roy
Brooks	Heinz	Runnels
Broomfield	Hillis	Ruppe
Brotzman	Hinshaw	Ruth
Brown, Calif.	Hogan	Sandman
Brown, Mich.	Holtzman	Sarasin
Brown, Ohio	Hosmer	Schneebeli
Broyhill, N.C.	Huber	Schroeder
Buchanan	Hudnut	Sebelius
Burgener	Hungate	Shoup
Burleson, Tex.	Hunt	Shriver
Burton	Hutchinson	Shuster
Butler	Johnson, Colo.	Skubitz
Camp	Jones, Okla.	Spence
Clancy	Karth	Steele
Cochran	Kemp	Steelman
Cohen	Ketchum	Steiger, Wis.
Collier	King	Studds
Conable	Kuykendall	Symington
Cotter	Kyros	Talcott
Coughlin	Landgrebe	Taylor, Mo.
Culver	Latta	Taylor, N.C.
Daniel, Robert W., Jr.	Litton	Teague, Calif.
	Lott	Thomson, Wis.
Davis, S.C.	Lujan	Thone
de la Garza	McClory	Towell, Nev.
Dellenback	McCloskey	Treen
Dennis	McCollister	Ullman
Devine	McDade	Van Deerlin
Dickinson	McEwen	Vander Jagt
Donohue	McKinney	Veysey
Drinan	McSpadden	Waldie
Duncan	Mailliard	Walsh
du Pont	Mallary	Wampler
Edwards, Ala.	Mann	Whitehurst
Esch	Maraziti	Wiggins
Eshleman	Mathis, Ga.	Winn
Evans, Colo.	Michel	Wyatt
Findley	Miller	Wylie
Fish	Minshall, Ohio	Wyman
Flynt	Mitchell, Md.	Yatron
Forsythe	Mitchell, N.Y.	Young, Alaska
Frelinghuysen	Moorhead, Calif.	Young, Fla.
Frenzel		Young, Ill.
Frey	Mosher	Young, Tex.
Froehlich	Murphy, Ill.	Zablocki
Fuqua	Nix	Zion
Giaimo	O'Brien	

NOT VOTING—28

Ashley	Gubser	Powell, Ohio
Blackburn	Keating	Reid
Burke, Calif.	Kluczynski	Rousselot
Clausen, Don H.	Lent	Ryan
	Madigan	St Germain
Conte	Mathias, Calif.	Stark
Davis, Wis.	Mills, Ark.	Stephens
Dellums	Mizell	Stuckey
Diggs	Murphy, N.Y.	Yates
Gray	O'Hara	

So the concurrent resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

CONFERENCE REPORT ON H.R. 8877, DEPARTMENTS OF LABOR, HEW, AND RELATED AGENCIES APPROPRIATIONS, 1974

Mr. FLOOD. Mr. Speaker, I call up the conference report on the bill (H.R. 8877) making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies for the fiscal year ending June 30, 1974, and for other purposes, and ask unanimous consent that the statement of the managers be read in lieu of the report.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the statement.

(For conference report and statement, see proceedings of the House of November 8, 1973.)

The SPEAKER. The gentleman from Pennsylvania (Mr. FLOOD) is recognized for 30 minutes and the gentleman from Illinois (Mr. MICHEL) is recognized for 30 minutes. The Chair recognizes the gentleman from Pennsylvania.

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

Mr. Speaker, since this involves only $33 billion we should have a little order in the House, at least a little better order than we have.

Mr. Speaker, here it is, here is the big one. The conference report which we are considering today appropriates—Members should wait until they hear this—$32,926,796,000 for the Departments of Labor, Health, Education, and Welfare, and related agencies for the fiscal year 1974. This is $1,376,843,000 more than the budget request, and, hear this, $712,575,000 less than the appropriation for fiscal year 1973.

Now, put that in your pipe and smoke it. It is $110,329,000 more than the bill which passed the House last June 26. June 26—that is important, we passed this June 26—but it is $469,583,000 less than the Senate bill, almost a half-billion dollars less than the Senate bill.

As these figures indicate, Mr. Speaker, the conference agreement is much, much closer in total to the House bill than to the Senate bill.

I suppose the most important thing about this appropriation bill in the eyes of many people is that it exceeds the President's budget request by over $1.3 billion. That is not a surprise to anyone who has been following the history of this bill. The House bill is $1.2 billion over the budget. The Senate bill was $1.8 billion over the budget request.

It is very interesting to note that no money amendments, not a dime, no money amendments to this bill were

adopted here in the House or in the Senate in floor debate. Now, that is something. That is the first time that has happened in a long, long time.

In other words, there is nothing in this bill, as far as dollars are concerned, which was not recommended by the Committees on Appropriations of the House or the Senate, after months of hearings. Members should keep that in the backs of their heads.

We are not dealing here with any of those large so-called package amendments of the type which have been attached to this bill in previous years. Remember those? Not this time; those package amendments were the results of very extensive lobby operations; not this time, not here.

Mr. Speaker, I have never been one who believed that every line in the President's budget should be considered as sacred and untouchable. The people who put budgets together downtown, believe it or not, are only human. They really are, they are only human. Sometimes even they make mistakes.

Nevertheless, we owe it to the Members here in the House who are concerned about fiscal responsibility—and really that means all of us—the Members rate an explanation from us as to why this bill appropriates $1.3 billion more than the President asked for. How come? What is the answer to that? That is what is in the back of the heads of all Members here.

Now, what do we do here? The simple fact is that the budget proposed to cut back, phase out, or eliminate many of the health and education programs which are funded in this bill.

Both Houses of Congress by overwhelming votes—overwhelming votes, you remember, we were all a part of it—refused to agree to the elimination or drastic cutbacks of these programs.

What were they? Some were your prize pigeons, the Hill-Burton hospital construction grants, remember that? That was right in our backyard. Being against that is like being against motherhood.

All right, we listened to you—appropriations, regional medical programs. Remember that? All the while you were knocking on my door day and night, "Do not reduce the regional medical programs. Oh, boy, do not touch that."

This one, community mental health centers; how much mail did you get on that? Stacks of it saying, "Do not cut that out."

Aid for schools to train health professionals. Ho, ho, do not touch that.

Support for medical research. Remember the AMA, all your medical programs back home, local county medical societies, universities, and colleges, "Do not cut out aid to medical research." You asked this. OK, we put it back in.

That is why there is the $1.3 billion over the budget, because we put these things back that were cut out, phased out. Now, the budget request for education programs was based on what they call special revenue sharing. That proposal would have cut Federal support for elementary and secondary education. Ever hear of that? Cut it by half a billion below the 1972 level, and almost $1 billion below the 1973 appropriation.

As we all know, the budget proposed to stop the funding for the community action agencies and abolish the Office of Economic Opportunity. This is what happened, we took your word, we looked at your votes, and that is why we acted the way we did. So, keep that in mind now—you asked for it—you asked for it.

Most of the increase over the budget request provided in this bill is required simply to maintain the funding for health. Are you against that? Education; are you against that? And the antipoverty programs. There is no big deal, just the current funding level.

The figures which illustrate this point, which is that the increases over the budget result primarily from the restoration of proposed cutbacks are given in great detail, keep this in mind for your people back home—we have this in complete detail in a table which was a terrific job by the staff.

Mr. Speaker, I ask unanimous consent to insert these figures in the RECORD at the conclusion of my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. FLOOD. Mr. Speaker, in summary—but remember; I repeat, remember all that information is here for you, and it is some information; it is detailed, because you are going to need it.

In summary, the bill provides $4,881,756,000 for health programs, excluding medicare and medicaid, an increase of $453,744,000 over the budget. It has $6,210,986,000 for education programs, an increase of $945,745,000 over the budget. It has $346,300,000 for the Office of Economic Opportunity, an increase of $202,500,000 over the budget. These increases are partially offset by decreases below the budget request for certain other programs which we have outlined for you.

So much for the figures.

I suppose most of the discussion here today will center around amendment No. 32. Now, we have all heard this before. This goes on like Tennyson's brook. It relates to the distribution of funds under title IA of the Elementary and Secondary Education Act.

Now, on this amendment, the procedure is this: This amendment we have reported in technical disagreement, and there will be a separate vote on it.

The motions which I shall offer at the proper time will provide that no State shall receive less than 90 percent of the amounts due and made available for local educational agencies within the State in the fiscal year 1972 and no local educational agency shall receive less than 90 percent nor more than 115 percent of the amount received—remember, this is "local" now—of the amount received in fiscal year 1973.

Now, do not get mixed up between this "State" and "local" business. Now, I want the Members to listen. Some of the Members do not understand this. If we do not understand this, we will be running around this floor with all kinds of figures—just like the Folies Bergere—all over the place.

Some of the Members may be worried. They may say, "What about my State?" Now, I have heard this five times around here.

Do not forget that the important thing is the local community, the county, and the local school board. Do not get mixed up with all these figures that are flying around here.

Just so the Members will know this again, this provision I am speaking of is identical to the compromise which was worked out earlier with the Senate and which is incorporated in the continuing resolution presently in effect.

Now, after careful consideration—and by that, Mr. Speaker, I mean hours of careful consideration, because none of us did this off the top of our head—the conferees concluded that it is still the best alternative which has been suggested.

Now, we have data here showing the effect of the provision on the allocations to every State and to every county in the United States. We have it right here. We have it for every State, No. 1, and for every county, No. 2—the entire Nation.

Now, obviously there is no perfect solution to this problem. This is a can of worms, make no mistake about that. To put it in the colloquial, "There ain't no solution."

No matter what formula is worked out or by whom, there will be some school districts that are going to gain, and there will be some that are going to lose.

Las Vegas could never beat this operation; it just cannot be done.

Mr. Speaker, nobody regrets more than I—and I repeat, we do not like this—that it is necessary to include this so-called "hold harmless" provision in the appropriation bill. It should not be there; it does not belong here; it has no place here. This is an appropriation bill. It should be out in the yard someplace. But anyway, here it is. It should be incorporated in substantive legislation extending the Elementary and Secondary Education Act. That is where it belongs, and we all know it.

I am not criticizing anybody; I am just repeating for the purpose of emphasis, and all the Members know this as well as I do.

Unfortunately, such legislation has not been enacted. Almost 5 months have elapsed, as I mentioned earlier.

Now, allocations for the school districts in the first quarter have been made. We all know this; we must know it. Allocations for the first quarter back home have already been made, and the allocations for the second quarter back home are now a month overdue. We cannot fool around with this thing 5 minutes longer. This is murder.

This issue, Mr. Speaker, should be settled now, and I should mark that with an exclamation point. There must not be any further delay toward the enactment of this $33 billion Health, Education, and Welfare bill.

Just think of the uncertainty of the school districts back home and what this means as to the amount of money available to them. What is going to be available to them during the remainder of the school year? They do not know. I do not blame them for being uneasy.

Therefore, Mr. Speaker, I urge the adoption of this conference report right now. It is already late. I also urge adoption of certain motions which I shall subsequently offer in connection with the amendments in disagreement.

DEPARTMENTS OF LABOR AND HEALTH, EDUCATION, AND WELFARE APPROPRIATION BILL, 1974 (H.R. 8877) NEW BUDGET (OBLIGATIONAL AUTHORITY—CONFERENCE SUMMARY

TITLE I—DEPARTMENT OF LABOR

Agency and item	1973 appropriation	1974 Budget estimate	1974 House bill	1974 Senate bill	1974 Conference agreement	Conference agreement compared with 1973	Conference agreement compared with Budget 1974	Conference agreement compared with House	Conference agreement compared with Senate
MANPOWER ADMINISTRATION									
Salaries and expenses	($63,277,500)	($67,830,000)	$41,032,000	(1)				−$41,032,000	
Trust fund transfer	*(26,989,000)*	*(26,090,000)*	*(26,090,000)*	(1)				*(−26,090,000)*	
Manpower revenue sharing	(1,549,416,000)	(1,340,000,000)	(1)	(1)	(1)				
Manpower training services				$40,000,000					−$40,000,000
Emergency employment assistance	1,250,000,000					−$1,250,000,000			
Federal unemployment benefits and allowances	475,000,000	365,000,000	365,000,000	365,000,000	$365,000,000	−110,000,000			
Advances to the extended unemployment compensation account	120,000,000					−120,000,000			
Federal grants to States for employment services	65,556,500	64,400,000	64,400,000	64,400,000	64,400,000	−1,156,500			
Limitation on grants to States for unemployment insurance and employment services	*(840,300,000)*	*(817,400,000)*	*(817,400,000)*	*(817,400,000)*	*(817,400,000)*	*(−22,900,000)*			
Total, Manpower Administration	1,910,556,500	429,400,000	470,432,000	469,400,000	429,400,000	−1,481,156,500		−41,032,000	−40,000,000
LABOR-MANAGEMENT SERVICES ADMINISTRATION									
Salaries and expenses	25,677,700	23,500,000	23,500,000	23,500,000	23,500,000	−2,177,700			
EMPLOYMENT STANDARDS ADMINISTRATION									
Salaries and expenses	50,749,500	52,050,000	52,410,000	52,410,000	52,410,000	+1,660,500	+$360,000		
Special benefits	108,292,000	141,250,000	141,250,000	141,250,000	141,250,000	+32,958,000			
Total, Employment Standards Administration	159,041,500	193,300,000	193,660,000	193,660,000	193,660,000	+34,618,500	+360,000		
OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION									
Salaries and expenses	69,874,800	69,836,000	69,318,000	73,400,000	70,408,000	+533,200	+572,000	+1,090,000	−2,992,000
BUREAU OF LABOR STATISTICS									
Salaries and expenses	44,784,000	47,400,000	47,400,000	47,400,000	47,400,000	+2,616,000			
DEPARTMENTAL MANAGEMENT									
Salaries and expenses	24,196,000	23,225,000	23,225,000	23,322,000	23,322,000	−874,000	+97,000	+97,000	
Trust fund transfer	*(797,000)*	*(797,000)*	*(797,000)*	*(797,000)*	*(797,000)*				
Special foreign currency program	100,000	200,000				−100,000	−200,000		
Total, Departmental Management	24,296,000	23,425,000	23,225,000	23,322,000	23,322,000	−974,000	−103,000	+97,000	
Total, new budget (obligational) authority, Department of Labor	2,234,230,500	786,861,000	827,535,000	830,682,000	787,690,000	−1,446,540,500	+829,000	−39,845,000	−42,992,000

TITLE II—DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Agency and item	1973 appropriation	1974 Budget estimate	1974 House bill	1974 Senate bill	1974 Conference agreement	Conference agreement compared with 1973	Conference agreement compared with Budget 1974	Conference agreement compared with House	Conference agreement compared with Senate
HEALTH SERVICES AND MENTAL HEALTH ADMINISTRATION									
Mental health	$803,823,000	$1,281,731,000	$795,475,000	$845,475,000	$815,975,000	+$12,152,000	−$465,756,000	+$20,500,000	−$29,500,000
Saint Elizabeths Hospital (indefinite)	36,941,000	38,000,000	38,000,000	38,000,000	38,000,000	+1,059,000			
Health services planning and development	479,073,000	103,081,000	388,520,000	388,520,000	388,520,000	−90,553,000	+285,439,000		
Health services delivery	751,295,000	832,030,000	832,030,000	875,380,000	853,280,000	+101,985,000	+21,250,000	+21,250,000	−22,100,000
		(19,500,000)	(1)	(1)	(1)				
Trust fund transfer	*(4,719,000)*	*(5,419,000)*	*(5,419,000)*	*(5,419,000)*	*(5,419,000)*	*(+700,000)*			
Preventive health services	159,872,000	125,080,000	127,080,000	141,780,000	134,565,000	−25,307,000	+9,485,000	+7,485,000	−7,215,000
National health statistics	18,514,000	22,821,000	22,821,000	19,335,000	19,335,000	+821,000	−3,486,000	−3,486,000	
Retirement pay and medical benefits for commissioned officers (indefinite)	$29,163,000	$34,103,000	$34,103,000	$34,103,000	$34,103,000	+$4,940,000			
Buildings and facilities	19,457,000	12,000,000	9,500,000	9,500,000	9,500,000	−9,957,000	−$2,500,000		
Office of the Administrator	13,408,000	14,304,000	14,304,000	7,304,000	12,000,000	−1,408,000	−2,304,000	−$2,304,000	+$4,696,000
Total, Health Services and Mental Health Administration	2,311,546,000	2,463,150,000	2,261,833,000	2,359,397,000	2,305,278,000	−6,268,000	−157,872,000	+43,445,000	−54,119,000
Consisting of—									
Definite appropriations	2,245,442,000	2,391,047,000	2,189,730,000	2,287,294,000	2,233,175,000	−12,267,000	−157,872,000	+43,445,000	−54,119,000
Indefinite appropriations	66,104,000	72,103,000	72,103,000	72,103,000	72,103,000	+5,999,000			

Footnotes at end of table.

DEPARTMENTS OF LABOR AND HEALTH, EDUCATION, AND WELFARE APPROPRIATION BILL, 1974 (H.R. 8877) NEW BUDGET (OBLIGATIONAL) AUTHORITY—CONFERENCE SUMMARY—Continued

TITLE II—DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE—Continued

Agency and item	1973 appropriation	1974 Budget estimate	1974 House bill	1974 Senate bill	1974 Conference agreement	Conference agreement compared with 1973	Conference agreement compared with Budget 1974	Conference agreement compared with House	Conference agreement compared with Senate
NATIONAL INSTITUTES OF HEALTH									
National Cancer Institute	492,205,000	500,000,000	522,383,000	580,000,000	551,191,500	+58,986,500	+51,191,500	+28,808,500	−28,808,500
National Heart and Lung Institute	300,000,000	265,000,000	281,415,000	320,000,000	302,915,000	+2,915,000	+37,915,000	+21,500,000	−17,085,000
National Institute of Dental Research	46,991,000	38,452,000	44,131,000	47,000,000	45,565,500	−1,425,500	+7,113,500	+1,434,500	−1,434,500
National Institute of Arthritis, Metabolism, and Digestive Diseases	167,316,000	133,608,000	155,894,000	163,000,000	159,447,000	−7,869,000	+25,839,000	+3,553,000	−3,553,000
National Institute of Neurological Diseases and Stroke	130,672,000	101,198,000	120,073,000	125,000,000	125,000,000	−5,672,000	+23,802,000	+4,927,000	----------
National Institute of Allergy and Infectious Diseases	113,414,000	98,693,000	112,744,000	114,000,000	114,000,000	+586,000	+15,307,000	+1,256,000	----------
National Institute of General Medical Sciences	183,171,000	138,573,000	175,778,000	183,500,000	176,778,000	−6,393,000	+38,205,000	+1000,000	−6,722,000
National Institute of Child Health and Human Development	130,429,000	106,679,000	125,254,000	135,254,000	130,254,000	−175,000	+23,575,000	+5,000,000	−5,000,000
National Eye Institute	38,562,000	32,092,000	36,631,000	46,631,000	41,631,000	+3,069,000	+9,539,000	+5,000,000	−5,000,000
National Institute of Environmental Health Sciences	30,956,000	25,263,000	28,879,000	28,879,000	28,879,000	−2,077,000	+3,616,000	----------	----------
Research resources	75,073,000	88,632,000	133,322,000	134,000,000	133,472,000	+58,399,000	+44,840,000	+150,000	−528,000
John E. Fogarty International Center for Advanced Study in Health Sciences	4,666,000	3,586,000	4,767,000	4,767,000	4,767,000	+101,000	+1,181,000	----------	----------
Subtotal, NIH research institutes	1,713,455,000	1,531,776,000	1,741,271,000	1,882,031,000	1,813,900,000	+100,445,000	+282,124,000	+72,629,000	−68,131,000
Health manpower	740,728,000	382,180,000	706,841,000	731,916,000	710,795,000	−29,933,000	+328,615,000	+3,954,000	−21,121,000
National Library of Medicine	28,568,000	24,994,000	25,871,000	25,871,000	25,871,000	−2,697,000	+877,000	----------	----------
Buildings and facilities	8,500,000	8,000,000	8,000,000	8,000,000	8,000,000	−500,000	----------	----------	----------
Office of the Director	12,042,000	12,000,000	12,000,000	12,000,000	12,000,000	−42,000	----------	----------	----------
Scientific activities overseas (special foreign currency program)	25,619,000	1,912,000	1,912,000	1,912,000	1,912,000	−23,707,000	----------	----------	----------
Payment of sales insufficiencies and interest losses	4,000,000	4,000,000	4,000,000	4,000,000	4,000,000	----------	----------	----------	----------
General research support grants	(60,700,000)	(2)	(2)	(2)	(2)				
Total, National Institutes of Health	2,532,912,000	1,964,862,000	2,499,895,000	2,665,730,000	2,576,478,000	+43,566,000	+611,616,000	+76,583,000	−89,252,000
EDUCATION DIVISION									
OFFICE OF THE ASSISTANT SECRETARY FOR EDUCATION									
Salaries and expenses, assistant secretary for education	1,495,000	1,852,000	1,722,000	1,722,000	1,722,000	+227,000	−130,000	----------	----------
Postsecondary innovation	----------	15,000,000	10,000,000	10,000,000	10,000,000	+10,000,000	−5,000,000	----------	----------
Subtotal, Assistant Secretary for Education	1,495,000	16,852,000	11,722,000	11,722,000	11,722,000	+10,227,000	−5,130,000	----------	----------
OFFICE OF EDUCATION									
Education revenue sharing	----------	2,520,205,000	(2)	(2)	(2)		−2,520,205,000		
Elementary and secondary education	2,024,393,000	76,000,000	2,105,393,000	2,139,893,000	2,121,893,000	+97,500,000	+2,045,893,000	+16,500,000	−18,000,000
School assistance in federally affected area	661,405,000	60,500,000	610,000,000	633,800,000	610,000,000	−51,405,000	+549,500,000	----------	−23,800,000
Emergency school assistance	270,640,000	270,640,000	258,193,000	258,193,000	258,193,000	−12,447,000	−12,447,000	----------	----------
Education for the handicapped	157,469,000	93,609,000	143,609,000	159,069,000	152,404,000	−5,065,000	+58,795,000	+8,795,000	−6,665,000
Occupational, vocational and adult education	643,460,000	45,000,000	600,641,000	651,558,000	614,903,000	−28,557,000	+569,903,000	+14,262,000	−36,655,000
Higher education	1,693,010,000	1,747,914,000	1,808,914,000	2,025,914,000	1,880,414,000	+196,404,000	+141,500,000	+80,500,000	−136,500,000
Library resources	264,857,000	----------	176,209,000	176,709,000	171,709,000	−93,148,000	+171,709,000	−4,500,000	−5,000,000
Educational development	344,055,000	120,375,000	161,110,000	163,670,000	157,170,000	−186,885,000	+36,795,000	−3,940,000	−6,500,000
Educational activities overseas (special foreign currency program)	3,000,000	3,000,000	2,000,000	1,000,000	1,000,000	−2,000,000	−2,000,000	−1,000,000	----------
Salaries and expenses	82,265,000	88,118,000	83,118,000	86,747,000	86,747,000	+4,482,000	−1,371,000	+3,629,000	----------
Student loan insurance fund	46,640,000	57,883,000	57,883,000	57,883,000	57,883,000	+11,243,000	----------	----------	----------
Payment of participation sales insufficiencies	2,921,000	2,948,000	2,948,000	2,948,000	2,948,000	+27,000	----------	----------	----------
Subtotal, Office of Education	6,194,055,000	5,086,192,000	6,010,018,000	6,357,384,000	6,124,264,000	−69,791,000	+1,038,072,000	+114,246,000	−233,120,000
NATIONAL INSTITUTE OF EDUCATION									
National Institute of Education	92,082,000	162,197,000	142,671,000	75,000,000	75,000,000	−17,082,000	−87,197,000	−67,671,000	----------
Total, Education Division	6,287,632,000	5,265,241,000	6,164,411,000	6,444,106,000	6,210,986,000	−76,646,000	+945,745,000	+46,575,000	−233,120,000

Agency and item	1973 appropriation	1974 Budget estimate	1974 House bill	1974 Senate bill	1974 Conference agreement	Conference agreement compared with 1973	Conference agreement compared with Budget 1974	Conference agreement compared with House	Conference agreement compared with Senate
SOCIAL AND REHABILITATION SERVICE									
Grants to States for public assistance	$13,958,770,000	$12,891,048,000	$12,891,048,000	$12,864,279,000	$12,853,279,000	−$1,105,491,000	−$37,769,000	−$37,769,000	−$11,000,000
Work incentives	340,498,000	534,434,000	384,434,000	340,443,000	340,443,000	−55,000	−193,991,000	−43,991,000	
Social and rehabilitation services	283,582,000	264,032,000	291,717,000	307,217,000	298,917,000	+15,335,000	+34,885,000	+7,200,000	−8,300,000
	(698,182,000)	(700,096,000)	(1)	(1)	(1)				
Research and training activities (special foreign currency program)	8,000,000	4,000,000	2,000,000			−8,000,000	−4,000,000	−2,000,000	
Salaries and expenses	60,215,000	78,800,000	78,800,000	70,000,000	72,200,000	+11,985,000	−6,600,000	−6,600,000	+2,200,000
Trust fund transfer	*(600,000)*	*(600,000)*	*(600,000)*	*(600,000)*	*(600,000)*				
Total, Social and Rehabilitation Service	14,651,065,000	13,772,314,000	13,647,999,000	13,581,939,000	13,564,839,000	−1,086,226,000	−207,475,000	−83,160,000	−17,100,000
SOCIAL SECURITY ADMINISTRATION									
Payments to social security trust funds	2,475,485,000	3,110,181,000	3,110,181,000	3,110,181,000	3,110,181,000	+634,696,000			
Special benefits for disabled coal miners	1,520,222,000	967,868,000	967,868,000	967,868,000	967,868,000	−552,354,000			
Supplemental security income program	77,207,000	2,211,636,000	2,211,636,000	2,211,636,000	2,211,636,000	+2,134,429,000			
Limitation on salaries and expenses	*(1,408,047,000)*	*(1,887,898,000)*	*(1,887,898,000)*	*(1,887,898,000)*	*(1,887,898,000)*	*(+484,851,000)*			
Limitation on construction	*(1,000,000)*					*(−1,000,000)*			
Total, Social Security Administration	4,072,914,000	6,289,685,000	6,289,685,000	6,289,685,000	6,289,685,000	+2,216,771,000			
SPECIAL INSTITUTIONS									
American Printing House for the Blind	1,696,500	1,817,000	1,817,000	1,817,000	1,817,000	+120,500			
National Technical Institute for the Deaf	6,609,000	6,487,000	6,487,000	6,487,000	6,487,000	−122,000			
Model Secondary School for the Deaf	4,625,000	3,975,000	3,962,000	3,975,000	3,975,000	−650,000		+13,000	
Gallaudet College	14,446,000	10,599,000	10,492,000	10,599,000	10,599,000	−3,847,000		+107,000	
Howard University	58,881,000	58,784,000	57,873,000	58,784,000	58,784,000	−97,000		+911,000	
Total, Special Institutions	86,257,500	81,662,000	80,631,000	81,662,000	81,662,000	−4,595,500		+1,031,000	
OFFICE OF CHILD DEVELOPMENT									
Child development	415,706,000	443,800,000	419,100,000	450,100,000	434,600,000	+18,894,000	−9,200,000	+15,500,000	−15,500,000
OFFICE OF THE SECRETARY									
Office for Civil Rights	14,909,000	17,943,000	17,943,000	17,943,000	17,943,000	+3,034,000			
Trust fund transfer	*(1,180,000)*	*(1,253,000)*	*(1,253,000)*	*(1,253,000)*	*(1,253,000)*	*(+73,000)*			
Departmental management	57,434,000	122,198,000	120,198,000	107,898,000	107,898,000	+50,464,000	−14,300,000	−12,300,000	
Trust fund transfer	*(6,875,000)*	*(7,890,000)*	*(7,890,000)*	*(7,890,000)*	*(7,890,000)*	*(+1,015,000)*			
Total, Office of the Secretary	72,343,000	140,141,000	138,141,000	125,841,000	125,841,000	+53,498,000	−14,300,000	−12,300,000	
Total, new budget (obligational) authority, Department of Health, Education, and Welfare	30,430,375,500	30,420,855,000	31,501,695,000	31,998,460,000	31,589,369,000	+1,158,993,500	+1,168,514,000	+87,674,000	−409,091,000
Consisting of—									
Definite appropriations	30,364,271,500	30,348,752,000	31,429,592,000	31,926,357,000	31,517,266,000	+1,152,994,500	+1,168,514,000	+87,674,000	−409,091,000
Indefinite appropriations	66,104,000	72,103,000	72,103,000	72,103,000	72,103,000	+5,999,000			
TITLE III—RELATED AGENCIES									
Action (domestic programs)	$42,788,260	$43,004,000	$43,004,000	$43,004,000	$43,004,000	+$215,740			
	(51,588,000)	(49,395,000)	(1)	(1)	(1)				
Cabinet Committee on Opportunities for Spanish-speaking People	(1,000,000)	(1,000,000)	(1)	(1)	(1)				
Corporation for Public Broadcasting	35,000,000	45,000,000	(1)	55,000,000	50,000,000	+15,000,000	+$5,000,000	+$50,000,000	−$5,000,000
Federal Mediation and Conciliation Service	10,818,000	10,960,000	10,960,000	10,960,000	10,960,000	+142,000			
National Commission on Libraries and Information Science	406,000	406,000	406,000	406,000	406,000				
National Labor Relations Board	50,456,000	55,050,000	55,050,000	55,050,000	55,050,000	+4,594,000			
National Mediation Board	2,888,000	2,867,000	2,867,000	2,867,000	2,867,000	−21,000			
Occupational Safety and Health Review Commission	5,979,000	4,890,000	4,890,000	4,890,000	4,890,000	−1,089,000			
Office of Economic Opportunity	790,200,000	143,800,000	333,800,000	358,800,000	346,300,000	−443,900,000	+202,500,000	+12,500,000	−12,500,000

Footnotes at end of table.

DEPARTMENTS OF LABOR AND HEALTH, EDUCATION, AND WELFARE APPROPRIATION BILL, 1974 (H.R. 8877) NEW BUDGET (OBLIGATIONAL) AUTHORITY—CONFERENCE SUMMARY—Continued

TITLE III—RELATED AGENCIES—Continued

Agency and item	1973 appropriation	1974 Budget estimate	1974 House bill	1974 Senate bill	1974 Conference agreement	Conference agreement compared with 1973	Conference agreement compared with Budget 1974	Conference agreement compared with House	Conference agreement compared with Senate
Railroad Retirement Board:									
Payments for military service credits	$21,645,000	$22,478,000	$22,478,000	$22,478,000	$22,478,000	+$833,000			
Limitation on salaries and expenses	*(20,982,000)*	*(21,330,000)*	*(21,330,000)*	*(21,330,000)*	*(21,330,000)*	*(+348,000)*			
Soldiers' and Airmen's Home (trust fund appropriation):									
Operation and maintenance	12,276,000	13,326,000	13,326,000	13,326,000	13,326,000	+1,050,000			
Capital outlay	2,309,000	456,000	456,000	456,000	456,000	−1,853,000			
Total, new budget (obligational) authority, related agencies	974,765,260	342,237,000	487,237,000	567,237,000	549,737,000	−425,028,260	+$207,500,000	+$62,500,000	−$17,500,000
Grand total, new budget (obligational) authority	33,639,371,260	31,549,953,000	32,816,467,000	33,396,379,000	32,926,796,000	−712,575,260	+1,376,843,000	+10,329,000	−469,583,000
Consisting of—									
Definite appropriations	33,568,267,260	31,472,850,000	32,744,364,000	33,319,276,000	32,849,693,000	−718,574,260	+1,376,843,000	+1105,329,000	−469,583,000
Indefinite appropriations	71,104,000	77,103,000	72,103,000	77,103,000	77,103,000	+5,999,000		+5,000,000	

[1] Not considered.
[2] Included in "Research resources" in 1974.
[3] This item is presently not authorized by law.
[4] Includes indefinite appropriation of $5,000,000.

Mr. MICHEL. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, you will note that Mr. CEDERBERG, our ranking member on the full Committee on Appropriations, Mr. ROBINSON of Virginia, of our subcommittee, Mrs. GREEN from the majority side, and I did not sign the conference report.

Mr. CONTE, the gentleman from Massachusetts, did sign it with a reservation with respect to the title I formula and the National Institutes of Education item.

This indicates that there was some serious division of thought within our subcommittee which represented you in the conference with the other body.

Mr. Speaker, as our chairman has pointed out, this conference report comes back to you $1,376 million over the budget. Members will recall that when the bill was considered in the House it was reported at a level of $1.2 billion over the President's budget. I offered a package of amendments that totaled something like $629 million of reductions from that which was recommended to the House. Had we adopted that amendment to cut the increase over the budget in half, we would have been in a much better position today. We lost the vote 213 to 184 but that was very respectable considering all the popular items that were at issue. The fact that there was considerable support in this House for a lower figure persuades me to speak as I do today. Conditions have not changed all that much.

The other body in its usual fashion ballooned the House figure up to the point where the bill was $1.8 billion over the President's budget. Your House conferees, I will say quite frankly, did a good job in striking a better bargain than our counterparts for, as the chairman indicated, the conference report comes back to you and is $110 million over the House-passed bill and $469 million under the Senate bill.

As I said earlier, it is still $1,376 million over the President's budget, and that is far too much for me to digest.

Mr. Speaker, our chairman in his remarks made mention of the fact that the conference report is $712 million less than the appropriation for fiscal year 1973. Members will recall we ended up with no bill and operated throughout the year on a continuing resolution. The key to this is in HEW alone for the conference report figure is $2.8 billion over the spending level for fiscal year 1973. That is the thing we have to be talking about here today.

What are we actually spending today and what would we be spending under the increases built into this conference report? I am concerned about our busting the budget this way and every Member preaching economy ought to feel the same way. The President is attempting to hold down Federal spending to combat inflation and he ought to be supported.

We hear a lot of talk in the other body and in this House about the Congress taking hold of the entire budget process and putting our financial house in order. This is our chance to match our talks with a vote. Just a week or 10 days ago many Members were voting against an increase in the Federal debt limit. How can Members vote against an increase in the debt limit in good conscience and then vote for a $1.3 billion increase over the President's budget by adopting this conference report?

It is rather significant that the Committee on Rules today should be reporting out its overall budget reform legislation with an anti-impoundment provision in it which forces the President to spend.

We cannot have it both ways here. I suggest that here is a good opportunity and a very significant one, to show your true mettle.

Mr. Speaker, Mr. QUIE, Mr. GIAIMO, and I suspect Mrs. GREEN of Oregon and others will want an opportunity to speak on the conference report with respect to their reservations about title I and the distribution of the elementary and secondary education funds.

That same language which appeared in the continuing resolution is involved here today, so it is a matter for discussion. All of you will want to know a little bit more about it I'm sure.

As I said at the very outset, I did not sign the conference report, and that should come as no surprise to Members who knew of my position when we first considered the bill here in the House.

The SPEAKER. The time of the gentleman has expired.

Mr. MICHEL. Mr. Speaker, I yield myself 2 additional minutes.

When my package of amendments failed, I was one of those 58 Members who voted against the bill on final passage.

I certainly support the gentleman from Minnesota (Mr. QUIE) and the gentlewoman from Oregon (Mrs. GREEN) and several others in what they are attempting to do here to revamp this title I formula of the Elementary and Secondary Education. Act. So I would hope that during the remaining time in this debate those Members who have questions about the conference report would be frank to ask those questions, and we will also be glad to yield time to those who would like to speak either for or against the adoption of the conference report.

Mr. FLOOD. Mr. Speaker, does the gentleman from Illinois (Mr. MICHEL) have further requests for time?

At this point I have no further requests for time.

Mr. MICHEL. Mr. Speaker, I do have requests for time.

Mr. Speaker, I yield 5 minutes to the gentleman from Minnesota (Mr. QUIE).

Mr. QUIE. Mr. Speaker, I urge my colleagues to recommit this bill back to conference with a change in the title I formula.

When the last continuing resolution went through the House in early October we had assurances that the hold-harmless limitation in that continuing resolution would be reconsidered in the conference on the Labor-HEW appropriations bill. I see that the appropriations conferees are now coming back proposing that we accept the same 90–90–115

hold-harmless provisions that were in the continuing resolution.

Mr. FLOOD. Mr. Speaker, if the gentleman will yield, of course the gentleman does know that we did reconsider this.

Mr. QUIE. I know that it was reconsidered, but the conferees are now coming back proposing that we accept the same formula. And why is this not acceptable? Because the only reason I went along with the continuing resolution in October was because we were on the last day of the old resolution. At midnight that night the Federal Government would have been without spending authority. Also, if we had gone back for an extension of what had been in the first continuing resolution we would have held every State harmless at 100 percent of what they got in 1972.

Now the conferees come back with a proposed change that is no change at all. It is wrong to have a State held harmless at 90 percent of 1972; 1972 was 2 years ago. There was some shift in poor population between 1972 and 1973 the way it is counted under the formula. There is no reason why we should take a State back to 1972. Besides, it is the local education agency that is important. I am willing to accept the raise of 5 percent from the 85 percent LEA hold-harmless I proposed in October up to the 90-percent LEA hold-harmless as proposed in this legislation. I cannot accept the limitation that no local education agency go higher than 115 percent of that which it received in 1973.

In 1973 it was based on the 1960 census information. If an LEA has doubled its poor population based on the 1970 census, why should it be held to 115 percent?

If we limit every local education agency to that, it means we have no chance to make any significant adjustment in the State, and a dramatic shift of poor population has occurred within States, to say nothing of what has occurred between States.

If we look at the figures of what happened to a number of children from families with incomes below $2,000—forget about AFDC—based on the 1960 census, we see some things that are significant. Iowa, for instance, had 71,000 children from families below $2,000 in 1960. If we double the income amount to $4,000, Iowa only has 58,000 children from families of that income in 1970. When we compare that with New Jersey, New Jersey in 1960 had 59,000 children from $2,000 incomes and below, but in 1970 had 128,000 children from families with income below $4,000. So there is double the number of children from families with double the income in New Jersey. We can compare a couple of other situations—North Carolina had 325,000 children from incomes less than $2,000 in 1960, and only 246,000 children from families of less than $4,000 income in 1970.

But New York, which had 200,000 children from families below $2,000 income in 1960 now has 434,000 children from families of less than $4,000. Four times as many children in New York.

Let me give comparisons of two more States. West Virginia went from 106,000 children from families of less than $2,000 income in 1960, to 78,000 from $4,000 families in 1970, as compared with California which had 206,000 children from $2,000 incomes or less in 1960, all the way up to 488,000 in 1970 from $4,000 income families or less; 2½ times as many in 1970. That indicates only the shifts of poor children that have occurred between States. It does not take into consideration the shifts that have occurred within each State.

Mr. SMITH of Iowa. Mr. Speaker, will the gentleman yield?

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

Mr. SMITH of Iowa. The gentleman mentioned Iowa. I will point out that under the gentleman's proposal and under the committee proposal both, Iowa gets the same percentage of national totals.

Mr. QUIE. What I am talking about in the proposal that you bring here, is that the local education agencies that have had a dramatic increase in low-income children are not able to receive more money than 115 percent of their 1973 allotment.

The SPEAKER. The time of the gentleman has expired.

Mr. MICHEL. Mr. Speaker, I yield 3 additional minutes to the gentleman from Minnesota.

Mr. QUIE. I thank the gentleman.

When the money is taken from all the local education agencies that are entitled under the formula to more than 115 percent of what they received in 1973, and given to all those local education agencies that are to be brought up to 90 percent of their 1973 allotment and then used to bring all the States that still were below 90 percent of what they received in 1972 up to that level, there was still some money left over. Since we are appropriating $1,810 million for title I ESEA, the money remaining after the above distribution is made is then distributed among the local education agencies that were between 90 percent and 115 percent of their 1973 allotment. Those LEA's would be more than they ever were entitled to under any fair and equitable formula. That is how bad the proposal is which the conference committee is recommending that we accept.

The most peculiar of all was New Mexico where 90 percent of the amount they received in 1972 is higher than the 115 percent limit on the amounts any local school district may receive.

We just cannot work out the distribution of funds unless my formula is accepted. That is why I recommend that we hold each local education agency harmless at 90 percent of what they received in 1973, and then put a 120-percent limit on each State, so that the local education agencies within the State which have had a substantial increase in the number of low-income children will be able to receive the funds they need to finance their compensatory education programs.

The title I programs that started getting financing in the first quarter of this year, at a higher level because of this big increase in low-income children now would be cut way back by the committee proposal. I refer Members to the second chart on page 36729 in Monday's RECORD.

Those are the basic reasons why we ought to recommit the bill and get a hold harmless and limitation for this fiscal year 1974. This is within reason and that gets money to kids who need services. It is interesting that if we adopt my proposal, 32 States including the District of Columbia will get more money; 19 States will get less money. That really shows how unreasonable the formula is that is proposed by the committee, when 19 States are benefited by that formula and 32 States suffer.

I think that the Members ought to be able to support my proposal, so I call on my colleagues to send this bill back to conference. We have a continuing resolution that is operating. Let the conference committee come out with something that is better than what they are proposing to do today. In that way the title I compensatory education programs can be more effective than would be the case if the committee's recommendations were adopted.

Mr. Speaker, I yield the remainder of my time back to the gentleman from Illinois (Mr. MICHEL).

Mr. FLOOD. Mr. Speaker, I yield such time as he may consume to the gentleman from Texas (Mr. MAHON) the chairman of the Committee on Appropriations.

ACTION ON APPROPRIATIONS AND EXPENDITURES FOR THE SESSION

Mr. MAHON. Mr. Speaker, under the 1-minute rule today I made a statement as to what apparently will be the fiscal situation with respect to appropriations and expenditures for this session. In the House tomorrow I thall elaborate further in regard to the fiscal situation.

Mr. FLOOD. I yield to the gentleman from Florida (Mr. ROGERS), who is chairman of the Public Health and Environment Subcommittee of the Committee on Interstate and Foreign Commerce for a question.

Mr. ROGERS. Mr. Speaker, I thank the gentleman from Pennsylvania for yielding.

Mr. Speaker, may I say, before I propound a question, that I have been very much concerned about rumors that the Secretary of Health, Education, and Welfare wants to institute a policy of requiring payment from those people who are admitted to the clinical center at NIH even though those patients are admitted for research only.

The question is: Would the gentleman not agree that it has been our intent in formulating our programs on research and in funding those programs that people be admitted to the NIH clinical center for research purposes without charge to those people?

Mr. FLOOD. I certainly agree with the gentleman from Florida.

Mr. ROGERS. I thank the gentleman from Pennsylvania, the chairman of the committee.

Mr. MICHEL. Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania (Mr. GOODLING).

Mr. GOODLING. Mr. Speaker, I asked for this time simply to point out what we are doing in amendment No. 4 on page 7 of this report. Amendment No. 4

appropriates $70,408,000 to the questionable Occupational Safety and Health Administration. This amount provides for both salaries and 800 positions for compliance inspection. If all the House Members have had as many complaints on OSHA as I have had, I submit to the Members we could be spending the $70 million far more profitably than it is being spent by this administration.

Mr. FLOOD. Mr. Speaker, I yield 5 minutes to the distinguished gentleman from Kentucky (Mr. PERKINS), the chairman of the Education and Labor Committee.

Mr. PERKINS. Mr. Speaker, I rise in support of the conference committee's action on the title I "hold-harmless" provision. The adoption of this conference agreement will help us immensely in the authorizing committee in our efforts to work out a fair formula for title I for next fiscal year and for the succeeding years.

Yesterday, I inserted in the RECORD on page 36652 tables showing the breakdown of appropriations by State which would result from the adoption of this conference agreement. I also inserted a table showing the gains which each of the 30 largest school districts in the country would achieve under this conference agreement.

There are three basic reasons why I believe the conference agreement must be upheld. The first reason is that we have already caused local school districts enough confusion this year by changing their title I allocations twice. And it makes little sense to me to cause still more confusion by changing them a third time as proposed in the Quie amendment. This is especially true at this late time when one-half the school year is almost over.

The second reason why we must uphold the conference agreement is that it provides for a fair distribution of funds among the States. The largest States are given very substantial increases in funds. But these increases occur in such a way so as not to cause great disruptions in local title I programs in other States.

New York State, for instance, gains $30 million under the conference agreement over what it had last year. California gains $17 million. Illinois gains $10 million. Pennsylvania gains $10 million. Texas $7 million. But none of these increases severely cripple programs in other States.

The Quie proposal, on the other hand, will take away very substantial amounts from the 19 poorest States in the country and will cripple their title I programs. These shifts will occur under the Quie proposal because these States are not wealthy enough to make high AFDC payments which qualify them to count more title I children.

The increases under the Quie amendment do not occur because of shifts in population. They only occur because of the very inequitable AFDC part of the formula.

Let me give an example to illustrate this point. Connecticut had a slight gain in population from 1960 to 1970. It went from having 1.4 percent of the total population to 1.5 percent. Texas also had a gain—but it was twice as much as Connecticut's—from 5.3 percent to 5.5 percent. However, under the Quie amendment, Connecticut will gain approximately $600,000 while Texas will lose approximately $4 million.

The Quie amendment is not allowing funds to follow population shifts. Rather, it is rewarding Connecticut for having high AFDC payments and penalizing Texas which had twice as much growth in population.

The last reason I oppose the Quie amendment is that it will result in some of the richest areas in the country receiving increased grants at the expense of some of the poorest areas in the country. For instance, Fairfax County, Va., one of the richest counties in the country, would double its allocation under the Quie amendment. Montgomery County, Md., also one of the wealthiest counties, would increase its allocation by 25 percent.

I fully recognize that those areas have need for additional funds, but increases to them should not be at the expense of the poorest counties in their States which occurs under the Quie amendment.

Mr. Speaker, the conference committee has come back to us with a reasonable compromise. I believe that we must uphold its action and reject the Quie amendment.

Mr. FLOOD. Mr. Speaker, I yield 3 minutes to the gentleman from Connecticut (Mr. GIAIMO).

Mr. GIAIMO. Mr. Speaker, I rise to urge Members to vote to recommit this conference report to the conference committee, primarily because of the controversy over amendment 32, which deals with the distribution of funds for educational purposes and concerning the formula for the allocation of said educational moneys.

We have debated this matter several times before these past few months and there has been much controversy. We hear that one State, such as my own, will gain moneys and another State, such as perhaps Texas, will lose money.

The fact is that there are 32 States which under the present formula in the committee bill will lose money which otherwise they would be entitled to because of the fact that the committee bill continues an inequitable formula for fund allocations based on the outdated 1960 census formula.

This is an appropriation bill. This matter should be straightened out by the Committee on Education and Labor.

That committee should come up with an equitable formula so that States which have an increase in child population would get their fair share of the moneys, but the fact is that year in and year out, the authorizing committee has failed to come up with an equitable formula. If we do not remedy this inequitable situation here in the only vehicle before us, the Appropriations Committee bill, we will continue the inequity.

The inequity is that because of using 1960 figures and because of the fact that there have been mass migrations since 1960, States which no longer have the children living in them are being paid excessive educational moneys because they are allowed to count in their formula children who no longer live in those States and have in fact moved to the more populous and urban States; and those Urban States, because of the inequity in the formula, are being deprived of moneys which they should have because the increased numbers of children are now living there.

Mr. Speaker, this charade has gone on long enough. I submit to the Members that if they do not act now and recommit this bill to the conference committee, I submit that the Education and Labor Committee will not be disposed to come forward with an equitable formula, and we will continue once again this inequity.

Mr. Speaker, I urge the recommittal of this bill.

Mr. MICHEL. Mr. Speaker, I yield 2 minutes to the gentleman from Connecticut (Mr. SARASIN).

Mr. SARASIN. Mr. Speaker, I join my colleagues in support of recommital of the Labor-HEW Appropriations conference report with instructions to the conferees to resolve the problems attendant to the formula for title I of the Elementary and Secondary Education Act.

At present, the language of H.R. 8877 concerning the title I formula provides that each school district receive not less than 90 percent of the amount it received in 1973 nor more than 115 percent of this amount. It also provides that each State would receive not less than 90 percent of the amount they received in 1972.

This provision is simply not acceptable. It is against the principles of not only title I but also those which supposedly underlie the very purpose of government—to address needs that truly exist in the most effective and efficient manner based on the most current data available—the 1970 census figures. If we do not adhere to this approach, we will continue to perpetuate the imbalance that now exists between our resources and our needs.

I urge that the arbitrary ceiling on the amount a local school district can receive be removed. The only limitation that should be incorporated would be that States in the aggregate could not receive more than 20 percent above the amount they received in 1973. Such an approach would allow necessary flexibility in the design of a new formula to meet the needs of the 1970's while permitting changes to be reflected within and between States.

We can never underestimate the fact that our children are most important, that our future rests in their hands. Their needs must be addressed forthrightly—wherever they exist—if we are to honor our commitment to the people of America to meet needs with the full impact of our resources.

Mr. FLOOD. Mr. Speaker, I yield 3 minutes to the gentlewoman from Oregon (Mrs. GREEN).

Mrs. GREEN of Oregon. Mr. Speaker, I could not sign the conference report on this bill because it seems to me, as a matter of conscience, this House should not be using, in the fiscal year 1974, the 1960 census figures as far as children in school are concerned, when we think that we have had migrations from State to State at the rate of 500,000 to 600,000 people per year during several of the years of the sixties.

Then within every single congressional district there have been migrations from one school district to another. In many congressional districts—because of the formula, there will be one school district being paid for children who moved away 6 or 8 years ago and another school district will not receive money for children who are occupying desks now—because they weren't there according to the 1960 census figures still being used.

I do want to tell the gentleman from Pennsylvania, the distinguished chairman of the subcommittee, that I think he made every effort to try to work out something, and we simply are hampered because the Committee on Education and Labor itself refuses to come out with a change in the formula that meets the current situation of the mid-seventies.

Now, a few moments ago I heard it said that the only issue here is the AFDC payments. I suggest that is not the case and that there are at least three major issues, and several other minor ones also.

It is not fair for some of the States who have some of the highest AFDC payments to receive more than their share of funds while other States which cannot make these high AFDC payments do not get as much under title I. I agree on that. But it is also true that there are statistics that have been passed around the House by which one can prove any point one sets out to prove.

I suggest that if we use AFDC alone and use low funding, we come out with one figure, and if we use high funding we come out with another figure on that AFDC factor alone.

The second thing that is of major importance is the migration, and it is unconscionable, in my opinion, to use 1960 census figures; this has been stated before: Unless this motion today to recommit is passed, it is my judgment that the authorizing committee simply will be happy, or at least some of them, those who have great power on that committee, to have the same formula used for the next 10 years.

Mr. Speaker, that is not fair to most of the States and to most of the school districts.

The third factor, which is certainly very unfair, is to use the figure of $2,000 as the poverty level cutoff. According to the 1960 census figures, there were more than 4 million families in the United States that were at the $2,000 or less poverty figure. In the 1970 census figures there were 2 million families plus, in other words, about a 50-percent change in this particular factor.

Now, as I said, one can put any statistics together and come up with any position that one wishes to defend.

The SPEAKER. The time of the gentlewoman from Oregon (Mrs. GREEN) has expired.

Mr. MICHEL. Mr. Speaker, I yield 5 additional minutes to the gentlewoman from Oregon.

Mrs. GREEN of Oregon. Mr. Speaker, it seems to me that the best thing to do today is to vote for the motion that is being supported by the gentleman from Connecticut (Mr. GIAIMO) and the gentleman from Minnesota (Mr. QUIE) to refer this back to the conferees, to make it abundantly clear that we cannot go on year after year after year giving some school districts money for children who have not lived there for perhaps 5 or 8 years and then not give money to other school districts and other States for children who actually are in attendance at that school. And that is really the major issue.

Now, I would not argue that the particular formula that the gentleman from Minnesota (Mr. QUIE) is supporting is the fairest formula in the world. In fact, I do not think it is.

However, I think it is far better than what we are doing in the conference report.

It seems to me that the members of the Committee on Education and Labor ought to examine a lot of formulas.

I might say, Mr. Speaker, that if I had my druthers, I would do away entirely with this formula we have been operating under, and I would consider as a factor average daily attendance so we would give the money to every school district for the youngsters who are actually enrolled and attending there. I would have that as one of the factors.

Then I would use the wealth of the State as a factor, because if some of the States are far wealthier than others, they ought to contribute more for the education of their children.

Then I think there ought to be an effort index.

I have not looked at studies in the last year, but I have looked at them in prior years.

In every previous study I have looked at, for example, the State of Mississippi, which is not by any means one of the wealthiest States, makes a greater effort to support education in their State than New York State. A formula based on these three factors might be used and after the allocation to States and school districts, the funds could still be used for the purposes of title I. There are other formulas that would undoubtedly be more fair than the present one.

Mr. Speaker, in conclusion I urge that this House support the motion that will be made by the gentleman from Minnesota (Mr. QUIE) or the gentleman from Illinois (Mr. MICHEL) and that this be referred to the conference committee and that they try to come back with some kind of a change which at a minimum comes closer in paying school districts for the youngsters who are there and who are enrolled and being educated there and not pay the school districts for youngsters who have not lived there for many, many years.

Mr. MICHEL. Mr. Speaker, I yield 5 minutes to the gentleman from Iowa (Mr. SMITH).

(Mr. SMITH of Iowa asked and was given permission to revise and extend his remarks and include extraneous matter and a table.)

The table is as follows:

TITLE I, PT. A, ELEMENTARY AND SECONDARY EDUCATION ACT ESTIMATED COMPARATIVE DISTRIBUTION OF LOCAL EDUCATIONAL AGENCY GRANTS

	Fiscal year 1973 operating level	Fiscal year 1974 continuing resolution [1]	Percent [2]	Percent [3]	Percent [4]	Quie	Percent of national pupil population (1970 ADA)
Total, LEA grants	$1,316,037,468	$1,444,116,298	100.0	100.0	100.0	100.0	100.0
Alabama	34,549,166	36,231,421	1.5	2.7	2.5	2.2	1.8
Alaska	2,415,064	2,777,324	.2	.2	.2	.2	.2
Arizona	8,134,242	9,354,378	.7	.8	.6	.7	.9
Arkansas	20,963,618	21,793,010	.8	1.6	1.5	1.3	1.0
California	111,618,375	128,361,130	10.6	7.5	8.9	9.1	10.5
Colorado	10,237,378	11,772,985	.9	.8	.8	.8	1.2
Connecticut	11,747,931	13,510,121	1.3	.8	.9	1.0	1.5
Delaware	2,323,748	2,762,310	.2	.2	.2	.2	.3
Florida	24,111,072	27,727,733	2.0	3.1	1.9	2.0	3.1
Georgia	40,573,812	36,516,431	2.0	2.9	2.5	2.7	2.4
Hawaii	3,715,263	4,272,552	.4	.2	.3	.3	.4
Idaho	2,719,220	3,127,103	.2	.2	.2	.2	.4
Illinois	69,554,901	79,988,136	6.5	4.9	5.5	5.7	5.0
Indiana	18,773,439	21,589,455	1.3	1.3	1.5	1.4	2.8
Iowa	14,601,661	13,918,193	.8	.8	1.0	1.0	1.5
Kansas	9,147,430	10,519,544	.7	.7	.7	.7	1.1
Kentucky	32,212,788	33,418,715	1.5	2.2	2.3	2.1	1.5
Louisiana	31,322,489	33,117,401	2.0	3.1	2.3	2.3	1.8
Maine	5,633,673	6,478,724	.5	.4	.4	.5	.5
Maryland	19,380,669	22,287,769	2.0	1.5	1.5	1.6	1.9
Massachusetts	24,893,505	28,627,531	2.5	2.0	2.0	2.0	2.7
Michigan	51,768,916	59,534,253	5.1	3.9	4.1	4.2	4.7

TITLE I, PT. A, ELEMENTARY AND SECONDARY EDUCATION ACT ESTIMATED COMARATIVE DISTRIBUTION OF LOCAL EDUCATIONAL AGENCY GRANTS—Continued

	Fiscal year 1973 operating level	Fiscal year 1974 continuing resolution [1]	Percent [2]	Percent [3]	Percent [4]	Quie	Percent of national pupil population (1970 ADA)
Minnesota	$20,897,155	$23,204,280	1.4	1.3	1.6	1.6	2.1
Mississippi	35,922,629	37,866,737	1.4	2.7	2.6	2.2	1.3
Missouri	23,367,302	24,352,345	1.4	1.8	1.7	1.8	2.2
Montana	2,865,542	3,295,373	.2	.3	.2	.2	.4
Nebraska	7,187,530	7,905,410	.4	.5	.5	.5	.8
Nevada	923,899	1,062,484	.1	.1	.1	.1	.3
New Hampshire	2,007,413	2,308,525	.2	.2	.2	.2	.3
New Jersey	44,232,287	50,867,130	4.5	3.5	3.5	3.6	3.1
New Mexico	7,393,185	8,502,163	.6	.8	.6	.6	.6
New York	196,835,764	226,361,130	18.9	15.5	15.7	16.1	7.4
North Carolina	51,556,663	50,634,889	1.8	3.1	3.5	3.2	2.6
North Dakota	4,101,267	3,844,063	.2	.3	.3	.3	.3
Ohio	42,248,122	48,585,340	3.7	3.1	3.4	3.5	5.3
Oklahoma	16,649,246	17,243,236	.9	1.3	1.2	1.1	1.3
Oregon	8,421,321	9,684,519	.8	.7	.7	.7	1.0
Pennsylvania	64,998,125	74,747,844	5.7	4.9	5.2	5.3	5.2
Rhode Island	4,873,849	5,604,926	.4	.3	.4	.4	.4
South Carolina	29,853,231	30,881,808	1.2	2.0	2.1	1.9	1.4
South Dakota	5,470,551	5,639,443	.3	.4	.4	.4	.4
Tennessee	31,273,191	32,659,556	1.2	2.5	2.3	2.0	2.0
Texas	67,675,754	67,124,681	4.0	6.1	4.6	5.0	5.8
Utah	3,894,921	4,479,159	.4	.3	.3	.3	.7
Vermont	2,093,957	2,408,051	.1	.1	.2	.2	.2
Virginia	31,522,692	30,423,187	1.8	2.2	2.1	2.3	2.4
Washington	13,445,639	15,462,.85	1.3	1.2	1.0	1.1	1.8
West Virginia	17,319,813	18,472,046	.9	1.1	1.3	1.1	.9
Wisconsin	17,340,875	19,942,006	1.5	1.3	1.4	1.4	2.1
Wyoming	1,170,817	1,346,440	.1	.1	.1	.1	.2
District of Columbia	10,096,368	11,610,823	1.0	.5	.8	.8	.3

[1] Based on HEW estimated distribution as of Oct. 11, 1973.

[2] Percent of national total under existing authorization which excludes children from poverty families earning between $2,000 and $4,000 annually but includes all AFDC.

[3] Percent of national total that school districts in each State would receive if all poverty families with incomes under $4,000 are included and all AFDC regardless of income.

[4] Percent of national total that school districts in each State would receive this year under committee compromise and current continuing resolution (90 percent minimum and 115 percent maximum of 1973 level).

Note: Title I grants are made to individual school districts and within every State some would receive less and some would receive more than last year. The above figures represent the aggregate for each State.

Mr. SMITH of Iowa. Mr. Speaker, I agree very much with most of what the gentlewoman from Oregon said, but I do not agree with her conclusion. I think she reached the wrong conclusion.

I agree that one cannot tell what the situation is in a local school district by looking at the dollar totals for States in tables that have been floating around here. That is why I got the Library of Congress to work up a table dealing with the percentages of whatever dollar level is used.

Most of these allocations are on the basis of local school districts, but the table I have will, on the State level, provide something to compare it with.

In using percentage figures, if we use the average daily attendance in Alabama, they have 1.8 percent of the total children in the United States in average daily attendance, but this law is not based on ADA. The bill allocates for disadvantaged children, and it is supposed to be based on the number of children from low-income families. Alabama has 2.7 percent of the children from low-income families based on a $4,000 a year income total, whether the income is from AFDC or earned or both.

The law without the amendment in the committee bill uses 1960 figures and $2,000 a year as a low-income definition. We passed a minimum wage bill here that would not just double the minimum wage over 1960, but it was three times that of 1960.

If one uses a fair table, it has to be on the basis of $4,000, and under and consider those people to be low-income families. So Alabama should be entitled to a total of 2.7 percent and under our bill they receive 2.5 percent, and under the Quie proposal they would be cut to 2.2 percent.

Now, in California, the committee would allocate a total of 8.9 percent, but they have 7.5 percent of the poor children. They should not complain about that.

Then we come to Connecticut. Connecticut should receive 0.8 percent of the total allocation, but we give them 0.9 percent, and the Quie proposal gives them 1 percent. We are already giving them 12.5 percent more than they deserve, but the Quie bill would give them 25 percent more than would be fair.

Then we come to Illinois. We would give them 5.5 percent, and they deserve 4.9 percent, and the Quie proposal gives them a total of 5.7 percent.

Massachusetts and Iowa would get the same under both proposals.

New York has only 7.4 percent of all the children in average daily attendance. We give them 15.7 percent of the money. That is double the amount it would be if it were based on an average daily attendance basis. Now, under a fair proposal based on low income and AFDC, they would receive 15.5 percent. The bill provides 15.7 percent total for New York.

Some of the Members from New York are not satisfied with receiving 12 percent more than they deserve. I do not mind people getting a bonanza if it is floating by, but to be greedy is something else. We should keep this allocation to districts within reason this year so that the authorizing committee can report out a bill and we can get a fair proposal adopted. If some districts are so far out of kilter, we will never get them back in line.

Now let us take a look at Virginia which tells more of the story. They should receive 2.2 percent of the total. Under our committee bill they receive 2.1 percent. The Quie proposal gives them 2.3 percent, but that is the State total. Here is what happens within the State. The committee bill would give them $535 million to Fairfax County, but the Quie proposal gives them over $1 million. Although the state total remains nearly the same, the Quie amendment would double the amount for wealthy Fairfax County. Now take one of the poorer counties—Bedford County, Va.

Under our proposal they get $196,000. Under the Quie proposal they are reduced to $176,000.

So, you see what really happens here under the Quie proposal is to reward those who have the money to match more ADC funds, and if they have a higher percentage of the people on ADC, then they receive more education money. The ADC, but we would also give them a bigger share of title I.

That is not the fair way to do it. The way we should do it is to try to keep the distribution as close to a fair amount as possible until the authorizing committees come out with a proposal.

I agree with the gentlewoman from Oregon (Mrs. GREEN) that none of these proposals are exactly fair, but we did the best we could do and the committee proposal is more fair than the Quie amendment. The Members can take a look at these tables that I have placed in front of the Members, and they can see that the proposal we have is a much more fair proposal than the Quie proposal. So I urge the Members to stick with it.

The SPEAKER. The time of the gentleman has expired.

Mr. SMITH of Iowa. Mr. Speaker, would the gentleman from Illinois (Mr. MICHEL) yield me additional time?

Mr. MICHEL. Mr. Speaker, may I inquire how much time I have remaining?

The SPEAKER. The Chair will state to the gentleman from Illinois that he has 3 minutes remaining.

Mr. MICHEL. Mr. Speaker, I yield 2 additional minutes to the gentleman from Iowa (Mr. SMITH), and I will reserve the remaining minute for my concluding remarks.

Mr. SMITH of Iowa. Mr. Speaker, I really appreciate the gentleman from Illinois yielding me this additional time.

Mr. Speaker, I want to point out that the bill is probably going to be vetoed. The Education Department was ready Friday to make the second allocation

under the continuing resolution. If the formula is changed by the Quie amendment and this bill is vetoed, the Department will not be able to make that allocation because they will not know what the formula will be under which they are supposed to allocate the money. First they had an allocation in September, and then it was changed by the continuing resolution. Now, the Quie amendment would require them to change it a third time, and they would have to wait if this bill is vetoed. I say that these local school districts are entitled to more stability in this school year. I think the best thing we can do is stick with the same formula that was in the continuing resolution and which is in the committee bill until we can get this thing worked out by the proper authorizing legislation.

So I certainly urge the Members to vote against the motion to recommit based upon the bill being too large, and to support the committee on the amendment affecting title I.

Mr. MICHEL. Mr. Speaker, I made the point earlier during the discussion on this conference report that I thought the figure of $1.376 billion over the budget was a good and sufficient reason to recommit this conference report. Now that I have heard all the discussion with regard to the controversy on title I, the allocation formula, I think there are additional good grounds for recommitting this conference report, and letting the conferees go back and try to work out a much better agreement. I would like to see a good vote for our position here this afternoon to indicate to the other body that we mean business, too.

When the Quie amendment was first adopted it carried by a vote of 269 to 94 and when my amendment was offered to hold the spending level more than $700 million below this conference report figure there were 184 Members voting for it—far in excess of the number needed to sustain a veto.

I hope the message we give here on this vote is a clear one. Let us vote down this conference report.

Mr. CEDERBERG. Mr. Speaker, if the gentleman will yield, I think there is another excellent reason because of the action of the Committee on Rules today in passing out a budget control bill. By recommitting this bill to the conference again, we will be giving the country some indication as to whether we believe in budget control or whether we do not.

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

Mr. Speaker, on that very point, I tried my very best to make it clear to the House that we have made a strong effort in the conference, we worked day and night on this thing. The Members know the other body as well as I do, and that they will not accept this proposal, and that we will be just dancing around the Maypole over there if we send this back to conference with instructions. They made it very clear. It is very clear to me. If we send this back, they have no intention to do otherwise. Time is of the essence. We are going to recess on Thursday until the 26th. It will take weeks and weeks and weeks to pass this bill.

The school boards back home are screaming now, "Where is the money?" Be very careful about this. This is a $33 billion bill. Do not hang this thing up. That is not necessary. This is a $33 billion bill. Let us not get this thing mixed up in a can of worms. This is an appropriation bill.

Mr. CONTE. Mr. Speaker, this conference report represents the capstone to an enormous amount of work accomplished by both Chambers of Congress since first we received the President's budget message many months ago. It represents literally months of preparation—hearings, debates, and compromises. We have worked long and we have worked hard. We have brought out what is, basically, a good measure here.

I would like to compliment the chairman and the rest of my colleagues in the conference who labored day after day on this bill. This measure is complex; I daresay you could find no one who would like everything about it. But it remains a commendable effort. We have pared-off $469 million of the Senate increases which were written into its version of the bill. However, we are now over $110 million over the House version, and over $1.3 billion over the administration's budget request. Even in the face of what appears to be an enormous appropriations overrun, I must emphasize that this bill signifies a great deal of study. Piles of money were not heaped on to special interest projects, nor were vital programs indiscriminately axed.

It would serve little purpose to run through all the many agencies and programs funded within this bill. Suffice it to say that they run the gamut of vital and immediate initiatives affecting the lives of millions of people.

I must, however, express my discontent with two of the amendments reported here. The first is amendment No. 32 dealing with title IA funding of the Elementary and Secondary Education Act. Put as briefly as I can, it makes absolutely no sense to give school districts more funds for fewer title I children. In the decade between 1960 and 1970, many rural areas have lost population while many urban areas have gained population. This transition has carried with it a tremendous exchange of title I eligible children between the rural and urban population centers.

Although the formulation worked out in conference allows a more equitable distribution of funds that was available under the "100 percent State hold harmless" provision, it does not go as far as it could toward the targetting of these moneys to school districts which have already accepted additional title I children. This is where the money is needed the most.

Twenty-eight States are in the predicament of losing a portion of their potential funding, which should be rightfully theirs because of the emigration of eligible children into their boundaries over this past decade. These States, so disadvantaged, are represented by a total of 288 Members of the House of Representatives and 58 Members of the Senate.

I am in full concert with my colleagues in conference in looking upon this measure as purely an "interim" solution to a very complex problem. Our House Committee on Education and Labor is, at the moment, holding full committee hearings on the subject and we all anxiously await the results of their study. I would like to particularly commend the ranking minority member of that body, my good friend from Minnesota, for his tireless efforts in this regard.

I must also take exception to the drastic reductions for the National Institute of Education. I, myself, am not entirely pleased with the track record of this Agency, but I feel strongly that such displeasure should not justify the clobbering that this project took in the Senate and in conference. To slice off $68 million, to eliminate over 50 percent of the administration's request is, I believe, going the extra mile unnecessarily. I can still recall the testimony of the Director of NIE when he appeared before the House Subcommittee on Labor-Health, Education, and Welfare. He said:

> The Institute will emphasize efforts to develop methodological techniques to get at those possible problems, so that we can improve our understanding of why programs seem to work and why they seem not to work. We hope, in sum, to learn more about how to learn from our apparent failures.

It was with these thoughts in mind that I sought vainly to restore, at least, $25 million to their programs.

In total, this bill bespeaks of a conscientious effort to deal with the welfare of the American public. I think it has been an overall worthwhile effort, and I urge my colleagues to support the adoption of the conference report.

Mrs. HOLT. Mr. Speaker, I rise to express my support for the motion to recommit the conference report of H.R. 8877 with instructions to amend the formula for the distribution of funds under title I of the Elementary and Secondary Education Act.

The gentleman from Minnesota (Mr. QUIE) has proposed that the ceiling in the title I formula be increased from 115 to 120 percent with no change in the 90-percent "hold harmless" provision.

This proposed formula is, in my opinion, an equitable one which recognizes two important facts. Federal funds under the title I program should be channeled to those school districts which serve the children of low-income families. An increase in the maximum funding to 120 percent of what was received in fiscal year 1973, will aid us in achieving this objective. However, we must also bear in mind that these programs have been in operation since September. School districts which planned their programs on the basis of funds available during previous years must be protected from sudden cutbacks this late in the semester. The 90 percent floor on payments will afford such protection.

The implementation of the proposed formula will allow a gradual shift away from the 1960 census data without imposing drastic curtailment in funds for school districts which currently have programs in operation.

Mr. Speaker, Labor and HEW programs have been operating on a continuing resolution since the end of fiscal year 1972. I am sure we are all aware of the burdens this has placed on State and local governments. The unpredictability of levels of funding has seriously im-

paired their planning and programing abilities.

The conference report before us today contains sound, needed legislation. I urge that it be swiftly adopted with the modification of the title I formula.

Mr. GONZALEZ. Mr. Speaker, again the House has been confronted with the dilemma it has been facing intermittently in the case of the continuing resolution on appropriations with respect to educational programs. For several years I have been decrying our erratic and cruel way of financing the established and needed ongoing programs to provide education.

I have advocated what I call "hold harmless" provisions in the law so that administration of local school systems, as well as State agencies, will not undergo the recurring anguish of planning for a school year based on congressional authorizations that are either not forthcoming or reduced, or reneged upon. This has caused every school district in my area to raise taxes—some as high as 28 percent others to the maximum rate allowable under the constitution.

Adding to the punishment has been Presidential impoundment and confused and vengeful withdrawal from ongoing programs and commitments.

The great promise of Federal aid, visualized in the landmark legislation of the last 12 years, has turned into bitter wormwood and a gutted House of Education.

This is wrong—it is sinful. Let us correct it.

Mr. EDWARDS of California. Mr. Speaker, I join my colleagues from California in support of the motion offered by Congressmen QUIE and GIAIMO to recommit the conference report H.R. 8877 with instructions to arrive at a better allocation of ESEA, title I funds. This motion would provide the State of California with $5.5 million more than the conference report would provide to educate the thousands of new title I schoolchildren we have gained since 1960.

However, I would also like to point out that this motion has greater significance than only putting the money where the need exists—although that seems to me to be an eminently desirable goal. This measure is representative of both the urgent need for new and better ways of allocating moneys for education and the valiant efforts made by the Education and Labor Committee, particularly the General Education Subcommittee, to work out a solution to the problem. While the formula offered by Mr. QUIE and GIAIMO is certainly not the ultimate answer, it is definitely a step in the right direction. It makes no sense to provide money to States which have lost title I eligible children at the expense of States which have educational responsibilities for increased numbers of such children. I urge my colleagues therefore to join me in support of this amendment.

Mr. HANRAHAN. Mr. Speaker, the ethnic groups that have contributed so much to our national greatness deserve the opportunity to preserve the uniqueness of their individual contributions to our society. For this reason, it is imperative that a program such as the Ethnic Heritage Studies Act be implemented in America's elementary and secondary schools and institutions of higher learning.

Obviously, my colleagues agree with me that this program is important, since they passed a bill authorizing $15,000,000 to implement the studies in 1972. The fiscal year 1973 budget, however, contained no funds. Now, we have an opportunity to decide if the fiscal year 1974 budget will contain $2.5 million—a mere fraction of the original appropriation, but certainly better than no funds at all.

It is extremely important that a program such as the Ethnic Heritage Studies Act be allowed to foster a greater understanding and respect for the contributions of America's many ethnic groups.

Mr. BIAGGI. Mr. Speaker, I rise in strong opposition to the conference report to the bill H.R. 8877, and intend to vote in favor of any motion offered to recommit.

Inherent in my opposition to this report is that if it is adopted, many of our major cities and metropolitan areas stand to receive woefully inadequate funding for certain vital educational programs, with tragic consquences for the children of America.

My strongest opposition to the report is directed at amendment 32 which seeks to continue an arbitrary, archaic, and grossly outdated method of distributing funds under the title I program of the Elementary and Secondary Education Act. According to the formula in the report, no school district would be entitled to any more than 115 percent of their fiscal year 1973 title I funds.

Not only does this set an unrealistic and unnecessary ceiling on these important funds, but even more importantly, the method of determining populations as a basis for these funds continues to be computed on the 1960 census figures. By using these figures, major cities such as New York stand to be tragically underfunded due to dramatic increases in the numbers of title I children, without a matching increase in funds.

Since the motion by my distinguished colleague from Minnesota (Mr. QUIE) will be ruled nongermane to the bill, I will support a motion to recommit on the simple grounds that we must provide a fairer and more up to date method of determining the distribution of title I moneys.

I disagree with the contentions of some of my colleagues that this report represents the best possible compromise solution. I voted against the conference report to House Joint Resolution 727 speaking out in opposition to a 115-percent ceiling proposed on funds for local educational agencies contained in that measure. Those Members who did vote in favor of the report received assurances from the conferees considering the Labor-HEW appropriations bill that modifications would be made. These apparently were not done, the 115-percent ceiling remains, and I stand opposed to this report as well.

Mr. Speaker, this report should be recommitted and revised so that title I allocation formulas use the 1970 census figures. Anything less than this will represent a disgraceful compromise and sell out at the expense of the millions of poor and disadvantaged children in the United States who count on these funds to fulfill their fervent hopes for a decent education.

Mr. ECKHARDT. Mr. Speaker, the allocation proposed by Mr. QUIE would have this effect as between the have and have-not States: Of the 25 States having the highest per capita income rankings—New York, No. 1, through Wyoming, No. 25—all but 2—Nebraska and Indiana—would receive more under Mr. QUIE's allocations. Of the 25 States having the lowest per capita income rankings—Arizona, No. 26, through Mississippi, No. 50—all but 8—Arizona, Wisconsin, Virginia, New Hampshire, Montana, Utah, Maine, and New Mexico—would receive less under Mr. QUIE's amendment. Thus, the poor States would get less and the rich State more. Only 4 States under the ranking of 30th in per capita income would receive more under the Quie allocation. All the rest would be cut from the level contained in the conference report.

With the exception of Virginia—which ranks above Texas in per capita income—Texas ranks 31—every Southern State takes a cut from the level of the conference report.

Mr. Speaker, we cannot in good conscience continue to widen the gap of educational opportunity between Mississippi children and New York children. What Mississippi and Alabama lose is about what New York gains—in round numbers, $10 million. What Louisiana, the fifth poorest State loses, Connecticut, the second richest State gains—in round numbers $2.4 million. What South Carolina, West Virginia, and Kentucky lose is picked up by two of the three biggest rich States, California and Illinois—in round numbers $9.4 million.

But there is no great wonder that the Quie allocation is popular. We tend to look at a schedule of gains and losses under various formulas and vote our State's pocketbook. Again the poor, the minority, loses. For all the six biggest States except Texas gain under the Quie formula. These States alone have 154 Representatives in the House. All of the States that lose under the Quie formula together have less votes—only 126 or 29 percent of the voting strength of the House.

Federal aid to education was originally conceived as a means of equalizing educational opportunity as between children whose opportunities were low because the tax base from which their educational needs were provided was low and, on the other hand, children whose educational opportunities were high for the converse reason. That is why Senator ROBERT TAFT finally swung to the side of Federal aid to education, and the initial act was then passed because it could muster bipartisan support.

If Federal aid begins to be envisaged as a pork barrel, with each Member vying for advantage through a formula deemed most favorable to him, the whole rationale for Federal aid to education will

be undermined, and we will either rapidly return to a situation in which Federal funds will have no equalizing effect at all, or they will supplant State and local funds completely. What then happens to the local independence of our educational system?

GENERAL LEAVE

Mr. FLOOD. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks, and insert extraneous material, in connection with the conference report on the Health, Education, and Welfare appropriations bill now under consideration.

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

There was no objection.

The SPEAKER. All time has expired.

Without objection, the previous question is ordered.

There was no objection.

The SPEAKER. The question is on the conference report.

MOTION TO RECOMMIT OFFERED BY MR. QUIE

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

The SPEAKER. Is the gentleman opposed to the bill?

Mr. QUIE. I am, Mr. Speaker.

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

The Clerk read as follows:

Mr. QUIE moves to recommit the Conference Report on H.R. 8877 to the Committee of Conference with the following instructions to the Managers on the Part of the House:

That the House recede from its disagreement to the amendment of the Senate numbered 32 and agree to the same with an amendment, as follows:

In lieu of the matter proposed to be inserted by the Senate amendment, insert the following: "That the aggregate amounts made available to each State under title I–A of the Elementary and Secondary Education Act for grants to local educational agencies within that State shall not be more than 120 per centum of such amounts as were made available for that purpose for fiscal year 1973, and the amount made available to each local educational agency under said title I–A shall not be less than 90 per centum of the amount made available for that purpose for fiscal year 1973".

POINT OF ORDER

Mr. FLOOD. Mr. Speaker, I make a point of order against the motion to recommit.

The SPEAKER. The gentleman will state his point of order.

Mr. FLOOD. Mr. Speaker, I make the point of order against the motion to recommit on the ground that it instructs the conferees to include matter in the conference report which is not otherwise in order. This provision described in the instructions we just heard is clearly legislation on an appropriation act. Therefore, it is not eligible for inclusion in a conference report under provisions of clause 2, rule 20 and clause 2, rule 21.

The SPEAKER. Does the gentleman from Minnesota desire to be heard on the point of order?

Mr. QUIE. Yes, Mr. Speaker.

The language that I propose to instruct the conferees was language, albeit legislation on an appropriation bill, which was in both the House bill and in the Senate bill, and the language on the disagreement is language which is neither in the House bill nor the Senate bill, but an amendment itself, so I proposed it here and agree with the instructions on the language that the committee has already come back with. Therefore, it seems to me that it would be in order.

The SPEAKER. The Chair is prepared to rule.

The gentleman from Pennsylvania (Mr. FLOOD) makes a point of order that the motion to recommit with instructions is in violation of the rules of the House and is not in order.

The motion to recommit directs the House conferees to recommend that the House recede from its disagreement to Senate amendment No. 32 and concur therein with an amendment. Senate amendment No. 32 was reported from conference in disagreement because, under clause 2 of rule XX, the House conferees had no authority to agree to that amendment, since it contained legislation on an appropriation bill and would have been subject to a point of order. The Chair notes that on June 26, 1973, Chairman HOLIFIELD sustained a point of order against an amendment offered by the gentleman from Minnesota (Mr. QUIE), on the grounds that the amendment added additional legislation to legislative language which had been permitted to remain in the bill by a resolution waiving points of order.

Under the precedents of the House, a motion to instruct conferees, or to recommit a bill to conference with instructions, may not include instructions directing House conferees to do that which would be inadmissible if offered as an amendment in the House—Cannon's Precedents, volume VIII, section 3235.

The Chair would like to point out two of the syllabi in section 3235:

Instructions to managers of a conference may not direct them to do that which they might not do otherwise.

A motion to instruct conferees may not include directions which would be inadmissible if offered as a motion in the House.

In the instant situation the Chair is of the opinion that the instructions included in the motion to recommit would, if offered in the House as an amendment to the language of the Senate amendment, add legislation thereto. As was the case in Chairman HOLIFIELD's ruling of June 26, 1973, the language would constitute a change in the allotment formula contained in the language of the Senate amendment. The Chair therefore holds that the motion to recommit is not a permissible motion within the meaning of clause 2, rule XX, and sustains the point of order.

MOTION TO RECOMMIT OFFERED BY MR. MICHEL

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

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

Mr. MICHEL. I am, Mr. Speaker.

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

The Clerk read as follows:

Mr. MICHEL moves to recommit the conference report on H.R. 8877 to the committee of conference.

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

There was no objection.

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

RECORDED VOTE

Mr. MICHEL. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 272, noes 139, not voting 22, as follows:

[Roll No. 579]

AYES—272

Abzug	Ford, Gerald R.	Moorhead, Calif.
Addabbo	Ford, William D.	Moorhead, Pa.
Anderson, Calif.	Forsythe	Morgan
Anderson, Ill.	Frelinghuysen	Mosher
Annunzio	Frenzel	Moss
Archer	Frey	Murphy, Ill.
Arends	Gaydos	Myers
Armstrong	Giaimo	Nedzi
Ashbrook	Gibbons	Nelsen
Ashley	Goldwater	Nix
Aspin	Goodling	O'Brien
Bafalis	Grasso	Owens
Baker	Gray	Parris
Barrett	Green, Oreg.	Patten
Bauman	Green, Pa.	Pettis
Bell	Griffiths	Peyser
Bennett	Gross	Pike
Biaggi	Grover	Podell
Biester	Gude	Price, Ill.
Bingham	Guyer	Price, Tex.
Boland	Haley	Quie
Brasco	Hanley	Railsback
Bray	Hanna	Rangel
Brinkley	Hanrahan	Rees
Broomfield	Hansen, Idaho	Regula
Brotzman	Harrington	Reuss
Brown, Calif.	Harsha	Rhodes
Brown, Mich.	Harvey	Riegle
Brown, Ohio	Hawkins	Rinaldo
Broyhill, Va.	Hays	Robinson, Va.
Burgener	Heckler, Mass.	Robison, N.Y.
Burke, Fla.	Heinz	Rodino
Burke, Mass.	Helstoski	Roe
Butler	Hillis	Roncalio, Wyo.
Byron	Hinshaw	Roncalio, N.Y.
Carey, N.Y.	Hogan	Rooney, Pa.
Cederberg	Holifield	Rosenthal
Chamberlain	Holt	Rostenkowski
Chisholm	Holtzman	Rousselot
Clancy	Horton	Roybal
Clark	Hosmer	Runnels
Clawson, Del	Howard	Ruppe
Clay	Huber	Ryan
Cohen	Hudnut	Sandman
Collier	Hungate	Sarasin
Collins, Ill.	Hunt	Sarbanes
Conable	Hutchinson	Satterfield
Conlan	Johnson, Calif.	Scherle
Conyers	Johnson, Colo.	Schneebeli
Corman	Johnson, Pa.	Schroeder
Cotter	Kastenmeier	Seiberling
Coughlin	Kemp	Shipley
Crane	Ketchum	Shoup
Cronin	King	Shuster
Daniel, Dan	Koch	Sisk
Daniel, Robert W., Jr.	Kuykendall	Smith, N.Y.
	Kyros	Snyder
Daniels, Dominick V.	Landgrebe	Stanton, J. William
	Latta	
Delaney	Leggett	Stanton, James V.
Dellenback	Long, Md.	
Dennis	Lujan	Steele
Dent	McClory	Steelman
Derwinski	McCollister	Steiger, Ariz.
Devine	McEwen	Steiger, Wis.
Dickinson	McKinney	Stratton
Diggs	Macdonald	Stuckey
Donohue	Madigan	Studds
Downing	Mailliard	Sullivan
Drinan	Martin, Nebr.	Symington
Dulski	Matsunaga	Symms
Duncan	Mayne	Talcott
du Pont	Mazzoli	Taylor, Mo.
Edwards, Ala.	Meeds	Teague, Calif.
Edwards, Calif.	Melcher	Teague, Tex.
Eilberg	Metcalfe	Thompson, N.J.
Erlenborn	Michel	Thomson, Wis.
Esch	Milford	Tiernan
Eshleman	Miller	Towell, Nev.
Evans, Colo.	Minish	Udall
Findley	Mink	Ullman
Fish	Minshall, Ohio	Van Deerlin
Fisher	Mitchell, N.Y.	Vander Jagt
Foley	Moakley	Vanik

Veysey	Williams	Yates
Vigorito	Wilson, Bob	Yatron
Waldie	Wilson, Charles H., Calif.	Young, Alaska
Walsh		Young, Fla.
Wampler		Young, Ga.
Ware	Wolff	Young, Ill.
Whitehurst	Wydler	Zion
Widnall	Wylie	Zwach
Wiggins	Wyman	

NOES—139

Abdnor	Ginn	O'Neill
Adams	Gonzalez	Passman
Alexander	Gunter	Patman
Andrews, N.C.	Hamilton	Pepper
Andrews, N. Dak.	Hammer-schmidt	Perkins
		Pickle
Badillo	Hansen, Wash.	Poage
Beard	Hastings	Preyer
Bergland	Hébert	Pritchard
Bevill	Hechler, W. Va.	Quillen
Blatnik	Henderson	Randall
Boggs	Hicks	Rarick
Bowen	Ichord	Roberts
Brademas	Jarman	Rogers
Breaux	Jones, Ala.	Rooney, N.Y.
Breckinridge	Jones, N.C.	Rose
Brooks	Jones, Okla.	Roush
Broyhill, N.C.	Jones, Tenn.	Roy
Buchanan	Jordan	Ruth
Burleson, Tex.	Karth	Sebelius
Burlison, Mo.	Kazen	Shriver
Camp	Landrum	Sikes
Carney, Ohio	Lehman	Skubitz
Carter	Litton	Slack
Casey, Tex.	Long, La.	Smith, Iowa
Chappell	Lott	Spence
Cleveland	McCloskey	Staggers
Cochran	McCormack	Stark
Collins, Tex.	McDade	Stokes
Culver	McFall	Stubblefield
Davis, Ga.	McKay	Taylor, N.C.
Davis, S.C.	McSpadden	Thone
de la Garza	Madden	Thornton
Denholm	Mahon	Treen
Dingell	Mallary	Waggonner
Dorn	Mann	Whalen
Eckhardt	Maraziti	White
Evins, Tenn.	Martin, N.C.	Whitten
Fascell	Mathis, Ga.	Wilson, Charles, Tex.
Flood	Mezvinsky	
Flowers	Mills, Ark.	Winn
Flynt	Mitchell, Md.	Wright
Fountain	Mizell	Wyatt
Froehlich	Mollohan	Young, S.C.
Fulton	Montgomery	Young, Tex.
Fuqua	Natcher	Zablocki
Gettys	Nichols	
Gilman	Obey	

NOT VOTING—22

Blackburn	Davis, Wis.	Murphy, N.Y.
Bolling	Dellums	O'Hara
Burke, Calif.	Fraser	Powell, Ohio
Burton	Gubser	Reid
Clausen, Don H.	Keating	St Germain
	Kluczynski	Steed
Conte	Lent	Stephens
Danielson	Mathias, Calif.	

So the motion to recommit was agreed to.

The Clerk announced the following pairs:

Mr. Murphy of New York with Mr. Danielson.

Mr. Conte with Mr. Lent.

Mr. Reid with Mr. Gubser.

Mr. O'Hara with Mr. Don H. Clausen.

Mr. Dellums with Mr. Fraser.

Mr. Burton with Mr. Davis of Wisconsin.

Mrs. Burke of California with Mr. St Germain.

Mr. Kluczynski with Mr. Blackburn.

Mr. Stephens with Mr. Steed.

Mr. Powell of Ohio with Mr. Mathias of California.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Sparrow, one of its clerks, announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1081) entitled "An act to authorize the Secretary of the Interior to grant rights-of-way across Federal lands where the use of such rights-of-way is in the public interest and the applicant for the right-of-way demonstrates the financial and technical capability to use the right-of-way in a manner which will protect the environment."

PERMISSION TO FILE CONFERENCE REPORT ON S. 2408, THE MILITARY CONSTRUCTION AUTHORIZATION BILL

Mr. PIKE. Mr. Speaker, I ask unanimous consent that the managers may have until midnight tonight to file a conference report on S. 2408, the military construction authorization bill.

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

There was no objection.

CONFERENCE REPORT (H. REPT. NO. 93–634)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 2408) to authorize certain construction at military installations, 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:

TITLE I

SEC. 101. The Secretary of the Army may establish or develop military installations and facilities by acquiring, constructing, converting, rehabilitating, or installing permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment for the following acquisition and construction:

INSIDE THE UNITED STATES

UNITED STATES CONTINENTAL ARMY COMMAND

(First Army)

Fort Belvoir, Virginia, $2,525,000.
Fort Devens, Massachusetts, $2,749,000.
Camp Drum, New York, $1,099,000.
Fort Eustis, Virginia, $4,782,000.
Camp A. P. Hill, Virginia, $535,000.
Indiantown Gap Military Reservation, Pennsylvania, $1,657,000.
Fort Knox, Kentucky, $7,305,000.
Fort Lee, Virginia, $18,326,000.
Fort George G. Meade, Maryland, $5,924,000.
Camp Pickett, Virginia, $476,000.

(Third Army)

Fort Benning, Georgia, $12,404,000.
Fort Bragg, North Carolina, $32,400,000.
Fort Campbell, Kentucky, $51,881,000.
Eglin Air Force Base, Valparaiso, Florida, $2,950,000.
Fort Gordon, Georgia, $23,154,000.
Fort Jackson, South Carolina, $2,902,000.
Fort McClellan, Alabama, $19,505,000.
Fort Rucker, Alabama, $3,987,000.
Fort Stewart, Georgia, $264,000.

(Fifth Army)

Fort Bliss, Texas, $6,087,000.
Fort Benjamin Harrison, Indiana, $3,893,000.
Fort Hood, Texas, $9,824,000.
Fort Sam Houston, Texas, $11,738,000.
Fort Polk, Louisiana, $29,276,000.
Fort Riley, Kansas, $30,943,000.
Fort Sheridan, Illinois, $762,000.
Fort Sill, Oklahoma, $9,447,000.
Fort Leonard Wood, Missouri, $44,482,000.

(Sixth Army)

Fort Carson, Colorado, $5,651,000.
Hunter-Liggett Military Reservation, California, $7,776,000.
Fort Lewis, Washington, $8,327,000.
Fort Ord, California, $9,812,000.
Presidio of San Francisco, California, $3,074,000.

UNITED STATES ARMY MATERIEL COMMAND

Aberdeen Proving Ground, Maryland, $7,472,000.
Aeronautical Maintenance Center, Texas, $6,284,000.
Anniston Army Depot, Alabama, $3,745,000.
Frankford Arsenal, Pennsylvania, $73,000.
Fort Monmouth, New Jersey, $8,401,000.
Natick Laboratories, Massachusetts, $466,000.
Picatinny Arsenal, New Jersey, $255,000.
Pine Bluff Arsenal, Arkansas, $294,000.
Redstone Arsenal, Alabama, $4,971,000.
Sacramento Army Depot, California, $412,000.
Savanna Army Depot, Illinois, $113,000.
Sierra Army Depot, California, $380,000.
Tobyhanna Army Depot, Pennsylvania, $456,000.
White Sands Missile Range, New Mexico, $3,843,000.
Yuma Proving Ground, Arizona, $6,472,000.

UNITED STATES ARMY STRATEGIC COMMUNICATIONS COMMAND

Fort Huachuca, Arizona, $6,832,000.
Fort Ritchie, Maryland, $1,394,000.

UNITED STATES MILITARY ACADEMY

United States Military Academy, West Point, New York, $30,145,000.

CORPS OF ENGINEERS

Cold Regions Laboratories, New Hampshire, $597,000.

MILITARY TRAFFIC MANAGEMENT AND TERMINAL SERVICE

Oakland Army Terminal, California, $343,000.
Sunny Point Army Terminal, North Carolina, $1,628,000.

UNITED STATES ARMY, ALASKA

Fort Greely, Alaska, $3,060,000.
Fort Richardson, Alaska, $2,140,000.
Fort Wainwright, Alaska, $2,715,000.

UNITED STATES ARMY, HAWAII

Schofield Barracks, Hawaii, $9,592,000.
Fort Shafter, Hawaii, $1,233,000.

POLLUTION ABATEMENT

Various locations, Air Pollution Abatement, $7,295,000.
Various locations, Water Pollution Abatement, $6,799,000.

OUTSIDE THE UNITED STATES

UNITED STATES ARMY FORCES, SOUTHERN COMMAND

Canal Zone, various locations, $8,095,000.

UNITED STATES ARMY, PACIFIC

Korea, various locations, $1,568,000.

PUERTO RICO

Fort Buchanan, Puerto Rico, $517,000.

KWAJALEIN MISSILE RANGE

National Missile Range, $1,029,000.

UNITED STATES ARMY SECURITY AGENCY

Various locations, $1,434,000.

UNITED STATES ARMY STRATEGIC COMMUNICATIONS COMMAND

Various locations, $2,097,000.

UNITED STATES ARMY, EUROPE

Germany, various locations, $12,517,000.

Various locations: For the United States share of the cost of multilateral programs for the acquisition or construction of military facilities and installations, including in-

ternational military headquarters, for the collective defense of the North Atlantic Treaty Area, $80,000,000: Provided, That, within thirty days after the end of each quarter, the Secretary of the Army shall furnish to the Committees on Armed Services and on Appropriations of the Senate and House of Representatives a description of obligations incurred as the United States share of such multilateral programs.

SEC. 102. The Secretary of the Army may establish or develop classified military installations and facilities by acquiring, constructing, converting, rehabilitating, or installing permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment in the total amount of $3,000,000.

SEC. 103. The Secretary of the Army may establish or develop Army installations and facilities by proceeding with construction made necessary by changes in Army missions and responsibilities which have been occasioned by (1) unforeseen security considerations, (2) new weapons developments, (3) new and unforeseen research and development requirements, or (4) improved production schedules if the Secretary of Defense determines that deferral of such constuction for inclusion in the next Military Construction Authorization Act would be inconsistent with interests of national security, and in connection therewith to acquire, construct, convert, rehabilitate, or install permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment, in the total amount of $10,000,000: Provided, That the Secretary of the Army, or his designee, shall notify the Committees on Armed Services of the Senate and House of Representatives, immediately upon reaching a final decision to implement, of the cost of construction of any public work undertaken under this section, including those real estate actions pertaining thereto. This authorization will expire as of September 30, 1974, except for those public works projects concerning which the Committees on Armed Services of the Senate and House of Representatives have been notified pursuant to this section prior to that date.

SEC. 104. (a) Public Law 92–545 is amended under the heading "INSIDE THE UNITED STATES," in section 101 as follows:

With respect to "Military Ocean Terminal, Bayonne, New Jersey," strike out "$3,245,000" and insert in place thereof "$3,603,000."

With respect to "Walter Reed Army Medical Center, District of Columbia," strike out "$13,161,000" and insert in place thereof "$15,866,000".

(b) Public Law 92–545 is amended under the heading "OUTSIDE THE UNITED STATES—UNITED STATES ARMY STRATEGIC COMMUNICATIONS COMMAND" in section 101 as follows: with respect to "Various Locations," strike out "$1,412,000" and insert in place thereof "$1,649,000".

(c) Public Law 92–545 is amended by striking out in clause (1) of section 702 "$441,704,000"; "$117,074,000"; and "$558,778,000" and inserting in place thereof "$444,767,000"; "$117,311,000"; and "$562,078,000," repectively.

SEC. 105. (a) Public Law 92–145, as amended, is amended under the heading "OUTSIDE THE UNITED STATES" in section 101 as follows:

With respect to "Germany, Various Locations," strike out "$1,946,000" and insert in place thereof "$2,553,000".

(b) Public Law 92–145, as amended, is amended by striking out in clause (1) of section 702 "$41,374,000" and "$404,500,000" and inserting in place thereof "$41,981,000" and "$405,107,000", respectively.

SEC. 106. (a) Public Law 91–511, as amended, is amended under the heading "INSIDE THE UNITED STATES", in section 101 as follows: With respect to "Fort Benning, Georgia", strike out "$2,855,000" and insert in place thereof "$3,383,000".

(b) Public Law 91–511, as amended, is amended by striking out in clause (1) of section 602 "$181,306,000" and "$266,503,000" and inserting in place thereof "$181,834,000" and "$267,031,000", respectively.

SEC. 107. (a) Public Law 90–110, as amended, is amended under the heading "UNITED STATES ARMY, ALASKA" in section 101 as follows: With respect to "Fort Richardson, Alaska," strike out "$1,800,000" and insert in place thereof "$2,100,000".

(b) Public Law 90–110, as amended, is amended by striking out in clause (1) of section 802 "$288,055,000" and "$391,448,000" and inserting in place thereof "$288,355,000" and "$391,748,000", respectively.

TITLE II

SEC. 201. The Secretary of the Navy may establish or develop military installations and facilities by acquiring, constructing, converting, rehabilitating, or installing permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities and equipment for the following acquisition and construction:

INSIDE THE UNITED STATES

FIRST NAVAL DISTRICT

Naval Air Station, Brunswick, Maine, $135,000.

Portsmouth Naval Shipyard, Portsmouth, Kittery, Maine, $2,817,000.

THIRD NAVAL DISTRICT

Naval Submarine Base, New London, Connecticut, $6,158,000.

Naval Underwater Systems Center, New London Laboratory, New London, Connecticut, $3,600,000.

Military Ocean Terminal, Bayonne, New Jersey, $1,806,000.

FOURTH NAVAL DISTRICT

Philadelphia Naval Shipyard, Philadelphia, Pennsylvania, $180,000.

Naval Air Development Center, Warminster, Pennsylvania, $215,000.

NAVAL DISTRICT, WASHINGTON

Naval Research Laboratory, Washington, District of Columbia, $4,655,000.

Naval Academy, Annapolis, Maryland, $4,334,000.

Naval Medical Research Institute, Bethesda, Maryland, $6,372,000.

Naval Ordnance Station, Indian Head, Maryland, $1,528,000.

Naval Air Test Center, Patuxent River, Maryland, $560,000.

Naval Hospital, Quantico, Virginia, $484,000.

FIFTH NAVAL DISTRICT

Fleet Combat Direction Systems Training Center, Atlantic, Dam Neck, Virginia, $6,581,000.

Naval Amphibious Base, Little Creek, Virginia, $3,211,000.

Naval Air Station, Norfolk, Virginia, $2,525,000.

Naval Station, Norfolk, Virginia, $18,183,000.

Navy Public Works Center, Norfolk, Virginia, $567,000.

Nuclear Weapons Training Group, Atlantic, Norfolk, Virginia, $2,470,000.

Naval Air Station, Oceana, Virginia, $3,386,000.

Norfolk Naval Shipyard, Portsmouth, Virginia, $11,133,000.

Naval Weapons Station, Yorktown, Virginia, $1,327,000.

SIXTH NAVAL DISTRICT

Naval Air Station, Cecil Field, Florida, $3,636,000.

Naval Air Station, Ellyson Field, Florida, $75,000.

Naval Air Station, Jacksonville, Florida, $14,366,000.

Naval Training Center, Orlando, Florida, $4,628,000.

Naval Coastal Systems Laboratory, Panama City, Florida, $3,663,000.

Naval Air Station, Pensacola, Florida, $2,699,000.

Naval Communications Training Center, Pensacola, Florida, $10,690,000.

Naval Air Station, Whiting Field, Florida, $3,586,000.

Naval Aerospace Regional Medical Center, Pensacola, Florida, $1,084,000.

Naval Home, Gulfport, Mississippi, $9,444,000.

Naval Air Station, Meridian, Mississippi, $4,532,000.

Charleston Naval Shipyard, Charleston, South Carolina, $252,000.

Naval Station, Charleston, South Carolina, $1,498,000.

Naval Air Station, Memphis, Tennessee, $4,478,000.

EIGHTH NAVAL DISTRICT

Naval Hospital, New Orleans, Louisiana, $3,386,000.

Naval Support Activity, New Orleans, Louisiana, $13,880,000.

Naval Air Station, Chase Field, Texas, $2,875,000.

Naval Air Station, Kingsville, Texas, $3,040,000.

NINTH NAVAL DISTRICT

Naval Complex, Great Lakes, Illinois, $15,148,000.

ELEVENTH NAVAL DISTRICT

Naval Weapons Center, China Lake, California, $3,163,000.

Long Beach Naval Shipyard, Long Beach, California, $6,808,000.

Naval Hospital, Long Beach, California, $878,000.

Naval Air Station, Miramar, California, $1,454,000.

Naval Air Station, North Island, California, $2,415,000.

Fleet Combat Direction Systems Training Center, Pacific, San Diego, California, $1,118,000.

Naval Electronics Laboratory Center, San Diego, California, $3,518,000.

Naval Station, San Diego, California, $11,996,000.

Naval Training Center, San Diego, California, $2,944,000.

Navy Public Works Center, San Diego, California, $2,471,000.

Navy Submarine Support Facility, San Diego, California, $3,920,000.

Naval Weapons Station, Seal Beach, California, $807,000.

TWELFTH NAVAL DISTRICT

Naval Air Station, Alameda, California, $3,827,000.

Naval Air Station, Lemoore, California, $3,266,000.

Naval Air Station, Moffett Field, California, $3,150,000.

Naval Hospital, Oakland, California, $5,839,000.

Mare Island Naval Shipyard, Vallejo, California, $1,874,000.

THIRTEENTH NAVAL DISTRICT

Naval complex, Adak, Alaska, $4,615,000.

Puget Sound Naval Shipyard, Bremerton, Washington, $2,300,000.

FOURTEENTH NAVAL DISTRICT

Naval Air Station, Barbers Point, Hawaii, $4,306,000.

Naval Ammunition Depot, Oahu, Hawaii, $457,000.

Naval Station, Pearl Harbor, Hawaii, $4,060,000.

Naval Submarine Base, Pearl Harbor, Hawaii, $2,562,000.

Navy Public Works Center, Pearl Harbor, Hawaii, $1,985,000.

Naval Communication Station, Honolulu, Wahiawa, Hawaii, $2,324,000.

MARINE CORPS

Marine Corps Air Station, Quantico, Virginia, $831,000.

Marine Corps Development and Education Command, Quantico, Virginia, $1,541,000.

Marine Corps Base, Camp Lejeune, North Carolina, $8,902,000.

Marine Corps Air Station, Cherry Point, North Carolina, $1,821,000.

Marine Corps Air Station, New River, North Carolina, $3,245,000.

Fleet Marine Force Atlantic, Norfolk, Virginia, $686,000.

Marine Corps Supply Center, Albany, Georgia, $5,204,000.

Marine Corps Air Station, Beaufort, South Carolina, $126,000.

Marine Corps Recruit Depot, Parris Island, South Carolina, $2,580,000.

Marine Corps Air Station, Yuma, Arizona, $1,634,000.

Marine Corps Supply Center, Barstow, California, $3,802,000.

Marine Corps Base, Camp Pendleton, California, $10,920,000.

Marine Corps Air Station, El Toro, California, $747,000.

Marine Corps Recruit Depot, San Diego, California, $3,825,000.

Marine Corps Base, Twentynine Palms, California, $2,992,000.

Marine Corps Air Station, Kaneohe Bay, Hawaii, $5,988,000.

TRIDENT FACILITIES

Various Locations, Trident Facilities, United States, $118,320,000.

POLLUTION ABATEMENT

Various Locations, Air Pollution Abatement, $27,636,000.

Various Locations, Water Pollution Abatement, $51,112,000.

OUTSIDE THE UNITED STATES

TENTH NAVAL DISTRICT

Naval Complex, Puerto Rico, $1,707,000.

Naval Facility, Grand Turk, the West Indies, $1,145,000.

ATLANTIC OCEAN AREA

Naval Air Station, Bermuda, $3,010,000.

Naval Complex, Guantanamo Bay, Cuba, $8,376,000.

Naval Station, Keflavik, Iceland, $6,092,000.

EUROPEAN AREA

Naval Support Office, Athens, Greece, $1,948,000.

Naval Detachment, Souda Bay, Crete, Greece, $4,153,000.

Naval Air Facility, Sigonella, Sicily, Italy, $3,086,000.

Naval Security Group Activity, Edzell, Scotland, $778,000.

Naval Station, Rota, Spain, $85,000.

PACIFIC OCEAN AREA

Naval Communication Station, Harold E. Holt, Exmouth, Australia, $1,192,000.

Naval Complex, Guam, Mariana Islands, $10,988,000.

Naval Complex, Subic Bay, Republic of the Philippines, $278,000.

POLLUTION ABATEMENT

Various Locations, Water Pollution Abatement, $3,995,000.

SEC. 202. The Secretary of the Navy may establish or develop Navy installations and facilities by proceeding with construction made necessary by changes in Navy missions and responsibilities which have been occasioned by (1) unforeseen security considerations, (2) new weapons developments, (3) new and unforeseen research and development requirements, or (4) improved production schedules, if the Secretary of Defense determines that deferral of such construction for inclusion in the next Military Construction Authorization Act would be inconsistent with interests of national security, and in connection therewith to acquire, construct, convert, rehabilitate, or install permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment, in the total amount of $10,000,000: *Provided*, That the Secretary of the Navy, or his designee, shall notify the Committees on Armed Services of the Senate and House of Representatives, immediately upon reaching a decision to implement, of the cost of construction of any public work undertaken under this section, including those real estate actions pertaining thereto. This authorization will expire as of September 30, 1974, except for those public works projects concerning which the Committees on Armed Services of the Senate and House of Representatives have been notified pursuant to this section prior to that date.

SEC. 203. The Secretary of the Navy is authorized to acquire, under such terms as he deems appropriate, lands or interests in land (including easements) in approximately fourteen thousand acres of privately owned property contiguous to the airfield and approach corridors of the Marine Corps Air Station at Yuma, Arizona, as he considers necessary for the safe and efficient operations at such station. Acquisition of such land or interests in land shall be effected by the exchange of such excess land or interests in land of approximately equal value, as the Secretary of Defense may determine to be available for the purpose. If the fair market value of the land or interests in land to be acquired is less than the fair market value of the Government property to be exchanged, the amount of such deficiency shall be paid to the Government.

SEC. 204. (a) In order to facilitate the relocation of the ship-to-shore and other gun fire and bombing operations of the United States Navy from the island of Culebra, there is hereby authorized to be appropriated the sum of $12,000,000 for the construction and equipage of substitute facilities in support of such relocation.

(b) The relocation of such operations from the northwest peninsula of the island of Culebra is expressly conditioned upon the conclusion of a satisfactory agreement to be negotiated by the Secretary of the Navy, or his designee, with the Commonwealth of Puerto Rico and reported to the Committees on Armed Services of the Senate and the House of Representatives prior to execution of such agreement. The agreement shall provide, among other things, that the Commonwealth of Puerto Rico shall insure that (1) Commonwealth lands suitable for carrying out operations of the type referred to in subsection (a) will be made available for the long term continued use of the Atlantic Fleet Weapons Range and Fleet Marine Forces training areas by the Navy, including, but not limited to, present areas and facilities on the island of Vieques, and (2) any proposed facility or activity which would interfere with the Navy training mission will not be undertaken, including the proposed deep water super-port on the island of Mona, in the event that such agreement includes the use by the Navy of such island or the area adjacent to such island.

(c) Notwithstanding any other provisions of law, the present bombardment area on the island of Culebra shall not be utilized for any purpose that would require decontamination at the expense of the United States. Any lands sold, transferred, or otherwise disposed of by the United States as a result of the relocation of the operations referred to in subsection (a) may be sold, transferred, or otherwise disposed of only for public park or public recreational purposes.

(d) The funds authorized for appropriation by this section shall remain available until expended.

SEC. 205. (a) Public Law 90–408, as amended, is amended under the heading "INSIDE THE UNITED STATES", in section 201 as follows: With respect to Navy Mine Defense Laboratory, Panama City, Florida, strike out "$7,411,000" and insert in place thereof "$9,397,000".

(b) Public Law 90–408, as amended, is amended by striking out in clause (2) of section 802, "$239,682,000" and "$246,547,000" and inserting in place thereof "$241,668,000" and "$248,533,000", respectively.

SEC. 206. (a) Public Law 91–511, as amended, is amended under the heading "INSIDE THE UNITED STATES", in section 201 as follows: With respect to Naval Weapons Laboratory, Dahlgren, Virginia, strike out "$530,000" and insert in place thereof "$779,000".

(b) Public Law 91–511, as amended, is amended by striking out in clause (2) of section 602 "$246,955,000" and "$274,093,000" and inserting in place thereof "$247,204,000" and "$274,342,000", respectively.

SEC. 207. (a) Public Law 92–145 is amended under the heading "INSIDE THE UNITED STATES", in section 201 as follows:

With respect to Naval Station, Norfolk, Virginia, strike out "$19,316,000" and insert in place thereof "$22,716,000".

With respect to Naval Air Station, Meridian, Mississippi, strike out "$3,266,000" and insert in place thereof "$3,859,000".

(b) Public Law 92–145 is amended by striking out in clause (2) of section 702 "$266,068,000" and "$321,843,000" and inserting in place thereof "$270,061,000" and "$325,836,000", respectively.

SEC. 208. (a) Public Law 92–545 is amended under the heading "INSIDE THE UNITED STATES" in section 201 as follows: With respect to Naval Ammunition Depot, McAlester, Oklahoma, strike out "$6,336,000" and insert in place thereof "$8,778,000".

With respect to Naval Air Station, Miramar, California, strike out "$4,372,000" and insert in place thereof "$5,144,000".

(b) Public Law 92–545 is amended by striking out in clause (2) of section 702 "$474,450,000" and "$515,667,000" and inserting in place thereof "$477,664,000" and "$518,881,000", respectively.

TITLE III

SEC. 301. The Secretary of the Air Force may establish or develop military installations and facilities by acquiring, constructing, converting, rehabilitating, or installing permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment, for the following acquisition and construction:

INSIDE THE UNITED STATES

AEROSPACE DEFENSE COMMAND

Peterson Field, Colorado Springs, Colorado, $7,843,000.

Tyndall Air Force Base, Panama City, Florida, $1,020,000.

AIR FORCE COMMUNICATIONS SERVICE

Richards-Gebaur Air Force Base, Grandview, Missouri, $3,963,000.

AIR FORCE LOGISTICS COMMAND

Hill Air Force Base, Ogden, Utah, $8,343,000.

Kelly Air Force Base, San Antonio, Texas, $6,101,000.

McClellan Air Force Base, Sacramento, California, $2,572,000.

Robins Air Force Base, Warner Robins, Georgia, $4,628,000.

Tinker Air Force Base, Oklahoma City, Oklahoma, $11,787,000.

Wright-Patterson Air Force Base, Dayton, Ohio, $13,277,000.

AIR FORCE SYSTEMS COMMAND

Edwards Air Force Base, Muroc, California, $889,000.

Eglin Air Force Base, Valparaiso, Florida, $7,039,000.

Satellite Control Facilities, $654,000.

AIR TRAINING COMMAND

Keesler Air Force Base, Biloxi, Mississippi, $8,786,000.

Lackland Air Force Base, San Antonio, Texas, $6,509,000.

Laughlin Air Force Base, Del Rio, Texas, $4,635,000.

Lowry Air Force Base, Denver, Colorado, $20,350,000.

Mather Air Force Base, Sacramento, California, $310,000.

Randolph Air Force Base, San Antonio, Texas, $1,463,000.

Reese Air Force Base, Lubbock, Texas, $4,211,000.

Sheppard Air Force Base, Wichita Falls, Texas, $2,753,000.

Vance Air Force Base, Enid, Oklahoma, $371,000.

Webb Air Force Base, Big Spring, Texas, $3,154,000.

Williams Air Force Base, Chandler, Arizona, $347,000.

ALASKAN AIR COMMAND

Eielson Air Force Base, Fairbanks, Alaska, $1,557,000.

Various Locations, $7,101,000.

HEADQUARTERS COMMAND

Andrews Air Force Base, Camp Springs, Maryland, $16,639,000.

Bolling Air Force Base, Washington, District of Columbia, $1,500,000.

MILITARY AIRLIFT COMMAND

Altus Air Force Base, Altus, Oklahoma, $1,078,000.

Dover Air Force Base, Dover, Delaware, $2,558,000.

McGuire Air Force Base, Wrightstown, New Jersey, $1,698,000.

Norton Air Force Base, San Bernardino, California, $1,283,000.

Scott Air Force Base, Belleville, Illinois, $3,092,000.

PACIFIC AIR FORCES

Hickam Air Force Base, Honolulu, Hawaii, $7,331,000.

STRATEGIC AIR COMMAND

Barksdale Air Force Base, Shreveport, Louisiana, $1,200,000.

Davis-Monthan Air Force Base, Tucson, Arizona, $232,000.

Dyess Air Force Base, Abilene, Texas, $730,000.

Ellsworth Air Force Base, Rapid City, South Dakota, $514,000.

Francis E. Warren Air Force Base, Cheyenne, Wyoming, $5,834,000.

Grissom Air Force Base, Peru, Indiana, $1,500,000.

Kincheloe Air Force Base, Kinross, Michigan, $2,430,000.

Malmstrom Air Force Base Great Falls, Montana, $1,507,000.

McConnell Air Force Base, Wichita, Kansas, $1,042,000.

Offutt Air Force Base, Omaha, Nebraska, $617,000.

Pease Air Force Base, Portsmouth, New Hampshire, $526,000.

Plattsburgh Air Force Base, Plattsburgh, New York, $286,000.

Vandenberg Air Force Base, Lompoc, California, $220,000.

Whiteman Air Force Base, Knob Noster, Missouri, $3,892,000.

Wurtsmith Air Force Base, Oscoda, Michigan, $616,000

Various Locations, $1,988,000.

TACTICAL AIR COMMAND

Bergstrom Air Force Base, Austin, Texas, $2,273,000.

Cannon Air Force Base, Clovis, New Mexico, $162,000.

England Air Force Base, Alexandria, Louisiana, $183,000.

Holloman Air Force Base, Alamogordo, New Mexico, $1,524,000.

Langley Air Force Base, Hampton, Virginia, $503,000.

Little Rock Air Force Base, Little Rock, Arkansas, $1,165,000.

Luke Air Force Base, Glendale, Arizona, $2,986,000.

MacDill Air Force Base, Tampa, Florida, $2,657,000.

Mountain Home Air Force Base, Mountain Home, Idaho, $253,000.

Nellis Air Force Base, Las Vegas, Nevada, $2,588,000.

Shaw Air Force Base, Sumter, South Carolina, $2,501,000.

UNITED STATES AIR FORCE ACADEMY

United States Air Force Academy, Colorado Springs, Colorado, $483,000.

UNITED STATES AIR FORCE SECURITY SERVICE

Goodfellow Air Force Base, San Angelo, Texas, $6,115,000.

POLLUTION ABATEMENT

Various Locations, Air Pollution Abatement, $3,689,000.

Various Locations, Water Pollution Abatement, $5,381,000.

AIR INSTALLATION COMPATIBLE USE ZONES

Various Locations, $18,000,000.

OUTSIDE THE UNITED STATES

AIR DEFENSE COMMAND

Naval Station Keflavik, Iceland, $1,355,000.

PACIFIC AIR FORCES

Various Locations, $7,950,000.

UNITED STATES AIR FORCES IN EUROPE

Germany, $5,181,000.

United Kingdom, $3,788,000.

Various Locations, $800,000.

UNITED STATES AIR FORCE SOUTHERN COMMAND

Howard Air Force Base, Canal Zone, $927,000.

UNITED STATES AIR FORCE SECURITY SERVICE

Various Locations, $221,000.

POLLUTION ABATEMENT

Various Locations, Water Pollution Abatement, $750,000.

WORLDWIDE COMMUNICATIONS

Various Locations, $330,000.

SEC. 302. The Secretary of the Air Force may establish or develop classified military installations and facilities by acquiring, constructing, converting, rehabilitating, or installing permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment in the total amount of $1,000,000.

SEC. 303. The Secretary of the Air Force may establish or develop Air Force installations and facilities by proceeding with construction made necessary by changes in Air Force missions and responsibilities which have been occasioned by: (1) unforeseen security considerations, (2) new weapons developments, (3) new and unforeseen research and development requirements, or (4) improved production schedules, if the Secretary of Defense determines that deferral of such construction for inclusion in the next Military Construction Authorization Act would be inconsistent with interests of national security, and in connection therewith to acquire, construct, convert, rehabilitate, or install permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities, and equipment in the amount of $10,000,000; *Provided*, That the Secretary of the Air Force, or his designee, shall notify the Committees on Armed Services of the Senate and House of Representatives, immediately upon reaching a final decision to implement, of the cost of construction of any public work undertaken under this section, including those real estate actions pertaining thereto. This authorization will expire as of September 30, 1974, except for those public works projects concerning which the Committees on Armed Services of the Senate and House of Representatives have been notified pursuant to this section prior to that date.

SEC. 304. (a) Section 301 of Public Law 92–145 is amended under the heading "INSIDE THE UNITED STATES" as follows: Under the subheading "STRATEGIC AIR COMMAND" with respect to Malmstrom Air Force Base, Great Falls, Montana, strike out "$522,000" and insert in place thereof "$735,000".

(b) Public Law 92–145 is further amended by striking out in clause (3) of section 702 "$226,484,000" and "$247,347,000" and inserting in place thereof "$226,697,000" and "$247,560,000", respectively.

SEC. 305. (a) Public Law 92–545 is amended under the heading "INSIDE THE UNITED STATES" in section 301 as follows:

With respect to Keesler Air Force Base, Biloxi, Mississippi, strike out "$4,454,000" and insert in place thereof "$5,654,000".

(b) Public Law 92–545 is amended under the heading "OUTSIDE THE UNITED STATES," in section 301 as follows: Under the subheading "UNITED STATES AIR FORCES IN EUROPE" with respect to Germany, strike out "$11,422,000" and insert in place thereof "$18,755,000".

(c) Public Law 92–545 is amended by striking out in clause (3) of section 702 "$232,925,000"; "$32,565,000"; and "$284,150,000" and inserting in place thereof "$234,125,000"; "$39,898,000"; and "$292,683,000", respectively.

TITLE IV

SEC. 401. The Secretary of Defense may establish or develop military installations and facilities by acquiring, constructing, converting, rehabilitating, or installing permanent or temporary public works, including land acquisition, site preparation, appurtenances, utilities and equipment, for defense agencies of the following acquisition and construction:

DEFENSE NUCLEAR AGENCY

Kirtland Air Force Base, Albuquerque, New Mexico, $374,000.

Atomic Energy Commission Nevada Test Site, Las Vegas, Nevada, $200,000.

DEFENSE SUPPLY AGENCY

Defense Construction Supply Center, Columbus, Ohio, $1,188,000.

Defense Depot, Mechanicsburg, Pennsylvania, $2,048,000.

Defense Depot, Memphis, Tennessee, $360,000.

Defense Depot, Ogden, Utah, $250,000.

Defense Depot, Tracy, California, $757,000.

Defense General Supply Center, Richmond, Virginia, $2,653,000.

Defense Logistics Services Center, Battle Creek, Michigan, $160,000.

Defense Personnel Support Center, Philadelphia, Pennsylvania, $560,000.

Regional Office, Defense Contract Administration Services, Chicago, Illinois, $404,000.

NATIONAL SECURITY AGENCY

Fort George G. Meade, Maryland, $8,156,000.

TITLE V—MILITARY FAMILY HOUSING AND HOMEOWNERS ASSISTANCE PROGRAM

SEC. 501. The Secretary of Defense, or his designee, is authorized to construct, at the locations hereinafter named, family housing units and mobile home facilities in the numbers hereinafter listed, but no family housing construction shall be commenced at any such locations in the United States, until the Secretary shall have consulted with the Secretary of the Department of Housing and Urban Development, as to the availability of adequate private housing at such locations. If agreement cannot be reached with respect to the availability of adequate private housing at any location, the Secretary of Defense shall immediately notify the Committees on Armed Services of the Senate and the House of Representatives, in writing, of such difference of opinion, and no contract for construction at such location shall be entered into for a period of thirty days after such notification has been given. This authority shall include the authority to acquire land, and interests in land, by gift, purchase, exchange of Government-owned land, or otherwise.

(a) Family housing units:

(1) The Department of the Army, five thousand three-hundred sixty-nine units, $153,170,000.

Fort Carson, Colorado, two hundred units.

Eglin Air Force Base, Florida, twenty-five units.

United States Army Installation, Oahu, Hawaii, six hundred units.

Fort Riley, Kansas, nine hundred one units.
Fort Campbell, Kentucky, one thousand units.
Fort Polk, Louisiana, five hundred units.
Fort Bragg/Pope Air Force Base, North Carolina, one hundred thirty-six units.
Tobyhanna Army Depot, Pennsylvania, eighty-six units.
Fort Hood, Texas, nine hundred units.
Red River Army Depot, Texas, twenty-one units.
Fort Belvoir, Virginia, seven hundred units.
Fort Eustis, Virginia, three hundred units.

(2) The Department of the Navy, three thousand six hundred ten units, $109,397,000.

Marine Corps Base, Camp Pendleton, California, eight hundred units.
Naval Complex, San Diego, California, three hundred twenty-five units.
Marine Corps Base, Twentynine Palms, California, two hundred units.
Naval Station, Mayport, Florida, four hundred units.
Naval Complex, Oahu, Hawaii, four hundred units.
Naval Complex, New Orleans, Louisiana, one hundred units.
Construction Battalion Center, Gulfport, Mississippi, one hundred units.
Naval Home, Gulfport, Mississippi, five units.
Naval Complex, South Philadelphia, Pennsylvania, three hundred fifty units.
Naval Complex, Charleston, South Carolina, two hundred seventy units.
Naval Complex, Guam, Marianas Islands, five hundred ten units.
Naval Station, Keflavik, Iceland, one hundred fifty units.

(3) The Department of the Air Force, one thousand seven hundred units, $52,646,000.

Blytheville Air Force Base, Arkansas, one hundred units.
Avon Park Weapons Range, Florida, fifty units.
Eglin Air Force Base, Florida, two hundred fifty units.
United States Air Force Installations, Oahu, Hawaii, four hundred units.
Andrews Air Force Base, Maryland, three hundred units.
Grand Forks Air Force Base, North Dakota, one hundred units.
Sheppard Air Force Base, Texas, two hundred units.
Andersen Air Force Base, Guam, Marianas Islands, three hundred units.

(b) Mobile home facilities:

(1) The Department of the Army, eight hundred twenty-five spaces, $3,300,000.

(2) The Department of the Navy, one hundred spaces, $400,000.

(3) The Department of the Air Force, four hundred fifteen spaces, $2,000,000.

SEC. 502. (a) Authorization for the construction of family housing provided in this Act shall be subject, under such regulations as the Secretary of Defense may prescribe, to the following limitations on cost, which shall include shades, screens, ranges, refrigerators, and all other installed equipment and fixtures.

(b) The average unit cost for each military department for all units of family housing constructed in the United States (other than Hawaii and Alaska) shall not exceed $27,500 including the cost of the family unit and the proportionate costs of land acquisition, site preparation, and installation of utilities.

(c) No family housing unit in the area specified in subsection (b) shall be constructed at a total cost exceeding $44,000 including the cost of the family unit and the proportionate costs of land acquisition, site preparation, and installation of utiilties.

(d) When family housing units are constructed in areas other than that specified in subsection (b) the average cost of all such units shall not exceed $37,000 and in no event shall the cost of any unit exceed $44,000. The cost limitations of this subsection shall include the cost of the family unit and the proportionate costs of land acquisition, site preparation, and installation of utilities.

SEC. 503. The Secretary of Defense, or his designee, is authorized to accomplish alterations, additions, expansions or extensions not otherwise authorized by law, to existing public quarters at a cost of not to exceed—

(1) for the Department of the Army, $28,160,000.

(2) for the Department of the Navy, $10,600,000.

(3) for the Department of the Air Force, $23,750,000.

SEC. 504. Notwithstanding the limitations contained in prior Military Construction Authorization Acts on cost of construction of family housing, the limitations on such cost contained in section 502 of this Act shall apply to all prior authorizations for construction of family housing not heretofore repealed and for which construction contracts have not been executed prior to the date of enactment of this Act.

SEC. 505. The Secretary of Defense or his designee, is authorized to construct, or otherwise acquire, in foreign countries, twelve family housing units. This authority shall include the authority to acquire land and interests in land. The authorization contained in this section shall not be subject to the cost limitations set forth in section 502 of this Act, but the cost shall not exceed a total of $520,000 for all units nor $60,000 for any one unit, including the cost of the family unit and the proportionate costs of land acquisition, site preparation, and installation of utilites.

SEC. 506. (a) Section 610(a) of Public Law 90–110 (81 Stat. 279, 305), as amended, is amended to read as follows:

"(a) None of the funds authorized by this or any other Act may be expended for the improvement of any single family housing unit, or for the improvement of two or more housing units when such units are to be converted into or used as a single family housing unit, the costs of which exceed $15,000 per unit including costs of repairs undertaken in connection therewith, and including any costs in connection with (1) the furnishing of electricity, gas, water and sewage disposal; (2) roads and walks; and (3) grading and drainage, unless such improvement in connection with such unit or units is specifically authorized by law. As used in this section the term 'improvement' includes alteration, expansion, extension, or rehabilitation of any housing unit or units, including that maintenance and repair which is to be accomplished concurrently with an improvement project. The provisions of this section shall not apply to projects authorized for restoration or replacement of housing units damaged or destroyed."

(b) The Secretary of Defense, or his designee, is authorized to accomplish repairs and improvements to existing public quarters in amounts in excess of the $15,000 limitation prescribed in section 610(a) of Public Law 90–110 as follows:

Elmendorf Air Force Base, Alaska, one unit, $35,800.

Marine Corps Base, Twentynine Palms, California, one unit, $17,000.

Fort McNair, Washington, District of Columbia, five units, $165,000.

Naval Complex, New Orleans, Louisiana, four units, $119,600.

Ramstein Air Base, Federal Republic of Germany, one unit, $26,500.

SEC. 507. (a) Section 515 of Public Law 84–161 (69 Stat. 324, 352), as amended, is further amended to read as follows:

"SEC. 515. During fiscal years 1974 and 1975, the Secretaries of the Army, Navy, and Air Force, respectively, are authorized to lease housing facilities for assignment as public quarters to military personnel and their dependents, without rental charge, at or near any military installation in the United States, Puerto Rico, or Guam if the Secretary of Defense, or his designee, finds that there is a lack of adequate housing at or near such military installation and that (1) there has been a recent substantial increase in military strength and such increase is temporary, or (2) the permanent military strength is to be substantially reduced in the near future, or (3) the number of military personnel assigned is so small as to make the construction of family housing uneconomical, or (4) family housing is required for personnel attending service school academic courses on permanent change of station orders, or (5) family housing has been authorized but is not yet completed or a family housing authorization request is in a pending military construction authorization bill. Such housing facilities may be leased on an individual unit basis and not more than ten thousand such units may be so leased at any one time. Expenditures for the rental of such housing facilities, including the cost of utilities and maintenance and operation, may not exceed: For the United States (other than Hawaii), Puerto Rico, and Guam an average of $210 per month for each military department, or the amount of $290 per month for any one unit; and for Hawaii, an average of $255 per month for each military department, or the amount of $300 per month for any one unit."

(b) The average unit rental for Department of Defense family housing acquired by lease in foreign countries may not exceed $325 per month for the Department and in no event shall the rental for any one unit exceed $625 per month, including the costs of operation, maintenance, and utilities; and not more than seven thousand five hundred family housing units may be so leased at any one time. The Secretary of Defense, or his designee, may waive these cost limitations for not more than three hundred units leased for: incumbents of special positions, personnel assigned to Defense Attaché Offices, or in countries where excessive costs of housing would cause undue hardship on Department of Defense personnel.

SEC. 508. Section 507 of Public Law 88–174 (77 Stat. 307, 326), as amended, is further amended to read as follows:

"SEC. 507. For the purpose of providing military family housing in foreign countries, the Secretary of Defense is authorized to enter into agreements guaranteeing the builders or other sponsors of such housing a rental return equivalent to a specified portion of the annual rental income which the builders or other sponsors would receive from the tenants if the housing were fully occupied: *Provided*, That the aggregate amount guaranteed under such agreements entered into during the fiscal years 1974 and 1975 shall not exceed such amount as may be applicable to five thousand units: *Provided further*, That no such agreement shall guarantee the payment of more than 97 per centum of the anticipated rentals, nor shall any guarantee extend for a period of more than ten years, nor shall the average guaranteed rental on any project exceed $275 per unit per month, including the cost of maintenance and operation."

SEC. 509. (a) Chapter 159 of title 10, United States Code, is amended by adding at the end thereof the following new section:

"Section 2684. Construction of family quarters; limitations on space

"(a) In the construction of family quarters for members of the Armed Forces, the following are the maximum space limitations:

"Pay grade:	Number of bedrooms	Net floor area (square feet)
0–7 and above	4	2,100
0–6	4	1,700
0–4 and 0–5	4	1,550
	3	1,400

O–1 through O–3; W–1 through W–4; and E–7 through E–9	5	1,550
	4	1,450
	3	1,350
	2	950
E–1 through E–6	5	1,550
	4	1,350
	3	1,200
	2	950

As used in this section 'net floor area' means the space inside the exterior walls, excluding: basement; service space instead of basement; attic; garage; carport; porches; and stairwells.

"(b) The maximum limitations prescribed by subsection (a) are increased by 10 per centum for quarters of the commanding officer of any station, air base, or other installation, based on the grade authorized for that position.

"(c) The maximum limitations for family quarters constructed for key and essential civilian personnel are the same, as those for military personnel of comparable grade, as determined by the Secretary of Defense.

"(d) The maximum net floor area prescribed by subsection (a) may be increased up to 5 per centum if the Secretary of Defense, or his designee, determines that such increase is in the best interest of the Government to permit award of a turnkey construction project to the contractor offering the most satisfactory proposal. Any increase made under subsection (b) when combined with an increase under this subsection may not exceed an aggregate of 10 per centum."

(b) The analysis of such chapter 159 is amended by adding at the end thereof the following:

"2684. Construction of family quarters; limitations on space."

(c) Chapter 449 of title 10, United States Code, is amended by repealing section 4774, except for subsection (d) thereof, which subsection remains with the "(d)" deleted; and by revising the catchline of such section and the corresponding item in the analysis to read: "Construction: limitations".

(d) Chapter 649 of title 10, United States Code, is amended by repealing sections 7574 and 7575 and by striking out the corresponding items in the analysis.

(e) Chapter 949 of title 10, United States Code, is amended by repealing section 9774, except subsection (d) thereof, which subsection remains with the "(d)" deleted; and by revising the catchline of such section and the corresponding item in the analysis to read: "Construction: limitations".

SEC. 510. Notwithstanding the provisions of any other law, the Secretary of the Air Force is authorized to settle claims regarding repairs and improvements to public quarters at F. E. Warren Air Force Base, Wyoming, in the amount of $41,221.92.

SEC. 511. There is authorized to be appropriated for use by the Secretary of Defense, or his designee, for military family housing as authorized by law for the following purposes:

(1) for construction and acquisition of family housing, including improvements to adequate quarters, improvements to inadequate quarters, minor construction, relocation of family housing, rental guarantee payments, construction and acquisition of mobile home facilities, and planning, an amount not to exceed $345,246,000; and

(2) for support of military family housing, including operating expenses, leasing, maintenance of real property, payments of principal and interest on mortgage debts incurred, payment to the Commodity Credit Corporation, and mortgage insurance premiums authorized under section 222 of the National Housing Act, as amended (12 U.S.C. 1715m), an amount not to exceed $826,793,000.

SEC. 512. (a) Notwithstanding any other provision of law, the Secretary of the Army, or his designee, is hereby authorized to convey to the State of Hawaii, subject to the terms and conditions hereafter stated, and to such other terms and conditions as the Secretary of the Army, or his designee, shall deem to be in the public interest, all right, title, and interest of the United States in and to certain land, with improvements thereon, within the Fort Ruger Military Reservation, Hawaii, as described in subsection (c).

(b) In consideration for the conveyance by the United States of the aforesaid property, the State of Hawaii shall provide for, convey, or pay to the United States, either in facilities and services or money or a combination thereof, as determined by the Secretary of the Army, a sum equal to the appraised fair market value of the property to be conveyed. The facilities and services so provided shall be utilized, and money so paid shall be credited to applicable accounts which shall then be available, for site preparation and improvement of the Aliamanu Military Reservation, Oahu, Hawaii, including roads and streets, utilities, and other community facilities suitable for the support of a military family housing development. The site preparation and improvements shall be in accordance with plans and specifications to be approved by the Secretary of the Army or his designee.

(c) The lands authorized to be conveyed to the State of Hawaii as provided in subsection (a) comprise approximately fifty-seven acres with improvements thereon as generally depicted on maps on file in the Office of the United States Army Engineer, Pacific Ocean Division, Honolulu, Hawaii. The exact description and acreage of the land to be conveyed shall be determined by an accurate survey as mutually agreed upon between the State of Hawaii and the Secretary of the Army, or his designee.

(d) Notwithstanding any other provision of law, the cost of the site preparation, roads and streets, utilities, and other support facilities borne by the State of Hawaii, as provided herein shall not be considered in arriving at the average cost of any family housing units or the cost of any single family housing unit to be constructed on the property.

(e) Public Law 91–564, approved December 19, 1970, is hereby repealed.

SEC. 513. (a) There is authorized to be appropriated for use by the Secretary of Defense for the purposes of section 1013 of Public Law 89–754 (80 Stat. 1255, 1290), including acquisition of properties, an amount not to exceed $7,000,000.

(b) Such section 1013 is further amended by adding the following new subsection:

"(m) In addition to the coverage provided above, the benefits of this section shall apply, as to closure actions in the several States and the District of Columbia announced after April 1, 1973, to otherwise eligible employees or personnel who are (1) employed or assigned either at or near the base or installation affected by the closure action, and (2) are required to relocate, due to transfer, reassignment or involuntary termination of employment, for reasons other than the closure action."

TITLE VI

GENERAL PROVISIONS

SEC. 601. The Secretary of each military department may proceed to establish or develop installations and facilities under this Act without regard to section 3648 of the Revised Statutes, as amended (31 U.S.C. 529), and sections 4774 and 9774 of title 10, United States Code. The authority to place permanent or temporary improvements on land includes authority for surveys, administration, overhead, planning, and supervision incident to construction. That authority may be exercised before title to the land is approved under section 355 of the Revised Statutes, as amended (40 U.S.C. 255), and even though the land is held temporarily. The authority to acquire real estate or land includes authority to make surveys and to acquire land, and interests in land (including temporary use), by gift, purchase, exchange of Government-owned land, or otherwise.

SEC. 602. There are authorized to be appropriated such sums as may be necessary for the purposes of this Act, but appropriations for public works projects authorized by titles I, II, III, IV, and V shall not exceed—

(1) for title I: Inside the United States, $485,827,000; outside the United States, $107,257,000; section 102, $3,000,000; or a total of $596,084,000.

(2) for title II: Inside the United States, $511,606,000; outside the United States, $58,833,000; or a total of $570,439,000.

(3) for title III: Inside the United States, $238,439,000; outside the United States, $21,302,000; section 302, $1,000,000; or a total of $260,741,000.

(4) for title IV: A total of $10,000,000.

(5) for title V: Military family housing and homeowners assistance, $1,179,039,000.

SEC. 603. (a) Except as provided in subsection (b), any of the amounts specified in titles I, II, III, and IV of this Act, may, in the discretion of the Secretary concerned, be increased by 5 per centum when inside the United States (other than Hawaii and Alaska), and by 10 per centum when outside the United States or in Hawaii and Alaska, if he determines that such increase (1) is required for the sole purpose of meeting unusual variations in cost, and (2) could not have been reasonably anticipated at the time such estimate was submitted to the Congress. However, the total cost of all construction and acquisition in each such title may not exceed the total amount authorized to be appropriated in that title.

(b) When the amount named for any construction or acquisition in title I, II, III, or IV of this Act involves only one project at any military installation and the Secretary of Defense, or his designee, determines that the amount authorized must be increased by more than the applicable percentage prescribed in subsection (a), the Secretary concerned may proceed with such construction or acquisition if the amount of the increase does not exceed by more than 25 per centum the amount named for such project by the Congress.

(c) Subject to the limitations contained in subsection (a), no individual project authorized under title I, II, III, or IV of this Act for any specifically listed military installation may be placed under contract if—

(1) the estimated cost of such project is $250,000 or more, and

(2) the current working estimate of the Department of Defense, based upon bids received, for the construction of such project exceeds by more than 25 per centum the amount authorized for such project by the Congress, until after the expiration of thirty days from the date on which a written report of the facts relating to the increased cost of such project, including a statement of the reasons for such increase, has been submitted to the Committees on Armed Services of the House of Representatives and the Senate.

(d) The Secretary of Defense shall submit an annual report to the Congress identifying each individual project which has been placed under contract in the preceding twelve-month period and with respect to which the then current working estimate of the Department of Defense based upon bids received for such project exceeded the amount authorized by the Congress for that project by more than 25 per centum. The Secretary shall also include in such report each individual project with respect to which the scope was reduced in order to permit contract award within the available authorization for such project. Such report shall include all pertinent cost information for each individual project, including the amount in dollars and percentage by which

the current working estimate based on the contract price for the project exceeded the amount authorized for such project by the Congress.

SEC. 604. Contracts for construction made by the United States for performance within the United States and its possessions under this Act shall be executed under the jurisdiction and supervision of the Corps of Engineers, Department of the Army, or the Naval Facilities Engineering Command, Department of the Navy, or such other department or Government agency as the Secretaries of the military departments recommend and the Secretary of Defense approves to assure the most efficient, expeditious, and cost-effective accomplishment of the construction herein authorized. The Secretaries of the military departments shall report annually to the President of the Senate and the Speaker of the House of Representatives a breakdown of the dollar value of construction contracts completed by each of the several construction agencies selected, together with the design, construction supervision, and overhead fees charged by each of the several agents in the execution of the assigned construction. Further, such contracts (except architect and engineering contracts which, unless specifically authorized by the Congress, shall continue to be awarded in accordance with presently established procedures, customs, and practice) shall be awarded, insofar as practicable, on a competitive basis to the lowest responsible bidder, if the national security will not be impaired and the award is consistent with chapter 137 of title 10, United States Code. The Secretaries of the military departments shall report annually to the President of the Senate and the Speaker of the House of Representatives with respect to all contracts awarded on other than a competitive basis to the lowest responsible bidder.

SEC. 605. As of October 1, 1974, all authorizations for military public works, including family housing, to be accomplished by the Secretary of a military department in connection with the establishment or development of military installations and facilities, and all authorizations for appropriations therefor, that are contained in titles I, II, III, IV, and V of the Act of October 25, 1972, Public Law 92–545 (86 Stat. 1135), and such authorizations contained in Acts approved before October 26, 1972, and not superseded or otherwise modified by a later authorization are repealed except—

(1) authorizations for public works and for appropriations therefor that are set forth in those Acts in the titles that contain the general provisions;

(2) authorizations for public works projects as to which appropriated funds have been obligated for construction contracts, land acquisition, or payments to the North Atlantic Treaty Organization, in whole or in part, before October 1, 1974, and authorizations for appropriations therefor;

(3) notwithstanding the repeal provisions of section 705(b) of the Act of October 25, 1972, Public Law 92–545 (86 Stat. 1135, 1153), all authorizations for construction of family housing, including mobile home facilities, all authorizations to accomplish alterations, additions, expansion, or extensions to existing family housing, and all authorizations for related facilities projects under said Act are hereby continued and shall remain in effect until October 1, 1974; and

(4) notwithstanding the repeal provisions of section 705(a) of the Act of October 25, 1972, Public Law 92–545 (86 Stat. 1135, 1153), authorizations for the following items which shall remain in effect until October 1, 1975:

(A) Enlisted women's barracks construction in the amount of $437,000 for Fort Rucker, Alabama, that is contained in title I, section 101, under the heading "INSIDE THE UNITED STATES" of the Act of October 27, 1971 (85 Stat. 394, 395), as amended.

(B) Airfield expansion in the amount of $882,000 for the United States Army Security Agency, that is contained in title I, section 101, under the heading "OUTSIDE THE UNITED STATES" of the Act of October 27, 1971 (85 Stat. 394, 395), as amended.

(C) Environmental Health Effects Laboratory in the amount of $4,500,000 for the Naval Medical Research Institute, Bethesda, Maryland, that is contained in title II, section 201, under the heading "INSIDE THE UNITED STATES" of the Act of October 27, 1971 (85 Stat. 394, 397).

SEC. 606. None of the authority contained in titles I, II, III, and IV of this Act shall be deemed to authorize any building construction projects inside the United States in excess of a unit cost to be determined in proportion to the appropriate area construction cost index, based on the following unit cost limitations where the area construction index 1.0:

(1) $28.50 per square foot for permanent barracks;

(2) $30.50 per square foot for bachelor officer quarters;

unless the Secretary of Defense or his designee determines that because of special circumstances, application to such project of the limitations on unit costs contained in this section is impracticable. Notwithstanding the limitations contained in prior military construction authorization Acts on unit costs, the limitations on such costs contained in this section shall apply to all prior authorizations for such construction not heretofore repealed and for which construction contracts have not been awarded prior to the date of enactment of this Act.

SEC. 607. Section 709 of Public Law 92–145 (85 Stat. 394, 414), as amended, is amended to read as follows:

"SEC. 709. Notwithstanding any other provision of law, none of the lands constituting Camp Pendleton, California, may be sold, transferred, or otherwise disposed of by the Department of Defense unless hereafter authorized by law, but the Secretary of the Navy, or his designee, may, with respect to such lands, grant leases, licenses, or easements pursuant to chapter 159 of title 10, United States Code, and section 961 of title 43, United States Code."

SEC. 608. Chapter 159 of title 10, United States Code, is amended as follows:

(1) Section 2674(f) is amended by striking out the phrase "every six months" in the second line and inserting "annually" in place thereof.

(2) Section 2676 is amended by adding at the end thereof a new sentence as follows: "The foregoing limitation shall not apply to the acceptance by a military department of real property acquired under the authority of the Administrator of General Services to acquire property by the exchange of Government property pursuant to the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 471 et seq.)."

SEC. 609. The Secretary of Defense is authorized to use any unobligated funds, not in excess of $1,500,000, heretofore appropriated to carry out the provisions of section 610 of the Military Construction Authorization Act, 1971 (84 Stat. 1224) for the purpose of assisting communities near Malmstrom Air Force Base, Great Falls, Montana, to pay their respective shares of the cost under any Federal program providing assistance for the adoption, to the needs and uses of such communities, of the water system, and appurtenances thereto, installed to support the Safeguard Antiballistic Missile site near such air force base.

SEC. 610. (a) Notwithstanding any other provision of law, the Secretary of Defense, in consultation with the National Capital Planning Commission and other interested agencies, but without being subject to the approval of such Commission or any other agency, is directed, within available authorizations and appropriations, to proceed with the further planning, development, and construction of the Bolling-Anacostia Complex. The Secretary shall use as a guide to such further planning and development the Bolling-Anacostia Base Development Concept included with the final environmental impact statement filed with the Council on Environmental Quality on July 26, 1973, under the provisions of section 102(2)(C) of the National Environmental Policy Act of 1969.

(b) Section 607(b) of Public Law 89–188, as amended, is amended by deleting "January 1, 1975" wherever it appears, and inserting in lieu thereof "January 1, 1980".

SEC. 611. (a) The Secretary of the Army, or his designee, is authorized to convey to the San Antonio Country Club, subject to such terms and conditions as the Secretary of the Army, or his designee, may deem to be in the public interest, all rights, title, and interest of the United States, except as retained in this section, in and to certain two parcels of land containing, in the aggregate, 2.39 acres, more or less, situated in the county of Bexar, State of Texas, being part of the Fort Sam Houston Military Reservation, and more particularly described as follows:

PARCEL NO. 1

From boundary marker numbered B–88 for Fort Sam Houston, said point being a northeast corner for Fort Sam Houston and a southeast corner for San Antonio Country Club property, along the common line between said San Antonio Country Club and United States of America properties, north 16 degrees 50 minutes east, 48.3 feet to boundary marker numbered B–87;

Thence north 15 degrees 11 minutes east, 546.15 feet to a point in the common line between said San Antonio Country Club and United States of America properties, said point being located north 78 degrees 10 minutes west, 298 feet from boundary marker numbered B–81;

Thence north 04 degrees 36 minutes east, 623.49 feet to a point in the common line between said San Antonio Country Club properties for the point of beginning, said point of beginning being located north 68 degrees 59 minutes west, 695 feet from boundary marker numbered B–79;

Thence along the common line between said San Antonio Country Club and United States of America properties as follows: north 68 degrees 59 minutes west, 300 feet to boundary marker numbered B–78;

Thence north 00 degrees 32 minutes west, 1197.6 feet to boundary marker numbered B–77 for the corner common to said San Antonio Country Club and United States of America properties, situated in the south right-of-way line for Burr Road;

Thence departing from said common line, along the south right-of-way line for said Burr Road, north 89 degrees 58 minutes east, 50 feet to a point;

Thence south 00 degrees 32 minutes east, 1028.08 feet to a point;

Thence south 21 degrees 26 minutes east, 114.79 feet to a point;

Thence south 48 degrees 05 minutes east, 254.90 feet to the point of beginning, containing 1.73 acres, more or less.

PARCEL NO. 2

From boundary marker numbered B–88 for Fort Sam Houston, said point being a northwest corner for Fort Sam Houston and a southeast corner for San Antonio Country Club property, along the common line between said San Antonio Country Club and United States of America properties, north 16 degrees 50 minutes east, 48.3 feet to boundary marker B–87 for the point of beginning;

Thence along the common line between said San Antonio Country Club and United States of America properties as follows: north, 102.2 feet to boundary marker numbered B–86;

Thence north 07 degrees 15 minutes east, 117.4 feet to boundary marker numbered B–85;

Thence north 12 degrees 30 minutes east, 88.1 feet to boundary marker numbered B–84;

Thence north 07 degrees 10 minutes west, 168.4 feet to boundary marker numbered B–83;

Thence north 51 degrees 05 minutes east, 104.4 feet to boundary marker numbered B–82;

Thence south 78 degrees 10 minutes east, 50 feet to a point;

Thence departing from said common line, south 15 degrees 11 minutes west, 546.15 feet to the point of beginning, containing 0.66 acre, more or less.

(b) In consideration for the conveyance by the United States of America of the property described in subsection (a), the San Antonio Country Club shall convey to the United States, for incorporation with the Fort Sam Houston Military Reservation, a parcel of land containing 6.47 acres, more or less, being described as follows:

From boundary marker numbered B–88 for Fort Sam Houston, said point being a northwest corner for Fort Sam Houston and a southeast corner for San Antonio Country Club property, along the common line between said San Antonio Country Club and United States of America properties, north 16 degrees 50 minutes east, 48.3 feet to boundary marker numbered B–87;

Thence north 15 degrees 11 minutes east, 546.15 feet to the point of beginning, situated in the common line between said San Antonio Country Club and United States of America properties, said point of beginning being located south 78 degrees 10 minutes east, 50 feet from boundary marker numbered B–82;

Thence north 04 degrees 36 minutes east, 623.49 feet to a point in the common line between said San Antonio Country Club and United States of America properties, said point being located south 68 degrees 59 minutes east, 300 feet from boundary marker numbered B–78;

Thence along said common line as follows: south 68 degrees 59 minutes east, 695 feet to boundary marker numbered B–79 for a re-entrant corner for said United States of America property and a northeast corner for said San Antonio Country Club property;

Thence south 44 degrees 07 minutes west, 333.7 feet to boundary marker numbered B–80;

Thence south 42 degrees 04 minutes west, 261 feet to boundary marker numbered B–81 for a re-entrant corner for said United States of America property and a southeast corner for said San Antonio Country Club property;

Thence north 78 degrees 10 minutes west, 298 feet to the point of beginning containing 6.47 acres, more or less.

(c) The legal descriptions in subsections (a) and (b) may be modified as agreed upon by the Secretary, or his designee, and the San Antonio Country Club, consistent with any necessary changes which may be disclosed as a result of accurate survey.

(d) The conveyance of property authorized in subsection (a) of this section shall be subject to the following provisions, conditions, and reservations, which shall be incorporated in the deed of conveyance to be executed by the Secretary of the Army:

(1) Reservation to the United States of rights-of-way for any existing utility lines or access roads.

(2) Provision that the grantee, in accepting the deed, shall agree (A) to relocate fences between its property and the boundary lines of Fort Sam Houston, at no expense to the United States, and (B) to hold the United States harmless from any damage that may result from drainage from the property conveyed to the United States under subsection (b).

(e) All expenses for surveys and the preparation and execution of legal documents necessary or appropriate to carry out the provisions of this section shall be borne by the San Antonio Country Club.

SEC. 612. Titles I, II, III, IV, V, and VI of this Act may be cited as the "Military Construction Authorization Act, 1974".

TITLE VII

RESERVE FORCES FACILITIES

SEC. 701. Subject to chapter 133 of title 10, United States Code, the Secretary of Defense may establish or develop additional facilities for the Reserve Forces, including the acquisition of land therefor, but the cost of such facilities shall not exceed—

(1) For the Department of the Army:

(a) Army National Guard of the United States, $29,900,000.

(b) Army Reserve, $35,900,000.

(2) For the Department of the Navy: Naval and Marine Corps Reserve, $21,458,000.

(3) For the Department of the Air Force:

(a) Air National Guard of the United States, $16,000,000.

(b) Air Force Reserve, $9,000,000.

SEC. 702. The Secretary of Defense may establish or develop installations and facilities under this title without regard to section 3648 of the Revised Statutes, as amended (31 U.S.C. 529), and sections 4774 and 9774 of title 10, United States Code. The authority to place permanent or temporary improvements on lands includes authority for surveys, administration, overhead, planning, and supervision incident to construction. That authority may be exercised before title to the land is approved under section 355 of the Revised Statutes, as amended (40 U.S.C. 255), and even though the land is held temporarily. The authority to acquire real estate or land includes authority to make surveys and to acquire land, and interests in land (including temporary use), by gift, purchase, exchange of Government-owned land, or otherwise.

SEC. 703. With respect to the preceding authorization contained in section 701 for the Army Reserve, no portion of such authorization or any other prior Army Reserve authorization granted by the Congress may be utilized to construct replacement facilities for Army Reserve units at Fort DeRussy, Hawaii, at any location other than Fort DeRussy.

SEC. 704. This title may be cited as the "Reserve Forces Facilities Authorization Act, 1974".

And the House agree to the same.

F. EDW. HÉBERT,
OTIS G. PIKE,
CHARLES E. BENNETT,
SAMUEL S. STRATTON,
WILLIAM G. BRAY,
CARLETON J. KING,
G. WILLIAM WHITEHURST,
Managers on the Part of the House.

JOHN C. STENNIS,
STUART SYMINGTON,
HENRY M. JACKSON,
SAM J. ERVIN, Jr.,
HOWARD W. CANNON,
HARRY F. BYRD, Jr.,
JOHN G. TOWER,
STROM THURMOND,
PETER H. DOMINICK,
Managers on the Part of the Senate.

JOINT 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 House to the bill (S. 2408) to authorize certain construction at military installations, and for other purposes, submit the following joint statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying report:

LEGISLATION IN CONFERENCE

On September 13, 1973, the Senate passed S. 2408 which is the fiscal year 1974 military construction authorization for the Department of Defense and Reserve components.

On October 11, 1973, the House considered the legislation, amended it by striking out all language after the enacting clause and wrote a new bill.

On October 16, 1973, the Senate asked for a conference and on the same date, the House agreed to the conference.

COMPARISON OF HOUSE AND SENATE BILLS

S. 2408, as passed by the House of Representatives, provided new construction authorization to the military departments and the Department of Defense for fiscal year 1974 in the total amount of $2,715,924,000. However, in accordance with the recommendations of the Committee on Armed Services, the House reduced the overall amount authorized for appropriation by $64,697,000 to a total of $2,651,227,000.

The bill as passed by the Senate provided new authorizations in the amount of $2,835,444,000.

SUMMARY OF RESOLUTION OF DIFFERENCES

As a result of a conference between the House and Senate on the differences in S. 2408, the conferees agreed to a new adjusted authorization for military construction for fiscal year 1974 in the amount of $2,773,584,000.

The Department of Defense and the respective military departments had requested a total of $2,992,513,000 for new construction authorization for fiscal year 1974. The action of the conferees reduces the departmental request by $218,929,000.

CONSTRUCTION IN ICELAND

Included in this bill are five items totaling $7,447,000 for construction in Iceland. Two of these items, in the Navy program, total $6,092,000 and are for the construction of a Bachelor Enlisted Quarters and a Bachelor Officers Quarters.

These items were included in the House bill but deleted from the Senate bill because of clear indications that the government of Iceland may seek to have the United States withdraw its military installations from that country. After thorough discussion, these items have been retained by the Conference Committee in order to allow the Executive branch reasonable leeway to negotiate with the government of Iceland. These negotiations, we are advised, are presently under way.

The Conference Committee, while authorizing appropriations at this time, is unalterably opposed to the funding of these projects unless the United States is assured that it will not be asked to abandon its facilities in Iceland in the foreseeable future.

*Total authorization granted fiscal year 1974**

Title I (Army):	
Inside the United States	$493,327,000
Outside the United States	107,257,000
Classified	3,000,000
Subtotal	603,584,000
Title II (Navy):	
Inside the United States	519,106,000
Outside the United States	58,833,000
Subtotal	577,939,000
Title III (Air Force):	
Inside the United States	238,439,000
Outside the United States	21,302,000
Classified	1,000,000
Subtotal	260,741,000
Title IV (Defense Agencies):	
Inside the United States	17,100,000
Subtotal	1,459,364,000

Title V (military family housing and homeowners assistance)	$1,179,039,000
Deficiency authorizations:	
Title I (Army)	4,735,000
Title II (Navy)	9,442,000
Title III (Air Force)	8,746,000
Subtotal	22,923,000
Title VII (Reserve Forces facilities):	
Army National Guard	29,900,000
Army Reserve	35,900,000
Naval and Marine Corps Reserves	21,458,000
Air National Guard	16,000,000
Air Force Reserve	9,000,000
Total	112,258,000
Grand total granted by titles I, II, III, IV, V, and VII	2,773,584,000

*These totals are for specific projects authorized for construction. However, the amounts authorized for appropriation have been reduced in Title VI as follows: Title I—Army $7,500,000; Title II—Navy—$7,500,000; Title IV—Defense Agencies—$7,100,000; a total of $22,100,000.

TITLE I—ARMY

The House had approved construction authorization in the amount of $587,963,000 for the Department of the Army. However, the House only authorized for appropriation $572,963,000 for the Department of the Army because of a recently conducted study of the utilization of training installations and small single-mission posts. It was felt that pending completion of the study, there would be a substantial number of projects which would be held in abeyance and at least a total of $15 million of such projects might never be put under contract.

The Senate approved construction for the Army in the amount of $620,088,000. This amounted to a reduction by the House from the Senate figure of $47,125,000. The conferees agreed to a new total for Title I in the amount of $603,584,000. However, the amount authorized for appropriation for the Army in Title VI is $596,084,000.

Fort Benning, Georgia

One of the items included by the House, but not included in the Senate bill, was a project for the first increment of a barracks complex at Fort Benning, Georgia in the amount of $9.5 million. This project was not requested by the Department of the Army but was added by the House Committee over and above the budget request.

In conference, the Senate conferees were adamant in their position that this project would not be included in the final bill. Their justification was the fact that the Department of the Army had advised the Senate conferees, as well as the House conferees, that this project was still in the early design stage and even if authorized and funded, it could not be put under contract in fiscal year 1974. The project is scheduled for the Army's fiscal year 1975 program in the total amount of approximately $21 million.

In view of this information and the position insisted on by the Senate, the House conferees reluctantly receded.

Fort Hood, Texas

At Fort Hood, Texas, there was a request for $5,270,000 to improve Gray Army Airfield. The project was to upgrade airfield aprons to include widening apron and taxiways. Also, it was to provide new refueling facilities and fuel storage. The project was deleted by the House but included by the Senate.

In conference, the House conferees insisted that the present facilities were not in such condition that this particular project could not be postponed for one year. The House conferees further insisted that due to fiscal restraints placed on the Services, this project could safely be deferred and the Senate conferees reluctantly receded.

SELF-HELP GARAGES

Two automotive self-help garages were requested by the Army within their community support program. They were denied by the House, but included in the Senate bill. These facilities were strongly supported by the Service as high utilization activities, extremely popular with the soldiers. The Committees recognize the high morale value and troop interest in automotive self-help garages. However, it is felt these facilities should be supported from nonappropriated funds.

The Senate receded.

Among the major items originally deleted by either the House or Senate and restored by the conferees were the following:

Fort Gordon, Georgia—Commissary, $2,924,000

The House deleted this particular project believing that the present facility could be utilized at least one more year and because downtown Augusta, Georgia is only twelve miles away. However, the Senate conferees pointed out that the amount of business generated in the commissary at Fort Gordon, Georgia had steadily increased over the past several years and the deplorable condition of the existing commissary makes it unsafe for continued use.

The House receded.

Hunter-Liggett, California—EM Barracks Complex, $7,776,000

The House deleted the Army's request for this particular EM barracks complex believing that due to fiscal restraints, the present facilities could be utilized for another year. Further, the House conferees felt that this particular installation, being a sub-post of Fort Ord, California, had been on the "suspect" closure list for several years and that it could very well be that the training now being conducted at Hunter Liggett might be completely eliminated.

However, the Senate conferees pointed out that the Army reclama placed this particular project very high on its priority list indicating that the facility was not in danger of immediate closure or major reduction.

In view of the information furnished by the Army and after thorough discussion of the situation, the House receded.

Aero MTCE, Texas—Supply and Storage Building, $5,196,000

The House deleted the Army's request for this supply and storage building in Corpus Christi, Texas believing that the realignment study presently under way might result in an adverse impact on this particular installation and that the buildings now in use could be utilized for another year.

However, the Senate conferees pointed out that a new facility would make possible considerable savings to the taxpayer and that this facility was unique, making it an unlikely candidate base for major reduction or closure. Further, the Senate conferees insisted that denial of this project could compound problems in supply operations.

The House receded.

Fort Shafter, Hawaii—Medical-Dental Clinic, $1,233,000

The House deleted the Army's request for this medical-dental clinic feeling that it could be safely deferred as a relatively low priority item.

The Senate conferees pointed out that the present facilities are in temporary buildings, scattered and in poor physical condition, and are seriously lacking in interior lighting, ventilation, and sanitary facilities. Further, the continued maintenance and operation of the temporary structures are very uneconomical.

After a thorough discussion of the problems, the House receded.

Reduction in Amount Authorized for Appropriation, $15,000,000

The Senate conferees pointed out to the House conferees that the $15,000,000 reduction in the amount authorized for appropriation, in view of today's inflationary construction cost, might adversely affect the fiscal year 1974 program. The unobligated balances were said to be insufficient for this size cut and other programs authorized in the present bill would be drastically affected.

The House conferees agreed with the Senate conferees and a reduction of $7.5 million in the amount authorized to be appropriated was agreed upon.

The House receded with an amendment.

TITLE II—NAVY

The House approved $554,933,000 in new construction authorization for the Department of the Navy. However, the House only authorized for appropriation the sum of $539,933,000. The Senate approved $602,022,000.

The conferees agreed to a new total in the amount of $577,939,000. However, the amount authorized for appropriation is $570,439,000.

Among the major items originally deleted by either the House or Senate and restored in the conference were the following:

Naval Underwater Systems Center, New London, Connecticut—Engineering Building, $3,600,000

The House deleted this particular project believing that it was of relatively low priority in this year's Navy program. The Senate approved the project.

In conference, the Senate conferees pointed out that the World War II temporary buildings now in use are deficient in size, dispersed, functionally inadequate, fire hazardous, and have been flooded on numerous occasions. Further, electronic equipment and machine tools valued over $7 million are housed in these buildings.

After a thorough discussion of the problem, the House receded.

Naval Complex, Adak, Alaska—Commissary, $1,920,000

This project was deferred by the House without prejudice to a future year's program. The Senate approved the project.

In conference, the Senate conferees pointed out that the present inadequate facility is of wood construction, was built in 1944, and is the only retail food outlet in Adak. The nearest offbase community capable of providing grocery sales service is 1,150 miles distant. Major structural deterioration with severe cracking in all beams and columns, rotten floor and roof characterize this facility.

The House receded.

MC Recruit Depot, San Diego, California—Dispensary, $3,825,000

The Senate deleted this project believing that it was of relatively low priority and could be safely deferred for at least a year. The House approved this project.

In conference, the House conferees pointed out that the existing facility is a substandard facility constructed in 1922 as a barracks. The utilities and plumbing are outmoded and require an excessive amount of maintenance. The existing dispensary is adjacent to exchange facilities and permanent personnel facilities and is three-quarters of a mile from the recruit health records building. The House conferees insisted that to continue operations in the present outdated and degenerated facilities could only com-

pound the existing discrepancies and further degradation of the medical services now provided.

The Senate receded.

Naval Hospital, Orlando, Florida—Hospital, $20,981,000

One of the major items in dispute in Title II was the Naval Hospital, Orlando, Florida which was included by the Senate in their consideration of the bill but deleted by the House.

The House deleted this project believing that sufficient hospital and clinic space was available in the State of Florida to satisfy current and projected future needs for active duty military and their dependents. The Senate included this hospital in their bill.

It was pointed out during the hearings that the present hospital was a cantonment type World War II hospital and was constructed in 1943. The House Committee felt, however, that the present facility program, a 150-bed dispensary which is less than three years old, could satisfy the projected workload. Further, the House conferees pointed out that there is presently located in the State of Florida thirteen military hospitals and five facilities of the out patient clinic type and this should be sufficient to satisfy the foreseeable needs.

After much discussion, the Senate receded.

Reduction in Amount Authorized for Appropriation, $15,000,000

The Senate conferees pointed out to the House conferees that the $15,000,000 reduction in the amount authorized for appropriation, in view of today's inflationary construction cost, might adversely affect the fiscal year 1974 program. The unobligated balances were said to be insufficient for this size cut and other programs authorized in the present bill would be drastically affected.

The House conferees agreed with the Senate conferees and a reduction of $7.5 million in the amount authorized to be appropriated was agreed upon.

The House receded with an amendment.

Culebra Island (Section 204)

The Senate included in their bill authorization for $12 million to relocate the ship-to-shore and other gunfire and bombing operations of the U. S. Navy from the Island of Culebra. The provision was added during the Committee mark-up without any hearings or testimony being taken in support thereof. The House bill contained no such provision.

This provision in the Senate bill caused much discussion and debate among the conferees regarding the feasibility of relocating this activity from Culebra to the Islands of Desecheo and Monito. This issue has been the subject of considerable concern in both the House and the Senate for the last several years. The House conferees were privileged to have a conference with the Governor of Puerto Rico, the Resident Commissioner, and the Mayor of Culebra prior to the final conference with Senate conferees.

The restrictive language included in Section 204 is a result of the discussion with the Governor and others and the conferees believe it provides sufficient protection to the Navy upon the relocation of the ship-to-shore gunfire operations from Culebra to the other Islands mentioned.

The House receded with an amendment.

TITLE III—AIR FORCE

The House approved $246,656,000 in new construction authorization for the Department of the Air Force. The Senate approved $274,747,000.

The conferees agreed to a new total in the amount of $260,741,000.

Among the major items in conference which were resolved after much deliberation are:

Kelly AFB, Texas—A/C Engine Fuel System Overhaul, $3,166,000

The Senate approved, but the House denied, $3,166,000 for an Engine Fuel System Overhaul facility. The project includes jet fuel system repair and test area, administrative, storage, toilets and mechanical equipment rooms. The existing facilities, the House felt, could continue to be utilized for at least the next year.

The Senate conferees pointed out that the requested space is required to accommodate the new workload which requires additional test stands to work the advanced technological system on the new F–100–PW engines and fuel system controls that are to be assigned to Kelly AFB for depot repair and test. It was further pointed out that the present facilities are far too small and do not have environmental control to assure quality controlled production.

The House receded.

Tinker AFB, Oklahoma—Addition to and Alteration of Composite Medical Facility, $3,879,000

The House Committee deferred this project without prejudice because it was felt that the project could be deferred to a future program without impinging upon the Air Force. The Senate bill included this project.

The House deferred this project because the outpatient visits per year at this facility have dropped from 210,000 to 190,000 and the base population is predicted to drop by at least 2,000 by fiscal year 1976.

After a thorough discussion about medical needs in the Air Force, the conferees agreed that the medical needs of this military community could be served by the existing facility.

The Senate receded.

Wright-Patterson AFB, Ohio—Aircraft Fuels and Lubricants Laboratory, $4,857,000

The Senate bill included this project, but the House Committee deferred it without prejudice.

In conference, the Senate conferees pointed out that the project is for the construction of laboratory space for exploratory and advanced development in aerospace fuels and lubricants, hazards detection, and fire suppression systems. The Senate further argued that the existing laboratory space is totally inadequate and widely scattered.

However, the House conferees pointed out that the mission is presently being performed in the facilities now available and the Air Force has no plans to destroy the facilities upon completion of the new laboratory, but they would be used for other purposes. Therefore, the House conferees insisted that the present facilities could be continued in use for at least one more year.

The Senate receded.

Maxwell AFB, Alabama—Addition to and Alteration of Composite Medical Facility, $4,900,000

The Senate approved, but the House denied, $4,900,000 for addition and alteration of the Maxwell AFB hospital. The main purpose of this project was to provide enlarged outpatient clinics and ancillary support space and four dental treatment rooms.

The Senate conferees argued that this is a regional hospital and provides inpatient and outpatient consultant services and specialty care to three other Air Force bases.

The House conferees were adamant in their position pointing out that this hospital was completed less than ten years ago and contained 225 beds. The Air Force later rearranged the rooms and cut the bed capacity to 200. The House conferees further argued that this construction appeared to be more for retirees than active duty personnel and until a further study could be made, the project could be deferred.

The Senate receded.

Cape Newenham, Alaska—Composite Support Facilities, $5,403,000

The House Committee deferred this project without prejudice due to the apparent high cost of the first phase of a two phase facility. The House conferees further argued that there are only 114 military personnel stationed at Cape Newenham AFS and this item should be restudied.

The Senate conferees were adamant in their position that the Conference Committee should include this project in its final bill. They pointed out to House conferees that the aircraft control and warning activities are now accommodated in twenty-two widely scattered buildings, most of which are over twenty years old and were designed with a life expectancy of less than ten years. Severe weather conditions make operating from these old buildings most difficult. Maintenance and repair requirements have increased beyond the station's ability to effectively operate.

The House reluctantly receded.

TITLE IV—DEFENSE AGENCIES

The Secretary of Defense requested $17,100-000 to provide for the construction of new facilities and rehabilitation of existing facilities for the Defense Agencies at 12 named installations. The Senate approved all projects as requested. However, the House deferred the Defense Fuel Supply Center in the amount of $2,403,0000 at the Defense Supply Center, Richmond, Virginia. Further, the House did not authorize any amount for appropriations under the Defense Agency's account. The Committee was informed that there was some $24,000,000 in the Defense Contingency Fund which would not be required in FY–74 and believed it could be applied against the new authorization for projects under Title IV in the amount of $14,697,000.

In conference the Senate conferees argued that the Congress had required that in order to use the monies in the Contingency Fund, there must be a certification by the Secretary of Defense that the project or projects to be funded must be "vital to the security of the United States." After a thorough discussion by the conferees, the House receded on the project for the Defense Fuel Supply Center and the conferees agreed to authorize $10,000,000 for appropriation against $17,-100,000 in authorization.

The House receded with an amendment.

TITLE V—FAMILY HOUSING

The Department of Defense presented an authorization request for appropriations for military family housing and the Homeowners Assistance Program totaling $1,257,567,000. This was for 11,688 units of new construction, improvements to existing housing, operation and maintenance, debt payment, etc. Also included in the family housing request was an increase in the statutory average unit cost limitation on the construction of military family housing from $24,000 to $27,500 average cost for the United States and from $33,500 average unit cost outside the United States and Alaska and Hawaii to $38,000. The Department's new construction request reflected cost increases due primarily to continued cost escalation and secondarily to proposed increases to square foot limitations for high ranking Noncommissioned Officers and Junior Officers.

The House authorized 12,413 units but limited the number to be constructed to 9,725 units. Further, the House only authorized new funding for 9,000 units. The Senate authorized construction of 11,032 units of new construction, a reduction of 656 units from the departmental request and they authorized funding for all units authorized. The

House approved increases in the average unit cost limitation from $24,000 to $28,500 for the United States (except Alaska and Hawaii); and from $33,500 to $38,000 average cost in other areas. The Senate approved average unit cost increases from $24,000 to $27,000 for the United States (except Alaska and Hawaii); from $33,500 to $37,000 average cost in other areas. Further, the Senate approved $7,000,000 for Homeowners Assistance which was omitted from the House bill.

In conference the conferees agreed to authorize 10,679 family housing units at an average cost of $27,500 per unit as originally requested by the Department for inside the United States (other than Alaska and Hawaii). The conferees agreed that the statutory cost limitations for outside the United States, Alaska and Hawaii would be $37,000 average and maximum of $44,000 per unit.

The conferees agreed to a new total for the Family Housing program in the amount of $1,179,039,000. The amount approved includes $7 million for Homeowners Assistance and is $22,429,000 below the Senate figure and $21,345,000 above the House figure.

The Defense Department did not propose any changes in the Domestic Leasing Program and both committees approved the continuation of this program in section 507.

However, the Senate Committee found it necessary to add section 507(b) which imposes limitations on the Department's Foreign Leasing authority which heretofore has been general in nature. Section 507(b) as developed by the Senate Committee centralizes control of the program at the Secretary of Defense level and imposes cost limitations of $325 per month average rental cost and a maximum cost of $625 per unit per month. A numerical limitation of 7,500 is also imposed. However, recognizing that a certain number of leases must exceed these cost limitations, the committee has included authority for the Secretary of Defense to waive such cost limitations for up to 300 units in cases of rentals for incumbents of representational positions, personnel attached to DAOs (Defense Attache Officers) and in cases of hardship. It is expected by the conferees that the Department of Defense will closely monitor and control the Foreign Leasing Program with a view to reducing the cost of leases that are not included in the cost limitation and apprise the Committees on Armed Services of the House and Senate as to the progress being made in this area.

The House receded.

The Senate added a provision (Sec. 512) which would repeal Public Law 91-564 which authorized the Secretary of the Army to convey approximately 57 acres of land and improvements at Fort Ruger Military Reservation, Hawaii, to that State in exchange for the conveyance by the State of Hawaii to the United States of approximately 259 acres of land adjacent to the Tripler Army Hospital. The land adjacent to the Tripler Hospital was to be used as a site for additional family housing. Because of the difference in land values of parcels involved in the exchange, the Act also provided for the State to do certain site preparations on the land to be conveyed to the United States.

Subsequent evaluations determined that development of the land to be conveyed to the United States was too costly for military housing; therefore, the section (512 of Senate Bill) as proposed would continue to permit the Secretary of the Army to convey the Fort Ruger properties to the State of Hawaii, but in lieu of the State conveying land to the United States as heretofore provided, the State would provide for, convey or pay to the United States, either in facilities and services or money, or a combination thereof, a sum equal to the appraised fair market value of the Fort Ruger property to be available for site preparation for military family housing at the Defense-owned Aliamanu Military Reservation, Oahu. The cost of the site preparation, roads and streets, utilities and other support facilities borne by the State would not be considered in arriving at the average cost of any family housing units or the cost of any single family housing unit to be constructed within the boundaries of the Aliamanu Military Reservation, Oahu, Hawaii.

Inasmuch as there appears to be no better alternative to the proposed legislation, and in light of the situation now facing the Department of the Army as a consequence of an inadequate previous evaluation, the conference committee approves of the proposed action with sincere hope that this legislation will prove sufficient to provide adequate housing to military personnel and their dependents.

The House receded.

TITLE VI—GENERAL PROVISIONS

Under section 604 of the General Provisions all contracts for military construction are required to be awarded on a competitive basis to the lowest reasonable bidder insofar as practicable. This year the Department proposed an amendment to permit awards on a competitive basis by Turnkey One-Step Procedures. This is now permitted by statute for military family housing and in some areas has proven quite successful and economical. The proposed amendment would extend the practice to other common-type military construction projects such as hangars, commissaries, etc. The Senate approved the amendment but it was denied by the House. The House Committee felt that to award such construction contracts on other than a competitive low-bid basis would be a mistake and could possibly lead to contracts being awarded on human judgments rather than mathematical bids.

During the conference the House conferees were adamant in their position and persuaded the Senate conferees to omit this proposed amendment by the Department of Defense.

The Senate receded.

Section 606 provides statutory limitations on the square foot cost of bachelor housing.

Both the Senate and House approved an increase from $27.00 to $28.50 per square foot for barracks and from $29.00 to $30.50 for bachelor officers quarters. This factor controls the cost of bachelor housing.

The House added a provision to require a planned occupancy for permanent barracks of a minimum of four persons per room for Enlisted Grades E4 and below and no fewer than two persons per room for Enlisted Grades E5, E6, and E7. Based on the progress the services have made on the design of this year's bachelor enlisted quarters projects and the increased costs that would result as a consequence of a change at this time, the House reluctantly receded from the inclusion of this provision this year. However, the Secretary of Defense is directed to make a study of a planned occupancy for permanent barracks with a minimum of four persons per room for Enlisted Grades E4 and below.

This study should provide by Service, the one-time costs for changing criteria, the construction cost savings that will accrue in the FY 1975 Military Construction Program, an estimate of the construction cost savings for the next four Military Construction Programs, impact on morale of personnel, the impact on recruitment of personnel under an All-Volunteer Force and the flexibility of room assignments. This study will be submitted to the Committees on Armed Services of the House and Senate prior to February 1, 1974.

In order to avoid delays in the design of FY 1975 Bachelor Enlisted Quarters projects, the Committees on Armed Services of the House and Senate will determine whether to include a 4 men to the room provision in the FY 1975 Authorization Act and will notify the Department of Defense of its decision within a reasonable time after receipt of the study.

The House receded.

Section 608(3) of the bill, as submitted to the Congress, would give the Secretary of Defense authority to acquire land if he considers deferral for consideration in a future military construction to be inconsistent with the interest of national defense. The Department now has authority to acquire land up to $50,000, and to acquire options on land.

The House approved this provision, which the Senate disapproved on the basis that existing authority is sufficient.

After a thorough discussion, the House receded.

Section 609 was added by the House to ensure that the Bolling-Anacostia complex in the District of Columbia would be retained for defense purposes. It would also permit previously authorized construction, which has been held up because of lack of approval of the National Capitol Planning Commission to proceed with or without the approval of the NCPC.

No such provision was included in the Senate bill. This particular point was the subject of considerable discussion and debate among the conferees. The House provision was finally approved with general agreement among the conferees that in the next session of the 93rd Congress both the House and the Senate Committees would conduct hearings to determine the feasibility of the defense retention of all of the lands now comprising the Bolling-Anacostia complex.

The Senate receded.

TITLE VII—RESERVE FORCE FACILITIES

The House added above the budget $2.6 million for the Navy and Marine Corps Reserves to compensate for a like amount of construction funds diverted from other projects in the FY-73 authorization to complete the consolidation of Naval Reserve Headquarters. This was not considered by the Senate. However, after a thorough discussion the Senate receded.

The House added section 703 to preclude the use of any funds authorized currently, or in past years, for the replacement of any Reserve facilities now located on Fort DeRussy, Hawaii, at any location other than Fort DeRussy.

This matter was discussed at length by the conferees with the House conferees pointing out that to destroy permanent facilities now located on Fort DeRussy and relocate them elsewhere on the Island of Oahu would be extremely unwise and very wasteful.

The Senate receded.

F. EDW. HÉBERT,
OTIS G. PIKE,
CHARLES E. BENNETT,
SAMUEL S. STRATTON,
WILLIAM G. BRAY,
CARLETON J. KING,
G. WILLIAM WHITEHURST,
Managers on the Part of the House.

JOHN C. STENNIS,
STUART SYMINGTON,
HENRY M. JACKSON,
SAM J. ERVIN, JR.,
HOWARD W. CANNON,
HARRY F. BYRD, JR.,
JOHN G. TOWER,
STROM THURMOND,
PETER H. DOMINICK,
Managers on the Part of the Senate.

PERMISSION TO CONSIDER CONFERENCE REPORT ON S. 2408, MILITARY CONSTRUCTION AUTHORIZATION BILL, ON THURSDAY NEXT

Mr. PIKE. Mr. Speaker, I ask unanimous consent that the conference report on S. 2408, Military Construction Authorization, may be considered by the House on Thursday of this week.

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

There was no objection.

DISCUSSION OF MOTION TO RECOMMIT LABOR-HEW CONFERENCE REPORT

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

Mr. QUIE. Mr. Speaker, I want to make certain that nobody misunderstands that the vote on the motion to recommit, and a number of Members have talked to me about that. That motion to recommit carried because of the effort I was going to make to provide instructions on the title I formula which was knocked out on a point of order. It is the intent of this body that a different title I formula be adopted than that which was included in the last continuing resolution. The House will not accept what the committee proposed in amendment 32 reported in technical disagreement. That I believe is the reason a majority voted for that motion to recommit. I think everybody who is on that conference committee ought to bear that in mind. Stated simply—the House will not accept a State hold harmless at 90 percent of 1972 nor a local educational agency limit of 115 percent of 1973.

IMPEACHMENT RESOLUTIONS

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

Mr. THOMPSON of New Jersey. Mr. Speaker, for the information of the Members of the House, I have today introduced House Resolution 693 which will provide to the Committee on the Judiciary a sum of not to exceed $2 million for such staff work and other investigative work as they will need in order to conduct their hearings on the Vice-Presidency and on the virtually innumerable resolutions relating to impeachment. This will be handled in the usual manner.

I would like to assure those on the minority side that due consideration, as has been our practice, will be given to their staff needs.

CONCERNING THE VOTE TO RECOMMIT THE CONFERENCE REPORT ON LABOR-HEW

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

Mr. SMITH of Iowa. Mr. Speaker, for further edification of the vote on the motion to recommit, it would be well to study the rollcall on that motion. My interpretation is that the major reason for the motion to recommit, which carried, was because the Republican side objected to the conference report for being over the budget. That was the reason the majority of Republicans did not sign the conference report. If the conference report had been adopted there would have been a separate vote on amendment No. 32, which involved title I.

So, what really was at issue on the rate to recommit was whether we reduce the appropriations in the bill—take some money out of the Health and Education before bringing it back here. I think if the Members will study the vote that that is what was at issue.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will state that there will be additional business later, but in the meantime, pending that, the Chair will be glad to receive unanimous-consent requests, but that in doing so this would not be prejudicing the business of the House.

THE VOTE ON THE MOTION TO RECOMMIT THE LABOR-HEW CONFERENCE REPORT

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

Mrs. GREEN of Oregon. Mr. Speaker, since we are apparently waiting for other reports, I take this moment to say that I feel compelled to take exception to a comment that was made a few moments ago that those Members who refused to sign the conference report on the Labor-HEW appropriation bill did so only because they wanted to cut the funds, the total amount in that appropriation bill.

Since I was one of those who did not sign the conference report I wish to state my reason for not signing the conference report was that I could not as a matter of conscience continue to support the formula under title I of ESEA any longer because it seems unsound and unfair to school districts to use figures that are 14 years old. Any study of those who voted for or against the motion today will find that the majority are the ones who supported the Quie motion of about a month ago where the sole issue was allocation of funds under title I. It is really not quite fair to assign other motives.

CLARIFICATION OF MR. GERALD R. FORD'S USE OF THE WORD "MOB"

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

Mr. SYMINGTON. Mr. Speaker, I should like to address these remarks in part to our distinguished and esteemed friend, the minority leader, the gentleman from Michigan (Mr. GERALD R. FORD) for whom I fully expect, as I am sure does practically every Member of this House, to cast a confirming vote when the time comes.

It was with that heartfelt intent in mind that I felt it only appropriate that I give the distinguished minority leader an opportunity to clarify remarks which he appeared to make on the "Today" show this morning. I guess it was a film of a previous press conference in which he had been asked if the editorials and other communications from the public recommending resignation would have any impact on the President. If I am not mistaken, the minority leader said he did not think either editorials or "the mob" would sway the President.

I know my esteemed friend could not have considered letters such as I and other Members have been receiving beginning with, "I have been a lifelong Republican, but" and often going on to say, "Hurry up and confirm GERRY FORD," as emanating from a "mob."

These folks are good Americans, and the minority leader did not intend that. This would give him a chance to clarify for the RECORD and for any interested persons what, indeed, he did mean.

Mr. GERALD R. FORD. Mr. Speaker, I shall be very glad to respond, if the gentleman from Missouri will yield.

Mr. SYMINGTON. I yield to the distinguished minority leader.

Mr. GERALD R. FORD. I believe that the remarks were made at a press conference in New York late yesterday afternoon. The question came up because some members of the press asked me, Would the President resign? I have heard him say not once, but a number of times, both in private and in public, that he would not resign and that he intended to continue on the job for which he was elected.

In response to a number of persistent questions, "Will he resign? Will he resign?" I said, "The editorials and the mob"—I used "the mob" in a figurative sense, not in a literal sense—"would not sway his mind." I am sure that the editorials will not change his mind. I am sure that the letters that I am receiving, as the gentleman from Missouri is receiving, are not going to change his mind. He intends to continue, and I was simply responding to the questions that were asked by using as forceful language as I could, and it was because I wanted to emphasize the point.

Mr. SYMINGTON. I certainly understand the gentleman's clarification. The word "mob" tends to carry a pejorative meaning, and a good many thousands of people who watch the show, who may have written letters of that kind, and even urged such action, may have felt designated in that way. I do not think that is what the gentleman had in mind.

Mr. GERALD R. FORD. If the gentleman would like a further clarification, I think that was in my mind was those people who are marching up and down in front of the White House carrying placards, some of which I think are quite abusive and not in good taste.

Mr. SYMINGTON. I thank the gentleman.

INCREASING AUTHORIZATION FOR APPROPRIATIONS TO ATOMIC ENERGY COMMISSION

Mr. BOLLING, from the Committee on Rules, reported the following privileged resolution (H. Res. 694, Rept. No. 93–630), which was referred to the House Calendar and ordered to be printed:

H. RES. 694

Resolved, That upon the adoption of this resolution it shall be in order to move that

the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 11216) to amend Public Law 93–60 to increase the authorization for appropriations to the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Joint Committee on Atomic Energy, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit. After the passage of H.R. 11216, it shall be in order to take from the Speaker's table the bill S. 2645 and to consider the said Senate bill in the House.

Mr. BOLLING. Mr. Speaker, I call up House Resolution 694 and ask for its immediate consideration.

The SPEAKER. The Clerk will report the resolution.

The Clerk read the resolution.

PARLIAMENTARY INQUIRY

Mr. GROSS. Mr. Speaker, a parliamentary inquiry. The request of the gentleman from Missouri was to suspend the rules?

The SPEAKER. It was to consider the resolution. The request is necessary because it takes a two-thirds vote. Otherwise the resolution will have to wait.

Mr. GROSS. It is because the rule was voted on only today?

Mr. BOLLING. If the gentleman will yield, the gentleman is correct.

Mr. GROSS. I thank the Speaker and the gentleman.

The SPEAKER. The question is, Will the House now consider House Resolution 694?

PARLIAMENTARY INQUIRY

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

The SPEAKER. The gentleman will state his parliamentary inquiry.

Mr. GROSS. Does this require a two-thirds vote?

The SPEAKER. The gentleman is correct.

Mr. GROSS. I thank the Speaker.

The question was taken; and [two-thirds having voted in favor thereof], the House agreed to consider House Resolution 694.

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

Mr. BOLLING. Mr. Speaker, I yield 30 minutes to the gentleman from Tennessee (Mr. QUILLEN) pending which I yield myself such time as I may consume.

Mr. Speaker, this rule was called up in a highly unusual way, because as far as we know there is absolutely no controversy on the rule or the bill that it makes it in order.

I have said things like that before and they turned out to be controversial; but I have checked with some care on this and I do not believe there is even any controversy in a body other than this body on this particular subject.

I believe that everybody in a bipartisan and unanimous way is in agreement that we ought to pass the rule and consider the bill. My understanding is that unless something new arrived, they are going to unanimously pass the bill.

Mr. Speaker, I reserve the balance of my time, unless my friend from Iowa wishes me to yield.

Mr. GROSS. Mr. Speaker, will the gentleman yield for a question or two?

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

Mr. GROSS. Is this an open rule?

Mr. BOLLING. Yes, it is.

Mr. GROSS. I did not hear all of the rule read.

Mr. BOLLING. It is a completely open rule. There are no tricks in this rule that I can detect. It just is absolutely straight forward.

Mr. GROSS. I am sure there are no tricks within the estimable Rules Committee, but I am glad to have that further assurance.

Mr. BOLLING. The gentleman is absolutely correct. There are no tricks that I could detect. I am not going to say the gentleman is wrong in that, but he is certainly correct about the Rules Committee.

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

Mr. Speaker, as the distinguished gentleman from Missouri (Mr. BOLLING) has explained, I know of no controversy on the rule.

The purpose of H.R. 11216 is to provide a supplemental authorization to the Atomic Energy Commission in the amount of $10,700,000 for operating expenses and $30,000,000 for plant and capital equipment.

There are no departmental letters or minority views in the committee report. However, the report does indicate that this bill provides the amounts requested.

I urge the adoption of the rule.

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

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

INCREASING AUTHORIZATION FOR APPROPRIATIONS TO ATOMIC ENERGY COMMISSION

Mr. PRICE of Illinois. Mr. Speaker, I call up the bill (H.R. 11216) to amend Public Law 93–60 to increase the authorization for appropriations to the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes, and ask unanimous consent that the bill be considered in the House as in the Committee of the Whole.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the bill, as follows:

H.R. 11216

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 101(a) of Public Law 93–60 is hereby amended by striking therefrom the figure $1,740,750,000," and substituting the figure "$1,751,450,000".

SEC. 2. Section 101(b) of Public Law 93–60 is hereby amended by adding to subsection (b)(1) the following words: "Project 74–1–i, additional waste concentration and salt cake storage facilities, Richland, Washington, $30,000,000".

Mr. PRICE of Illinois. Mr. Speaker, I move to strike the last word.

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

This bill amends Public Law 93–60, the AEC Fiscal Year 1974 Authorization Act, by providing a supplemental authorization for appropriations of $10,700,000 for operating expenses and $30,000,000 for plant and capital equipment. The committee has carefully considered the bill and the committee's recommendations are founded upon the testimony received in executive hearing held on October 30, 1973.

The bill is in two sections. Section 1 would amend subsection 101(a) of Public Law 93–60 by providing an increase of $10,700,000 for operating expenses in the AEC's nuclear weapons program. The Atomic Energy Commission and the Department of Defense testified that this increase is required to provide warheads to meet required production rates of tactical and strategic weapon delivery systems and to produce weapons with security systems of improved design. Although the specific weapons and weapons systems involved have been classified for security reasons, it can be stated that the systems involved do not include the two new artillery-fired atomic projectiles which were requested in the originally proposed AEC fiscal year 1974 authorization bill which were not authorized by the Congress.

The Joint Committee is convinced that the funds requested by the AEC are necessary to fulfill requirements placed on the AEC by the Defense Department to meet national security objectives, and, therefore, recommends that the entire $10,700,000 in supplemental funds requested be approved.

Section 2 of the bill would amend Public Law 93–60 by adding to subsection 101(b)(1) a construction project of $30,000,000 which would provide additional waste concentration and salt cake storage facilities at AEC's Hanford, Wash., site.

A program to convert the Hanford high-level radioactive wastes generated in the nuclear weapons program to the more stable solid form has been underway since 1965, and, thus far, 70 million gallons of liquid have been removed from the waste tanks, with an accumulation of 22 million gallons of solidified waste. This represents approximately half of the estimated final volume of solidified waste at this site. The proposed project would permit this waste solidification program to proceed on an accelerated schedule.

The committee, over the years, has placed the highest priority on assuring that maximum protection to the health and safety of the public and the environment is provided for in the conduct of

AEC operations. The AEC has indicated that prompt initiation of the proposed project would significantly minimize the potential for future leaks at the Hanford site. While there is no evidence that the past leaks have resulted in any hazard to the population or to the water table beneath the Hanford site, it is obvious that the conversion of the remaining wastes into the more stable solid form at a faster rate is a prudent action. Accordingly, the committee recommends that the entire $30.0 million in supplemental funds requested for this project be approved.

Mr. Speaker, I urge favorable consideration of this bill.

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

Mr. PRICE of Illinois. I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Speaker, I thank the gentleman for yielding. Do I understand that this would require a supplemental appropriation of $41 million?

Mr. PRICE of Illinois. Mr. Speaker, the gentleman is correct in that. Because of the urgency of passing this legislation today, these items are in the supplemental appropriation bill now under consideration by the Appropriations Committee.

Mr. GROSS. And did the gentleman say that it is approximately $41 million?

Mr. PRICE of Illinois. That is correct.

Mr. GROSS. What is the meaning of "salt cake storage facilities?"

Mr. PRICE of Illinois. These are facilities which pertain to the handling and storage of waste materials that come from the operation of nuclear facilities at Hanford, Wash. They are radioactive waste materials.

Mr. GROSS. That is known as "salt cake?"

Mr. PRICE of Illinois. That is correct, the final form of the waste product is known as "salt cake." It is all waste material which the Commission has the obligation to dispose of in a fashion so that there will be no harmful effects to the environment or to the people of the area. It is a waste storage area, and these facilities are a necessary part of the program.

Mr. GROSS. The gentleman said, as I understood him, that this supplemental appropriation is made necessary by virtue of national security. Could the gentleman add to that in any way? How does this add to national security?

Mr. PRICE of Illinois. There is an addition to the nuclear weapons program of $10,700,000. That is the weapons portion of the bill.

Mr. GROSS. The weapons feature of it?

Mr. PRICE of Illinois. That is section 1 of the bill.

Mr. GROSS. Mr. Speaker, I thank the gentleman.

Mr. MARTIN of Nebraska. Mr. Speaker, would the gentleman yield?

Mr. PRICE of Illinois. I yield to the gentleman from Nebraska.

Mr. MARTIN of Nebraska. Mr. Speaker, I understand in the report that the executive branch of the Government requested these additional funds to be authorized in the supplemental in its letter to the committee of October 23, 1973. Therefore, it appears that the administration is solidly behind this legislation. Is that correct?

Mr. PRICE of Illinois. The gentleman is correct.

Mr. HANSEN of Idaho. Mr. Speaker, I am pleased to support the statement of the distinguished chairman of the Joint Committee on Atomic Energy and to join him in urging a favorable vote on H.R. 11216.

I believe that Mr. PRICE has effectively conveyed to you the content of this supplemental authorization request. The committee has carefully reviewed both the request for additional funding for the nuclear weapons program and for construction project 74–1–i, waste concentration and salt cake storage facilities at Richland, Wash.

As the committee has stated in its report, it is convinced that the funds requested by the AEC are necessary to fulfill requirements placed on the AEC by the Defense Department to meet national security objectives.

With respect to the construction project, I would observe that the wastes to be processed by and stored in the proposed facilities are primarily those resulting from the conduct of our nuclear weapons program. A very small portion, less than 1 percent, of these wastes have come from the processing of civilian nuclear power fuel.

The civilian nuclear power program is growing rapidly and significant quantities of wastes from that program need to be processed, placed in interim storage, and ultimately disposed of. The Commission has underway a program of study and development intended to devise appropriate methods for both interim and long-term storage of waste resulting from the civilian power program. This program is an entirely separate one from the program to process and store the very large accumulation of wastes which have accumulated over the past 25 years from the conduct of our nuclear weapons program. The early funding of project 74–1–i will permit an acceleration of the necessary concentration, solidification, and storage program for this byproduct of our weapons program.

As noted by Chairman PRICE, H.R. 11216 has been reported out by the Joint Committee without dissent. I join him in urging its passage.

Mr. PRICE of Illinois. Mr. Speaker, I move the previous question.

The previous question was ordered.

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

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

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

The bill was passed.

A motion to reconsider was laid on the table.

Mr. PRICE of Illinois. Mr. Speaker, pursuant to the provisions of House Resolution 694, I call up for immediate consideration the Senate bill—S. 2645—to amend Public Law 93–60 to increase the authorization for appropriations to the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes.

The Clerk read the title of the Senate bill.

The Clerk read the Senate bill, as follows:

S. 2645

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 101(a) of Public Law 93–60 is hereby amended by striking therefrom the figure "$1,740,750,000" and substituting the figure "$1,751,450,000".

SEC. 2. Section 101(b) of Public Law 93–60 is hereby amended by adding to subsection (b)(1) the following words: "Project 74–1–i, additional waste concentration and salt cake storage facilities, Richland, Washington, $30,000,000."

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

Mr. PRICE of Illinois. I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Speaker, may I ask, is the Senate bill verbatim with the bill the House has just considered?

Mr. PRICE of Illinois. Mr. Speaker, it is an identical bill.

Mr. GROSS. Mr. Speaker, I thank the gentleman.

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

A similar House bill (H.R. 11216) was laid on the table.

GENERAL LEAVE

Mr. PRICE of Illinois. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill just passed.

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

There was no objection.

PROVIDING FOR CONSIDERATION OF H.R. 11333, INCREASE IN SOCIAL SECURITY BENEFITS

Mr. MATSUNAGA, from the Committee on Rules, reported the following privileged resolution (H. Res. 695, Rept. No. 93–631), which was referred to the House Calendar and ordered to be printed:

H. RES. 695

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 11333) to provide a 7-percent increase in social security benefits beginning with March 1974 and an additional 4-percent increase beginning with June 1974, to provide increases in supplemental security income benefits, and for other purposes, and all points of order against said bill for failure to comply with the provisions of clause 4, Rule XXI are hereby waived. After general debate, which shall be confined to the bill and shall continue not to exceed three hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means, the bill shall be considered as having been read for

amendment. No amendment shall be in order to said bill except amendments offered by direction of the Committee on Ways and Means and an amendment proposing to strike out the provisions on page 11, lines 11 through 22 of said bill, and said amendments shall be in order, any rule of the House to the contrary notwithstanding, but said amendments shall not be subject to amendment. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. MATSUNAGA. Mr. Speaker, I call up House Resolution 695 and ask for its immediate consideration.

The Clerk will report the resolution.

The Clerk read the resolution.

The SPEAKER. The question is, Will the House now consider House Resolution 695?

The question was taken; and, two-thirds having voted in favor thereof, the House agreed to consider House Resolution 695.

The SPEAKER. The gentleman from Hawaii (Mr. MATSUNAGA) is recognized for 1 hour.

Mr. MATSUNAGA. Mr. Speaker, as in the case of the preceding rule, I realize that we are employing an unusual procedure, calling up the rule on the day that it was reported out by the Committee on Rules. But we are here dealing with an urgent matter, a matter which, unless acted upon, will mean the postponement of the effective date of the increase for social security beneficiaries. Such postponement would mean continued undue hardship for millions of Americans on fixed income who have been unable to cope with the increased cost of living during the last few months.

We have before us a proposal of a two-step increase, a 7 percent increase beginning March of 1974, and an additional 4 percent increase coming in June of 1974. Unless the bill is passed before we go into the Thanksgiving recess, it may mean a postponement of several months of desparately needed additional benefits. We have been assured that the proposed increase is actuarially sound. It was because the Committee on Ways and Means had assured the Committee on Rules that the pending bill would be expeditiously reported to the House that a previous proposal on another bill by way of an amendment was turned down. We now have the opportunity to pass the awaited bill, H.R. 11333.

I wish to inform my colleagues that only the rule will be taken up today. The bill itself, H.R. 11333, will be debated sometime tomorrow and the vote on it will be taken on Thursday because it was scheduled for Thursday.

Mr. Speaker, the resolution before us provides for a modified closed rule, permitting only committee amendments and an amendment to be offered by the gentlewoman from Michigan (Mrs. GRIFFITH) to strike out lines 11 through 22 on page 11 of the bill. All other amendments would be subject to a point of order.

Mr. Speaker, I urge the adoption of the pending resolution so that the House may begin consideration of H.R. 11333 tomorrow.

I now yield 30 minutes to the gentleman from Nebraska (Mr. MARTIN).

Mr. MARTIN of Nebraska. Mr. Speaker, House Resolution 695 provides for 3 hours of debate on H.R. 11333, a bill to increase social security benefits. It waives points of order to comply with the provisions of clause 4, rule XXI, dealing with appropriations in a legislative bill. It permits one amendment to be made, I understand, by the gentlewoman from Michigan (Mrs. GRIFFITHS) to the bill.

The bill would increase benefits to start next March 4, 1974, by 7 percent and effective June 1, 1974, by 4 percent. It also provides for an increase in supplemental social security income from $130 to $140 for a single individual and from $195 to $210 for a couple, effective January 1974.

That is one of the reasons why the gentleman from Hawaii (Mr. MATSUNAGA) called up this resolution so that we could get the bill up before the Thanksgiving recess later this week, because it takes the Social Security Administration, with its computer system, at least 60 days in order to make change-overs. If this bill is not acted upon before the Thanksgiving recess this week, it would not be possible to put this part of the program into effect on the 1st of January.

In addition, it provides for additional pay-ins to the social security fund by those on the payroll on which taxes are paid into the fund, from a maximum earning amount of $12,600 to $13,200 as of January 1, 1974.

Mr. SYMMS. Will the gentleman yield?

Mr. MARTIN of Nebraska. I yield to the gentleman.

Mr. SYMMS. I would like to ask a couple of questions.

Would this rule allow a person under age 72 to offer an amendment to increase the earnings limitation placed on social security recipients be able to do so?

Mr. MARTIN of Nebraska. It would not be in order.

Mr. SYMMS. It would not be in order?

Mr. MARTIN of Nebraska. That is right.

Mr. SYMMS. Could the gentleman further tell me, if he will yield further, if the members of the Committee on Ways and Means who have proposed this legislation in that committee have had an opportunity to know this rule is being debated here now?

Mr. MARTIN of Nebraska. I could not answer the gentleman's question on that. We were notified in the Committee on Rules that this rule would come back, and whether members of that committee were notified I do not know. I understand the bill will not be debated until tomorrow.

Mr. SYMMS. I was wondering if the gentleman from Hawaii would know if the members of the Committee on Ways and Means are aware of the fact that this rule is now being debated.

Mr. MATSUNAGA. This is a rule requested by that committee. I take it there is no objection to the rule itself. As I stated earlier, the bill itself will not be debated today.

Mr. SYMMS. If the gentleman will yield further, I happen to know the gentleman from Texas (Mr. ARCHER) wrote a very intelligent and enlightened minority view about this particular piece of legislation, and he is not here.

CALL OF THE HOUSE

Mr. SYMMS. With that in mind, Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. McFALL. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

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

[Roll No. 580]

Adams	Diggs	Mathias, Calif.
Armstrong	Dingell	Mills, Ark.
Blackburn	Donohue	Murphy, N.Y.
Brademas	Esch	Nichols
Brown, Ohio	Evins, Tenn.	Nix
Buchanan	Fraser	O'Hara
Burke, Calif.	Frenzel	Patman
Butler	Gray	Powell, Ohio
Carey, N.Y.	Gubser	Railsback
Chappell	Hanna	Reid
Clark	Hansen, Wash.	St Germain
Clausen, Don H.	Harsha	Shipley
	Holifield	Steiger, Wis.
Clay	Jarman	Stephens
Cohen	Jones, Ala.	Stuckey
Conte	Keating	Sullivan
Crane	King	Teague, Tex.
Davis, Ga.	Kluczynski	Tiernan
Davis, Wis.	Landrum	Young, Alaska
Dellenback	Lent	
Dellums	Mann	

The SPEAKER. On this rollcall 373 Members have answered to their names, a quorum.

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

PERSONAL EXPLANATION

Mr. DAVIS of Georgia. Mr. Speaker, I had my hand up and I was in the Chamber on this past rollcall, but I was not recorded.

The SPEAKER. The gentleman's statement will appear in the RECORD.

The Chair under the present practices of the House is without authority to change the vote or announcement of a quorum after the result is announced.

Mr. DAVIS of Georgia. I had my hand up, Mr. Speaker.

The SPEAKER. The Chair apologizes if he did not see the gentleman, but the Members make their presence known by addressing the Chair. That is the only manner in which the Chair has a right to recognize a Member.

Mr. DAVIS of Georgia. Mr. Speaker, that is the manner this Member followed.

The SPEAKER. Did the gentleman take the microphone and address the Chair?

Mr. DAVIS of Georgia. No. I did not take the microphone. I was in the Chamber. I do not know of any rule that requires the Member to take a microphone.

The SPEAKER. The gentleman must address the Chair.

Mr. DAVIS of Georgia. I did.

The SPEAKER. The Chair went 3 min-

utes beyond the 15-minute minimum time. The Chair does not have the authority to recognize the gentleman to make this request.

Mr. DAVIS of Georgia. There is no rule.

The SPEAKER. The precedent has been established with respect to numerous Members of the House under both the old rollcall system and the new electronic system. The gentleman can state that he was present and the House knows the gentleman was present and his statement will appear immediately following the announcement of the Members recorded as present.

Mr. DAVIS of Georgia. Mr. Speaker, is there anything in the rules about a microphone?

The SPEAKER. It is only for the purposes of facilitating the action of the House, that is all, so that the Chair will see Members, but the Chair looked around the Chamber before announcing the result.

Mr. DAVIS of Georgia. I will state this Member had his hand up.

The SPEAKER. The gentleman's remarks will appear in the RECORD.

Mr. DAVIS of Georgia. That is not important, I was in the Chamber. I tried to answer the roll.

Mr. Speaker, I will not be intimidated by regular order requests. I was in the Chamber.

The SPEAKER. The gentleman's remarks that he was in the Chamber, that he was holding up his hand in the Chamber, that he was seeking recognition of the Chair, will appear in the RECORD; but the gentleman cannot be recorded, nor can any other Member, under the practices of this House, if he is not recorded before the vote or rollcall is announced. The Chair has announced this policy on numerous occasions—including April 18, May 10, and June 6 of this year.

The Chair is bound by those rulings and the Chair is going to stand by this ruling, unless overruled by the House. The gentleman's statement will appear in the RECORD.

PROVIDING FOR CONSIDERATION OF H.R. 11333, INCREASE IN SOCIAL SECURITY BENEFITS

Mr. MARTIN of Nebraska. Mr. Speaker, I have no further requests for time, and I reserve the balance of my time.

Mr. MATSUNAGA. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. BURTON).

Mr. BURTON. Mr. Speaker, first I would like to state that I think, given the time constraints, that the Committee on Ways and Means has enacted essentially a very thoughtful set of changes to the Social Security Act. However, there is one aspect of this procedure that is potentially disturbing, so that the record can be clear in this one respect, I would like to pose a question to the distinguished gentleman from Oregon (Mr. ULLMAN) the acting chairman of the committee. The question I pose is this:

As I understand the rules of the majority party caucus, there are certain procedures clearly delineated to be followed in the event a closed rule is to be sought. As I understand, the gentleman from Oregon indicated to the Rules Committee that because of this unexpected time crunch and for that reason only, that the seeking and obtaining of a closed rule in this one instance is not intended in any way, nor should it be considered to be a precedent for any future such effort by any committee to seek a closed rule without complying with whatever the ground rules as explicitly stated in the caucus recommends.

Is that essentially a fair statement of the situation?

Mr. ULLMAN. Mr. Speaker, let me say to my friend from California that the sole motivation of the Committee was to meet the timetable that was before the Congress. It certainly is not our intention to change any rules or procedures of any institution in this body, but we were under a time frame of action that demanded that we go to the Rules Committee and get a rule immediately.

I say to the gentleman that we have no present intention but to get this bill passed just as expeditiously as possible.

Mr. BURTON. Mr. Speaker, as I understand the gentleman's response, it is in no way his intention, nor should it be construed by anyone in terms of establishing a precedent in overriding the rule I referred to earlier, is that correct?

Mr. ULLMAN. Yes.

Mr. FROEHLICH. Mr. Speaker, will the gentleman from Hawaii yield for a question?

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

Mr. FROEHLICH. Mr. Speaker, as I understand this rule, it is really a closed rule. Will the bill itself prevent a reduction in veterans benefits because of the social security increase in the bill?

Mr. MATSUNAGA. Mr. Speaker, I will say to the gentleman that we are not here proposing a strict, closed rule. It is truly a modified closed rule, we are asking. Amendments may be offered by the direction of the Committee on Ways and Means along with the Griffith amendment which is specifically made in order. All other amendments will be ruled out of order.

Mr. FROEHLICH. Mr. Speaker, as I understand the bill, it does not include a saving clause of veterans benefits because social security is being increased, and an amendment to that effect will not be in order because this is a closed rule?

Mr. MATSUNAGA. Such an amendment will not be in order.

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

Mr. MATSUNAGA. I yield to the gentleman from Oregon.

Mr. ULLMAN. Mr. Speaker, the gentleman knows of course his problem does not lie within the jurisdiction of the Ways and Means Committee. As a matter of fact, in July when we were faced with a very similar problem in conference, we brought up an amendment to the floor which created a great problem with the Committee on Veterans Affairs, which does have jurisdiction. I would point out that there is a time factor involved that gives this body plenty of time for the Committee on Veterans Affairs to bring a bill to bear on the problem. I will say that I very much hope and trust that it will be done, because the gentleman and I both want veterans who are receiving veterans benfits to receive this increase.

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

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

Mr. MAHON. Mr. Speaker, I would like to ask what effect this will have on revenues for the current fiscal year.

Mr. MATSUNAGA. Mr. Speaker, the House earlier in the year approved an extensive saving of $268 million, that will permit increased spending.

Mr. MAHON. As the gentleman knows, we are operating under the so-called unified budget. My question is to what extent will increased spending be taken care of by increased revenues that will accrue as a result of this bill?

Mr. MATSUNAGA. It is my understanding, as reported to the Rules Committee by the chairman of the Ways and Means Committee, that the increases will not in any way disturb the actuarial basis, and the increases are within sound actuarial bounds.

Mr. MAHON. Mr. Speaker, I am not asking the question as to whether or not the fund will be actuarially sound. What I am asking is, will this bill increase spending in this fiscal year by about the same amount as the revenue it will produce?

Mr. MATSUNAGA. Mr. Speaker, I might say this to the gentleman from Texas: We are not now considering matters pertaining to the bill itself; we are considering only the rule now. The bill will not be taken up until tomorrow.

So if there are any questions as to the merits of the bill, I would appreciate the withholding of such questions until the bill is taken up tomorrow. There is no objection to the rule itself from any of the Members of the Committee on Ways and Means.

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

Mr. MATSUNAGA. I yield to the gentleman from Oregon.

Mr. ULLMAN. Mr. Speaker, I would say in response to the question asked by the gentleman from Texas that the fiscal impact on the 1974 budget is $1.1 billion.

Now, I would also point out that this is only because we have a unified budget. The trust funds are contributing surpluses to the overall budget situation this year.

As a matter of fact, it is only because of the trust fund contributions that we have covered up a $15 billion Federal deficit, which is what we had in the current budget, even though it should come out pretty well balanced.

But the deficit is not caused by the trust funds.

We have been very careful to make sure that this is actuarially sound. As a matter of fact, we are putting social security on a much sounder footing than we would if we would not enact this.

In answer to the question, yes, there will be a $1.1 billion impact on the 1974 budget.

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

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

Mr. MAHON. Mr. Speaker, let me be sure I understand this.

Does the gentleman mean it will increase the deficit by $1.1 billion for this fiscal year?

Mr. ULLMAN. The gentleman is correct.

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

Mr. MATSUNAGA. I yield to the gentleman from Iowa. However, if the gentleman has any questions pertaining to the bill itself, I would appreciate his postponement of those questions until tomorrow.

Mr. GROSS. Mr. Speaker, I question the remarks that were directed to the rule, and I will not take but a moment.

I listened carefully to the colloquy between the gentleman from California (Mr. BURTON) and the gentleman from Hawaii with respect to the precedent which this rule would or would not create.

Mr. Speaker, it will not create a new precedent, because this is a precedent that has been in effect for altogether too many years, for the last 10 or 15 years. The precedent is already established that the Committee on Ways and Means, for some reason known only to the Lord himself, always gets a closed rule on the amendments approved by the omnipotent Committee on Ways and Means to be considered on the floor.

Of course, this does not create a precedent. The precedent is already established. This is just perpetuating a bad precedent, a very bad precedent.

Mr. Speaker, I thank the gentleman for yielding.

Mr. MATSUNAGA. Mr. Speaker, I am glad the gentleman answered his own question. There will be no need for my answering the question, except that I disagree with the answer. What the gentleman from California (Mr. BURTON) was referring to is the relatively newly established requirement that the chairman of a committee must publish notice in the CONGRESSIONAL RECORD whenever he intends to seek a closed rule from the Rules Committee. Such notice was not published in this case. However, because of the urgent nature of H.R. 11333, the Rules Committee decided to grant the requested rule. This was done with the complete and unmistakable understanding that the action of the Rules Committee was in no way to be taken as setting a precedent. We are dealing with a purely isolated case calling for emergency treatment.

Mr. MARTIN of Nebraska. Mr. Speaker, I yield 2 minutes to the gentleman from Idaho (Mr. SYMMS).

Mr. SYMMS. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I would like to ask a question of the chairman of the Committee on Ways and Means.

Although it is not related specifically to the rule, I would like to ask the chairman, will an amendment pertaining to the social security earnings limitation be in order under this rule?

Mr. ULLMAN. Mr. Speaker, the answer is: No, not under the rule.

Mr. SYMMS. Mr. Speaker, I thank the gentleman for his answer. I am sorry it is no.

I think under those circumstances I intend to vote against the rule, because I would like to see this particular part of the social security legislation addressed by the House, and I see no other way to handle this without getting an open rule which would allow an amendment to increase the earnings limitation, on earnings which are so meager, for people who are trying to retire on social security, and can not—but are willing to work and are punished because they engage in productive human activity—known as work.

Mr. Speaker, this is indeed a sad, sorry situation and certainly is not in the best interests of the American people.

They should have an opportunity, I think, to earn more money in order to be able to draw more social security, so I will vote against the rule.

Mr. MARTIN of Nebraska. Mr. Speaker, I yield 1 minute to the gentleman from New York (Mr. PEYSER).

Mr. PEYSER. Mr. Speaker, I thank the gentleman for yielding.

I would like to address a question again to the gentleman from Hawaii. I want to be clear on one thing dealing with the question of veterans benefits, without getting into the rule itself.

Under the veterans benefits will there be time before this social security goes into effect for the Committee on Veterans' Affairs to make the necessary changes to protect the veterans? In other words, will we have an overlap here, as you see it, where veterans will not get the benefits that they are entitled to?

Mr. MATSUNAGA. Not being a member of the Committee on Veterans' Affairs and not having communicated with the chairman of that committee in that regard, I am not able to answer the gentleman's question.

Mr. PEYSER. I do not mean in any way to be critical of the gentleman.

Mr. MATSUNAGA. I may say this to the gentleman: the Committee on Veterans' Affairs will have until next March to do this.

Mr. PEYSER. In other words, that legislation would have to be passed prior to the March date?

Mr. MATSUNAGA. Prior to the effective date of this act.

Mr. PEYSER. At this time I will say I hope the House will stay in session long enough to get this legislation passed and not do it the way it did the last time when veterans ended up being penalized. This is a typical example of why I feel we should not be taking our 11-day Thanksgiving vacation. This and other vital legislation needs to be finished.

Mr. MATSUNAGA. I am in full sympathy with the gentleman's views.

Mr. MARTIN of Nebraska. Mr. Speaker, I yield such time as he may use to the gentleman from Wisconsin (Mr. FROEHLICH).

Mr. FROEHLICH. Mr. Speaker, although I am not going to oppose this rule at this time, because of the great need for an upward adjustment of social security benefits, I am, for the record, going to express my strong opposition to the closed rule being used in this instance. What we need is an open rule, with a waiver of germaneness as to veterans' benefits, so that the following could be accomplished on the floor by amendments:

First, an increase of more than 7 percent and 4 percent in the benefits paid at the lowest level, or a straight across-the-board increase to all beneficiaries in lieu of a percentage increase, in order to give extra assistance to the elderly people who need additional income most;

Second, an increase in or a total elimination of the earnings limitation on the earned incomes of social security beneficiaries so that earned income will be treated substantially the same as dividends, interests, and rents, in order to aid those who are without assets and must work to supplement their social security benefits;

Third, a contribution to the trust fund, on an actuarial basis, from the general fund, to cover the cost of the increased benefits to those already retired, and those soon to be retired, so that enrollees in the social security program who are presently employed would not have to pay the full cost of increases in benefits for those already retired; and,

Fourth, a protection for veterans and their beneficiaries against reductions in pensions and losses of pensions as a result of increases in social security benefits.

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

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. MATSUNAGA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the resolution just passed.

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

There was no objection.

PERMISSION FOR COMMITTEE ON RULES TO FILE A REPORT AND RULE ON H.R. 7130

Mr. MATSUNAGA. Mr. Speaker, I ask unanimous consent that the Committee on Rules may have until midnight Wednesday to file the rule and the report on the bill H.R. 7130.

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

There was no objection.

APPOINTMENT OF CONFEREES ON H.R. 5874, FEDERAL FINANCING BANK

Mr. ULLMAN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 58) to establish a Federal Financing Bank, to provide for coordinated and more efficient financing of Federal and federally assisted borrowings from the public, and for other purposes, with a Senate amendment thereto, disagree to the Senate amendment, and agree to the conference requested by the Senate.

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

Mr. ROUSSELOT. Mr. Speaker, reserving the right to object, how much different is this bill from that which has come back from the Senate?

Mr. ULLMAN. If the gentleman will yield, in no major respect. There are two elements in question. We are hoping that our view will prevail.

Mr. ROUSSELOT. What are those differences?

Mr. ULLMAN. The main point in contention is the one of the guaranteed loans. The other body wanted to include that under the new office of a Federal Financing Bank. It is our judgment that guaranteed loans should not be included at this time, but, rather, at some later time when we may bring them in. We feel rather strongly about that. As far as I am concerned, the House conferees will insist on that.

Mr. ROUSSELOT. What is the other point in contention?

Mr. ULLMAN. They had another agency that they had exempted. I do not have the details on it, but there is another Federal agency.

Mr. ROUSSELOT. You mean it would be exempt from it?

Mr. ULLMAN. From the bill.

Mr. ROUSSELOT. Could we know what that agency is? One of the big reasons for this was to make sure the Treasury Department and this agency under it would control all of this loose financing that is now going on.

How much is that?

Mr. ULLMAN. I would hope the gentleman from California would not hold me to that, but to the best of my knowledge it is the Farm Credit Administration that they want to exempt from the provisions of this bill.

Mr. ROUSSELOT. How much financing do they do in the open market?

Mr. ULLMAN. I am afraid I am not in a position to respond to the request of the gentleman. But I can reassure the gentleman again that the House feels quite strongly on this measure, and we will try to uphold the position of the House.

Mr. ROUSSELOT. In other words, the position of the House will be to include this Agency, Is that correct?

Mr. ULLMAN. As far as I know, the bill that we did pass in the House included the Agency. They are attempting to take the Agency out from under the bank.

Mr. ROUSSELOT. And the House, if this motion prevails, the House will be insisting on that position?

Mr. ULLMAN. All we are doing here now is going to conference.

Mr. ROUSSELOT. I understand that.

Mr. ULLMAN. When we appoint the conferees we will certainly attempt to uphold the position of the House.

Mr. ROUSSELOT. As the gentleman knows, I am not too excited about the creation of this additional bureaucracy, and I firmly believe we could give the authority to the Treasury and it could accomplish most of what we have tried to do. But if the gentleman will assure me that he will make every effort to make sure that we do not have a lot of exclusions from this particular attempt to coordinate, I would appreciate that.

Mr. ULLMAN. The gentleman from California understands that I can only speak for myself as a conferee, but certainly as a member of the conference I will do my very best to uphold the position of the House.

Mr. ROUSSELOT. Mr. Speaker, I thank the gentleman for those comments.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Oregon? The Chair hears none, and appoints the following conferees: Messrs. ULLMAN, BURKE of Massachusetts, Mrs. GRIFFITHS, and Messrs. SCHNEEBELI and COLLIER.

CHANGE IN LEGISLATIVE PROGRAM

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

Mr. O'NEILL. Mr. Speaker, in announcing the schedule for tomorrow, may I say that the social security bill will be up tomorrow, and we will do as much of the general debate as we possibly can, but the vote on it will be taken on Thursday.

We are following along with the schedule as announced, except that we have already taken care of the AEC, which has already been taken up and is now out of the way.

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

Mr. O'NEILL. I yield to the gentleman from Iowa.

Mr. GROSS. The gentleman was not following the announced schedule when the AEC was called up. The social security bill was programed for Thursday.

Mr. O'NEILL. I understand that, and I stated that when we complete the schedule for tomorrow we will bring up for general debate the social security bill with the vote being taken on the social security bill on Thursday.

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

Mr. O'NEILL. I yield to the gentleman from California.

Mr. GROSS. Mr. Speaker, if the gentleman would yield further to me so that I might complete my inquiry.

Mr. O'NEIL. I will again yield to the gentleman from Iowa.

Mr. GROSS. Mr. Speaker, may I ask the gentleman from Massachusetts why the vote on the social security bill would be postponed then?

Mr. O'NEILL. Because we do not anticipate that we can finish the bill by tomorrow. As the gentleman from Iowa knows, it had originally been scheduled for Thursday, and thus that the vote would be taken on Thursday, and so the vote will be taken on Thursday.

I now yield to the gentleman from California.

Mr. ROUSSELOT. Mr. Speaker, may I ask the gentleman from Massachusetts how many more surprises we are going to have? Will we have things coming in under suspension of the rules, and other things? I know that there are a lot of the Members who are anxious to wind things up, but I think in deference to the Members of the House having adequate notification of these matters, I wonder how much more of this procedure can we expect.

Mr. O'NEILL. Of course, as the gentleman from Califfornia knows, the Labor-HEW conference report was sent back to conference today, and that left the House with 2 or 3 hours available. So it was thought best, from the leadership on both sides of the aisle, that we could utilize that time. Some of the matters were not of tremendous import, and while some were of importance, we felt that they could readily be brought before the House in an effort to use part of the time available. We did so by a two-thirds vote. We knew of no objections, and there were no objections, and for that reason we brought the matters up. I do not believe that this was so serious.

Mr. ROUSSELOT. Are there going to be any further major bills that we will have for consideration here by surprise, or under suspension of the rules?

Mr. O'NEILL. We will attempt to follow the schedule as announced, exactly.

Mr. MARTIN of Nebraska. Mr. Speaker, will the gentleman yield?

Mr. O'NEILL. I yield to the gentleman from Nebraska.

Mr. MARTIN of Nebraska. I should like to ask the gentleman when may we expect to have the military construction appropriation bill up, then—on Thursday?

Mr. O'NEILL. Thursday.

EMERGENCY PETROLEUM ALLOCATION ACT OF 1973

Mr. STAGGERS. Mr. Speaker, I call up the conference report on the Senate bill (S. 1570) to authorize the President of the United States to allocate crude oil and refined petroleum products to deal with existing or imminent shortages and dislocations in the national distribution system which jeopardize the public health, safety, or welfare; to provide for the delegation of authority to the Secretary of the Interior; and for other purposes, and ask unanimous consent that the statement of the managers be read in lieu of the report.

The Clerk read the title of the bill.

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

Mr. HAYS. Mr. Speaker, reserving the right to object, I should like to ask the

distinguished gentleman from West Virginia a question. There is not anything in his bill about rationing of gasoline?

Mr. STAGGERS. No, sir.

Mr. HAYS. This is a mandatory allocation of what—fuel oil?

Mr. STAGGERS. Fuel oil and petroleum distillates and propane gas.

Mr. HAYS. I thank the gentleman.

Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the statement.

(For conference report and statement see proceedings of November 10, 1973.)

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

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

Mr. ROUSSELOT. Mr. Speaker, reserving the right to object, how many changes have we got here?

Mr. STAGGERS. I intend to elaborate on the differences.

Mr. ROUSSELOT. Will there be elaboration on all the circumstances?

Mr. STAGGERS. There are very few changes. It is mostly the House bill as we had it in the House.

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

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

There was no objection.

The SPEAKER. The gentleman from West Virginia is recognized.

Mr. STAGGERS. Mr. Speaker, with relatively few substantive amendments, the committee of conference has agreed to accept the House bill. Let me comment briefly on the most significant matters agreed to in conference.

As the Members will recall, the House bill proposed to require that the President implement a comprehensive mandatory allocation program providing for the compelled distribution of crude oil, residual fuel oil, and refined petroleum products in a manner which comports with certain congressionally defined objectives. This was to be accomplished within a very short time frame; the President was required to promulgate the program within 10 days of enactment and implement it 15 days thereafter. Your conferees have agreed to a number of amendments which relax the rigid timing requirements contained in the House bill. For example, the President would be given an additional 5 days in order to promulgate the proposed program. Moreover, the President will be permitted to delay the effective date of the program for an additional 15 days with respect to gasoline and with respect to those products already subject to mandatory controls under the Economic Stabilization Act in circumstances where delay is necessary to permit an orderly transition to the allocation program called for in this legislation.

A number of amendments have been made to permit the President additional flexibility in implementing this program. Most important of these is the addition of authority to exempt a product from the mandatory allocation program should the President find that it is no longer in short supply. Under the mechanisms worked out by the conferees, however, provision is made to allow either House of the Congress, by resolution, to override the President's determination and prevent the exclusion from the allocation program of a particular product.

Another amendment deserves special comment. When the House bill was considered on this floor, several Members argued that the program would be unnecessarily complex and administratively burdensome if it were to require allocations of crude oil from producers. Others suggested that such allocations would be necessary to make the program work. A great deal of time in the conference was dedicated to arriving at a resolution of these opposing views. Your conferees believe that the substitute contains a workable compromise.

By its terms, the President would not be required to compel allocations at the producer level if he makes a positive finding that allocations at that level—whether on a national, regional, or case-by-case basis—are unnecessary to accomplish the objectives of the act. The President would, nevertheless, be required to establish equitable prices at the producer level and is given clear authority to compel allocations at that level should he determine, at any time, that it is necessary for him to do so.

Mr. Speaker, I believe the committee of conference has reported a good bill. As I noted, it departs in only minor ways from the House-passed bill and these are principally designed to build in a little more flexibility into the statutory program. In my opinion it does no violence to the clearly defined objectives of this legislation. I strongly urge the House to agree to the conference report.

Mr. COLLINS of Texas. I want to emphasize this. That while I was sitting in the conference I observed that all of the House conferees were very much concerned with whether the House provisions prevailed or the other body's provisions would be the basis of the bill. The chairman of our conference was the chairman of our House Interstate and Foreign Commerce Committee and he did an excellent job as chairman. In the final conference bill we have about 97 percent of the House version. Some excellent changes, were made that came from the Senate, just as the gentleman from West Virginia has said. All changes strengthened the bill because they provided much needed flexibility, which is absolutely necessary.

As everyone knows, this particular bill does not provide one single additional barrel of oil. This is nothing but an allocation bill, and because it allocates shortages it has many, many problems.

One conference improvement is to provide more flexibility in allocation of the crude oil right at the well. Another major improvement was language to help the refineries. Refineries are the basic place for oil assembly, processing and allocation. This bill provides for interrefinery adjustments to take care of the smaller refineries and in places where we had confrontations it basically meets the issue.

This oil allocation is going to be a most difficult process. I do not know whether all our colleagues realize fully what we will be facing within the next 6 months, but one thing that was raised in our conference is something I think we should think about. One of our colleagues in the other body said he thought the emphasis should be on residential fuel oil being given top priority. This is a basic question as we get into oil allocations. Will we, in turn, give emphasis to the fuel oil for residences at the expense of jobs in industry?

This bill does not in any way solve these oil shortages. This House yesterday took a tremendous step forward when we passed the Alaska pipeline bill and we will pass other bills from time to time to provide encouragement for more domestic oil production. We should give larger tax depletion allowances, plus removal of price control at the wellhead for new gas discoveries.

I was completely opposed to this oil allocation bill when we passed it in the House and I still am. But I want to say this is the best bill that could have come out of our conference. I was amazed and enthused as I never anticipated that we would have such a successful conference report to submit to you. Members of the House as well as the other body are all to be congratulated on this conference report on oil allocation.

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

Mr. COLLINS of Texas. I yield to the gentleman from Texas.

Mr. KAZEN. Was it my understanding from the remarks made by the chairman awhile ago that this bill gives the President authority to set prices?

Mr. COLLINS of Texas. If the gentleman will yield, the price situation I think continues as it was.

Mr. STAGGERS. The answer is that it required equitable prices to be set.

Mr. KAZEN. Does it give them any taxing authority?

Mr. COLLINS of Texas. I never heard that question raised.

Mr. STAGGERS. If the gentleman will yield, it does not.

Mr. KAZEN. It does not. I thank the gentleman.

Mr. TAYLOR of North Carolina. Mr. Speaker, will the gentleman yield?

Mr. STAGGERS. I yield to the gentleman from North Carolina.

Mr. TAYLOR of North Carolina. Mr. Speaker, I would like to direct a question to the chairman of the full committee. When this legislation was considered on the floor last October the chairman submitted a question to the industries which must obtain natural gas or propane gas for survival. I listened to the amendment when it was offered and it was a very valuable amendment. Is that still in the conference report?

Mr. STAGGERS. It is still in the conference report. The Senate receded. It is still in the bill.

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

Mr. COLLINS of Texas. I yield to the gentleman from Iowa.

Mr. GROSS. Is there anything in this bill that is not germane?

Mr. COLLINS of Texas. As far as I know, everything is completely germane.

Mr. STAGGERS. That is correct. We did not accept things that were not germane.

Mr. COLLINS of Texas. I may say our chairman was very firm about that with the other body. Our colleagues supported him.

Mr. SCHERLE. Mr. Speaker, will the chairman yield for a question?

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

Mr. SCHERLE. I wonder if the chairman can tell me why we are still in the process of sending fuel and oil overseas? In the present critical situation in the United States are we making allocations for countries overseas?

Mr. STAGGERS. I would say this, that the bill I think takes care of the situation. We say all crude oil, residual oil, and refined petroleum products must be totally allocated within the United States to the exclusion of exports if domestic requirements are not satisfied. So this would preclude any oil being shipped out unless such exports were consistent with the objectives of the bill.

Mr. SCHERLE. Mr. Speaker, will the chairman yield?

Mr. STAGGERS. I yield to the gentleman.

Mr. SCHERLE. I am primarily interested in how much oil produced here in the United States is now being shipped outside the continental limits.

Mr. STAGGERS. I do not know, but I do know that all that is produced in this country will be allocated to meet our needs.

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

Mr. STAGGERS. I yield to the gentleman.

Mr. MACDONALD. There is a flat prohibition in the bill that oil cannot be exported from the United States during this period, a flat prohibition in the bill. Under our relations with Canada, it must be exchanged now and then, but the exporting of oil from the United States to a foreign country because it is more profitable is flatly prohibited.

Mr. SCHERLE. How about foreign oil products?

Mr. MACDONALD. It is the same thing.

Mr. STAGGERS. It is the same thing.

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

Mr. STAGGERS. I yield to the gentleman from Georgia.

Mr. FLYNT. I was interested in that portion of the colloquy between the gentleman from West Virginia and the gentleman from North Carolina (Mr. TAYLOR) about the mandatory allocation of natural gas and propane gas to industries and companies to whom such allocation would be necessary if they are to survive.

My question is this. There is at least one company and probably others that I know of which require a certain amount of distillates in order to remain in business. The one company that I have particular reference to at this time is one which uses distillates, a large quantity of distillates in welding processes.

I wonder if the company could show that a continued source of supply of distillates is necessary to economic survival of that company, if they could be guaranteed the necessary amount of distillates under this bill?

Mr. STAGGERS. We have retained in the conference substitute exactly what we had on that when the bill passed the House.

For instance, in the allocation of propane gas under the Stabilization Act, the President did not take into consideration the petrochemical industry's needs. I think this is a question that Mr. TAYLOR addressed himself to—we have changed that and we make it mandatory that they would be taken into consideration. The President's program would have to be modified appropriately. I am not sure whether this is what the gentleman was talking about.

Mr. FLYNT. The distillates would be covered as well as natural gas and propane gas?

Mr. STAGGERS. Not natural gas, but propane gas.

Mr. FLYNT. Distillates are included?

Mr. STAGGERS. Yes. Distillates must be allocated under this bill to accomplish defined objectives including the protection of the public welfare and the minimization of economic distortion. It is expected that the President in allocating distillates and other products under the bill will take care to assure that the allocation program will not result in large scale closings of any industry, significant unemployment or serious economic stress.

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

Mr. STAGGERS. I yield to the gentleman from Tennessee.

Mr. FULTON. Mr. Speaker, I want to ask whether the needs of the petrochemical industry are taken into consideration in the conference substitute. Could the gentleman tell me where this language was included in the conference report?

Mr. STAGGERS. All I can say, this bill does require these needs to be considered. The President must find an equitable balance in allocating products to meet this industry's needs and to otherwise accomplish the objectives of this act.

I yield 5 minutes to the gentleman from Texas (Mr. PICKLE), a member of the committee.

Mr. PICKLE. Mr. Speaker, I appreciate the chairman yielding me this time. The presentation of this conference report comes a little earlier than most of us thought it would be, and I think it caught the chairman by surprise. I find that I am being allocated some time just like they will be allocating on fuel.

However, I do have a question or two to ask, because with all my deep concern about the way this bill originated and the position taken when the House voted on this measure recently. The gentleman from Arkansas (Mr. HAMMERSCHMIDT) had offered an amendment which said, in effect, that where a person or a municipality was cut off from the normal supply of fuel due to an order of a State or Federal agency, that the President may in his discretion take into consideration this fact and make available such fuels as might be required to run that municipally or investor-owned facility.

That would apply to a great many situations of Arkansas or the Midwest area, but it does not cover situations which have happened in my city of Austin, Tex., where we have been on curtailment now off and on all last winter. We are entering into the same curtailment now.

I noticed in the report on page 12 that the committee makes comment about the situation, and in effect it is saying that the President is expected to also make fuel or oil available to a municipality or to a river authority where, even though it had not been brought about by an order of a State or Federal agency, but because they had been cut off, because of an unreliable supplier and the effect is the same, that that city would not be limited to their base at the base period of 1972; and then the President can take into consideration that they have no history of fuel oil, as my city did, except for only 1 month of 1972, and we therefore must be given some relief.

Now, is that the intent of the report? I was hoping it would be made stronger.

Mr. STAGGERS. Mr. Speaker, that is true. It was considered by the conferees and discussed before the conference.

Mr. PICKLE. Mr. Speaker, I hope this is clearly understood by all the conferees, because here we are talking about Colorado River Authority, and the cities of Austin and San Antonio being cut off, because they have no history, and unless they do get it, they would be just as badly hurt as the cities in the Midwest for whom it was intended.

Mr. Speaker, I would also make one other comment, which is that I am pleased to see some change was made with respect to allocating on the producer levels. It does not cover the subject in the manner in which my original amendment to the committee was offered; yet it does give some discretion for the consideration of how we would handle the allocation at the producer level. I think this is an improvement. Obviously, it would have been absolutely impossible to manage producer level allocation with 10,000 or 15,000 small producers. I believe it is a good step. I would have made it stronger and some would have made it weaker, but at least it is a recommendation the administration would be able to handle, so I think it is a good step. I commend the committee for that.

Mr. Speaker, I would say in conclusion, as far as my point is concerned, I have not looked with favor upon allocation of petroleum, or refined petroleum products. I have seen where the difficulties have arisen in the economic con-

trols. I prophesy that the same thing is going to happen in this particular area. I remind the House that we have given the President already full authority to carry out every one of these provisions. I think that they should have done this months ago if this need was as real and obvious as it is today.

The point is, though, that this legislation will not increase the supply of oil by one barrel. This is the weakness of this bill. Throughout the debate, Member after Member has addressed our committee's distinguished chairman, Mr. STAGGERS, and the distinguished member from Massachusetts (Mr. MACDONALD), asking if this industry or this group would be taken care of under the bill. Unfortunately the bill will not solve anyone's problems 100 percent. Everyone is going to be short. Hopefully, false hopes have not been created by this bill.

I can see that the House is going to vote this bill, even though I think that it could have been handled in a better approach. At least, the conference report recognizes some aspects of the problem faced in the oil and gas industry, and I commend the chairman for this recognition and for giving some relief in this conference report.

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

Mr. STAGGERS. I will be happy to yield to the gentleman from Pennsylvania.

Mr. DENT. Mr. Speaker, I just want to clarify one thing.

Apparently this new allocation program is not aimed at charging the present allocation program that is now in force?

Mr. STAGGERS. It would require the President to modify his existing programs to take into consideration many of the things that we felt needed to be taken into consideration, and had it continued the way it was, many industries would have to close, many industries in different categories across America.

Mr. DENT. Mr. Speaker, does the gentleman by this provision still limit so-called allocation to a State in accordance with the consumption of 1972?

Mr. STAGGERS. No. No; we do not. We do not limit it.

Mr. DENT. Mr. Speaker, I will say this to the gentleman from West Virginia (Mr. STAGGERS):

The thing that is very serious, taking into consideration all the homes in our State, is that because of the economic condition, thousands of our citizens are living in trailers, and they have already been told by the retailers and the fuel oil agencies that they are not going to get any allocation.

We have had some very cold weather. We have had some emergency cases already in the State.

Another thing is that they are not taking into consideration contracts on roadbuilding.

We have a brand new factory under construction for the Chrysler Corp., a multimillion dollar contract that has been let. They have been allocated 5500 gallons a month, and the contractor requires 75,000 gallons a month to finish the contract within the contract limitation time.

How do we get around that? Can we do it under these new regulations?

Mr. STAGGERS. Under our new regulations we give the President authority in any emergencies, and especially in heating oil for homes—and this is a home the gentleman is speaking about—to do just what the gentleman is requesting to be done.

Mr. DENT. Does the gentleman know how it is done now. If we have an emergency, these homes have to go to the Government, but they have had no guidelines. They have to send it into Washington, and we have not heard from them yet.

Mr. STAGGERS. I know. This, however, requires a different allocation procedure than at present in effect the Presidents allocation program for middle distillates and propane.

Mr. DENT. Mr. Speaker, I am satisfied that the gentleman is trying to do the right thing about it.

Mr. LONG of Louisiana. Mr. Speaker, will the gentleman yield?

Mr. STAGGERS. I yield to the gentleman from Louisiana.

Mr. LONG of Louisiana. Mr. Speaker, I will ask the gentleman, would the emergency power granted under this proposal relieve this situation?

The Federal Power Commission is requiring industries such as cotton gin industries and seasonal industries, as well as other manufacturing industries, to cut back on the use of natural gas and go to fuel oil. Naturally, they have no historical base on the use of fuel oil, and consequently it is going to take an emergency action on the part of the executive branch to remedy this situation or it will cause very serious damage.

Mr. STAGGERS. Mr. Speaker, in answer to the gentleman, I will say that in situations when, for instance, natural gas has been taken away, the President is required under the program here and under the rules we have set up, to take into consideration all of these industries and try to allocate the fuel as fairly as possible in order to keep industry running.

Mr. LONG of Louisiana. Under the proposed legislation the President would have the authority to do this for industries which have had, as a result of a Federal Power Commission order, to switch from natural gas to fuel oil?

Mr. STAGGERS. We would not only say he may do that, but he would be required to take this into consideration.

Mr. TREEN. Mr. Speaker, will the gentleman yield on the same point?

Mr. STAGGERS. I yield to the gentleman from Louisiana very briefly, because I believe we have answered most of the questions.

Mr. TREEN. Mr. Speaker, I was trying to get the gentleman's attention a while ago when the gentleman from Texas asked about those users of other fuels such as natural gas who were not required by some Government agency to go to another fuel.

Is it the gentleman's understanding under this bill that the intent would be that the President would be required to say to the users, for example, of natural gas, that because they could see a natural gas crisis coming or that natural gas would be an unreliable source, and because he is more or less under compulsion but not required to change to another fuel, that they would be treated just as if a Government order had required them to change to a different fuel?

Mr. STAGGERS. Mr. Speaker, in reply to the gentleman, I will say that he is required to take into consideration the equities here and to make allocations as he determines.

Now, we do not say to him how much, we do not set out any hard and fast rules. I do not believe we could do that for every industry and for every product in America. It would be impossible. It is not up to us to do that. The administration is required to develop the expertise, the knowledge to do this properly and they can get the expertise from all over America. We ask them to take into consideration this situation you are speaking of and take appropriate action.

Mr. TREEN. Mr. Speaker, I thank the gentleman.

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

Mr STAGGERS. I yield to the gentleman from Tennessee.

Mr. FULTON. Mr. Speaker, the conference report emphasises that "in expressing congressional concern with fostering competition in the petrochemical industry, the committee intends to also identify petrochemical feedstock needs as important end-uses for which allocation should be made."

I assume this means that petrochemicals in short supply, such as ethane, ethylene, and vinyls, which are important feedstocks for various industries. For some industrial uses as you know, there are no substitute materials that can be utilized in place of these scarce petrochemicals.

In the production of sound recordings, for example, there is no substitute for vinyls. Inability to obtain vinyls which is so essential to produce recordings, could result in great economic loss to my State of Tennessee.

I assume my interpretation of this section of the report is correct.

Am I right in assuming the interpretation of this section of the report is correct?

Mr. STAGGERS. I may say to the gentleman this bill identifies the petrochemical industry as important end-users of petroleum products. This bill requires the allocation of propane and other refined petroleum products including naptha and benzene when necessary to preserve and foster competition in the petrochemical industry. These are important feedstocks; but the bill does not go so far as to require specific allocation of derivative products such as propylene, xylene and ethylene. We tried to take care of the industry he is interested in. The record industry is a member of the petrochemical industry for which this bill seeks to obtain equitable treatment in a mandatory allocation program.

Mr. FULTON. I thank the gentleman.

Mr. WOLFF. Will the gentleman yield?

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

Mr. WOLFF. Do I understand this bill will cover the question of allocations of propane to bring some order out of the chaos that exists in that industry today where only under conditions of extreme hardship will there be allocations made and a definition of extreme hardship will be detailed and outlined? As it is now there are plants throughout this country that are closing, because they cannot get an allocation of propane, whereas beauty parlors and retail establishments are getting their allocations.

Mr. STAGGERS. That is one of the prime purposes of this bill. We did take into consideration certain uses of propane which were not provided for in the allocation order by the President under the Economic Stabilization Act. We included these needs because we realized that if they were not in there and not taken into consideration properly in the allocation program, there would be many industries that would have to close throughout America.

Mr. WOLFF. I thank the gentleman.

Mr. COLLINS of Texas. Mr. Speaker, I yield such time as he may use to the gentleman from New York (Mr. McEWEN).

Mr. McEWEN. I thank the gentleman for yielding.

I would like to inquire of the chairman of the committee as to one subject.

My own district has experienced a drastic shortfall in petroleum products, because of the June 15 embargo that Canada placed on these products. I have been critical of Canada, and I shall be before one of our committees tomorrow with some testimony that I will offer on the subject. I want to be sure in this bill we are not doing the same thing.

The gentleman from Massachusetts (Mr. MACDONALD) said something on this earlier. Are we still permitting the movement of petroleum products to Canada? We are not arbitrarily going to do what they did to us, are we?

Mr. MACDONALD. If the gentleman will yield, I will say the answer to that question is no. We are not prohibiting it. If you will look at page 21 of the report, you will see we put in specifically there the point that the gentleman is making so that the present economic relationships with regard to fuel and energy between both Mexico and Canada will not be disturbed. It will continue as it is now.

Mr. McEWEN in other words, there are areas in Canada and Mexico where traditionally they have gotten the products from this country?

Mr. MACDONALD. That is right.

Mr. McEWEN. And they will be protected on that?

Mr. MACDONALD. The energy aims of the United States, Mexico, and Canada will go on as they have in the past, because it is to our mutual benefit, to the benefit of both Mexico, Canada, and our own country. We specifically keep it in this bill as shown in the report on page 21.

Mr. McEWEN. I thank the gentleman.

Mr. COLLINS of Texas. Mr. Speaker, I yield such time as he may consume to the gentleman from Arkansas (Mr. HAMMERSCHMIDT).

Mr. HAMMERSCHMIDT. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, I wish to just take a minute to thank the chairman and the other conferees for retaining the provision in the House bill that was put in by an amendment that I offered, and which was subsequently adopted by the House. It does recognize that there must be full coordination between the Federal and State policies which control our energy so that the energy requirements of all of our citizens and industries can be protected.

Mr. STAGGERS. Mr. Speaker, I have no further requests for time.

Does the gentleman from Texas have further requests for time?

Mr. COLLINS of Texas. Mr. Speaker, I have no further requests for time.

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

The previous question was ordered.

The SPEAKER. The question is on the conference report.

Mr. COLLINS of Texas. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 348, nays 46, answered "present" 3, not voting 36, as follows:

[Roll No. 581]

YEAS—348

Abdnor	Byron	Eilberg
Abzug	Carey, N.Y.	Erlenborn
Adams	Carney, Ohio	Esch
Addabbo	Carter	Eshleman
Alexander	Cederberg	Evans, Colo.
Anderson, Calif.	Chamberlain	Evins, Tenn.
	Chappell	Findley
Andrews, N.C.	Chisholm	Fish
Andrews, N. Dak.	Clancy	Fisher
	Clark	Flood
Annunzio	Clay	Flowers
Arends	Cleveland	Flynt
Ashbrook	Cohen	Foley
Ashley	Collier	Ford, Gerald R.
Aspin	Collins, Ill.	Ford, William D.
Badillo	Conable	
Bafalis	Conyers	Forsythe
Baker	Corman	Fountain
Barrett	Cotter	Fraser
Bauman	Coughlin	Frelinghuysen
Bennett	Cronin	Frenzel
Bergland	Culver	Froehlich
Bevill	Daniel, Dan	Fulton
Biaggi	Daniel, Robert W., Jr.	Fuqua
Biester		Gaydos
Bingham	Daniels, Dominick V.	Gettys
Blatnik		Giaimo
Boggs	Davis, Ga.	Gibbons
Boland	Davis, S.C.	Gilman
Bolling	Delaney	Ginn
Bowen	Dellenback	Goodling
Brasco	Denholm	Grasso
Breckinridge	Dennis	Gray
Brinkley	Dent	Green, Oreg.
Brooks	Derwinski	Green, Pa.
Broomfield	Devine	Griffiths
Brotzman	Dickinson	Gross
Brown, Calif.	Diggs	Grover
Brown, Mich.	Dingell	Gude
Broyhill, N.C.	Donohue	Gunter
Broyhill, Va.	Downing	Guyer
Buchanan	Drinan	Haley
Burke, Fla.	Dulski	Hamilton
Burke, Mass.	Duncan	Hanley
Burlison, Mo.	Eckhardt	Hanna
Burton	Edwards, Ala.	Hanrahan
Butler	Edwards, Calif.	Hansen, Idaho
Hansen, Wash.	Michel	Sebelius
Harrington	Minish	Selberling
Harsha	Minshall, Ohio	Shoup
Harvey	Mitchell, Md.	Shriver
Hastings	Mitchell, N.Y.	Shuster
Hawkins	Mizell	Sisk
Hays	Moakley	Skubitz
Hechler, W. Va.	Mollohan	Slack
Heckler, Mass.	Montgomery	Smith, Iowa
Heinz	Moorhead, Calif.	Smith, N.Y.
Helstoski		Snyder
Henderson	Moorhead, Pa.	Spence
Hicks	Morgan	Staggers
Hillis	Mosher	Stanton, J. William
Hinshaw	Moss	
Hogan	Murphy, Ill.	Stanton, James V.
Holifield	Myers	
Holt	Natcher	Stark
Holtzman	Nedzi	Steele
Horton	Nelsen	Steiger, Ariz.
Hosmer	Nichols	Stokes
Howard	Obey	Stratton
Huber	O'Brien	Stubblefield
Hudnut	O'Neill	Stuckey
Hungate	Owens	Studds
Hunt	Parris	Symington
Hutchinson	Patman	Talcott
Ichord	Patten	Taylor, Mo.
Jarman	Pepper	Taylor, N.C.
Johnson, Calif.	Perkins	Teague, Calif.
Johnson, Colo.	Pettis	Teague, Tex.
Johnson, Pa.	Peyser	Thompson, N.J.
Jones, Ala.	Pike	Thomson, Wis.
Jones, N.C.	Poage	Thone
Jones, Tenn.	Podell	Tiernan
Jordan	Preyer	Towell, Nev.
Karth	Price, Ill.	Udall
Kastenmeier	Pritchard	Ullman
Kemp	Quie	Van Deerlin
Koch	Quillen	Vander Jagt
Kuykendall	Railsback	Vanik
Kyros	Randall	Veysey
Landrum	Rangel	Vigorito
Latta	Rees	Waldie
Leggett	Regula	Walsh
Litton	Reuss	Wampler
Long, La.	Rhodes	Whalen
Long, Md.	Riegle	White
Lott	Rinaldo	Whitehurst
McClory	Robinson, Va.	Whitten
McCollister	Robison, N.Y.	Widnall
McCormack	Rodino	Williams
McDade	Roe	Wilson, Bob
McEwen	Rogers	Wilson, Charles H., Calif.
McFall	Roncalio, Wyo.	
McKay	Roncallo, N.Y.	
McKinney	Rooney, N.Y.	Winn
Macdonald	Rooney, Pa.	Wolff
Madden	Rose	Wyatt
Mailliard	Rosenthal	Wydler
Mallary	Rostenkowski	Wylie
Mann	Roush	Wyman
Maraziti	Roy	Yates
Martin, Nebr.	Roybal	Yatron
Martin, N.C.	Ruppe	Young, Alaska
Mathis, Ga.	Ruth	Young, Fla.
Matsunaga	Ryan	Young, Ga.
Mayne	Sandman	Young, Ill.
Mazzoli	Sarasin	Young, Tex.
Meeds	Sarbanes	Zablocki
Melcher	Satterfield	Zwach
Metcalfe	Scherle	
Mezvinsky	Schroeder	

NAYS—46

Archer	Hammer-schmidt	Rarick
Armstrong		Rousselot
Beard	Hébert	Runnels
Bray	Jones, Okla.	Steed
Breaux	Kazen	Steelman
Burgener	Ketchum	Steiger, Wis.
Burleson, Tex.	Landgrebe	Symms
Camp	Lujan	Thornton
Casey, Tex.	McCloskey	Treen
Clawson, Del	McSpadden	Waggonner
Cochran	Mahon	Wiggins
Collins, Tex.	Milford	Wilson, Charles, Tex.
Conlan	Miller	
de la Garza	Passman	Wright
Goldwater	Pickle	Young, S.C.
Gonzalez	Price, Tex.	Zion

ANSWERED "PRESENT"—3

Bell	Schneebeli	Ware

NOT VOTING—36

Anderson, Ill.	Conte	Fascell
Blackburn	Crane	Frey
Brademas	Danielson	Gubser
Brown, Ohio	Davis, Wis.	Keating
Burke, Calif.	Dellums	King
Clausen, Don H.	Dorn	Kluczynski
	du Pont	Lehman

Lent	Nix	Shipley
Madigan	O'Hara	Sikes
Mathias, Calif.	Powell, Ohio	Stephens
Mills, Ark.	Reid	Sullivan
Mink	Roberts	
Murphy, N.Y.	St Germain	

So the conference report was agreed to.

The Clerk announced the following pairs:

Mr. Reid with Mr. Mathias of California.
Mr. Murphy of New York with Mr. Powell of Ohio.
Mr. Sullivan with Mr. Madigan.
Mr. Sikes with Mr. Lent.
Mr. Fascell with Mr. King.
Mr. Brademas with Mr. Davis of Wisconsin.
Mrs. Mink with Mr. Keating.
Mr. Nix with Mr. du Pont.
Mr. St Germain with Mr. Dellums.
Mr. Kluczynski with Mr. Gubser.
Mr. Mills of Arkansas with Mr. Anderson of Illinois.
Mr. O'Hara with Mr. Crane.
Mr. Shipley with Mr. Blackburn.
Mr. Stephens with Mr. Conte.
Mrs. Burke of California with Mr. Lehman.
Mr. Danielson with Mr. Brown of Ohio.
Mr. Dorn with Mr. Obey.
Mr. Roberts with Mr. Don H. Clausen.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

FISCAL SITUATION AT THE END OF 93D CONGRESS, 1ST SESSION

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

Mr. MAHON. Mr. Speaker, we have now progressed at this session to a point where we can predict rather well what the fiscal situation may be on the date of adjournment.

It is rather clear to me at this time that on appropriation bills handled by the Appropriations Committees of the House and Senate we will be about even with the budget estimates. With respect to spending mandated by the nonappropriation bills, we will be about $5 billion above the January budget. I would point out that the President on October 18, presented an amended budget estimate modifying his January estimate.

My best estimate is that Congress will be over the President's current estimate of $270.6 billion by about $2.5 billion at the end of this session.

On tomorrow I hope to speak in more detail in regard to the fiscal situation.

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

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

Mr. QUIE. Mr. Speaker, does this take into consideration what the gentleman anticipates will be appropriated in the defense appropriation bill?

Mr. MAHON. This takes into account my estimate of all appropriation bills including military construction which will be up later this week, the defense appropriation bill, and the final supplemental, and including foreign aid.

Mr. QUIE. I thank the gentleman from Texas.

VETERANS EDUCATION AND TRAINING ALLOWANCES

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

Mr. DORN. Mr. Speaker, the veterans education and training program for Vietnam veterans is at its peak. Approximately 1,400,000 veterans are in training in over 14,000 educational institutions and 118,000 more in apprentice and on-job training program. The veterans education program is the Nation's greatest Federal scholarship undertaking.

When the fall enrollment period arrives the Veterans' Administration is confronted with an enormous problem of getting veterans programed so that they will receive their education and training allowance. Some problems are cropping up in parts of the country. Our Committee on Veterans' Affairs is making a spot check. Fortunately, the problem does not appear to be serious in every regional office, but there are some problem areas.

We are pinpointing a procedural failure in the new advance pay system. The problem has to do with the addressing and method of delivery of the checks. We plan to take this up with the VA with the hope that the advance pay program can be improved for the next enrollment period.

Of course, there are always some problem cases and we are working on them. Members can help by transmitting names of veterans who have delayed checks to the Veterans' Administration or to our committee. There is an emergency pay procedure that can be used if necessary. Veterans have a right to expect to receive their payment on time so they can properly plan their personal finances.

I am requesting a comprehensive report from the Veterans' Administration as to the status of the advance payment program, as well as information on the number of problem cases currently before VA regional offices throughout the country. We are working closely with the VA regional office in Columbia to handle problem cases which have been reported from South Carolina schools.

Mr. Speaker, we have found that office and the VA throughout the country cooperative and dedicated to solving this problem.

POSTAL EMPLOYEES DAY

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

Mr. HANLEY. Mr. Speaker, today I am introducing a resolution establishing February 20 of each year as Postal Employees Day.

In this age of rising complaints about the quality of the Nation's mail service, we tend to ignore the fact that the Postal Service is staffed by hundreds of thousands of dedicated employees who are giving the American people their best to see that the mail is delivered.

When the Postal Reorganization Act was passed in 1970, it was accompanied by loud hosannas proclaiming the dawn of a new age. The magic wand was going to be waved; all of our mail service problems were going to melt away by magic; and we would be on a break-even basis.

Some, including myself, did not believe this. While we supported reorganization of the Post Office, we felt that the immediate benefits of reorganization had been seriously oversold to the American public. It was simple logic. The postal problems generated by a decade of neglect could not be whisked away overnight no matter how good reform might look on paper.

Therefore, we felt that there would be a rising indignation over poor service from a public led to believe that the impossible could be achieved overnight. Recent experience has proven us correct.

Oscar Wilde, while traveling through the United States almost a century ago, reported seeing a sign over a bar which said:

Please don't shoot the piano player. He is doing his best.

That is what I say when I receive complaints:

Please don't shoot the Postal Employee. He is doing his best.

And I believe it, too. Most of the current problems are not caused by the frontline troops of the Postal Service. I have said it before and I will say it again. This country is fortunate to have the services of the dedicated employees of the Postal Service who process and deliver the mail. Working against sometimes overwhelming odds, they do their dead level best.

To a certain extent, present postal problems were inherited. We are still laboring in thousands of outdated buildings which should have been demolished or renovated years ago. New facilities cannot be built or financed overnight, and this effort will take many years to reach fruition. And, the habits of management are often difficult to change.

But our criticism should not fall on the shoulders of the rank and file. I have visited many post offices since I have been in Congress, and I have never failed to be impressed by the hard work performed by the men and women in the thousands of post offices throughout the country. If it were not for them, the mail would not be delivered at all.

On February 20, 1792, George Washington signed the act which created a permanent Post Office Department under the new Constitution. This day of a new beginning in a new country is a fitting day to honor our postal employees. This resolution will show unequivocally that Congress and the people of this great Nation appreciate the magnificent job which they perform.

"NO" TO HIGHER GAS TAXES

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

Mr. VAN DEERLIN. Mr. Speaker, the President's Energy Adviser, Governor Love, has indicated gasoline rationing may become necessary next spring.

There may be no other short-range solution in the face of oil shortages. If so, we can enthusiastically support controls.

But let us make sure that whatever we do protects the person of modest income. A system of rationing that is both equitable and effective should be possible—imposing proportionate reductions in fuel consumption against rich and poor alike.

At the same time, let us take a long look at another of the administration's stated options, an increase in the tax on gasoline aimed at curbing consumption.

Such a tax would in a real sense be retrogressive, imposing the greatest burdens on those least able to pay. The Cadillacs would continue to roll, while less affluent drivers would be sidelined.

The price of gas is already high anyway, and continuing to rise. In my home area of San Diego the cost of a gallon has gone up by as much as 3 cents in the past 2 months, all following the easing of restrictions by the Cost of Living Council. Generally, these increases reflect markups in the price which dealers must pay wholesalers for the gasoline they sell.

Possibly we will all be called upon to make sacrifices in response to the energy crisis. With just 6 percent of the world's population, the United States today uses 33 percent of the world's energy. Evidence is mounting that we cannot long continue living in that style.

And so, Mr. Speaker, let us make sure that no one is unduly penalized simply because his means are modest.

A 50-MILE-AN-HOUR SPEED LIMIT IS TOKENISM—MORE WASTEFUL THAN GAINFUL

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

Mr. WYMAN. Mr. Speaker, a 50-mile-per-hour national speed limit sounds like a good gas saver, but it is tokenism. Worse still, a nationwide speed limit at this level will be more wasteful than it will be gainful. Why?

Because of time factors involved, for one thing. At 50 miles per hour for example, from Chicago to Boston it will take three trucks on the road to do the work of two at 70 miles per hour on the Interstate System. Contracts still have to be met. And this is to say nothing of the economic waste in time and salaries of the drivers.

The stated reason for a national 50-mile-per-hour limit is a mythical saving of 200,000 barrels of oil daily. But the right hand of the Government does not seem to know what its left hand is doing, because at the same time it would impose the reduced speed to save an alleged 200,000 barrels daily, the same Government is requiring excessively high automobile emissions controls that waste better than a million barrels of oil each day and will waste even more as the standard goes higher.

Cars so equipped get sharply reduced gas mileage. Any citizen with a late model car knows this all too well.

If our people are to be asked to suffer this significant inconvenience in their speed of operation, they deserve at the very least from their Government a responsible legislative program to meet the energy crunch. Congress should reduce auto emissions control levels from 96 percent required by present law to 90 percent. My bill to do this still languishes in the Commerce Committee without an assist from either EPA or the administration.

This action alone would save better than four times the oil claimed to be saved from a 50-mile-an-hour limitation—which itself is illusory as well as a darned nuisance to millions of our citizens.

REPEAL PSRO LEGISLATION

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

Mr. ASHBROOK. Mr. Speaker, the great costs of the medicare and medicaid programs have resulted in a desire by many to put some type of controls on their expenditures. One forecast states that over the next 25 years the excess of costs over estimates on medicare alone will reach $242 billion. The Professional Standards Review Organizations—PSRO—was viewed by many as an answer to this problem. While I agree that, when possible, costs must be limited, it is also necessary that quality medical care be available to those who depend upon medicare and medicaid. Unfortunately it seems that the PSRO's may adversely affect the quality and amount of care so provided. It also violates the promise Congress made that the Federal Government would not interfere in the doctor-patient relationship.

The legal basis for PSRO is found in sections of the Social Security Act. In this act the stated purpose of the PSRO is to "promote the effective, efficient, and economical delivery of health care services." This goal is one with which few can disagree. The means prescribed to achieve this goal do raise serious questions.

Provision is made in the legislation that medicare and medicaid payments will be made only if the PSRO determines those services to be medically necessary. The condition of medically necessary leads to a strong possibility that there will be a restriction in the quality of care available to patients under medicare and medicaid. This restriction could result from an inhibition on the part of the physician to give his patient optional or supplementary treatment particularly if such treatment is not the usual procedure.

Another provision of the legislation necessitates the use of the most economical type of facilities. The physician would seem to be called upon to provide the least expensive care rather than the best. The legislation would make physicians handling medicare and medicaid cases dependent on following federally approved standards. Official guidelines could very easily take the place of a physician's judgment. Through provisions of the PSRO legislation, it would be necessary to apply computerized averages as a primary evaluations factor in the care, diagnosis, and treatment of patients. This raises a serious problem as medical care deals with human beings who have unique physiological and psychological needs.

The legislation allows the PSRO's to examine a doctor's patient-care records. This is totally offensive. Also, the Secretary of Health, Education, and Welfare can request review records. It would seem that the confidential nature of the doctor-patient relationship for those relying on medicare and medicaid could be seriously compromised.

Other provisions of the law would seem to create more bureaucratic regulations, more requirements for doctors to be concerned with recordkeeping than with patient care and less ability for a physician to prescribe treatment or medication that may be required by a patient. We must tread very carefully when the issue is of such a basic nature as medical care and the doctor-patient relationship.

For the reasons outlined above I have introduced a bill—H.R. 11394—to repeal those sections of the Social Security Act which mandate PSRO. I do think that ways must be found of controlling the rapidly increasing costs of medicare and medicaid, but these means cannot be at the expense of the elderly and others who depend upon medicare and medicaid for their medical treatment. This legislation setting up PSRO's was well-intentioned. Nonetheless, it has caused and will cause more difficulties than it has solved.

The language of the bill follows:

H.R. 11394

A bill to amend title XI of the Social Security Act to repeal the recently added provision for the establishment of Professional Standards Review Organizations to review services covered under the medicare and medicaid programs

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That part B of title XI of the Social Security Act (as added by section 249F of the Social Security Amendments of 1972) is repealed.

SEC. 2. Title XI of the Social Security Act is further amended—

(1) by striking out "AND PROFESSIONAL STANDARDS REVIEW" in the heading; and

(2) by striking out "PART A—GENERAL PROVISIONS" immediately before section 1101.

EXPLANATION OF H.R. 11394

H.R. 11394 is currently in Ways and Means Committee. It would repeal that section of the 1972 Social Security Amendments by which the Congress authorized the establishment of professional standards review organizations—PSRO's—to oversee the care given by physicians and health care facilities for which the Federal Government will be financially responsible. The portion which would be repealed—Section 249F of Public Law 92-603—begins on page 101 of the published act and includes sections 1151 through 1170 of the Social Security Act as amended.

Public Law 92-603 was passed as the Social Security Amendments of 1972 and the PSRO section—249F—received little attention. The bill was introduced in the Senate by WALLACE BENNETT of Utah. Implementation is to be completed by January 1, 1974, with the designation by that date of certain groups which are to serve as Professional Standards Review Organizations.

The American Medical Association vigorously opposed the passage of PSRO legislation, contending that it would standardize health care at the level of the lowest denominator.

To date there has been a marked lack of success by the Department of Health, Education, and Welfare in getting regulations drawn and adopted. This is due to first, intragovernmental squabbling between HEW's Office of Professional Standards Review—OPSR—and the Social Security Administration over control of the program, and second, complaints that OPSR is understaffed to meet its obligation. These factors contributed to the recent resignation of Dr. William Bauer as head of OPSR. Dr. Charles Edwards, assistant secretary, has stated, however, that HEW is fully committed to meet its olbigation to have PSRO's designated and regulations established by January 1.

There is increasingly vocal opposition to PSRO legislation within the medical profession as the date for implementation approaches. It is the current position of the American Medical Association—which still vigorously opposes the law—that the profession itself should cooperate in implementing the law "so doctors can control it" as much as possible. There is some question, however, whether the AMA's constituency is willing to go even that far.

Mr. Speaker, it was the stated purpose of the PSRO section of the social security amendments to "promote the effective, efficient, and economical delivery of health care services."

Following is an itemizing of problem areas in the PSRO section of the social security amendments, together with my "criticism" which explains what the problem is. H.R. 11394 is the only practical way of meeting these serious objections:

First. Medicare and medicaid payments are to be made only if Professional Standards Review Organization determines the services to be "medically necessary." Section 1151(1).

CRITICISM

It is contended that limitation of health services to those determined to be "medically necessary" will restrict the quality of care available to patients by inhibiting a physician in the exercise of his best judgment with respect to the use of optional or supplementary treatment. If the form sheets state that procedure A is the accepted usual procedure, a physician may hesitate to use procedure B, which he favors, for fear that either he or the patient will not be reimbursed. In addition, it is argued that, by definition, medical progress can result only from a physician's use of techniques or procedures not currently standard.

Second, medicare and medicaid payments to health-care facilities will be made only when, and for such periods as, such services cannot be provided as well on an outpatient basis, or more economically in a different type of facility. Section 1151(2).

CRITICISM

This provision places a burden on the physician always to provide the least expensive care, rather than the best. If he provides hospitalization, extended hospitalization, or enrollment, in a more expensive facility than the least expensive available, he would be required to demonstrate in each case that the care available otherwise would be of lower quality. Otherwise neither he nor the patient would be reimbursed.

Third. The Secretary of HEW shall appoint professional standards review organizations to determine that the provisions of the law are fulfilled. Prior to January 1, 1976, such organizations must be drawn from professional medical or osteopathic associations; after January 1, 1976, the job of reviewing professional medical standards may be given to any other public or private nonprofit group if the Secretary decides the medical group is not performing to the Department's satisfaction. Section 1152(c)(2)(C).

CRITICISM

Although the bill provides that, at first, review shall be in the hands of medical practitioners, the duty of those practitioners will be to apply federally-approved standards, and if they do not do so, they may be removed. Thus, the medical practitioners who make up PSRO's will be merely enforcement officers and will not actually control the review of their peers.

Fourth. An organization of doctors that requests to serve as a PSRO may be awarded a contract to do so unless 50.1 percent of the practitioners in the area object to the organization as unrepresentative of the doctors in that area. Section 1152 (f)(2).

CRITICISM

Half of the doctors in an area could respond that a group of physicians who have been appointed to the PSRO function do not represent the physicians of the area, and the objection would be insufficient. Already a number of groups of doctors—not medical societies—are forming into foundations or other structures for the purpose of assuming the PSRO contract.

Fifth. Each PSRO shall have the authority to determine in advance whether it will authorize reimbursement for any elective admission to any hospital or other health care facility, or for any extended or costly treatment. Section 1155(a)(2).

CRITICISM

A physician might determine that he wishes to have a patient hospitalized because his professional judgment warns that a certain procedure should be performed—even if the case is not yet at a critical point—or he might determine that a patient should be placed in a facility with nursing attention because of possible complications due to the individual nature of the patient. If such procedure is not authorized by the Department's official guidelines, he may be effectively denied the right to these or similar services for the patient by being told he will not be paid for the treatment and that the patient will not be reimbursed for bills sent directly to the patient.

Sixth. The PSRO will have authority to examine a practitioner's patient care records and inspect the practitioner's office. Section 1155(b)(3)(4), and the PSRO will make its review records available to the Secretary of Health, Education, and Welfare at his request. Section 1155(f)(1)(B).

CRITICISM

A patient tells his doctor many things of a confidential nature—about his job, his income, his sex life, et cetera. The law has always recognized the confidential nature of the doctor-patient relationship. This law not only requires third parties—the PSRO's—to investigate the records, but to turn them over, at request, to the Federal Government.

Seventh. Each PSRO shall apply professionally developed norms of care, diagnosis and treatment based upon typical patterns of practice in its regions—including typical lengths of stay for institutional care by age and diagnosis—as principal points of evaluation and review. Section 1156(a).

CRITICISM

First. Although each patient is physiologically and psychologically unique, and each will thus respond differently to different modes of treatment, each PSRO is required by law to apply computerized averages as the primary evaluation factor. Second, limitation of these points to the "principal points" of evaluation leaves a loophole for approval or disapproval based on availability of less expensive care.

Eighth. The PSRO shall apply regional, rather than local, standards, and unless approved by a national council may not apply, instead, the actual norms for the area. Section 1156(a), and no Federal funds shall be used in payment for care given which did not meet the regional standards if—the PSRO has notified the patient who was provided, or to whom the doctor proposed to provide, the questioned services. Section 1158(a)(2).

CRITICISM

In addition to refusing to pay for the care, the PSRO will notify the patient that the care he was given was not consistent with Federal standards. In such a case a physician, even though he may have been exercising sound judgment and providing good care, will be made to look bad in the eyes of his patient or prospective patient. Thus a physician's reputation may be greatly damaged, undeservedly.

Ninth. If the amount of money in con-

tention is less than $100, there is no provision for appeal from the ruling of a statewide PSRO council; if the amount is more than $100 and less than $1,000, there is provision for appeal to the Secretary of Health, Education, and Welfare. Only for amounts greater than $1,000 is there provision for judicial review.

CRITICISM

In the great majority of cases, the ruling of the PSRO or the Secretary will be final and unappealable.

Tenth. A practitioner or hospital shall be responsible for seeing to it that the medical necessity of treatment rendered can be documented, evidentially. Section 1160(a)(1).

CRITICISM

This will require already overworked doctors to assemble supporting data to defend treatments rendered. This will effectively force physicians to limit their care to the standards prescribed by the Department.

Eleventh. A hospital shall have the responsibility not to admit a patient unless it determines that the care to be provided is medically necessary and cannot be provided more economically elsewhere. Section 1160(a)(2).

CRITICISM

A hospital will be hesitant to admit a patient if the care is not standard; even though a physician may be willing to proceed, and the patient may agree, the care may be effectively blocked by a hospital's refusal to admit. The hospital, usually run by lay administrators, not doctors, is placed in a position of being able to second-guess proposed medical treatment and, in practical effect, to force a physician to render treatment consistent with the hospital's judgment rather than his own.

Twelfth. If a physician "flagrantly" violates his obligation to perform care in keeping with the national standards, even one time, he may be excluded from reimbursement under social security—this is, for medicare and medicaid—or may be fined up to $5,000.

CRITICISM

These harsh penalties—especially for a physician in an area largely populated by the elderly—will effectively force physicians to provide care in keeping with national computerized norms because the penalty for failure to do so will be too severe to risk.

Mr. Speaker, there seems to be no end that the bureaucracy will not go to bring about control of medical services. The promise of the Congress when medicare was enacted that the Government would never be involved in setting fees or intrude in the doctor-patient relationship has been broken. The Congress must take affirmative action to reverse the paper shuffling trend in Federal bureaucracy which can do nothing but reduce the standard of medical service. H.R. 11394 will be a first and decisive step in the direction of freeing American medicine to go on and do the job it has always done, that of providing the highest standard of medical care in the world.

OUR MIA'S MUST BE ACCOUNTED FOR

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

Mr. KEMP. Mr. Speaker, in July, after returning from my third trip to Southeast Asia, I stated that my personal visit to the area had reinforced my determination that we must not rest until each MIA is either accounted for or returned to his family. Today, 4 months later and 10 months after the signing of the Paris Peace Agreement, the families of 1,233 American servicemen and 20 newsmen still face the day-to-day anguish of not knowing the fate of their loved ones.

Mr. Speaker, I have received the following letter from one of these MIA mothers, which describes as no one else possibly could, the suffering of our MIA families:

DEAR CONGRESSMAN KEMP: I read in the Congressional Record your ideas on the question of our men missing in action. No one can know what the families are going through. We find ourselves wondering about our Bob and because they were never able to land and look for him our lives are not worth living. Time doesn't help any. If we had lost someone in death and had a burial things would be different and learning to cope would come in time. We live like a yo-yo, we are up and down but never settled down to accept what happened because we don't know for sure. Some days he is alive and we plan his return with lists of things to tell him and then we realize if he lives his suffering may be too much and we have no right to hope. With other children to raise it is necessary to try to pretend all is normal. Our little daughter who is 12 years old stopped learning the day her brother was missing and has had to go to special classes. I have gone to a mental health clinic and have totally forgotten how to make patterns which as a dressmaker my days of making a living are over and I used to have two shops and employ 12 people.

This country must do all they can to make life liveable for 2400 families and the only way it can happen is to find their loved ones remains and bring them home or of course alive would be wonderful. I believe our country owes us this. The boys were the cream of our youth and could have gone to Canada instead. Let's prove all that they believed in was worth it.

Sincerely,

MARJORIE PICKETT.

Mr. Speaker, how could this Nation ever raise a military force again, if we forget those who are still unaccounted for?

Mr. Speaker, Secretary Kissinger was recently questioned by Senator CHURCH concerning the accounting of our missing men. I believe his answer is worth noting:

I do not believe, Senator, that any of them have been accounted for adequately. It has been one of the unsatisfactory aspects of the implementation of the agreement. If they have been accounted for, it has been through the testimony of prisoners who could give us some account of, say, the death of a person who was missing, or some other disposition. The North Vietnamese were supposed to permit American teams to go to the grave sites and to exhume bodies and to give us other information.

When I was in Hanoi in February, I brought some 80 files of individuals who, we had reason to believe, had been captured. In some cases, these included pictures of individuals who looked like the missing persons, who had been seen being captured or in some prisoner group. In other cases, we gave very detailed circumstances. They told us they would make an immediate investigation. So far we have not had any results of that. Other files have been turned over to them of the best information we have. The only cooperation we have received is the visit to one grave site of, I think, some 23 Americans who died in captivity in North Vietnam. I am not absolutely sure that that number is correct. It has been one of the most unsatisfactory aspects of the implementation of the agreement. In Laos, actually, we have more reason for concern, because the ratio of prisoners to those that we have reason to believe parachuted is smaller than it is in any other part of this area. We have been promised that, upon conclusion of the agreement which is now in the final stages of being negotiated, we would be given the opportunity to search in Laos.

It may be somewhat easier to do it there because the agreement should produce, or is designed to produce a central government not under North Vietnamese control.

But the answer to your question, Senator, unfortunately, is that we are extremely dissatisfied with the results of the implementation of that part of the agreement, and that it is one of the reasons why we cannot proceed in certain other areas such as economic aid negotiations.

Secretary Kissinger has also stated that search teams from the Joint Casualty Resolution Center located in Thailand have conducted operations in Government-controlled areas in South Vietnam and have found some remains on the basis of which some cases may be resolved. Regrettably, however, the other side has refused to cooperate in this effort and has effectively barred the JCRC from searches in Communist-controlled sections of South Vietnam as well as in Laos and North Vietnam.

On June 13, 1973, in a joint communique signed by the Democratic Republic of Vietnam and the United States, the two parties reaffirmed their solemn commitment to implement fully the January agreement, including in particular the provisions for accounting of all the missing in action throughout Indochina.

On July 29, 1973, the U.S. Government delivered a diplomatic note to the Democratic Republic of Vietnam strongly protesting the continuing failure of North Vietnam and its allies to fulfill their obligations and calling for prompt action by the Communist side.

When the Paris agreement was signed, North Vietnam agreed to assume responsibility for the release and accounting of all missing and captured Americans—and members of allied forces—throughout Southeast Asia. Article 8B of the agreement also stipulates that all parties to the agreement will "help each other" obtain information about the missing, determine the location of graves of the dead, and facilitate the exhumation and repatriation of remains of the dead.

But even though the U.S. Government has given the other side complete lists of missing American personnel and news-

men and requested information about these men, no information has been provided. Similarly, the U.S. Government has repeatedly sought to arrange the repatriation of remains of the 60 Americans the other side claims died in captivity. But not one body has been returned.

Why have the bodies of the 60 men the other side identified as having died in captivity not been returned to their families? Why cannot immediate arrangements be completed to return these bodies? Why?

Mr. Speaker, when the Communists listed the Americans who were to be repatriated, the list included only 47 men to be repatriated out of a total of 1,334 missing in action. Ten other men previously identified as missing also were included on the list of those who died in captivity. This means a total of 57 MIA's, or less than 4 percent of all of the missing, were accounted for.

What happened to all of the others? The men Hanoi claimed to capture are either still alive or they are dead. If alive, they are still being held captive. If dead, there would be no apparent reason for the other side not to list them among the 60 other Americans who they admit died in captivity. But one thing is certain: Since some of the men were photographed in captivity; since the North Vietnamese took ID cards from other men; and since Hanoi claimed the capture of other specific individuals—Hanoi has to know if they are alive or dead.

And what happened to all of the other "missing"—the American servicemen and journalists? When they disappeared under circumstances that pointed to the strong possibility of their capture—and their bodies were not recovered in subsequent searches of the area—it is difficult to believe they just disappeared into thin air.

Where are those men who were captured, and who were not returned to us, who were not listed among the dead, and about whom the other side has furnished absolutely no accounting of any kind? Where are they?

Where are the more than 300 men listed as missing in Laos, about whom we have no information of any kind? Why has no information been provided on those taken prisoner in Laos and of whom we have capture-photographs—the strongest possible evidence that they were, indeed, captured? Where are they?

Why are our search and investigating teams being denied the right to enter areas where most of the missing disappeared? Why cannot they be given immediate access to these areas where the men were last seen alive?

A number of my colleagues and I—in a bipartisan effort—have introduced a resolution which calls upon the United States to request other nations to join in a demand that the Communists live up to the Paris Peace Agreement, for the resolution to be considered for adoption at the next session of the United Nations General Assembly and to express congressional support for the President to demand that North Vietnam comply with the agreement.

It has been stated that there is little that we in the Congress can do to help resolve the question of our MIA's and bring to an end the suffering of their families. Mr. Speaker, this is one thing we can do. We can speedily pass this resolution to show the world we will never give up until every one of our MIA's is accounted for.

Mr. Speaker, the recently signed Laos accords, which require the release of all prisoners captured and held in Laos, hold forth new hope to the families of the many missing in action in that area.

This week, I met with Col. Scott Albright, executive director of the National League of Families of American Prisoners and Missing in Southeast Asia, and he reported to me that during the period of October 8 to the 22, 53 members of the league visited Bangkok and Vientiane, Laos, for the purpose of establishing a family "vigil."

Eleven MIA family members from my State of New York were among the delegation: George Brooks, Barbara, Josephine, and Vincent Christiano, Verna Creed, Mrs. Mafalda DiTommaso, Peter and Florence DeWispelaere, Linda and Kathleen Fanning, and George W. Shine.

The MIA families wanted to be in Vientiane on the 14th of October, the deadline under the September protocol at which time both sides were to exchange numbers of prisoners held by nationality and a list of those who had died in captivity.

Unfortunately, the schedule slipped and the lists have not yet been exchanged. Delegations from the families group were able, however, to meet with representatives from the Russian, Chinese, and North Vietnamese Embassies, the Pathet Lao, the ICC, and the International Red Cross.

In Bangkok, the delegation met with the South Vietnamese Ambassador and the new Thai Foreign Minister. Members of the group flew to places such as Savannakhet, Pakse, and Luang Prabang, where they talked with refugees from the areas where many of the crashes took place.

Although the group was unable to find out about specific individuals, Colonel Albright tells me that the feeling was that the trip was a success in many ways in that contacts were established which might prove to be very valuable in the future.

Mr. Speaker, our Government must make clear to the Pathet Lao our country's strong interest in the release of all remaining U.S. prisoners, with fullest possible information on the missing, both at the earliest possible date.

In Cambodia, vigorous efforts must continue to satisfactorily resolve the fate of the 20 missing newsmen, including Welles Hangen, Sean Flynn, and others.

Mr. Speaker, the National League of Families of Prisoners and Missing in Southeast Asia, the Committee to Free Journalists Held in Southeast Asia, the Youth Concerned for the 1,300 Missing in Action and other responsible organizations, whose dedicated members have been working untiringly on behalf of the missing Americans and their families, need, and deserve, our unqualified support.

We owe to the families of the MIA's the same debt that we owe to the families of the POW's and to those who gave their lives in combat. This debt must not be left unpaid.

Mr. Speaker, I include for the RECORD and commend to the attention of my colleagues a Washington Post article by Patricia Hangen, "They Take Risks To Get Us the Facts," the story of the newsmen still missing in Cambodia:

[From the Washington Post, July 30, 1973]

THEY TAKE RISKS TO GET US THE FACTS

(By Patricia Hangen)

Among the hundreds of men still missing in Southeast Asia as a result of the Vietnam war is a group of international journalists who were not directly involved in that war but were reporting its events to the world. They were unarmed non-combatants, trying to get at the truth of what was happening. They disappeared in the midst of their story and no word has been heard of them since.

Now evidence has come that these journalists, most of whom have been missing in Cambodia for more than three years, are indeed alive and are being held prisoner in Cambodian jungle camps.

At least, some of them are alive. They were seen. They were heard. And, most important, they are being complained about. Whenever you hear a good solid gripe, you can be sure there is something substantive behind it.

These new reports come mostly from returned South Vietnamese ARVN prisoners who were held in camps near the newsmen. They were told that "foreign journalists" were in other areas of the compounds. They say they saw bearded "long-nosed" Caucasians doing roadwork and tending pigs. They complained that these foreigners were getting better food and better treatment. It made the South Vietnamese angry.

The new sightings excite and encourage the rest of us because they tell us that our men live. Or were alive in March this year, at least, before the bombing resumed over Cambodia.

Twenty international newsmen are missing in war-torn Cambodia. Seventeen disappeared in the spring of 1970. They were reporting the war's expansion for television, international wire services, radio and magazines. Three are American, including my husband Welles; seven are Japanese, four French, one German, one Austrian and one Swiss. Last year, two more Americans and an Australian disappeared. (Other Americans missing are Alexander Shimkin of Newsweek; Terry Reynolds, United Press International; Dana Stone, CBS News; and Sean Flynn, Time.)

Other than the important knowledge that most of our men were seen captured alive, we have had nothing to go on except for an occasional sighting without description or identity, for 37 months.

But now we have new facts. They are slim, but they are solid.

One returned ARVN Vietnamese soldier says that he was walking on Route 7 about 17 miles south of Snoul in eastern Cambodia a year ago along with 120 other ARVN prisoners, guarded by 30 North Vietnamese, when two Honda motorcycles pulling wooden carts, country-taxi fashion, passed by an unobstructed distance of a few yards. He saw six long-haired bearded Caucasians under guard in the two motorcycle taxis. The soldier asked his North Vietnamese guard if the men were American advisers and was told: "No, they are correspondents of the imperialist side."

Another ARVN prisoner relates a conversation he had with a Vietcong captain during his detention in a camp near Mimot in eastern Cambodia in July 1972. The captain said that the Vietcong had captured and were holding American, Japanese and French

journalists. He even said that some of the journalists had cameras.

A Cambodian national who spent 15 days of June 1972 in a guerilla camp run by Prince Sihanouk's FUNK soldiers in eastern Cambodia says he saw 10 Caucasian detainees who were identified to him by camp guards as foreign journalists. The camp was situated in a former Royal Cambodian Army compound adjoining an unused airstrip just south of Route 13 in Kratie Province. Our informant says he believes the camp was being used as a regional headquarters of the Sihanouk forces and not primarily as a prison camp. He was able to watch the Caucasians at various times from a distance of a few yards and says that they were well treated by the Cambodian guerrilla forces and had adequate medical care and food. He reports that the 10 alleged journalists were housed in a long stucco building and was told that each man had his own partitioned compartment. There were 28 Cambodian prisoners held in the same camp but none was allowed to mingle with the Caucasians. This informant also says that he was told repeatedly by camp guards that the Caucasians were foreign journalists.

Another report comes to us as recently as March of this year. An ARVN soldier then detained by the North Vietnamese also in eastern Cambodia says he was told by one of his guards that foreign journalists were being held somewhere in the area. It is interesting to note that although these ARVN soldiers were captured in South Vietnam, they were taken to prison compounds in Cambodia for detention. All of our information concerning the missing journalists comes from Cambodia. We believe, therefore, that our men are still there.

Full credit for bringing these facts to light goes to the Committee to Free Journalists Held in Southeast Asia, a group headed by Walter Cronkite. One member, a young American newsman named Zalin Grant, travelled to Saigon and Phnom Penh and interviewed over 3,000 ARVN returnees and others to get this information. Thanks to Grant's zealous search for his colleagues, we now can say: "We now know that our men are alive and being held prisoner. We want to know why. We want them located. We want them released and we want them home."

For three years, journalists, statesmen and concerned individuals and groups in many countries have probed steadily for information and prodded for the release of the missing newsmen. Never before have journalists been detained, with no word of confirmation of their capture or explanation of their fate. All over the world voices have been raised demanding answers. Detention of newsmen deprives people on every side of the political spectrum from getting the facts. Silencing reporters stifles the truth. Or, in this case, diminishes—at least for a while—the number of voices bringing us the truth.

Why this infringement of freedom of information? Why were these newsmen on the spot in the first place? Why did they take the risks that whole life work has been devoted to one belief; a belief in the right of the world's people to be accurately informed about the events which affect us all. He believes that truthful information gives each the knowledge necessary to assess the rights and wrongs of what goes on around us, to determine the responsibility each has to strike out against the wrongs. We can't get all the truths ourselves. But good, dedicated newsmen and women can and do, for us.

We were together in Phnom Penh the week before Welles disappeared. We talked a lot about the dangers of reporting a war especially where information is not easily available and newsmen must go into the countryside and see for themselves.

"We always ask," Welles explained to me. "When we drive along a road, we ask in every village, at every checkpoint. If there's hostility around, we go back. Nobody's looking for trouble."

But on May 31, 1970, they found it anyway. Welles and NBC cameramen Yoshihiko Waku and Roger Colne slowed their car at a Cambodian army checkpoint on Route 8 leading toward Takco to ask their usual questions, but they were waved through. With no warning, they drove straight into an ambush. But we know they survived and were taken prisoner by Vietcong soldiers. They were seen being led off into the jungle. We have heard nothing specific since—until now.

No one knows which newsmen may be those seen by Zalin Grant's returnees. I pray that all 20 are involved. We know, in any case, that some are indeed alive and are being held prisoner. We must help them to come back.

Certainly most reporters who involve themselves in covering foreign wars, and indeed our own problems and scandals at home, share Welles' belief. Each day they take risks to get us the facts we need. Without such facts we would feel helpless and consequently apathetic. But with them we can make up our own minds about what is right and what is wrong and do something about it.

If we don't, if each of us doesn't do his own part to make our world better, then the 45 newsmen who died in Southeast Asia while trying to supply us with the knowledge they considered it our right to have—and the 20 newsmen who are still waiting in Cambodian jungle camps for release and the opportunity to continue reporting the truths we *need*—will have died—or waited—in vain.

I plead for their release. Even more, I plead for each of us to understand the responsibilities these men have been trying to make clear to us, and to do what we can to act. Nothing will please Welles and the other missing newsmen more when they return than to know that we have been doing this, and that these three years have not been entirely wasted.

VOTE ON THANKSGIVING RECESS—AN EXPLANATION AND A PLEA FOR REFORM

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

Mr. CLEVELAND. Mr. Speaker, I have taken this special order to discuss my reasons for voting in favor of the resolution to recess Congress for the Thanksgiving week. Out of respect for those who have voted not to recess, I want to express my reasons for voting in favor of the resolution.

Two or three weeks ago, this RECORD indicated that the leadership planned to recess for Thanksgiving week. With this information at hand, I made plans to hold office hours and meetings in areas in my district that I believe require my presence because of problems that exist in those areas.

There have been many weeks in which we have not been in session on a Friday or a Monday, or sometimes both. But the days when we are not working in Washington are never announced in advance, which make it impossible for a Member to make effective use of them for planned visits in his district.

I have long felt that a major weakness of Congress has been the failure of the leadership to schedule our work in Washington more definitely, and further in advance. This is strengthened by my belief that a very important function of a United States Representative is to make himself available in his district at stated times and places, and to do this with reasonable frequency.

I have long deplored year-round sessions of Congress. Many people in this country feel that government is remote and we only compound this by remaining in Washington as long as we do. This is particularly so in view of the fact that many of our working days here as far as legislation on the floor or committee hearings are concerned are very brief.

Mr. Speaker, to give my colleagues some idea of the plans I was able to make, having had advance knowledge of the recess, and in support of my reasons for voting for it, I offer the following:

Beginning on the evening of Thursday, November 15, I will be in Nashua, N.H., for the dedication of the new arts and sciences building. On Friday, I will attend a meeting of the White Mountain Region Association in northern New Hampshire at Loon Mountain to attend a symposium on wilderness legislation. On Saturday, I plan to be in Lebanon, N.H., to discuss a proposed sewer line extension to an industrial park financed under the Economic Development Act. On Sunday, I will attend the dedication of a new home for senior citizens in Claremont, N.H.

On Monday, I have scheduled radio appearances and will hold office hours in the city of Keene, N.H. On Tuesday, I have announced office hours and several appearances in the Berlin-Gorham area of my district. On Wednesday, I will speak to classes and hold office hours in Salem, N.H. On Friday, I will be in Concord, N.H., at my district office and to attend a Presidential wreath-laying ceremony at the grave of the 13th President of the United States, Franklin Pierce.

In addition, Mr. Speaker, I have made arrangements to meet with several constituents who have problems they wish to discuss with me. Mr. Speaker, I mention this series of scheduled appearances simply to underscore the point I previously tried to make—for Members of Congress to properly serve their constituents, it is essential that we have definite and advance scheduling. If we are going to meet in year-round sessions, a practice I deplore, the least we can do is arrange for Members to have periodic recesses with sufficient notice so they can schedule appearances in their districts and better represent their constituents.

THE PEANUT AND RICE ACT OF 1973

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

Mr. BAKER. Mr. Speaker, on November 6, 1973, I introduced H.R. 11259, the Peanut and Rice Act of 1973. This bill would establish new programs effective for the next 4 years, beginning with the 1974 crop. This legislation would put peanut and rice production under the target price concept and mechanism recently enacted for wheat, feedgrains, and cot-

ton. A free market situation would be established where growers can plant for the market, and their rewards would come from the marketplace.

There are abundant uses for peanuts, and under an orderly market situation, prices should remain at an attractive level. The demands for rice on the world market are substantial and our production of rice here in our country would go far toward supplying food for the emerging underdeveloped nations of the world.

In moving away from the rigid quota and acreage allotment systems of the past, the new Peanut and Rice Act would free some 3.5 million additional acres of land for its best possible use. The old programs are out of date. They require the planting of certain acreages regardless of needs—and these needs have certainly changed in the past 35 years. Under this new bill individual farm planting and management decisions would be placed in the hands of farmers.

Mr. Speaker, let me cite for my colleagues some of the practical reasons for the need of new legislation. Presently a national minimum peanut allotment must be proclaimed of not less than 1,610,000 acres. This is the acreage planted in 1941. Today with increased yields per acre the same amount of peanuts can be produced on less than one-half of that acreage. Also, peanuts are now mandatorily supported between 75 and 90 percent of parity. Consequently, the higher yields have produced an oversupply, so the support level has been at the mandatory floor for the last several years. The price support is provided through the Commodity Credit Corporation loans to producers. Government losses under the present program occur when CCC then sells its stock at distress prices. Annual losses have been as high as $125 million.

Many of the same program principles apply for rice as well as peanuts. Again there is a minimum allotment under this present law—1,652,596 acres for rice. The cost to the taxpayer shows up in two categories: losses under the CCC for domestic feeding programs and funding for the Public Law 480 program.

The Peanut and Rice Act of 1973 (H.R. 11259) that I have introduced establishes target price for peanuts at $200 per ton. Target price for rice is $4.75 per hundredweight. Adjustment machinery is included in the bill so the target price can be adjusted to reflect the index of increased costs of production for the 1976 and 1977 crops.

Under this bill a national acreage allotment for peanuts would be based on estimated domestic consumption and net exports, with authority to adjust for certain factors. This national acreage allotment—which would serve as a basis for distributing deficiency payments—if any—to past producers—producers of history—would not be less than 1,800,000 acres.

Also, marketing quotas would be suspended. New producers could enter into peanut production, and previous producers could get or expand production if they so desire. The price support level would be established at 90 percent of the estimated world price, with authority to adjust to maintain competitiveness and avoid an excessive buildup of stocks.

For rice a similar allotment would be based on estimated domestic consumption and net exports, with authority to adjust for certain factors. This national acreage allotment, which would serve as a basis for distributing deficiency payments to producers of history, would not be less than 1,836,000 acres.

Here marketing quotas also would be suspended; old producers could expand or terminate rice production and new producers could enter into rice production. An identical price support loan level as that for peanuts would be established for rice.

Mr. Speaker, the Department of Agriculture is forced to administer these two programs with out-dated laws that were put in the statutes as far back as 1938. These programs are completely incompatible with the present demand for food. Second, the housewife is forced to pay twice for the supplies of peanuts or rice that may be on the shelf. First, she pays taxes that go to support prices to the middleman and the farmer, and lastly, she pays for it in higher priced rice or peanut products which could be more plentiful under the provisions of my bill. It is time, Mr. Speaker, that we as the taxpayers' representatives put a stop to this "double payment" and let the farmer grow what he wants and what the public needs.

THE CASE OF BLUMA AND LEON TAVIEV

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

Mr. STEELMAN. Mr. Speaker, although I submitted this statement yesterday as part of the Mills-Vanik-Jackson vigil it did not appear in the RECORD. Therefore I resubmit it today to insure that the continuum is complete and the resolve of the Congress is reiterated.

Mr. Speaker, this Nation was founded by men who sought freedom, and as a Nation, we shall always identify with freedom seeking people everywhere. After decades of discrimination, and suppression of cultural and religious expression, the Jews of the Soviet Union are seeking the freedom to emigrate. But emigration from the Soviet Union is not free.

It has come to my attention that 70-year-old Leon Taviev of Riga, Latvian SSR, has not seen his sister Rakhil Taviev of Ramat Aviv, Israel, in almost 40 years. They are sick and elderly now, and Rakhil has no family except the Tavievs of Riga.

When Premier Kosygin declared that the reunification of families policy would also apply to Jews who sought to emigrate, Rakhil Taviev sent affidavits to the four members of the Taviev family in Riga. They all looked forward to a speedy reunion.

But, in April 1972, their applications to emigrate were denied. Bluma, Leon Taviev's wife, traveled from Riga to Moscow to find out why they were refused. She was told that she had worked in a censorship office during the years 1945–47. Bluma could not accept this absurd reason, and demanded that the family be given emigration permits. This action resulted in arrest and a 15-day jail sentence. She also was threatened with a 3-year prison sentence if she again demanded emigration permits.

As a result, 59-year-old Bluma Taviev suffered a heart attack. The ailing couple have been completely intimidated by these threats, and dare not apply again.

The case of the Taviev family illustrates the callous, brutal attitude of OVIR—the passport office—and is but one of a host of instances where the Soviet Union has failed to abide by its stated policy.

Mr. Speaker, Congress must pass the Mills-Vanik amendment; this will make it possible for those who want to leave the Soviet Union to exercise a universal human right—the right to emigrate.

CPA AT IRS

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

Mr. FUQUA. Mr. Speaker, we shall soon consider on the floor of this House, proposals for creation of a Consumer Protection Agency which will advocate the interests of consumers in Federal decisionmaking. In the last Congress when similar bills were considered there was much confusion concerning the powers and effects of the proposed CPA. I wish to continue my efforts to avoid a recurrence of that confusion.

As you know, I have asked those Federal agencies which would be subject to the CPA's advocacy rights to list, and to delineate by the several categories set forth in the bills, their 1972 proceedings and activities which would be subject to CPA action.

A Government operations subcommittee on which I serve, is now considering three CPA proposals. The bills are H.R. 14 introduced by Congressman ROSENTHAL, H.R. 21 introduced by Congressmen HOLIFIELD, HORTON, and others, and H.R. 564 introduced by Congressman BROWN of Ohio and myself.

The major difference among the bills is that H.R. 14 and H.R. 21 would both authorize the CPA to appeal the final decisions of other agencies to the courts, while the Fuqua-Brown bill would not grant to this nonregulatory agency so extraordinary a power.

Today I wish to call to your attention the proceedings and activities of the Internal Revenue Service which would be subject to the CPA's power under the proposed bills.

The Commissioner of IRS, in his reply, has stated that the Service held no formal rulemaking proceedings during calendar year 1972. However, he has provided a list of IRS proposals subject to the notice and comment provisions of the Administrative Procedure Act, 5 USC 553. The CPA under each of the three bills could participate in such proceedings by oral or written presentation. Under the Fuqua-Brown bill the CPA could in addition have the last word by

filing written comments on the information and arguments submitted by other participants.

The Commissioner suggests that it may be inappropriate for a CPA to intervene in confidential taxpayer matters. He also questions whether the IRS should be encompassed in CPA legislation. The IRS is not exempted from any of these bills.

Under each bill it is the determination of the CPA, not the forum agency, that the interests of consumers may be substantially affected that authorizes CPA participation in agency activities. Under H.R. 14 and H.R. 21, but not under H.R. 564 which authorizes no judicial appeal, it is a similar determination by the CPA that authorizes the CPA to appeal final agency action to the courts for review.

While the CPA would likely not find a sufficient consumer interest in all proceedings or activities of the IRS, the technical legal power to participate and to appeal to the court final agency action, or the refusal to take action, would be granted by two of the CPA proposals. Only the Fuqua-Brown bill would limit that CPA power.

Mr. Speaker, for these important reasons, I insert in the RECORD the reply of the Commissioner of the Internal Revenue Service listing some of the proceedings of the IRS which would be subject to the CPA advocacy powers as proposed in the various bills now in subcommittee.

DEPARTMENT OF THE TREASURY,
INTERNAL REVENUE SERVICE,
Washington, D.C., September 26, 1973.

Hon. DON FUQUA,
House of Representatives,
Washington, D.C.

DEAR MR. FUQUA: This is in further response to your letter of September 7, 1973, requesting information concerning operations of the Internal Revenue Service, for use in connection with hearings on three bills (H.R. 14, 21, and 564) to create an independent Consumer Protection Agency.

Your questions, and our responses, follow:

Question 1. What regulations, rules, rates, or policy interpretations subject to 5 USC 553 (the Administrative Procedure Act (APA) notice and comment rulemaking provisions) were proposed by your agency during calendar year 1972?

Answer: See Attachment A for list of regulations proposed during 1972.

Question 2. What regulations, rules, rates, or policy interpretations subject to 5 USC 556 and 557 (that is, APA rulemaking on the record) were proposed or initiated by your agency during calendar year 1972?

Answer: None.

Question 3. Excluding proceedings in which your agency sought primarily to impose directly (without court action) a fine, penalty, or forfeiture, what administrative adjudications (including licensing proceedings) subject to 5 USC 556 and 557 were proposed or initiated by your agency during calendar year 1972?

Answer: None.

Question 4. What adjudications under any provision of 5 USC Chapter 5 seeking primarily to impose directly (without court action) a fine, penalty, or forfeiture were proposed or initiated by your agency during calendar year 1972?

Answer: None. Actions to impose a fine, penalty, or forfeiture, taken by the Internal Revenue Service in connection with tax liabilities, are pursuant to Title 26 of the U.S. Code.

Question 5. Excluding proceedings subject to 5 USC 554, 556 and 557, what proceedings on the record after an opportunity for hearings did your agency propose or initiate during calendar year 1972?

Answer: None.

Question 6. Will you please furnish me with a list of representative public and nonpublic activities proposed or initiated by your agency during calendar year 1972?

Answer: See Attachment B for a list of hearings on proposed regulations which were held by the Internal Revenue Service during 1972.

Question 7. Excluding actions designed primarily to impose a fine, penalty, or forfeiture, what final actions taken by your agency in calendar year 1972 could have been appealed to the courts for review by anyone under a statutory provision or judicial interpretation?

Answer: Essentially all actions taken by the Internal Revenue Service with respect to tax liabilities, such as assessments and disallowances of claims for refunds, are appealable to the courts under the provisions of Title 26 of the U.S. Code.

As my responses to your questions illustrate, I think there may be some question as to whether the actions of the Internal Revenue Service in administering the Federal tax laws are intended to be encompassed by the proposed bills to create a Consumer Protection Agency. As you know, Congress by statute—and the Internal Revenue Service by administrative policy—have exercised great care in assuring taxpayer rights to contest determinations of their tax liability. Furthermore, the importance of protecting the confidentiality of taxpayer dealings with the Internal Revenue Service may suggest that it would be inappropriate for a Consumer Protection Agency to intervene in such matters. Of course, any party may offer comments or criticisms of regulations proposed by the Internal Revenue Service which interpret the tax statutes.

I should note that the above answers do not include activities of the Bureau of Alcohol, Tobacco and Firearms, which was a part of the Internal Revenue Service for the first 6 months of 1972, but which is now a separate agency in the Treasury Department. Nor have we attempted to fit our economic stabilization activities into the context of your questions, since those activities pertain to enforcement of policies and determinations made by the Cost of Living Council.

I trust that this information will be of assistance to you in your hearings on these bills.

With kind regards,
Sincerely,

DONALD C. ALEXANDER.

ON INTRODUCTION OF THE NEW ENGLAND REGIONAL POWER AND ENVIRONMENTAL PROTECTION ACT

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

Mr. HARRINGTON. Mr. Speaker, today, I am reintroducing a bill first introduced in the 92d Congress to create a New England Regional Power and Environmental Protection Agency. The purpose of the agency is to assure adequate and reliable low-cost electric power to the people of New England, while at the same time protecting and enhancing the environment, and providing a vehicle for research and development programs.

I first introduced this bill in August of 1972. At that time, no one realized just how serious the energy crisis was. However, the need for legislation to assure adequate energy supplies at prices which consumers can afford has been clearly demonstrated by recent events.

As our oil and gas supplies begin to run out, the Nation will have to rely more on electricity, which can be generated through a wide variety of means—many not requiring the use of fossil fuels. It is estimated that by 1985, the percentage of the Nation's energy demand filled by electricity will rise from 25 to 36 percent. The actual amount of electrical generation will double in the next 12 years.

In my opinion, the present utility structure in New England cannot provide the citizens of the region with the clean, reliable, and reasonably priced electricity we will need in the years ahead.

New England is one of the few regions of the country without a significant Federal power system. The TVA, Bonneville, Southwestern, Southeastern, and Alaskan Power Authorities, and the Bureau of Reclamation provide consumers across the Nation with reliable and low-cost power. The average customer of the Bonneville system, for example, pays approximately $70 a year less for electricity than the average Massachusetts customer.

These savings are possible because of the large economies of scales of the public agencies together with their access to low-cost financing. Since the price of electricity affects the price of everything we buy, these savings are especially significant.

A study of the cost of electricity in New England published in 1972 estimated that a public agency, such as the one I have proposed, would save consumers an estimated $70 million a year. We are now becoming accustomed to yearly, or even twice yearly rate increases by the region's private utilities. At the present time, $216 million in rate requests are pending before the Massachusetts Department of Public Utilities alone. When one considers that we will be using twice as much electricity in 1985 than we are presently using, it becomes clear that we cannot continue to tolerate these ever-increasing electric bills.

In addition to saving consumers millions of dollars each year in electric bills, a public agency in New England will better protect the region's environment. As more and more powerplants are needed, environmental considerations will become increasingly important. Under the present system, the environment and safety factors take second priority to the profit motive. Under the legislation I am introducing today, environmental protection is the first priority of the agency.

Any facilities constructed by the agency would have to meet both Federal and State environmental standards. The agency would have to draw up a master plan for the building of facilities after holding public hearings. In addition, the plan would have to conform with the land use plans of the States.

The agency would also have to conduct a program of research and development, with particular emphasis on the environment and problems unique to the New England region.

In addition, the agency would be required to return 10 percent of its gross revenues to States and municipalities. Five percent of gross revenues would be made available to the States according to the percentage of generating capacity located in each State. Five percent of revenues would be allocated to local governments according to the same formula.

Because the agency will be financed by revenue bonds, the agency, in the long run, will not cost the Federal Government any money. However, it will save consumers in the New England region millions of dollars each year, and will provide increased protection for the region's environment.

In dealing with the energy crisis, the Congress will have to be creative. A solution which simply calls for consumers paying higher and higher bills to oil companies and electric utilities is not a creative solution.

For years, Americans across the Nation have reaped the benefits of public power. As our energy difficulties become more severe, New Englanders should be allowed to share in the advantages such a system provides.

Mr. Speaker, I ask unanimous consent to include below an outline of the bill.

SUMMARY OF THE NEW ENGLAND REGIONAL POWER AND ENVIRONMENTAL PROTECTION AGENCY

TITLE I

Sec. 101—Definitions.
Sec. 102—Authorizations for the Agency and outline of its powers and responsibilities.
Sec. 103—Requirement for regional siting studies and planning.
Sec. 104—Requirement for research and development.

TITLE II—GENERAL PROVISIONS

Sec. 201—Appointment of the Board of Directors.
Sec. 202—Appointment of Officers and Employees.
Sec. 203—Corporate Powers Generally.
Sec. 204—Accounts and Contracts.
Sec. 205—Authorization for bond financing for power programs.
Sec. 206—Condemnation Proceedings.
Sec. 207—Payments in Lieu of Taxes.

TITLE III—ENVIRONMENTAL PROTECTION

Sec. 301—The Agency shall be subject to Federal and State environmental standards.
Sec. 302—The Agency is not exempt from the provisions of the National Environmental Policy Act of 1969.
Sec. 303—The Agency is required to obtain all necessary licenses for construction of facilities.

TITLE IV—AUTHORIZATION OF APPROPRIATIONS

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A REAL FUEL SHORTAGE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from South Carolina (Mr. DAVIS) is recognized for 5 minutes.

Mr. DAVIS of South Carolina. Mr. Speaker, I wish to direct my comments toward the current shortage of petroleum products in the United States. A shortage that bodes to get worse before it gets better. Unfortunately, some people in the country are treating the crisis as a sham and a hoax. They either fail to see, or refuse to believe an acute shortage, affecting all Americans, could be just over the horizon. Thank God there are thoughtful, farsighted men in positions of authority at the television stations in the First District of South Caroline—men who can write and deliver the following message to the viewers of the low country. This message was delivered on the 4th of November, 4 days before the message by President Nixon. Carter Hardwick, general manager for WCBD–TV read the editorial on the air. It was written by news director Andreas Wagener Evans, who is better known in the low country as "Red" Evans. I commend the editorial to the attention of my colleagues.

This past week Governor West called on all South Carolinians to reduce their energy consumption to help in the effort to conserve one of the Nation's most important resources. In spite of the vast amount of publicity that the energy crisis has received, many people have not really begun to accept the fact that there is truly a shortage. The Trident Chamber of Commerce recently took steps to further make people aware of the seriousness of the situation. The chamber's "energy task force" (of which I am a member) held a seminar in hopes of explaining what steps can be taken to reduce the energy consumption in Charleston. A disappointing few people showed up.

Earlier this week "eyewitness news" interviewed people on the street—again the results were disappointing. On the other hand, a service station operator and president of the State Association of Service Station Operators, said he "was scared". He expressed concern at having to let some people go and cut back on his "open hours".

But it was the governor that put the problem in perspective—he said turning down thermostats, dimming lights, and reducing speeds can mean the difference between comfort and crisis this winter. Here at channel 2 we are trying to do our part. We have reduced our energy consumption to the lowest possible level, and the many types of equipment that use energy are turned off when not in use.

Many people take the attitude that the major oil companies or other industries or utilities are in some way responsible for the shortage. We choose to believe at this time that such is not the case. But for right now the question is how to conserve energy until the crisis is over. After that the causes and where the responsibility lies can be dealt with. We urge you as a responsible citizen of this community to reduce your speed on the highways, turn off your lights at home when a room is not in use, reduce your travel to only really important purposes, and operate your thermostat at home and at work at a few degrees lower than you normally do. If everyone does his part to conserve energy, this winter will be as comfortable as every other. If not, there may be some long cold nights and some cars on the highway out of gas.

I realize like you that it's hard to imagine that this great United States with all of it's resources can be faced with a shortage of any kind. But it's here . . . and we have to accept it . . . and more importantly believe it. Maybe the crisis will prove to us once and for all that we can no longer use up our resources "willy-nilly" without regard to the future. But for now, let's handle the energy crisis with the usual American spirit—face it squarely and beat it! We'll come out of it a wiser, stronger and less wasteful Nation.

THE VICE-PRESIDENT-DESIGNATE

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

Mr. FRASER. Mr. Speaker, the nomination by President Nixon of our colleague, Mr. FORD, to become Vice President is now before Congress. That the nomination falls to one of our own brings a warm feeling, especially because GERRY FORD is a colleague respected for his integrity, energy, and affability.

The task which falls on us to vote on his nomination cannot be discharged, however, solely on the basis of our personal relationship with the nominee.

Our task is to share with the President responsibility for choosing the person who stands next in line for the presidency. The discharge of that responsibility requires that we look beyond personal qualities to the political philosophy of the nominee as disclosed by the record.

The views of a nominee on civil rights, on issues of war and peace, on the manner in which government should legislate for the common welfare, and on basic constitutional issues involving civil liberties, the independence of the judiciary, and the responsibilities—as well as the authority—which attach to the office of President are not mere partisan concerns. These matters are fundamental to the well-being of the United States.

Joseph Rauh, national vice chairman of Americans for Democratic Action, has prepared testimony setting forth the views of Americans for Democratic Action on Mr. FORD's nomination. The issues raised by Mr. Rauh must be faced by us.

I therefore submit to the House Mr. Rauh's testimony in order to help us focus on the relevant considerations affecting the nomination before us:

TESTIMONY OF JOSEPH L. RAUH, JR.

I am Joseph L. Rauh, Jr., a vice-chairman of Americans for Democratic Action, and I appear here today on behalf of ADA. We appreciate the opportunity to express the views of ADA on the nomination of Gerald R. Ford as Vice President of the United States. I am accompanied by Mrs. Lynn Pearle, legislative representative of ADA.

Americans for Democratic Action opposes the confirmation of Mr. Ford as Vice President of the United States. ADA's position was adopted by a unanimous vote of its National Board at a special meeting on October 14, 1973. My purpose here today is to furnish this Committee with the detailed reasons underlying ADA's decision.

Mr. Chairman, the central question before this Committee and the Congress can be simply stated: Putting aside all partisan considerations, is Mr. Ford qualified to be President of the United States? Or the question can be stated another way: Putting aside all partisan considerations, is Mr. Ford among the group of persons that a majority of the members of both Houses of Congress want to see as President of the United States? For the reasons set forth below, ADA believes the answer must be "No."

I

The first step in weighing the qualifications of Mr. Ford for the Presidency must be to determine the standard by which the nominee is to be judged. At the outset of its inquiry, Congress must clarify its responsibilities under the 25th Amendment to the Con-

stitution. The 25th Amendment merely states that a new Vice President will take office "upon confirmation by a majority vote of both Houses of Congress." Since the amendment does not provide the standard to be used by Congress in determining whether to confirm a nominee, Congress must define the standard for itself. We repeat: The appropriate standard is whether Mr. Ford is qualified to be President of the United States and whether he is among the group of persons that a majority of the members of both Houses of Congress want to see as President of the United States.

The 25th Amendment gives the President the right to nominate a new Vice President, but it gives Congress a duty in connection with confirmation far different from its obligation in any other confirmation proceeding. The subject of confirmation (a potential President) and the confirmers (the full Congress rather than the Senate) are both unique in our history. And the President and Congress are acting together here not to nominate and confirm an executive or judicial appointee, but rather to choose, *in lieu of the electorate*, a man who must have the qualifications for President of the United States. This would be true in any event since the only significant attribute of the Vice Presidency is the possibility of succession to the Presidency. But it becomes doubly true in the present circumstance where the calls for impeachment of, or resignation by, the present incumbent grow daily.

Under the 25th Amendment, Congress is an equal partner with the President in the approval of a Vice President. The 93d Congress (all of the House and one-third of the Senate) was elected along with the President in November 1972. The President's act of submitting Gerald Ford's name as Vice President-designate thus raises no presumption that Congress should confirm him. In determining who shall be next in line for President, Congress has a stake equal to the President's.

All this is quite clear from the legislative history of the 25th Amendment. When Congress addressed itself to the problem of filling a vacancy in the Vice Presidency, two concerns were dominant. On the one hand was the concern that the President be able to name a Vice President who is of his own party and compatible with the President. On the other hand was the concern that the members of Congress, as the elected representatives of the people, were in the best position to select a new Vice President. Indeed, Senator Ervin introducd a resolution (S.J. Res. 147, 88th Cong., 2d Session) that would have placed full responsibility on the Congress to both nominate and elect the Vice President.

At a hearing before the Senate Subcommittee on Constitutional Amendments on January 22, 1964, Senator Bayh, who largely authored the 25th Amendment, asked Senator Ervin if he would have any objection to letting the President nominate a person whom the Congress would then reject or elect. Senator Ervin voiced his general agreement to this approach in *Hearings on Presidential Inability, and Vacancies in the Office of the Vice Presidency*, p. 21. Out of that meeting of the minds arose the solution that is reflected in the final form of Section 2.

When the resolution that was to become the 25th Amendment was on the floor of the Senate, Senators Bayh and Ervin engaged in a colloquy which casts further light on the responsibilities of Congress under the Amendment. Mr. Chairman, I ask permission that the excerpt from the Congressional Record of February 19, 1965 be included in the record at this point.

I draw your attention to Senator Bayh's statement that:

> . . . by combining both presidential and congressional action we were doing two things. We were guaranteeing that the President would have a man with whom he could work. *We were also guaranteeing to the people the right to make that decision.*

It is clear from this colloquy that Section 2 of the 25th Amendment contemplates a greater degree of Congressional scrutiny than is exercised in the advice and consent confirmation of Presidential appointments to the executive and judicial branches. Indeed, Senator Bayh specifically said that the advice and consent provisions of the Constitution, although somewhat analogous to the procedure of Section 2, are not exactly on point with the Amendment. In choosing a new Vice President, Congress acts as the surrogate of the electorate. The Congress is charged not merely with approving the President's selection, but rather with an active role in making the selection and in ensuring that the nominee is of the highest calibre. As Congressman Peter Rodino said on the floor of the House during debate on the 25th Amendment, "The requirement of congressional confirmation is an added safeguard that only fully qualified persons of the highest character and national stature would ever be nominated by the President."

The situation before Congress in confirming a Vice Presidential-designate is far different from one involving the confirmation of a cabinet or sub-cabinet officer. There Congress is asked to confirm someone who will be a subordinate of the President responsible for translating *his* policies into action. A cabinet or sub-cabinet officer is a member of *his* team. The President has a right to choose these subordinates, and in the confirmation process there is clearly a presumption in favor of the President's choice. The role of Congress is largely, if not wholly, to examine such a candidate for moral and ethical suitability for office.

A Supreme Court or other federal judge is much more independent of the President who selects him, and while he or she may be chosen for an anticipated compatibility with the President's political or judicial philosophy, a judge is clearly not a member of the President's team. The role of Congress in confirming a Supreme Court or other federal judge is thus not only to reject those who fail to meet moral or ethical standards, but also to examine the philosophy of such a nominee to anticipate how he will perform in his independent role. Clement F. Haynsworth, Jr. and George Harrold Carswell were rejected by the Senate in large part because of their anti-civil rights philosophies as expressed in their judicial decisions. As we shall show, Mr. Ford's record as expressed in his legislative decisions is no less anti-civil rights; indeed he compares unfavorably to Haynsworth and Carswell when one considers his northern surroundings and the southern background of the two nominees which the Senate so recently rejected.

Congress is not here confirming a spear carrier for the President. What Mr. Ford does as Vice President is not important; what he will do as President may determine the future of the nation. A Vice President's only significant role is that of a potential replacement for the President. Congress may legitimately ask that the first man in our history who may become President without any action by the people meet not only a moral and ethical standard, but that he be a man of Presidential stature and competence, experienced in both foreign and domestic affairs, and that his personal philosophy and ideology be compatible with the Presidential role. A nominee for Vice President should be measured by such a standard most particularly now when he has been nominated by a President whose own tenure is in jeopardy.

Congress, as surrogate for the voters, is obligated to use the tests the voters use—stature, competence, experience and philosophy. Congress must exercise its independent judgment unaffected by any presumption in favor of a presidential nomination. As the legislative history makes clear, Congress must weigh every factor except partisan considerations. To determine whether a nominee is of Presidential stature is an awesome task, but as the constitutionally-designated surrogate for the people, the 93rd Congress can do no less.

II

Congressman Ford's record on civil rights is sufficient *in and of itself* to disqualify him for the Presidency. At a time when the nation needs a healer, the nominee is a divisive influence who has fought civil rights legislation at every turn. Considering only recent history, the years since 1965, in which Mr. Ford has been in a position of responsibility in the Congress as Minority Leader, he has voted over and over again to gut or weaken legislation which was in the interest of minorities.

On July 9, 1965, Mr. Ford voted to recommit the Voting Rights Act of 1965 to the Judiciary Committee with instructions to report back a substitute crippling the provisions for federal registrars and omitting the protection against intimidation and coercion.

On July 25, 1965, Mr. Ford voted against bringing to the floor the proposed civil rights bill.

On August 9, 1966, Mr. Ford voted to recommit the proposed civil rights bill in order to delete its fair housing provisions.

On October 6, 1966, Mr. Ford voted to nullify Title VI of the 1964 Civil Rights Act as applied to aid to elementary and secondary education.

On April 10, 1968, Mr. Ford voted against accepting the Senate amendments to the House-passed civil rights bill and in favor of sending the bill to conference where the housing provisions would have been emasculated or killed.

On December 11, 1969, Mr. Ford led the fight and voted to gut the extension of the Voting Rights Act of 1965 by substituting for the simple five-year extension proposed by the House Judiciary Committee a bill which deleted the basic provision in the 1965 law preventing states and localities from nullifying minority votes.

On September 16, 1971, Mr. Ford voted to delete the major provisions of the bill to strengthen Title VII (the Equal Employment Opportunity Title) of the Civil Rights Act of 1964, including provisions which would have given the EEOC the cease and desist powers generally available to federal regulatory agencies.

On October 10, 1973, Mr. Ford voted to deny the citizens of the District of Columbia, largely black, the right to vote for their own mayor.

Even today Mr. Ford supports a constitutional amendment which, justified as anti-busing, in fact turns back the clock a whole decade on school desegregation.

Thus, Mr. Ford's record during his period as Minority Leader is one of seeking to cripple every major civil rights legislative advance and then voting for the final product when passage became certain. The real struggle over civil rights legislation is never in final passage, but in resisting earlier attempts to gut the bills. In those difficult struggles, Mr. Ford has always been a powerful force against the side of civil rights. If this Congress were to confirm a Northern congressman with such a civil rights record for a post leading to the Presidency, it would owe an apology to both Judge Haynsworth and Judge Carswell and to the millions of your fellow citizens, black and white, who yearn for a leadership which embraces the goals of justice and equal opportunity.

The present Administration has refused to enforce the civil rights laws of the nation. The reports of the U.S. Commission on Civil Rights, the hearings of the Edwards Subcommittee of the House Judiciary Committee and the decisions of the courts are replete with examples of such non-enforce-

ment of the civil rights laws. The record of Congressman Ford in this area gives promise of exacerbation, not amelioration, of this divisive and polarizing situation.

III

You are asked to confirm a potential President for *all* the people in a time of economc turmoil. Congressman Ford's voting record reveals that in his 25 years on the national scene he has developed little sense of the world beyond his district. His record shows that he consistently has opposed programs to help working and disadvantaged people, and includes votes against food stamps, legal services and child care, minimum wages, education, Medicare, OEO, public housing, public works programs, and rent subsidies. He was one of the leaders in killing a $2 million rat extermination program. Mr. Chairman, we have prepared a more complete voting record and ask that at this point it be inserted in the transcript.

Congressman Ford has remained wholly insensitive to the diverse problems facing this country. A failure to develop understanding of the needs of the disadvantaged speaks not only in terms of intellect but of compassion—and compassion is especially essential to leadership when, as now, a sense of bitterness pervades the government, citizens are apathetic and skeptical of government, and both public and private sectors are retreating to a cynical philosophy of self-interest.

Today our social goals too often are defined in terms of opposing forces, pitting class against class and geographic region against geographic region; middle America's needs too often are defined in terms of opposition to programs for the poor and the disadvantaged. What we need now is a leader who can rise above parochial interests and give a sense of unity to the entire country. Compassion for those who have the least, rather than favors for those who have the most, is the first ingredient of such leadership.

IV

If one single act can disqualify a man for the Presidency of the United States, Mr. Ford's April 15, 1970 attack on the independence of the federal judiciary was just such an act. Here Mr. Ford demonstrated his faithlessness to the underlying constitutional concept of separation of powers just as he had so long demonstrated his insensitivity to the constitutional concept of human equality.

On April 8, 1970, the Senate rejected G. Harrold Carswell for the Supreme Court of the United States by a vote of 51–45. One week later Mr. Ford took the floor of the House to seek impeachment of Supreme Court Justice William O. Douglas. I was particularly struck by the enormity of this action by Mr. Ford at a testimonial dinner for Justice Douglas earlier this month. The only living Chief Justices, Warren Burger, appointed by one Republican President, and Earl Warren, appointed by another Republican President, paid tribute to this great man in the highest terms. Chief Justice Burger referred to the "great and unique career" which Justice Douglas had made on the highest bench. And Chief Justice Warren said there had been "no greater Justice in the history of the Court." Only extreme partisanship and reckless disregard of constitutional principles could have impelled Mr. Ford's impeachment attack on a Supreme Court Justice with the longest and most consistent civil-rights-civil-liberties record in history.

But even worse than Mr. Ford's partisan impeachment attempt are the legal and factual "justifications" he gave for his action.

Although the Constitution permits impeachment only for "treason, bribery or other high crimes and misdemeanors," Mr. Ford told the Congress that "an impeachable offense is whatever a majority of the House of Representatives considers it to be at a given moment in history." Not only is this a distortion of the plain language of the Constitution, but it is reckless and irresponsible doctrine. Under Mr. Ford's theory, the independence of the judiciary would be a thing of the past. Any defender of civil liberties at a time of stress could be removed from the bench by the passions of the day; the Bill of Rights would go down for want of independent judicial defenders.

Mr. Ford's factual basis for impeachment raises more questions about Mr. Ford than it does about Justice Douglas. The attacks on Justice Douglas' extra-judicial writings distort the Justice's thoughtful arguments and serve to highlight Mr. Ford's lack of devotion to the First Amendment. The effort to tie Justice Douglas to gamblers through the Parvin Foundation was guilt by association thrice removed. The effort to tie Justice Douglas to Bobby Baker was a fraud. The effort to smear him through his connection with the Center for the Study of Democratic Institutions, headed by Dr. Robert Hutchins, becomes ludicrous for those 3,000 people who attended the sessions of that organization here in Washington last month, sessions addressed not only by the Secretary of State but by most of the leading members of the United States Senate.

We ask permission at this point to insert in the transcript a comparison of the allegations in Mr. Ford's April 15th impeachment speech, the response to those allegations as set forth in the fact brief submitted to the committee investigating impeachment by Justice Douglas' distinguished attorney, Simon Rifkind, and the findings by that committee. These documents are found in the First and Final Reports by the Special Subcommittee on H. Res. 920 pursuant to H. Res. 93. The gross discrepancies between Mr. Ford's allegations and the committee's findings underline the recklessness of Mr. Ford's act on April 15th.

Unfortunately, Mr. Ford was not questioned about any of these mis-statements. We hope this matter is examined fully by this Committee before it acts on the nomination. How did Mr. Ford come to make such slanderous insinuations? Who assisted in the preparation of the speech? Was it part of a John Mitchell effort to drive a liberal Justice from the bench?

V

Congressman Ford is totally lacking in experience in foreign affairs. What is known of his views is his consistent support of U.S. involvement in the Indochina war. Even at the very end of U.S. involvement, when most of the country and most of the Congress had turned against the war, Congressman Ford continued to give it his unqualified support.

At a time when a foreign policy mistake might mean war and could mean nuclear holocaust, Mr. Ford's lack of experience in this area is an extremely serious disqualification.

VI

A priority task of the next President will be to restore the trust and confidence of the American people in their government and its leadership. This can be done only by following the Watergate and Watergate-related scandals wherever they may lead. Mr. Ford's public statements prior to his nomination have made it clear that this is something he cannot do.

Even after the Dean disclosures and the Haldeman and Erlichman resignations, Mr. Ford stated publicly, "I have the greatest confidence in the President and *am positively positive he had nothing to do with this mess.*" And when the President fired Special Prosecutor Archibald Cox—even though the Nixon Administration had promised Congress that Mr Cox would be independent—Mr. Ford announced that Mr. Nixon had "no other choice" but to dismiss Cox. Indeed, as late as November 5th, Mr. Ford stated before this committee that he considers the President "completely innocent" of any wrongdoing in the Watergate affair.

The next President must restore respect for the rule of law in America and this can be accomplished only by following every avenue wherever it may lead. This cannot be done by one who had prejudged the case in favor of Mr. Nixon.

VII

Americans for Democratic Action is independent of both political parties and fully supports President Nixon's right under the 25th Amendment to nominate a Republican Vice President who must be considered on his or her merits by a Congress free of partisan bias. But we do not insult the Republican Party with the belief that Mr. Ford is the only candidate the Party has to offer. He has never been considered as a candidate by his party; many others have. If the Congress rejects Mr. Ford's nomination, we are confident the Republican Party can provide a man or woman of Presidential stature who can unite the nation.

The Congress may want to consider reenacting the statute—which was in force for a century—providing for a new election in the absence of both a President and Vice President. ADA has not taken a position on such a statute. I mention the point only to suggest that there are alternatives to Mr. Ford available either through a new appointment or through a new election.

It is the availability of these alternatives that makes the unseemly haste of this Committee all the more tragic. To those who say that Congress must act at once to confirm Mr. Ford as a precondition of President Nixon's resignation or impeachment, Americans for Democratic Action gives this answer: We do not believe our nation is bounded on the East by Richard Nixon and on the West by Gerald Ford. Our sights go beyond these two to a man or woman who, as President of the United States, will bind up the nation's wounds at home and restore it to its place of honor abroad.

Nor is there any reason to believe that Mr. Ford's confirmation will hasten the day of Mr. Nixon's resignation or impeachment. On the contrary, Mr. Ford's unsuitability for the Presidency can only have the opposite effect—to solidify Mr. Nixon's position through the obvious lack of experience of his successor in foreign affairs and lack of stature at home.

VIII

Mr. Chairman, we urge that before voting on Mr. Ford's confirmation, you ask yourself these questions:

Is Mr. Ford among the men and women whom you believe should be President of the United States?

Should the next President be a divisive force between majority and minorities in this nation?

Should the next President be one who lacks compassion for those who need help and has devoted himself to the protection of those who do not?

Should the next President be one who sought to destroy the independence of the federal judiciary by a reckless attack upon a Supreme Court Justice?

Should the next President be wholly inexperienced in foreign affairs?

Can Mr. Ford, wholly inexperienced in any administrative activities, control the massive authority of the Presidency in the interest of democratic government at home and a stable world relationship?

Should the next President be one who has prejudged the Watergate scandals?

Are there not alternatives to Mr. Ford within the Party of Lincoln who can lead this Nation back to its rightful place of leadership and honor?

We put these questions to you. The matter is now on your conscience and in your hands.

VOTING RECORD OF GERALD R. FORD

CIVIL RIGHTS

Voted to weaken Fair Employment Practices bill, February 22, 1950.

Voted to cripple Voting Rights Act of 1965, July 9, 1965.

Voted against bringing 1966 Civil Rights Act to floor, July 25, 1966.

Voted to recommit 1966 Civil Rights Act to delete fair housing provision, August 9, 1966.

Voted to nullify Title VI of 1964 Civil Rights Act as applied to aid to elementary and secondary education, October 6, 1966.

Led fight to gut Voting Rights Act of 1965, December 11, 1969.

Voted against accepting Senate's open housing amendments to Civil Rights Act of 1968, April 10, 1968.

Voted to gut EEOC bill, September 16, 1971.

Voted for all anti-busing amendments including April 7, 1971; November 4, 1971; March 8, 1972; August 17, 1972. Supports "freedom-of-choice" school desegregation plans and constitutional amendment to ban school busing.

Voted to weaken D.C. Home Rule bill, October 10, 1973.

SOCIAL PROGRAMS

Voted against public housing, June 29, June 29, 1949; May 10, 1950; May 4, 1951; March 21, 1952; July 21, 1953; April 2, 1954; July 29, 1955; May 21, 1959; June 22, 1960.

Voted against increasing funds for hospital construction, May 26, 1953; June 25, 1970.

Voted against establishing national food stamp program, August 21, 1957.

Voted to weaken unemployment compensation law, August 16, 1950; May 1, 1958.

Voted against aid-to-education bill, August 30, 1960.

Voted against public works programs, May 4, 1960; August 29, 1962; April 10, 1963; April 22, 1971; July 19, 1972; March 15, 1973.

Voted to cripple food stamp legislation, April 8, 1964; June 8, 1967; December 30, 1970.

Voted against final passage of Economic Opportunity Act of 1964, August 8, 1964.

Voted against funds for elementary and secondary education, March 26, 1965; July 31, 1969.

Voted against Medicare, April 8, 1965.

Voted against creating HUD, June 16, 1965.

Voted to kill rent subsidy program, June 30, 1965; May 10, 1966.

Voted to reduce OEO funds, July 22, 1965; November 15, 1967.

Voted to delete Model Cities funds, May 17, 1967.

Voted to turn OEO over to states, December 12, 1969.

Voted against providing unemployment compensation to farm workers, July 23, 1970.

Voted against child care conference report, December 7, 1971.

Voted against increasing education appropriation, April 7, 1971, June 15, 1972.

Voted to cripple Legal Services bill, June 21, 1973.

Voted to reduce Labor-HEW appropriation, June 26, 1973.

LABOR

Voted for Wood (D-Ga.) bill containing worst features of Taft-Hartley, May 4, 1949.

Voted to weaken Minimum Wage bills, August 10, 1949; June 30, 1960; March 24, 1961; May 26, 1966; May 11, 1972; June 6, 1973.

Voted to use Taft-Hartley Injunction to end steel dispute, June 26, 1952.

Voted for Landrum-Griffin over bill limited to internal union reform, August 13, 1959.

Voted against repeal of Sec. 14(b) of Taft-Hartley Act ("right-to-work" laws), July 28, 1965.

Voted to weaken Occupational Health and Safety bill, November 24, 1970; June 15, 1972.

Voted to deny food stamps to strikers, July 19, 1973.

CIVIL LIBERTIES

Voted for Anti-Subversive bill, August 29, 1950.

Voted against requiring prior court approval for wiretaps, April 8, 1954.

Voted to upset the Supreme Court's Mallory Decision regarding admissible evidence, July 2, 1958.

Voted funds for HISC, April 29, 1971; March 1, 1972; March 22, 1973.

Voted for constitutional amendment allowing school prayers, November 8, 1971.

ENVIRONMENTAL

Voted against federal aid to states for prevention of water pollution, June 13, 1956; February 25, 1960.

Voted to kill mass transit legislation, June 25, 1964.

Voted against AEC funds to fight water pollution, October 8, 1969.

Voted for SST, March 18, 1971.

Voted against deleting funds for Cannikan nuclear test, July 29, 1971.

Voted against strengthening Pesticide Control Act, Novembr 9, 1971.

Voted against strengthening Federal Water Pollution Control Act amendments of 1972, March 28, 1972.

Voted against allowing Highway Trust funds for mass transit, October, 5 1972; April 19, 1973.

INDOCHINA, DEFENSE AND FOREIGN POLICY

Voted against all attempts to limit or end U.S. involvement in Indochina, including the Cooper-Church amendment (July 9, 1970), the Nedzi-Whalen measure (June 17, 1971), the Hamilton-Whalen measure (August 10, 1972) and the Addabbo amendment (May 10, 1973).

Voted for the Safeguard ABM program, October 3, 1969.

Voted against all attempts to lower military spending, voting against cutbacks amendments October 3, 1969; June 16, 1971; November 17, 1971; September 14, 1972; and July 31, 1973 (the Aspin ceiling amendment).

Voted to override Presidential veto of McCarran bill making immigration more difficult, June 26, 1952.

Voted to bar U.S. sale of surplus goods to Poland and Yugoslavia (Sept. 3, 1964) and to kill wheat sales to USSR and Hungary by barring credits (Dec. 16, 1963).

Voted against war powers legislation, July 18, 1973.

THE JUSTICE WILLIAM O. DOUGLAS IMPEACHMENT CASE: A COMPARISON OF REPRESENTATIVE GERALD FORD'S APRIL 15, 1970 SPEECH, JUSTICE WILLIAM DOUGLAS' FACT BRIEF, AND THE SUBCOMMITTEE'S DISPOSITION OF CHARGES

1. POINTS OF REBELLION

Ford Speech: "Its title is *Points of Rebellion* and its thesis is that violence may be justified and perhaps only revolutionary overthrow of 'the establishment' can save the country . . . Should a judge who sits at the pinnacle of the orderly system of justice give sympathetic encouragement, on the side, to impressionable young students and hard-core fanatics who espouse the militant method? I think not." (First Report, pp. 35–36.) [1]

Douglas Fact Sheet: "Rather than refer to the actual language of Justice Douglas' book, another critic has chosen generally to 'paraphrase.' His 'paraphrase' is not a fair one. Whereas the central message of the book is the warning that peaceful change is essential if we are to escape revolutionary violence, and law must be made 'responsive to human needs,' the critic manages to see the opposite. In his own words (obviously not the Justice's), the thesis is 'That violence may be justified and perhaps only revolutionary overthrow of 'the Establishment' can save the country.' And he suggests that although the book distinguishes between lawful procedure and violent revolution as ways to redress grievances, Justice Douglas has somehow given 'sympathetic encouragement' to those who 'espouse the militant method.' As the foregoing materials abundantly demonstrate, the book's message is precisely the contrary." (Final Report, pp. 393–4) [2]

Committee Finding: "The content of *Points of Rebellion* speaks for itself. Analysis by the Special Subcommittee indicates that Justice Douglas' critics have misinterpreted the meaning of the book. *Points of Rebellion* does not call for violent overthrow of established order in this country. It does not sanction rebellion. The book is not a neutral document; it has a clearly defined thesis. Far from advocating violence, the book urges a reordering of priorities through the traditional legal channels to avoid the violence which the author believes is inevitable if the established order does not accommodate to the needs of disillusioned segments of the society." (Final Report, p. 160)

2. THE EVERGREEN REVIEW

Ford Speech: "This article is authored 'by the venerable Supreme Court Justice' William O. Douglas. It consists of the most extreme excerpts from this book, given a somewhat more seditious title. And it states plainly in the margin: Copyright 1970 by William O. Douglas * * * Reprinted by permission . . . But you cannot tell me that an Associate Justice of the U.S. is compelled to give his permission to reprint his name and his title and his writings in a pornographic magazine with a portfolio of obscene photographs . . . His blunt message to the American people and their Representatives in the Congress of the U.S. is that he does not give a tinker's dam what we think of him and his behavior on the Bench." (First Report, p. 37)

Douglas Fact Brief: "It is charged that Mr. Justice Douglas published an article, consisting of a section from his book *Points of Rebellion*, in the April 1970 issue of *Evergreen Review*, where it immediately followed an artist's caricature of the President and a portfolio of allegedly obscene pictures. The fact is that Justice Douglas did not authorize the publication of the article in *Evergreen Review*, and had nothing to do with where it appeared and what materials accompanied it . . . In short, Justice Douglas played no role in Random House's decision to permit a portion of his book to appear in *Evergreen*, he had no right under his contract to take any position on the matter, and he was not consulted." (Final Report, pp. 397–8)

Committee Finding: "The Special Subcommittee concludes that Justice Douglas had no knowledge of or control over either the placement, or the manner of placing, the article 'Redress and Revolution' in *Evergreen Review*." (Final Report, p. 175)

3. THE AVANT GARDE ARTICLE

Ford Speech: "Ralph Ginzburg's magazine *Avant Garde* paid the Associate Justice of the U.S. Supreme Court the sum of $350 for his article on folk singing . . . However, Mr. Justice Douglas did not disqualify himself from taking part in the Goldwater against Ginzburg libel appeal . . . Writing signed articles for notorious publications of a convicted pornographer is bad enough. Taking

[1] First Report by the Special Subcommittee on H. Res. 920 of the Committee on the Judiciary, House of Representatives, Ninety-first Congress, Second Session, Pursuant to H. Res. 93, June 20, 1970.

[2] Final Report by the Special Subcommittee on H. Res. 920 of the Committee on the Judiciary, House of Representatives, Ninety-first Congress, Second Session, Pursuant to H. Res. 93, September 17, 1970.

money from them is worse. Declining to disqualify one's self in this case is inexcusable." (First Report, pp. 34–5)

Douglas Fact Brief: "The Justice has never had any dealings with Ralph Ginzburg, and had no occasion to recuse himself from the January case involving Mr. Ginzburg's *Fact* magazine . . . And it is well settled that publishing a single article in a newspaper or magazine does not disqualify the author from later hearing a case involving the publisher." (Final Report, p. 386)

Committee Finding: "Under the facts of this case, Justice Douglas was not required to disqualify himself from participation in the *Goldwater* v. *Ginzburg* petition for a *writ of certiorari*. That Mr. Ginzburg was the owner of *Avant Garde*, Justice Douglas had known since February 28, 1969. But existence of knowledge of the relationship is not the test for disqualification. 28 U.S.C. 455 requires disqualification if there is a substantial interest in a case, or a relation or connection, that, in the justices' opinion made it improper for him to continue to sit. The $350 payment certainly is *de minimis* and the relationship between Justice Douglas and Ralph Ginzburg through *Avant Garde* was virtually nonexistent. Clearly it was not extensive, not intimate, not continuing and failure to disqualify was not improper." (Final Report, p. 47)

4. ALLEGED PRACTICE OF LAW

Ford Speech: ". . . the foundation was incorporated in New York, and Mr. Justice Douglas assisted in setting it up, according to Parvin. If the Justice did indeed draft the articles of incorporation, it was in patent violation of title 28, section 454, U.S. Code . . . There is additional evidence that Mr. Justice Douglas later, while still on salary, gave legal advice to the Albert Parvin Foundation on dealing with an Internal Revenue Investigation." (First Report, pp. 38–9)

Douglas Fact Brief: "Justice Douglas at no time 'practiced law' for the Foundation, which from the outset retained expert outside counsel to handle both its routine and special legal problems. He did not, as alleged, draft the Foundation's Articles of Incorporation. He did not, as alleged, give tax advice or any legal advice regarding any tax investigation. Nor did he serve as counsel to the Foundation or to anyone associated with it with respect to any legal matters." (Final Report, p. 404)

Committee Finding: "The Special Subcommittee has examined records of the Albert Parvin Foundation, the files of Albert Parvin, Justice Douglas, Robert Hutchins, Harry Ashmore, and the Internal Revenue Service for information concerning the allegation that Justice Douglas drafted the Articles of Incorporation for the Albert Parvin Foundation. The documentary materials obtained in this file examination show that Justice Douglas did not draft the Articles of Incorporation of the Albert Parvin Foundation or provide legal services as its President." (Final Report, p. 80)

"All of the documents obtained in this investigation reprinted here and in the Committee's files relative to the conduct of Justice Douglas in administering the officers of the Foundation have been examined to determine the character and the purpose of the services provided by Justice Douglas to the Albert Parvin Foundation. These materials establish that Justice Douglas was not engaged in the practice of law in connection with his association with the Albert Parvin Foundation. His communications and actions relative to the tax investigation are consistent with his administrative responsibilities as President and Director of the Albert Parvin Foundation. Justice Douglas did not practice law." (Final Report, pp. 115–6)

5. ALBERT PARVIN FOUNDATION

Ford Speech: "What would bring an associate Justice of the Supreme Court into any sort of relationship with some of the most unsavory and notorious elements of American society?" (First Report, p. 38)

"In April 1962 the Parvin Foundation applied for tax-exempt status. And thereafter some very interesting things happened. On October 22, 1962, Bobby Baker turned up in Las Vegas for a 3-day stay. His hotel bill was paid by Ed Levinson, Parvin's associate and sometime attorney. On Baker's registration card a hotel employee had noted—'is with Douglas.' Bobby was then, of course, majority secretary of the Senate and widely regarded as the right hand of the then Vice President of the United States. So it is unclear whether the note meant literally that Mr. Justice Douglas was also visiting Las Vegas at that time or whether it meant only to identify Baker as a Douglas associate." (First Report, p. 39)

"Also on hand in Santo Domingo to celebrate Bosch's taking up the reins of power were Mr. Albert Parvin, President of the Parvin, Dohrmann Company, and the President of the Albert Parvin Foundation, Mr. Justice William O. Douglas of the U.S. Supreme Court." (First Report, p. 39)

Douglas Fact Brief: "The Foundation had no connection with the 'international gambling fraternity' . . . Justice Douglas does not know the alleged underworld persons named in the attacks upon him. He was not in Las Vegas when it was insinuated he was, he has never been associated with Bobby Baker, and he did not attend the inauguration of President Bosch as alleged." (Final Report, p. 387)

Committee Finding: "There is no indication that Justice Douglas personally has been involved in, or ever participated in, organized gambling. In fact, there is no evidence that Justice Douglas ever associated with or even met the individuals that have been named by critics of Justice Douglas in the April 15, 1970 speech or in H. Res. 922, who are identified underworld characters or members of some organized gambling fraternity. All such associations are indirect and are imputed to Justice Douglas only through his activities in connection with the Albert Parvin Foundation and his association with Albert Parvin. (Final Report, p. 176)

"The April 15, 1970 speech alleged that on October 22, 1962, Robert Baker was in Las Vegas for a three day stay, that his hotel bill was paid by Edward Levinson, and that on Baker's hotel bill a hotel employee had noted 'is with Douglas.' It was also alleged that Robert Baker and Edward Levinson were in the Dominican Republic with Justice Douglas, Albert Parvin and Harvey Silbert. The investigation of the Special Subcommittee has found that neither of these charges is accurate. According to the documents in the Committee's files, Justice Douglas left New York on October 21, 1962 for Santiago, Chile, and returned on October 30, 1962 after visiting Peru, Ecuador and Bolivia. Justice Douglas' first visit to Las Vegas was in November 1964, at which time he spoke at an Israel Bond Drive Dinner at the Sahara Hotel. Justice Douglas was not in the Dominican Republic at the same time that Robert Baker and Edward Levinson were there. Robert Baker attended President Bosch's inauguration on February 27, 1963. Justice Douglas, although invited to attend, was unable to do so. Justice Douglas was in the Dominican Republic in connection with the Foundation's Literacy Program on March 5th to 7th, 1963; and a second visit was made March 14–17, 1963. (Final Report, p. 320)

"Not only was Justice Douglas not in Las Vegas at the time charged, but neither was Robert Baker. The Department of Justice has supplied information, including the hotel records apparently referred to by the April 15, 1970 speech. The Documents supplied by the Department of Justice include a copy of a registration card for the Beverly Hills Hotel in Beverly Hills, California. This registration card shows that Robert Baker occupied Room 359 from October 22–25, 1962. The records show that Mr. Levinson was billed for Room 359. The registration card does bear a notation 'with Douglas—move 176/7'. The person who is the subject of the notation is not disclosed by the documents, and apparently this aspect of the matter either has not been investigated by the Department of Justice or has not been supplied to the Subcommitteee. It is obvious however, that such person could not be Associate Justice William O. Douglas who was not in Los Angeles during this period." (Final Report, p. 320)

6. CENTER FOR THE STUDY OF DEMOCRATIC INSTITUTIONS

Ford Speech: ". . . Mr. Justice Douglas moved immediately into closer connection with the leftish Center for the Study of Democratic Institutions . . . the Center was the site of a very significant conference of militant student leaders. Here plans were laid for the violent campus disruptions of the past few years, and the students were exhorted by at least one member of the Center's staff to sabotage American society, block defense work by universities, immobolize computerized record systems and discredit the ROTC." (First Report, p. 42)

Douglas Fact Brief: "The Center is an eminently respectable American educational institution which has enlisted the participation, support and cooperation of such distinguished Americans as Chief Justice Warren Burger, and a score of Congressmen." (Final Report, p. 424)

Committee Finding: "The Center is the sole activity of the Fund for the Republic, a nonprofit corporation created by the Ford Foundation in 1952. The Center was established in Santa Barbara in 1959. The Chief Executive Officer of the Center is Dr. Robert M. Hutchins, formerly Dean of the Yale Law School and former President of the University of Chicago. The President of the Center is Harry Ashmore, formerly Executive Editor of the *Arkansas Gazette* and former Editor-in-Chief of the *Encyclopaedia Britannica*. Associated with the activities of the Center are such notables as the economist, Rexford G. Tugwell; the environmentalist, Paul Ehrlich; the political theorist, Bertrand de Jouvanel; the educator, Clark Kerr; the theologian, Rheinhold Neibuhr; and Nobel laureate, Isidor I. Rabi. (Final Report, p. 177)

"Since its establishment in 1959, the Center has conducted conferences, seminars and symposia on a variety of issues. It publishes a magazine to encourage the study of international relations and public questions. One of the primary activities of the Center is daily dialogue sessions aimed at obtaining a diversity of viewpoint on a multitude of topics. During these sessions the entire spectrum of American thought and argument are invited to participate." (Final Report, p. 178)

THANKSGIVING RECESS

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

Mr. DULSKI. Mr. Speaker, it occurs to me that our distinguished colleagues from the other side of the aisle are playing a frivolous game of "follow the leader."

While the President is inaccurately trying to place the blame for his administration's inaction on the energy crisis on Congress, the members of his party in Congress are trying to make political hay out of a 3-day recess next week.

We already had one display of demagoguery on this subject last Thursday, and I do not think another one is necessary.

In the first place, the so-called 10-day recess is a misnomer. There is a span of 10 days from adjournment until the next meeting. However, four of these days are weekends, 2 days are Fridays, on which we do not normally schedule sessions—and I have not heard any strenuous objections from the other side of the aisle over unscheduled Fridays this year—and 1 day is the Thanksgiving holiday. That leaves 3 days in which we could hold sessions, but I submit those days could better be spent in our district. I plan to spend the time in Buffalo, as I usually do.

The irony of the situation is that some of the conscience-stricken Members have already planned vacations for those days, while many of us who intend to visit with our constituents would find it no hardship to report to Washington November 19, 20, and 21. Congress has evolved into an 11- to 12-month session each year, anyway.

Actually, very little of substance has been said in this series of pious speeches by the Republicans. Democrats have been accused of lagging behind on legislation to ease the energy crisis. In fact, the President, as the Republicans are well aware, was given authority for emergency fuel allocation last April, and is only acting now.

The mandatory fuel allocation conference report was filed Saturday—and it was delayed time and again by administration request to await the President's emergency energy plan. In spite of the fact that his energy legislation proposals have been far behind his promises to submit them, we have been steadily working on numerous aspects of energy problems. We passed the Alaska pipeline authorization yesterday—after nearly a week's delay caused by a Republican objection. My Republican friends might consider talking with their objectors instead of trying to lay the blame on Democrats.

Further, the Judiciary Committee has announced its scheduled hearings on Representative FORD's confirmation, and the leadership has scheduled the House vote for December 3. The Senate Interior Committee yesterday reported out the emergency energy legislation requested by the President last week—legislation which had, incidentally, been introduced before the request was finally sent to Congress—and the Interstate and Foreign Commerce Committee begins hearings on it tomorrow. The Senate Commerce Committee has concluded hearings on implementation of year-round daylight saving time, and the House committee began hearings today. As an early advocate and sponsor of this legislation, I am confident the Democratic Congress will pass the bill in the near future.

I have great respect for my Republican friends, but believe that instead of attacking the House leadership, they might better their time utilizing the 3-day recess talking to their constituents—unless the recent election results made Washington more appealing than coming home to visit with their constituents. They could also usefully try to convince the President not to carry out the threatened veto of urban mass transit or Alaska pipeline legislation.

There is one bright side to all the oratory about unfinished business—it is the strongest indication we have had all year that the Republicans are anxious to cooperate in passing reform legislation.

AD HOC ADVISORY GROUP ON PUERTO RICO

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Puerto Rico (Mr. BENITEZ) is recognized for 5 minutes.

Mr. BENITEZ. Mr. Speaker, the President of the United States and the Governor of Puerto Rico created on September 20, 1973, a new ad hoc advisory group pursuant to the 1967 plebiscite on the status of Puerto Rico. The group has 14 members—7 appointed by the President of the United States of America and 7 appointed by the Governor of the Commonwealth of Puerto Rico.

The Presidential appointees of the ad hoc advisory group are: Senator MARLOW W. COOK, Senator J. BENNETT JOHNSTON, Senator JAMES L. BUCKLEY, Representative DON H. CLAUSEN, Representative THOMAS S. FOLEY, Richard B. Ogilvie, Esq., Mr. Paul N. Howell.

Puerto Rico's representation included former Gov. Luis Muñoz Marín, as well as the president of the senate, the speaker of the house, the secretary of state, a leading senator from the opposition, a former secretary of finance and myself.

Mr. Speaker, I should like to report that the new advisory group held its first public meeting in the Capitol Building of the Commonwealth, in San Juan, Puerto Rico, on November 11, 1973.

The seven Puerto Rican members submitted a proposal concerning the nature, and the goals of Commonwealth status.

The proposal, reproduced here in full, was received and accepted by the whole group as its first working paper and basic agenda.

Public hearings on the specific items included in the proposal will be held in Puerto Rico during the next meeting of the committee on December 7, 8, and 9, 1973.

Mr. Speaker, I should also like to take this occasion to express the appreciation of the people of Puerto Rico, not only for the personal commitment, but also for the hard work already put in by the Presidential appointees this last weekend in the Commonwealth.

Senator MARLOW COOK and I will continue to report to our respective bodies on the progress of the advisory group, so that Members on both sides of the aisle can be periodically advised of our progress toward the further development of the Commonwealth concept and reality. Perhaps our work here may even serve as a useful point of reference for working out viable relations between "stronger" and "weaker" nations throughout the whole world.

The proposal follows:

PUERTO RICO'S PROPOSAL

The Puerto Rican members of this Advisory Group wish to identify for their United States colleagues the matters they feel deserve the main attention of the Joint Advisory Committee. It is hoped that once a consensus on such matters has been reached—both as to their nature and as to the general perspective—we may jointly agree on an expeditious and satisfactory *modus operandi* to guide our deliberations, studies, and recommendations.

The Charter of this Committee declares that:

The President of the United States and the Governor of Puerto Rico, "in order to implement the will of the people of Puerto Rico freely expressed in the plebiscite of 1967" appointed seven (7) members each to constitute the Advisory Group. That plebiscite held on July 23, 1967, pursuant to P.R. Law No. 1, December 23, 1966 submitted to the Puerto Rican electorate the status alternatives of Commonwealth, Statehood and Independence, the electorate decided, "to develop the Commonwealth in accordance to its fundamental principles to a maximum of self-government and self-determination within the framework of Commonwealth."

The Commonwealth slot in the ballot defined the framework of association or union between Puerto Rico and the United States as: "a common defense, a common market, a common currency, and the indissoluble link of the United States citizenship."

Notice that the Charter of the Ad Hoc Committee reproduces the exact language of the plebiscitary mandate. The recommendation on holding a plebiscite to determine the will of the Puetro Rican people has historic roots in our tradition. It was originally proposed—unsuccessfully—to adjudicate the questions resulting from the Hispanic American War raised by Article 9 of the Treaty of Paris: "The civil rights and political status of the native inhabitants of the territories hereby ceded to the United States shall be determined by the Congress."

Before and after the ratification of the Treaty, Eugenio María de Hostos, an illustrious Puerto Rican patriot, recommended a plebiscite on status to President McKinley. The Unionist Party, the dominant Puerto Rican party from 1904 to 1924, adopted a plebiscite resolution on September 1914. The Speaker of the Puerto Rico House of Delegates, José de Diego, was its leading proponent. The plebiscite proposal remained dormant after the Organic Act of 1917 and De Diego's death in 1918

Following an extensive process of democratic consultation Commonwealth status for Puerto Rico was established on the 25th July 1952. That process involved on Puerto Rico's side the status program submitted in the general elections of 1948 by the Popular Party, a referendum in 1951 approving Public Law No. 600, the election of a Constitutional Convention and the final ratification of the Constitution and of the whole process in a second referendum. On the Federal side it included two congressional enactments, both of them subject upon approval by Puerto Rico, so as to take effect.

However, the subsistence in the Puerto Rican Federal Relations Act of what were called "colonial vestiges" and the continued claim of minority groups for Statehood and for Independence led the then Governor of Puerto Rico, Luis Muñoz Marin and the late President John F. Kennedy "both as a matter of fairness to all concerned and of establishing an unequivocal record" to recommend a further examination of the United States-Commonwealth relationship. The final outcome of that interchange was the creation of the U.S.-Puerto Rico Commission on the Status of Puerto Rico. This Commission also arises on the basis of legislation approved parallel in Congress and the Legislature of the Commonwealth. (Public Law 88-271,

February 20, 1964 and Law No. 9, April 13, 1964.)

After two years of extensive studies, researches and hearings the Status Commission renewed the plebiscite recommendation reporting that: "The Commission's major conclusion is that all three forms of political status—the Commonwealth, Statehood, and Independence—are valid and confer upon the people of Puerto Rico equal dignity with equality of status and of national citizenship. Any choice among them is to be made by the people of Puerto Rico, and the economic, social, cultural, and security arrangements which would need to be made under each of the three status alternatives will require the mutual agreement and full cooperation of the Government of the United States. A first step toward any change in political status must be taken by the Puerto Rican people acting through constitutional processes."

The final recommendation followed: "If the people of Puerto Rico should by plebiscite indicate their desire for Statehood or Independence, a joint advisory group or groups would be constituted to consider appropriate transition measures. If the people of Puerto Rico should maintain their desire for the further growth of the Commonwealth along the lines of the Commonwealth Legislative Assembly's Resolution No. 1 of December 2, 1962, or through other measures that may be conducive to Commonwealth growth, a joint advisory group or groups would be convened to consider these proposals."

In the light of the above summary as well as of the terms of its own Charter, the task of this Advisory Group centers on the further development of Commonwealth. *The Estado Libre Asociado de Puerto Rico*, to use the Spanish designation which seems more precise for our present purposes reflects a creative effort to establish a free permanent relationship voluntarily entered into between Puerto Rico and the United States that is mutually satisfactory and whereby the social and political freedoms inherent in the fundamental values of democracy, citizenship and the cultural identity of Puerto Rico can be effectively enjoyed by our people. The Preamble of the Constitution of the Free Associated State summarizes its purposes:

"We, the people of Puerto Rico, in order to organize ourselves politically on a fully democratic basis, to promote the general welfare, and to secure for ourselves and our posterity the complete enjoyment of human rights, placing our trust in Almighty God, do ordain and establish this Constitution for the Commonwealth which, in the exercise of our natural rights, we now create within our union with the United States of America.

"In so doing, we declare:

"The democratic system is fundamental to the life of the Puerto Rican community:

"We understand that the democratic system of government is one in which the will of the people is the source of public power, the political order is subordinate to the rights of man, and the free participation of the citizen in collective decisions is assured:

"We consider as determining factors in our life our citizenship of the United States of America and our aspiration continually to enrich our democratic heritage in the individual and collective enjoyment of its rights and privileges; our loyalty to the principles of the Federal Constitution; the coexistence in Puerto Rico of the two great cultures of the American Hemisphere; our fervor for education; our faith in justice; our devotion to the courageous, industrious, and peaceful way of life; our fidelity to individual human values above and beyond social position, racial differences, and economic interests; and our hope for a better world based on these principles."

Article I of the Constitution entitled "Commonwealth" reads:

"Section 1. The Commonwealth of Puerto Rico is hereby constituted. Its political power emanates from the people and shall be exercised in accordance with their will, within the terms of the compact agreed upon between the people of Puerto Rico and the United States of America.

"Section 2. The government of the Commonwealth of Puerto Rico shall be republican in form and its legislative, judicial and executive branches as established by this Constitution, shall be equally subordinate to the sovereignty of the people of Puerto Rico."

The plebiscite mandate of 1967 reaffirms the existence of a distinct body politic—The Free Associated State of Puerto Rico.

This mandate and the considerations expressed above call for the following criteria to serve as guiding principles in our task.

1. Commonwealth status should be developed within its own framework to the maximum of self-government and self-determination compatible with a common defense, a common market, a common currency, and the indissoluble link of United States citizenship.

2. The government of the United States should exercise with reference to Puerto Rico such powers as are essential to the basic elements of the permanent union between the United States and Puerto Rico.

3. As respects such powers as will be exercised by the United States under (2) above, alternate forms of participation in federal decisions affecting Puerto Rico ought to be considered together with the Presidential Vote recommended by the first Ad Hoc Advisory Group.

4. The principles of self-determination, self-government and government by specific consent of the governed.

The Puerto Rico Federal Relations Act and related legislation are not an adequate embodiment of the constitutional relationship between Puerto Rico and the United States. Together with very many desirable and essential provisions pertaining to the meaning and purposes of The Free Associated State, the Federal Relations Act retains anachronic, deleterious, and confusing expressions held over from the Foraker Act of 1900 and the Jones Act of 1917, as amended. Such expressions have no place in a declaration of permanent union or association.

In order to reduce the proposals under consideration to the bare minimum, Public Law 600 limited itself to preserve the basic scheme of relationship via retaining the old section numbers under the new generic title *Puerto Rico Federal Relations Act*. Under this arrangement several indispensable provisions remain intertwined with thoroughly objectionable expressions.

A few instances serve to illustrate the point:

The Puerto Rico Federal Relations Act retains the initial clause of the Organic Act of 1917. It declares: "That the provisions of this Act shall apply to the island of Puerto Rico and to the adjacent islands *belonging to the United States*, and waters of those islands." The underscored clause is, of course, objectionable and has been used over and over again at the United Nations and elsewhere to argue that Puerto Rico "is a colony of the United States".

Section 10 provides, "That all judicial processes shall run in the name of United States of America, as, the President of the United States". This provision completely lacks use or justification.

Other provisions go beyond questions of form. Outstanding among them is Section 9, which includes a double negative which has been the source of many legal perplexities and confusions. It provides, "That the statutory laws of the United States not locally inapplicable, except as hereinbefore or hereinafter otherwise provided, shall have the same force and effect in Puerto Rico as in the United States, except the internal revenue laws." Besides engendering a multiplicity of doubts concerning which of the statutory laws of the United States are actually in force in Puerto Rico and to what extent; it is essentially incompatible with the norm pertaining to a maximum of self-government.

In keeping with the charge that, "The Advisory Group will inquire into and report and recommend on the extent to which of the statutory laws . . . of the United States should apply in Puerto Rico", it will be indispensable for the whole Puerto Rico Federal Relations Act to be reexamined and rewritten. This will be necessary not only to strike out surplusages and to bring it up to date, but also to clarify the basic nature of the relationship between Puerto Rico and the United States.

This involves the elimination of provisions that impinge on self-government as well as the inclusion of such language as may be necessary to safeguard the basic framework of the Free Associated State relationship. It will be necessary also to explore diverse ways of participation on matters pertaining to that basic framework of union with the United States as defined both in the plebicite and in the Charter of the Committee. In short, that the Federal Relations Act in its present form does not constitute a truly organic body of law governing the terms of Puerto Rico's free association to the United States. On the contrary there are many other provisions of law governing such relationship. The Act must be revised so that, at least, the basic outline of the relationship be established in a single and coherent statute that replaces the Federal Relations Act and related legislation in harmony with present realities, and the plebiscitary mandate.

The end result of this task will naturally have to reflect recommendations obtained in connection with other matters which the Advisory Group from time to time may decide to consider. Initially, we recommend among other matters it ought to examine the following:

1. Revision of the Federal Relations Statute.
2. Acquisition, retention and disposition of federal property in Puerto Rico.
3. Common defense;
4. Ways in which Puerto Rico may participate in federal decisions affecting the Island and the applicability of federal laws to Puerto Rico;
5. Immigration of aliens;
6. Navigable waters;
7. Coastwise shipping laws;
8. Minimum wage and other labor matters;
9. Tariff policy and external trade matters;
10. Financial laws;
11. Laws relating to ecological matters;
12. Laws relating to planning;
13. Laws relating to communications;
14. Transportation matters;
15. New forms of federalism or association. Participation of the Associated Free State of Puerto Rico in international affairs in ways compatible with its permanent union or association to the United States.

SAN JUAN, PUERTO RICO, NOVEMBER 11, 1973

Hon. Luis Muñoz Marín, former Governor of Puerto Rico, Co-Chairman.

Hon. Jaime Benítez, Resident Commissioner from Puerto Rico to the United States.

Hon. Juan Cancel Ríos, President of the Senate of Puerto Rico.

Hon. Justo Méndez, Member of the Senate of Puerto Rico.

Hon. Victor M. Pons, Jr., Secretary of State for Puerto Rico.

Hon. Luis Ernesto Ramos Yordán, Speaker of the House of Representatives of Puerto Rico.

Mr. Angel Rivera, President of Banco Crédito Ahorro Ponceño.

ADMINISTRATION'S FUEL ALLOCATION PROGRAM ALL BOTTLED UP

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

Mr. FULTON. Mr. Speaker, without going into the question of how a nation such as ours could be so totally unprepared for the energy situation we face when we have been warned and have known for months, even years, that it was coming I would like to express my complete dismay and consternation at the way the present mandatory fuel allocation is being mishandled.

While I make no claim at having a complete picture of this bungled job on a nationwide basis, I have it on rather good authority that what is happening in my particular region, the Southeast, reflects the picture for the entire United States.

As you know distributors are supplying middle distillate fuels, kerosene, jet fuel, home heating oil, diesel fuel, and others, on the basis of 1972 volume received by customers. However, under this program there immediately arose some glaring inequities.

Individuals or firms which had no concontract with their present distributor in 1972 were informed they could expect no more fuel.

Certain businesses which used an unusually smaller amount of fuel in 1972 because of weather or other factors beyond their control find now they are cut back to well below average operating requirements.

There are just two examples.

One firm in my district was trapped in a situation similar to these and called on me for aid. Following the advice received last week at a briefing given by the Office of Oil and Gas we referred him to the Atlanta regional office.

Immediately I was contacted by him again saying he could not get through to the Atlanta office by phone.

Mr. Speaker, that was Thursday, November 1. Since that time my office has attempted to call the Atlanta regional office on an average of five to six times a day. The result is either a busy signal or no answer.

The Atlanta office has three numbers. Two of them never answer. A third sometimes rings busy or does not answer.

Yesterday, after six morning calls which rung without answer, my office called the office of Oil and Gas in Washington to inquire as to whether or not there was anyone actually in the Atlanta office and whether or not the number we were using was correct. On each count the answer was affirmative. Still nothing was done to help me reach Atlanta nor was any help offered other than the explanation that the staff in Atlanta might be in conference.

To make matters even worse my office called the Washington office of Oil and Gas again about noon to seek additional assistance. When told the official in charge at the office was out to lunch we asked to speak to an assistant. We were told he was out to lunch. When we asked if anyone were in with whom we could speak we were told the entire office was out to lunch.

However, Mr. Speaker, I do not want to leave the impression that I or my staff are unresourceful. We knew there was a way to reach the Atlanta regional office if we just kept tyring.

Now I believe we have discovered the secret. Though I have not tried it yet but I am told by one who has that it works. What is necessary is to call the Forest Service in Atlanta. That office is just across the hall from Oil and Gas. You leave word of an emergency and Mr. Don Hammonds, the Oil and Gas regional administrator, may call you back.

To be truthful, Mr. Speaker, I am somewhat hesitant to try this approach. What would happen if I actually reached the regional office? If the confusion and inability to function there is as great as I am led to believe then I fear there would be no relief available, only failure in success.

Mr. Speaker, business are closing down because their owners and operators cannot get fuel. Workers are being laid off just at the beginning of the Christmas season because their employers cannot get fuel.

All of this because the Federal Government is not functioning. It is not necessary, I do not believe, to harangue about this situation. It is so deplorable that it speaks loudly for itself.

And to further add insult to injury the necessary Government forms for relief applications are not yet distributed.

Should it be necessary to ration fuel, it is my fervent hope that the administration will finally learn that meeting the fuel emergency requires more than asking America to turn down its thermostats and drive 50 miles an hour. It requires long and careful planning. It requires contingency programs and it requires leadership.

The administration's mandatory fuel allocation program demonstrates a complete and utter absence of any of these ingredients.

This is an unexcusible disgrace and a good many Americans are going to suffer needlessly because of it.

THE ENERGY CRISIS

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

Mr. CLARK. Mr. Speaker, one of our Nation's greatest assets—an integral ingredient supporting and, indeed, fueling our progress to the position we now hold in the world—had been our ability to supply an ever-enlarging source of energy for our people.

Now, the energy crisis is upon us and we are searching out ways to slow down our progress, impede our growth, and conserve our energy supplies, so as not to create a national disaster which would leave people without light and heat for their homes, and leave industry without the power to turn the wheels of progress.

There is no doubt that this must be done. There is no doubt that it can be done. There is no doubt in my mind that it will be done through the cooperative effort of government, business, and industry and the people of our country because everyone knows the power of the American people to unite and accomplish a task of national emergency.

But implicit in our goal to conserve energy must be some evaluation of how this crisis came about. And I would like to submit that more than a small part has been played by overzealous protectors of the environment who have, through well-intentioned but misguided effort, succeeded in putting handcuffs on the busy hands of our industrial might, bringing about the threat of economic strangulation and feeding the flames of rampant inflation.

As a Representative of a State which has beneath its surface large deposits of energy in the form of coal, I would like to state for the record my irritation and frustration at the rules and regulations promulgated by environmental enthusiasts which prohibit the use of coal to fire electric powerplants, steel mills, blast furnaces, and other industrial plants because that vast source of energy, in greater supply than any other within our shores, has a sulfur content which these self-appointed experts feel is damaging to the health and well-being of our people.

And at the same time when any and all sources of energy are desperately required to meet energy needs, coal is being criticized for not being available and the coal industry is being scrutinized and chastised for not having the productive capacity to bring about mining and distribution miracles that would bring about plentiful supplies of coal at locations spread far and wide around the country. That would take, I submit, a wave of an industrial wand.

There is no industrial wand. The past 5 to 7 years have seen the implementation of environmental rules and regulations at both State and Federal levels which have discouraged rather than encouraged energy producers like coal companies from bringing about solutions to the energy crisis from which we are now suffering.

Right now, sulfur content regulations for all fuels are so stringent that we will have to go through the process of deregulation—a complicated and time-consuming procedure—in order to clear the way for coal to aid in solving our energy crisis complications.

I trust that this will be done. But I pray at the same time that we will not allow continued and further intervention by environmentalists which will delay or prohibit the production and distribution of coal. The vast quantities of this valuable resource should be mined and distributed in a climate of technical and economic encouragement. The men and machines required to produce the resource should be supported by legislation which will complement rather than frustrate coal mine operators. Legislation encouraging the utilization of coal in powerplants and industrial plants should be speeded and passed and finally, environmental concern should be looked at in a rational perspective for, while no one wants deliberate degradation of

our natural environment, we have clearly overreacted, overregulated, overemphasized, overprophesied and overdramatized environmental protection to the stage where we have begun to strangle the energy lifelines which have given this Nation the standard of living and the astounding progress we have achieved.

The time has come for clear thinking members of Congress to recognize that dark streets, cold homes and silent factories are not America's destiny, that we have abetted foolish fuel fallacies with pitiful policies and must rectify our errors with thoughtful, consistent, enlightened action that puts the energy needs of people at least alongside if not ahead of the myopic environmentalists who can only see the bosom of Mother Nature. We cannot cure the admitted industrial pollution that has accumulated over the 200 years of our Nation's history, in 1 or 2 years of regimented enforcement that could bring this nation to its economic knees and make us prey for old-world domination that we so successfully escaped in 1775.

The administration dreamers have come up with still another gimmick in "Project Independence," designed, the President says, to make America self-sufficient in a few short years. Words are a dime a dozen and this administration has coined more phrases than the government has bureaus, while bowing to every whim of all the various cults of the Friends of the Earth, but what we are in drastic need of now—is action. "Project Independence" will not get off the ground if we do not free up the only resource America has in abundance—and that is coal, gentlemen. We have wasted so much time already that I hate to mention the word again, but a time reference is necessary if we are to put the coal situation into proper perspective; if we passed every law that is necessary to free coal from environmental shackles, it would take at least 24 months to get into the production that would be necessary to substantially ease the energy crisis.

THE NOMINATION OF GERALD R. FORD

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

Mr. PODELL. Mr. Speaker, I would like to speak briefly about the nomination of the minority leader of the House, GERALD FORD, of Michigan, to the Office of Vice President.

It is in the best interest of the country that the office be filled just as soon as reasonable men can do so following the procedures prescribed by the 25th amendment. I know the House Judiciary Committee will move with all due speed, without in any way sacrificing a thorough investigation, to report their findings and the nomination to the floor for full House debate and consideration.

At a time when the resignation or impeachment of the President is an open question, it is essential to the security of the Nation that the question of succession be settled. Particularly in view of the serious international tensions of recent weeks, America and the world must know that our deeds and commitments, especially in the Middle East, are meaningful; that the stands and policies of our Government are not threatened by instability.

We are faced with the twin specters of an energy crisis and Soviet designs in the Middle East. The future of our country and that of Israel, our close friend and ally for over 25 years, are inextricably entwined. If we stand firm in our commitment to conservation and self-sufficiency, if we resist economic blackmail which would force us to sacrifice our principles and our friends, then America can emerge from the present crisis as a truly great Nation. At a time such as this trust and leadership are crucial.

The American people and the nations of the world must know that the firm policies of the present administration in regard to the preservation of peace in the Middle East and the protection of Israel do not depend on any one man, even if that man is now the President. The world must also know that at such a time the Congress will not play partisan politics by seeking to thwart the nomination of Representative FORD.

Mr. FORD has been a true friend of Israel throughout the years, understanding both our moral commitment to that young country as well as the vital role that commitment plays in the defense of the free world.

Politically Representative FORD and I are different animals. In the normal course of events there is precious little in domestic politics we agree on. During the years we served together we have been almost uniformly on the opposite side of the legislative fence. But Mr. FORD faithfully represents the political philosophy espoused by President Nixon in the 1972 Presidential election and so deserves confirmation.

The nomination of Mr. FORD was greeted with wide approval in both Houses of Congress. That is due in large part to his record of 25 years in the House of Representatives. He is known here, and liked, for his open, straightforward approach in legislative matters. He is not consumed by ambition, nor obsessed by power, of which he has had considerable at his disposal during his tenure as minority leader. He is personable, a good listener and highly trained in the legislative arts. He would bring to the administration something that it has been lacking for the last 5 years, an understanding of the governmental process, the legislative process, and the intricate workings of Congress.

The striking similarities in the basic political philosophy of the minority leader and the administration suggest a harmonious relationship at the White House that may be reflected on the administration's legislative program. Yet that is not to say Mr. FORD is not his own man. He was not hurriedly tailored for the job. The similarities in the philosophy of the two are sincere, not contrived.

It is with these thoughts in mind that I urge House confirmation of the nomination with all due speed, if a fair and thorough assessment on the nomination by the Judiciary Committee discovers no information that might cast doubt on his qualifications.

I believe GERALD FORD will be a strong Vice President and if called upon a strong President in the difficult times ahead.

H.R. 9142, NORTHEASTERN RAILROAD SYSTEM

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

Mr. HANLEY. Mr. Speaker, last Thursday the House passed H.R. 9142, a bill to restructure and revitalize the Northeastern railroad system. I supported this bill because I considered it a well-balanced, well-constructed approach to an extraordinarily complex situation. I feel that the labor protection provisions, abandonment clauses and the general approach to restructuring the rail system in the Northeast provide a solid basis for restoring quality rail service in that area. The House is to be commended for its speedy action, which should have the effect of eliminating the threat of economic turmoil that liquidation of the bankrupt railroads in the Northeast would have caused.

We should note, however, that one of the main reasons for committing massive amounts of the taxpayers' money to reorganizing the rail system in the Northeast, was the bankruptcy of the Penn Central. On June 21, 1970, the Penn Central Railroad, formed just 2 years and 4 months earlier in the largest merger in American corporate history, became the largest company in American history to declare bankruptcy. A subsequent 2-year investigation by Chairman WRIGHT PATMAN and the Banking and Currency Committee, in which I participated, opened a Pandora's Box of dubious management practices, inside selling of Penn Central stock and various acts of questionable legality. Actions by the executive staff of the Penn Central were so flagrant and varied that within the short span of 16 months the Justice Department of the United States, under prodding by Chairman PATMAN, launched a vigorous and thorough investigation into allegations of illegal misconduct by the executive management of the Penn Central Railroad.

The investigation by the Justice Department was so vigorous that today, some 23 months later, not one single indictment has been handed up. It has now been 41 months since the Penn Central went bankrupt, leaving the trustees of the railroad with the impossible task of trying to reorganize a railroad on the verge of not only financial but physical collapse. I have written several times this year to the Justice Department requesting action on this case only to learn that, yes, indeed, "the investigation is continued." One can only wonder if the statute of limitations will run out before the Justice Department gets around to a vigorous pursuit of this case, a case a freshman law student could probably crack, despite its complexity.

I must apologize for my caustic remarks, for I am sure there are many fine, dedicated people working on the Penn Central case, but when I think of the untold economic disruption and expense to the Nation I cannot help but think of what the taxpayer feels about all this. I think of the average citizen who dutifully pays his taxes, and struggles to support his family, one whose only crime is an occasional traffic ticket, which he promptly pays. What does this person think when he sees the rich, the powerful, the affluent breaking the law with impunity, without fear of the law, while the Department of Justice seemingly is incapable of action.

I believe that if we are to allow the corporate criminal to go unpunished or to drag out the proceedings as we have seen in the prosecution of the Penn Central case, the respect and love the average citizen has toward his system of government will crumble into disillusionment. If the Justice Department seems unwilling to take action in the case, then it must be the duty of the Congress to push aggressively for a resolution of the matter. I have strongly urged several times that the House of Representatives open an investigation into the Justice Department's conduct of this matter. I again repeat this request and hope you will join me in this effort to restore respect to our system of criminal justice.

CONGRESSMAN JAMES M. HANLEY'S ADDRESS AT THE DEDICATION OF THE NEW YORK STATE GRANGE HEADQUARTERS IN CORTLAND, N.Y.

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

Mr. STRATTON. Mr. Speaker, on Sunday, October 21, 1973, the New York State Grange dedicated its new $3.4 million headquarters building on Grange Street in Cortland, N.Y. During the 1960's I had the pleasure to represent Cortland County in Congress. The State Grange would have been hard pressed to find a more appropriate location than Cortland County. For years it has been one of the most viable and productive agricultural areas in the Northeast, especially in terms of dairy farming.

The Grange has long been a symbol of dedication to family, community, and country. These attributes are less easily found in the present day than ever before. Yet one man who strongly personifies this dedication to family, community, and country in his own person was the keynote speaker at that dedication, our beloved colleague, the gentleman from New York (Mr. HANLEY), who now represents Cortland County in Congress.

I also feel strongly, Mr. Speaker, that Congressman HANLEY's very pertinent remarks at that dedication deserve the attention of every Member of this Congress. For that reason, under leave to extend my remarks, I include the full text of Congressman HANLEY's speech. Also I include a news article from the Cortland Standard setting forth further details of this happy occasion.

The items follow:

CONGRESSMAN HANLEY'S REMARKS

Ladies and gentlemen of the New York Grange, I congratulate you on the beauty of your new state headquarters, and I welcome you to Cortland. This building is a fine symbol of the vitality of the Grange. It is also a symbol of the vitality of Cortland.

I am really deeply grateful to your master, Bob Drake, for this opportunity to participate in this dedication, and I express my best wishes to all of you.

The Grange's dedication to family, community, and country was once expressed in this fashion. First, a higher and better manhood and womanhood among ourselves. Second, never being afraid of grace and beauty which will protect and enhance our environment, our homes and our communities. Third, increasing our individual wisdom, that we may in a reasonable measure match the fabulous growth in the world's total knowledge, characterizing our day with a reasonably comparable growth in ourselves. Fourth, raising the standards of our own moral, cultural, and social achievements, that we may deserve, and in due course, command the respect of our neighbors.

I wish those were my words, but they are really yours. They were given to you six years ago when the Grange observed the 100th Anniversary of service to its members and its country.

The words came from the heart and mind of a great man—a tough fighter—a kindly and considerate gentleman—a man whose patriotism was measured by boundless enthusiasm and unlimited energy. Your national master, Herschel Newsom, so described the program and the policy of the grange when it reached its hundredth birthday.

It was characteristic of Herschel that on that occasion he looked ahead. And characteristic also of Herschel in the true grange pattern of husband and wife, family, and community, his wife Blanche worked closely with him and with the grange.

It seemed fitting and proper to take this time to note the contributions of Herschel and Blanche to the grange and to their country.

I think that it is also fitting and proper to take advantage of this occasion to discuss a matter of serious, national importance to you and me.

The United States has need of a sound and consistent economic policy, squarely based on the realities of modern domestic and international life as they relate to agriculture. This country has learned to its sorrow that eleventh hour, stop-gap decisions to ease one crisis in the economy only tend to make the total situation worse.

Helped along by two devaluations of the U.S. dollar, which had the effect of providing the foreign buyer with a 20% discount on American farm products, we are now experiencing a substantial expansion in the sale of farm production to other countries.

Unfortunately, this expansion comes when the United States is keeping farm land out of production, and response to the foreign demand for American food and fiber is slow. In 1972, the American people were treated to the spectacle of a Russian purchase of one quarter of the American wheat crop at bargain prices with a great line of credit. The U.S. supply of wheat, artificially limited and reduced by the forces of nature, went overseas.

It was a great success for the Russians and for the giant grain dealers who arranged the sale, but it was a serious, although temporary disaster for nearly everyone else involved. I say temporary because I believe that we can learn much from this event.

If the United States is going to have the opportunity in the foreseeable future to sell its agricultural production throughout the world, then sound economic policy dictates that we stop holding land out of production. Why pay for nonproduction at a time when demand for American food and fiber is at an all time high?

Artificial limits on production, without controls on exports, force the American housewife to compete with her sisters in other countries who are willing to pay much more for food than she is.

Let me hasten to add that I support the effort to increase farm income because increased farm income is the only logical way to keep large numbers of Americans in agriculture. I am committed to keeping American agriculture in the hands of the millions, not the few. Whether they fully appreciate it or not, the housewife and the small farmer share a common interest in this matter.

Serious shortages of agricultural production cause artificial price increases of substantial proportions, while overproduction results in sharp declines in farm income. Understandably so, we have been concerned about the adverse effects of overproduction in the past. However, I believe that agricultural policy for the years to come should be based as much on our best understanding of what the world marketplace will buy as on our recollections of the past.

Consider for a moment some of the dilemmas Congressmen face because the country has no consistent economic policy. We helped to wipe out the national reserves of feed grains because central New York dairy farmers lost their crops due to bad weather last year. I found myself supporting legislation to impose controls on the foreign sales of feed grains and wheat at the same time I was urging the President to life import restrictions on oil. I fought against a policy which encouraged imports of dairy products to meet domestic demand at a time when the Government was doing little to encourage an increase in the domestic production of dairy products.

I happen to believe that it is possible for the United States to adopt an economic policy toward agriculture which will promote strong farm income, encourage sufficient production to meet foreign demand, and still keep the price of a loaf of bread below fifty cents.

If some of the positions I have outlined above seem inconsistent, it is because there is no consistent economic policy designed in the short and long run to balance the economic realities of our time. For example, Americans discovered that price controls on agricultural products did not work because they were not addressed to the causes of the price increases. Controls only served to create shortages. And yet today we find the Cost of Living Council trying to hold down the price of fertilizer and the price of milk without action on the factors producing the rising costs.

The United States must end the practice of running from one hole in the total economic dike to another, trying to hold back the tide. The economic dislocations we are dealing with cannot be cured by emergency, almost frantic, solutions of a temporary nature.

Ladies and gentlemen, I submit that the time is long past due for the President to call on his team to work together in support of a sound and consistent policy. What a spectacle we have with the Secretary of Agriculture, the Secretary of Commerce, the Director of the Cost of Living Council, the Secretary of the Treasury, and the Council of Economic Advisers, all going off in their separate directions. Someone has to make a decision about what policy is best for the country as a whole. Someone has to determine the common good, and then bring the troops into line in pursuit of that goal.

I know that you understand and appreciate the need for stability and consistency in the economy, and this means that all segments and all competing forces in the economy must be brought together.

Again, I appreciated having this opportunity to share in this festive occasion. This

new building is ample proof of the truth of the words of the then national master, James Draper, who told the Grange in 1886, "for this great work the Grange was organized, and it was not born to die nor will it fail in the accomplishment of its purpose".

Thank you.

CONGRESSMAN HANLEY WILL SPEAK AT GRANGE BUILDING DEDICATION

New York State Grange will dedicate its $3-4 million new headquarters building here, on a new street, Grange Place, Sunday, starting at 3 p.m. Principal dedication address will be given by 31st District Congressman James M. Hanley of Syracuse.

Serenaded by the Homer High School Band and welcomed by Master of Ceremonies Richard A. Church of Dryden, the group will also hear from State Senator Tarky Lombardi Jr., Syracuse; Assemblyman L. S. Riford Jr., Auburn; and C. Jerome Davis, Ramsey, Ind., High Priest of Demeter of the National Grange.

A number of presentations will be part of the ceremonies:

Official opening of the new city-built street by Cortland Mayor Morris Noss.

Formal presentation of the new building flagpole by William A. Duncan, director of public relations and advertising for Brockway Motor Trucks.

Gift of a new American flag flown over the U.S. Capitol by Junior Grange Prince and Princess Vernon Smith and Barbara Stepf for East Clay Junior Grange (Onondaga County).

Gift of a Grange emblem flag by the State Grange youth director, Mr. and Mrs. Donald Drake, Cherry Valley, with Prince and Princess Barry Griffith and Phyllis Gleason assisting.

Keys to the building extended by Architect Karl Wendt, Cortland.

Gift of a grand piano from Cortland County Granges presented by Pomona Master Roland Oaks.

Gift of furnishings for the State master's office in the building by Oswego Pomona Grange presented by Oswego Grange Deputy Andrew Porter, Sandy Creek.

A brief dedication ceremony will be solemnized by State Grange Master Robert S. Drake, Woodhull; Lecturer Mrs. Howard Reed, Sauquoit; Secretary Morris J. Halladay, Groton; and Chaplain Bert S. Morse, Marathon.

State officers will be presented by Grange Service and Hospitality Chairman Mrs. Cecelia Pilc, Cowlesville, State Master Drake, assisted by Junior Grange Prince and Princess Philip Rhodda and Ann Emerson, will cut a ribbon, followed by an officers' reception.

Other Grange participants include Francis Robbins, Schuylerville, leading the National Anthem, and Grange Young Couple Nelson and Mary Eddy, Black River, leading the Pledge of Allegiance.

The principal speaker, Congressman Hanley, has served the 31st District in Congress since 1964. He is a graduate of St. Lucy's Academy, Syracuse, and a member of St. Patrick's Parish. He is married and the father of two children, Christine, 19, and Peter, 17. He is a member of the House Post Office and Civil Service Committee and the House Banking and Currency Committee.

As a first term legislator he had his own bill passed by the House of Representatives. The Hanley bill, of the 89th Congress, provides for expanded benefits for dependent parents and children of servicemen who died of service-connected injuries. The 90th Congress created a new standing subcommittee of the House Post Office and Civil Service Committee, entitled "Subcommittee on Employee Benefits," and Congressman Hanley was elected as its chairman. On February 16, 1970, the House of Representatives passed the Job Evaluation Policy Act of 1970, culminating three years of efforts on the part of the Subcommittee.

During his first term in office, Mr. Hanley was a strong supporter of Medicare and authored an amendment which substantially improved the legislation.

In 1965, the Congressman was instrumental in obtaining funds enabling Le Moyne College, Syracuse, to develop a pilot program, known as "Upward Bound" designed to alleviate the problem of high school dropouts by providing a program allowing underprivileged area students to participate in a summer higher education program at the college. This program has proven most successful and is now administered on a nationwide basis through the Office of Education.

Congressman Hanley has taken a leading role in focusing federal attention on the necessity of a program designed to rehabilitate America's destroyed small lakes. He introduced legislation which would make available Federal money and resources to save the Nation's dying urban lakes, and he was successful in having his legislation approved by the House in the 90th Congress. Although the Senate failed to act on that measure, he reintroduced it in the 91st Congress and it was approved by both Houses.

The Congressman served two terms on the House Veterans' Affairs Committee, and in 1969 was elected to the Banking and Currency Committee. He is a member of the Subcommittees on Urban Mass Transit, Small Business, and Insurance and Bank Supervision.

In 1973, he was elected Chairman of the Subcommittee on Postal Service, which has all jurisdiction over the U.S. Postal Service except labor management relations and facilities.

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. PEYSER) and to revise and extend their remarks and include extraneous matter:)

Mr. KEMP, for 10 minutes, today.

Mr. CLEVELAND, for 5 minutes, today.

Mr. BAKER, for 10 minutes, today.

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

Mr. STEELMAN, for 5 minutes, today.

Mr. RONCALIO of Wyoming, for 60 minutes, today, and to revise and extend his remarks and include extraneous matter.

Mr. PATMAN for 30 minutes, tomorrow, and to revise and extend his remarks and include extraneous matter.

Mr. ASHBROOK for 30 minutes, today, and to revise and extend his remarks and include extraneous matter.

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

Mr. GONZALEZ, for 5 minutes, today.

Mr. FUQUA, for 5 minutes, today.

Mr. HARRINGTON, for 10 minutes, today.

Mr. DAVIS of South Carolina, for 5 minutes, today.

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

Mr. FRASER, for 5 minutes, today.

Mr. DULSKI, for 5 minutes, today.

Mr. BENITEZ, for 5 minutes, today.

Mr. FULTON, for 5 minutes, today.

Mr. CLARK, for 5 minutes, today.

EXTENSION OF REMARKS

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

Mr. ROUSH.

Mr. MAHON, his remarks today.

Mr. ECKHARDT, his remarks preceding the vote on the Labor-HEW appropriations conference report today.

Mr. ROGERS in five instances, and to include extraneous material.

Mr. BIAGGI, his remarks prior to the vote on the motion to recommit on the Labor-HEW conference report today.

Mr. GRAY in two instances, and to include extraneous material.

Mr. FRASER, and to include extraneous matter notwithstanding the fact that it exceeds 4½ quarter pages of the CONGRESSIONAL RECORD and is estimated by the Public Printer to cost $888.25.

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

Mr. BROWN of Ohio.

Mr. DERWINSKI in two instances.

Mr. KEMP in four instances.

Mr. KUYKENDALL in two instances.

Mr. YOUNG of Alaska.

Mr. ESHLEMAN.

Mr. BROYHILL of Virginia.

Mr. ARENDS.

Mr. WYMAN in two instances.

Mrs. HOLT.

Mr. SHUSTER.

Mr. BOB WILSON in two instances.

Mr. HUDNUT.

Mr. SMITH of New York.

Mr. MARAZITI.

Mr. ZWACH.

Mr. STEIGER of Wisconsin in two instances.

Mr. SYMMS.

Mr. TAYLOR of Missouri in two instances.

Mr. SHRIVER.

Mr. LOTT.

Mr. HOSMER in two instances.

Mr. BURKE of Florida.

Mr. MICHEL in five instances.

Mr. FROEHLICH.

Mr. HUBER.

Mr. COLLIER in five instances.

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

Mr. RONCALLO of New York in three instances.

Mr. HOGAN.

Mr. PRITCHARD in five instances.

Mr. BROYHILL of North Carolina.

Mr. ZION.

Mr. SPENCE.

Mr. MIZELL.

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

Mr. SISK.

Mr. COTTER in 10 instances.

Mr. GONZALEZ in three instances.

Mr. RARICK in three instances.

Mr. MINISH.

Mr. HOLIFIELD.
Mr. WAGGONNER.
Mr. MAHON.
Mr. HARRINGTON in five instances.
Mr. BADILLO in two instances.
Mr. KOCH.
Mr. ADAMS.
Mr. VAN DEERLIN.
(The following Members (at the request of Mr. ANDREWS of North Carolina) and to include extraneous material:)
Mr. STARK in 10 instances.
Mr. SYMINGTON.
Mr. LEHMAN.
Mr. STOKES.
Mr. DE LA GARZA.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 1081. An act to amend section 28 of the Mineral Leasing Act of 1920, and to authorize a trans-Alaska oil pipeline, and for other purposes.

BILL PRESENTED TO THE PRESIDENT

Mr. HAYS, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, a bill of the House of the following title:

H.R. 4771. An act to authorize the District of Columbia Council to regulate and stabilize rents in the District of Columbia.

ADJOURNMENT

Mr. ANDREWS of North Carolina. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock p.m.) the House adjourned until tomorrow, Wednesday, November 14, 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:

1548. A letter from the President of the United States, transmitting proposed supplemental appropriations for fiscal year 1974 for the Supreme Court (H. Doc. No. 93–188); to the Committee on Appropriations and ordered to be printed.

1549. A letter from the President of the United States, transmitting a proposed supplemental appropriation for fiscal year 1974 for the Department of Labor (H. Doc. No. 93–189); to the Committee on Appropriations and ordered to be printed.

1550. A letter from the Administrator, Agency for International Development, Department of State, transmitting a report on the implementation of section 620(s) of the Foreign Assistance Act of 1961, as amended, during fiscal year 1973; to the Committee on Foreign Assistance.

1551. A letter from the Acting Secretary of Health, Education, and Welfare, transmitting a draft of proposed legislation to improve and extend the Public Health and National Health Service Corps scholarship training program; to the Committee on Interstate and Foreign Commerce.

RECEIVED FROM THE COMPTROLLER GENERAL

1552. A letter from the Comptroller General of the United States, transmitting a report on the examination of financial statements of the Federal Home Loan Mortgage Corporation for calendar years 1971 and 1972, pursuant to 12 U.S.C. 1452; to the Committee on Government Operations.

1553. A letter from the Comptroller General of the United States, transmitting a report on the examination of financial statements of the Export-Import Bank of the United States for fiscal year 1973, pursuant to 31 U.S.C. 841 (H. Doc. No. 93–190); to the Committee on Government Operations and ordered to be printed.

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. BLATNIK: Committee on Public Works. Senate Joint Resolution 155. Joint resolution authorizing the securing of storage space for the U.S. Senate, the U.S. House of Representatives, and the Office of the Architect of the Capitol (Rept. No. 93–629). Referred to the Committee of the Whole House on the State of the Union.

Mr. SIKES: Committee on Appropriations. H.R. 11459. A bill making appropriations for military construction for the Department of Defense for the fiscal year ending June 30, 1974, and for other purposes. (Rept. No. 93–638.) Referred to the Committee of the Whole House on the State of the Union.

Mr. BLATNIK: Committee on Public Works. S. 2503. An act to name a Federal office building in Dallas, Tex., the "Earle Cabell Federal Building". (Rept. No. 93–637). Referred to the House Calendar.

Mr. BLATNIK: Committee on Public Works. H.R. 6862. A bill to name the headquarters building in the Geological Survey National Center under construction in Reston, Va., as the "John Wesley Powell Federal Building". (Rept. No. 93–635). Referred to the House Calendar.

Mr. BLATNIK: Committee on Public Works. H.R. 9430. A bill to name the U.S. courthouse and Federal office building under construction in New Orleans, La., as the "Hale Boggs Federal Building", and for other purposes. (Rept. No. 93–636). Referred to the House Calendar.

Mr. PIKE: Committee of conference. Conference report on S. 2408 (Rept. No. 93–634). Ordered to be printed.

Mr. BOLLING: Committee on Rules. House Resolution 694. Resolution providing for the consideration of H.R. 11216. A bill to amend Public Law 93–60 to increase the authorization for appropriations to the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes (Rept. No. 93–630). Ordered to be printed.

Mr. MATSUNAGA: Committee on Rules. House Resolution 695. Resolution providing for the consideration of H.R. 11333. A bill to provide a 7-percent increase in social security benefits beginning with March 1974 and an additional 4-percent increase beginning with June 1974, to provide increases in supplemental security income benefits, and for other purposes (Rept. No. 93–631). Ordered to be printed.

Mr. MURPHY of Illinois: Committee on Rules. House Resolution 700. A resolution providing for the resolution (H. Res. 128) expressing the sense of the House of Representatives with respect to actions which should be taken by Members of the House upon being convicted of certain crimes, and for other purposes (Rept. No. 93–632). Referred to the House Calendar.

Mr. SISK: Committee on Rules. House Resolution 701. A resolution waiving points of order against the consideration of the bill (H.R. 11459) and waiving points of order against unauthorized items of appropriation in said bill (Rept. No. 93–633). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

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

By Mr. ASPIN:

H.R. 11415. A bill to amend section 6334 of the Internal Revenue Code of 1954 to exempt from levy 90 percent of an individual's wages or salary; to the Committee on Ways and Means.

By Mr. BIAGGI (for himself, Mr. RONCALLO of New York, and Mr. WON PAT):

H.R. 11416. A bill to provide for the establishment within the Department of Health, Education, and Welfare of a National Center on Child Abuse and Neglect; to provide a program of grants to States for the development of child abuse and neglect prevention and treatment programs; and to provide financial assistance for research, training, and demonstration programs in the area of prevention, identification, and treatment of child abuse and neglect; to the Committee on Education and Labor.

By Mr. COLLINS of Texas:

H.R. 11417. A bill to provide that daylight saving time shall be observed on a year-round basis; to the Committee on Interstate and Foreign Commerce.

By Mr. DELANEY:

H.R. 11418. A bill to amend title II of the Social Security Act to eliminate the earnings test and reduce the age of eligibility for benefits under the OASDI program, and to amend title XVIII of such act to eliminate all deductibles and coinsurance and provide coverage for drugs, eyeglasses, dentures, hearing aids, and other items under the medicare program; to the Committee on Ways and Means.

By Mr. DULSKI (by request):

H.R. 11419. A bill to insure that the compensation and other emoluments attached to the Office of Attorney General are those which were in effect on January 1, 1969; to the Committee on Post Office and Civil Service.

By Mr. FORSYTHE:

H.R. 11420. A bill to exclude from gross income the first $1,000 of interest received from savings account deposits in home lending institutions; to the Committee on Ways and Means.

By Mr. FRENZEL (for himself, Mr. BROWN of Ohio, Mr. ANDREWS of North Dakota, Mr. ARCHER, Mr. BURGENER, Mr. BUTLER, Mrs. CHISHOLM, Mr. FISHER, and Mr. WIDNALL):

H.R. 11421. A bill to amend the Federal Election Campaign Act of 1971 and the Communications Act of 1934 to provide for more effective regulation of elections for Federal office, and for other purposes; to the Committee on House Administration.

By Mr. HARRINGTON:

H.R. 11422. A bill to establish a New England Regional Power and Environmental Protection Agency for the purpose of assuring adequate and reliable low-cost electric power to the people of New England, protecting and enhancing the environment, and providing a vehicle for research and development programs; to the Committee on Interstate and Foreign Commerce.

By Mr. HASTINGS:

H.R. 11423. A bill to amend title 44 of the

United States Code to designate the Daniel Reed Library at the State University College of Fredonia in Fredonia, N.Y., as a depository library; to the Committee on House Administration.

By Mr. HAYS:

H.R. 11424. A bill to authorize appropriations for the U.S. Information Agency; to the Committee on Foreign Affairs.

By Mr. HECHLER of West Virginia:

H.R. 11425. A bill to amend the Duck Stamp Act and other laws to prohibit the charging of any Federal fee to any individual who has attained age 65 for the privilege of hunting, trapping, or fishing; to the Committee on Merchant Marine and Fisheries.

By Mr. HUDNUT:

H.R. 11426. A bill to amend title 18, United States Code, to promote public confidence in the legislative branch of the Government of the United States by requiring the disclosure by Members of Congress and certain employees of the Congress of certain financial interests; to the Committee on Standards of Official Conduct.

By Mr. KEMP:

H.R. 11427. A bill to amend the National Traffic and Motor Vehicle Safety Act of 1966 to prohibit the Secretary of Transportation from imposing certain seatbelt standards, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. LONG of Louisiana:

H.R. 11428. A bill to provide housing for persons in rural areas of the United States on an emergency basis and to amend title V of the Housing Act of 1949; to the Committee on Banking and Currency.

By Mr. McCOLLISTER (for himself, Mr. WARE, and Mr. FREY):

H.R. 11429. A bill to amend the Clean Air Act to provide temporary authority to suspend certain stationary source fuel and emission limitations; to the Committee on Interstate and Foreign Commerce.

By Mr. McCORMACK (for himself, Mr. TEAGUE of Texas, Mr. MOSHER, Mr. GOLDWATER, Mr. MAZZOLI, Mr. THONE, Mr. STARK, Mr. WON PAT, Mr. TREEN, Mr. FOLEY, Mr. OBEY, Mr. McCLOSKEY, Mr. FORSYTHE, Mrs. GREEN of Oregon, Mr. SARBANES, Mr. LUJAN, Mrs. COLLINS of Illinois, Mr. COHEN, Mr. ULLMAN, Mr. LEHMAN, Mr. ALEXANDER, Mr. OWENS, Mr. SHOUP, Mr. SNYDER, and Mr. CULVER):

H.R. 11430. A bill to provide for the early commercial demonstration of the technology of solar heating by the National Aeronautics and Space Administration in cooperation with the National Bureau of Standards, the National Science Foundation, the Secretary of Housing and Urban Development, and other Federal agencies, and for the early development and commercial demonstration of technology for combined solar heating and cooling; to the Committee on Science and Astronautics.

By Mr. McCORMACK (for himself, Mr. TEAGUE of Texas, Mr. MOSHER, Mr. GOLDWATER, Mr. JOHNSON of California, Mr. SARASIN, Mr. YATRON, Mr. FULTON, Mr. MICHEL, Mr. HAMILTON, Mr. BOLAND, Mr. WYMAN, Mr. PATTEN, Mr. BAFALIS, Mr. McKAY, Mr. NEDZI, Mr. RARICK, Mr. McEWEN, Mrs. HOLT, Mr. RODINO, Mr. JONES of Oklahoma, Mr. McCLORY, Mr. HINSHAW, Mr. BYRON, and Mr. YOUNG of Florida):

H.R. 11431. A bill to provide for the early commercial demonstration of the technology of solar heating by the National Aeronautics and Space Administration in cooperation with the National Bureau of Standards, the National Science Foundation, the Secretary of Housing and Urban Development, and other Federal agencies, and for the early development and commercial demonstration of technology for combined solar heating and cooling; to the Committee on Science and Astronautics.

By Mr. McCORMACK (for himself, Mr. TEAGUE of Texas, Mr. MOSHER, Mr. GOLDWATER, Mr. DU PONT, Mr. HUBER, Mrs. GRASSO, Mr. RYAN, Mrs. BOGGS, Mr. SEIBERLING, Mr. SKUBITZ, Mrs. BURKE of California, Mr. RINALDO, Mr. RUNNELS, Mr. RHODES, and Mr. CASEY of Texas):

H.R. 11432. A bill to provide for the early commercial demonstration of the technology of solar heating by the National Aeronautics and Space Administration in cooperation with the National Bureau of Standards, the National Science Foundation, the Secretary of Housing and Urban Development, and other Federal agencies, and for the early development and commercial demonstration of technology for combined solar heating and cooling; to the Committee on Science and Astronautics.

By Mr. McCORMACK (for himself, Mr. TEAGUE of Texas, Mr. MOSHER, Mr. GOLDWATER, Mr. ULLMAN, Mr. DUNCAN, Mr. BOWEN, Mr. CARNEY of Ohio, Mr. OBEY, Mr. ROUSH, Mr. Moss, Mr. ESHLEMAN, Mr. JONES of Oklahoma, Mr. FISHER, Mr. MAZZOLI, Mr. EDWARDS of California, Mr. STUDDS, Mr. BURGENER, Mr. LEGGETT, Mr. CLEVELAND, Mr. BAKER, Mr. STEIGER of Wisconsin, Mrs. HECKLER of Massachusetts, Mr. CORMAN, and Mr. REES):

H.R. 11433. A bill to further the conduct of research, development, and commercial demonstrations in geothermal energy technologies, to direct the National Science Foundation to fund basic and applied research relating to geothermal energy, and to direct the National Aeronautics and Space Administration to carry out a program of demonstrations in technologies for commercial utilization of geothermal resources including hot dry rock and geopressured fields; to the Committee on Science and Astronautics.

By Mr. McCORMACK (for himself, Mr. TEAGUE of Texas, Mr. MOSHER, Mr. GOLDWATER, Mr. RYAN, Mr. MITCHELL of New York, Mr. RHODES, and Mr. CASEY of Texas):

H.R. 11434. A bill to further the conduct of research, development, and commercial demonstrations in geothermal energy technologies, to direct the National Science Foundation to fund basic and applied research relating to geothermal energy, and to direct the National Aeronautics and Space Administration to carry out a program of demonstrations in technologies for commercial utilization of geothermal resources including hot dry rock and geopressured fields; to the Committee on Science and Astronautics.

By Mr. McCORMACK (for himself, Mr. TEAGUE of Texas, Mr. MOSHER, Mr. GOLDWATER, Mr. MURPHY of New York, Mr. FULTON, Mr. PODELL, Mr. WARE, Mr. ROBINSON of Virginia, Mr. ECKHARDT, Mr. CONTE, Mr. HUBER, Mr. FRASER, Mr. McKAY, Mr. BLACKBURN, Mr. HELSTOSKI, Mr. JOHNSON of Colorado, Mr. YATRON, Mr. KETCHUM, Mr. HOGAN, Mr. MATSUNAGA, Mrs. GRASSO, Mr. PREYER, Mr. CARNEY of Ohio, and Mr. HAMILTON):

H.R. 11435. A bill to further the conduct of research, development, and commercial demonstrations in geothermal energy technologies, to direct the National Science Foundation to fund basic and applied research relating to geothermal energy, and to direct the National Aeronautics and Space Administration to carry out a program of demonstrations in technologies for commercial utilization of geothermal resources including hot dry rock and geopressured fields; to the Committee on Science and Astronautics.

By Mr. McCORMACK (for himself, Mr. TEAGUE of Texas, Mr. MOSHER, Mr. GOLDWATER, Mr. TIERNAN, Mr. THOMSON of Wisconsin, Mr. FISH, Mr. MELCHER, Mr. ANNUNZIO, Mr. VAN DEERLIN, Mr. POAGE, Mr. DENHOLM, Mr. SHOUP, Mr. LUJAN, Mr. McDADE, Mr. KEMP, Mr. SCHNEEBELI, Mr. FORSYTHE, Mr. HICKS, Mr. DERWINSKI, Mr. RODINO, Mrs. COLLINS of Illinois, Mr. PEPPER, Mr. BOLAND, and Mr. WRIGHT):

H.R. 11436. A bill to further the conduct of research, development, and commercial demonstrations in geothermal energy technologies, to direct the National Science Foundation to fund basic and applied research relating to geothermal energy, and to direct the National Aeronautics and Space Administration to carry out a program of demonstrations in technologies for commercial utilization of geothermal resources including hot dry rock and geopressured fields; to the Committee on Science and Astronautics.

By Mr. MARAZITI:

H.R. 11437. A bill to cease exports of oil and oil products from the United States; to the Committee on Banking and Currency.

H.R. 11438. A bill to cease all foreign aid to those Middle East nations that reduced the export of oil and oil products to the United States as a punitive reaction to U.S. support of Israel; to the Committe on Foreign Affairs.

By Mr. MOAKLEY (for himself and Mr. HELSTOSKI):

H.R. 11439. A bill to amend title 3 of the United States Code to provide for the order of succession in the case of a vacancy both in the Office of President and Office of the Vice President, to provide for a special election procedure in the case of such vacancy, and for other purposes; to the Committee on the Judiciary.

By Mr. PATMAN:

H.R. 11440. A bill to provide for Federal control over foreign banks and other foreign persons establishing, acquiring, operating, or controlling banking subsidiaries in the United States (including its possessions); to the Committee on Banking and Currency.

By Mr. PERKINS (for himself, Mr. QUIE, Mr. HAWKINS, Mr. STEIGER of Wisconsin, Mr. BRADEMAS, Mr. BELL, and Mr. MEEDS):

H.R. 11441. A bill to postpone the implementation of the Head Start fee schedule; to the Committee on Education and Labor.

By Mr. PEYSER:

H.R. 11442. A bill to prohibit discrimination on account of sex or marital status against individuals seeking credit; to the Committee on Banking and Currency.

By Mr. QUILLEN:

H.R. 11443. A bill to amend title 38, United States Code, to provide veterans a 10-year delimiting period for completing educational programs; to the Committee on Veterans' Affairs.

By Mr. RARICK (for himself, Mr. TREEN, Mr. LANDGREBE, Mr. HUDNUT, Mr. SYMMS, Mr. WHITEHURST, Mr. COLLINS of Texas, and Mr. LEHMAN):

H.R. 11444. A bill to amend title XI of the Social Security Act to repeal the recently added provision for the establishment of Professional Standards Review Organizations to review services covered under the medicare and medicaid programs; to the Committee on Ways and Means.

By Mr. REES:

H.R. 11445. A bill to provide emergency security assistance authorizations for Israel; to the Committee on Foreign Affairs.

By Mr. RODINO:

H.R. 11446. A bill to assure opportunities for employment and training to unemployed and underemployed persons; to the Committee on Education and Labor.

By Mr. ROGERS (for himself, Mr. KYROS, Mr. PREYER, Mr. ROY, and Mr. CARTER):

H.R. 11447. A bill to amend the Federal Food, Drug, and Cosmetic Act to provide a mechanism to obtain information bearing on the adulteration or misbranding of food; to

the Committee on Interstate and Foreign Commerce.

H.R. 11448. A bill to amend the Federal Food, Drug, and Cosmetic Act to provide increased assurance against adulterated or misbranded food; to the Committee on Interstate and Foreign Commerce.

By Mr. SISK:

H.R. 11449. A bill to abolish the U.S. Postal Service, to repeal the Postal Reorganization Act, to reenact the former provisions of title 39, United States Code, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. STAGGERS:

H.R. 11450. A bill to direct the President to take action to assure through energy conservation, rationing, and other means, that the essential energy needs of the United States are met, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. ANDERSON of Illinois (for himself, Mr. PEPPER, and Mr. THONE):

H.R. 11451. A bill to improve the conduct and regulation of Federal election campaign activities and to provide public financing for such campaigns; to the Committee on House Administration.

By Mr. CAREY of New York:

H.R. 11452. A bill to correct an anomaly in the rate of duty applicable to crude feathers and downs, and for other purposes; to the Committee on Ways and Means.

By Mr. GOLDWATER:

H.R. 11453. A bill to amend the Consumer Credit Protection Act to provide full disclosure of contents of report to consumers; to the Committee on Banking and Currency.

H.R. 11454. A bill to amend the "Freedom of Information Act" to require consent of subject individuals before disclosure of personally identifiable information in certain circumstances; to the Committee on Government Operations.

H.R. 11455. A bill to protect the privacy of statistical reporting or research system subjects; to the Committee on the Judiciary.

By Mr. PRITCHARD:

H.R. 11456. A bill to extend daylight saving time to the entire calendar year for a 3-year period, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. SIKES:

H.R. 11459. A bill making appropriations for military construction for the Department of Defense for the fiscal year ending June 30, 1974, and for other purposes.

By Mr. HECHLER of West Virginia:

H.J. Res. 822. Joint resolution to amend title 5 of the United States Code to provide for the designation of the 11th day of November of each year as Veterans' Day; to the Committee on the Judiciary.

By Mr. HANLEY:

H.J. Res. 823. Joint resolution to provide for the designation of February 20 of each year as "Postal Employees Day"; to the Committee on the Judiciary.

By Mr. WIDNALL:

H.J. Res. 824. Joint resolution designating November 11 of each year as "Armistice Day"; to the Committee on the Judiciary.

By Mr. THOMPSON of New Jersey:

H. Res. 693. Resolution to provide funds for the Committee on the Judiciary; to the Committee on House Administration.

By Mr. BINGHAM (for himself and Mr. MOAKLEY):

H. Res. 696. Resolution to establish as part of the congressional internship program an internship program for senior citizens in honor of John McCormack, and for other purposes; to the Committee on House Administration.

By Mr. FROEHLICH (for himself, Mr. KEATING, Mr. RONCALLO of New York, Mr. BAUMAN, Mrs. HOLT, Mr. HUBER, Mr. HUDNUT, Mr. LANDGREBE, Mr. LOTT, Mr. MAZZOLI, Mr. MINSHALL of Ohio, Mr. O'BRIEN, Mr. POWELL of Ohio, Mr. REGULA, Mr. ROE, Mr. ST GERMAIN, Mr. SEBELIUS, Mr. SHOUP, Mr. THONE, Mr. VANIK, Mr. WALSH, Mr. WHITEHURST, and Mr. WON PAT):

H. Res. 697. Resolution creating a select committee to study the impact and ramifications of the Supreme Court decisions on abortion; to the Committee on Rules.

By Mr. KEMP:

H. Res. 698. Resolution creating a Standing Committee on Small Business in the House of Representatives; to the Committee on Rules.

By Mr. O'NEILL (for himself and Mr. BROWN of Michigan):

H. Res. 699. Resolution to seek peace in the Middle East and to continue to support Israel's deterrent strength through transfer of Phantom aircraft and other military supplies; to the Committee on Foreign Affairs.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

326. The SPEAKER presented a memorial of the Senate of the Commonwealth of Massachusetts, relative to observance of daylight saving time year-round; to the Committee on Interstate and Foreign Commerce.

PRIVATE BILLS AND RESOUTIONS

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

By Mr. DELLENBACK:

H.R. 11457. A bill for the relief of Il Kwon Yang; to the Committee on the Judiciary.

By Mr. MAILLIARD:

H.R. 11458 A bill for the relief of Arsenia Daitol Hingpit; to the Committee on the Judiciary.

PETITIONS, ETC.

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

352. The SPEAKER presented a petition of the Board of Commissioners, Sarasota County, Fla., relative to its confidence in and support of the President of the United States; to the Committee on the Judiciary.

353. Also, petition of Phillip B. Anderson, Pittsburgh, Pa., relative to redress of grievances; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

DRUG ABUSE PREVENTION WEEK

HON. RICHARD S. SCHWEIKER

OF PENNSYLVANIA

IN THE SENATE OF THE UNITED STATES

Tuesday, November 13, 1973

Mr. SCHWEIKER. Mr. President, as you know, October 21–27 was Drug Abuse Prevention Week. As sponsor of the original Senate resolution proclaiming this week, I regret the official observance may have been somewhat lost amid the clamor of recent events. However, the significance of Drug Abuse Prevention Week can never be lost for those whose lives it touched.

The message of this fourth annual Drug Abuse Prevention Week was unique, and it is one we badly needed to hear. The message was not the authoritarian "Don't use drugs." Nor was it the factual message about the chemical properties of various drugs. Rather, the focus of the week was on the specific reasons why people are using drugs in the first place. The message was that drug abuse is a sensitivity problem, and a symptom of loneliness, frustration, despair, and that persons who use drugs, whether as experimenters or addicts, are attempting in their own way to communicate that they have a deeper problem. Finally, the proclamation of Drug Abuse Prevention Week sought to shed light on the fact that communication must be viewed as one way of overcoming many of these human problems.

The main theme of Drug Abuse Prevention Week 1973 was "There's a brand-new language we're using"—a language of caring and of trying to bridge the gaps and misunderstanding that divide us. One of the booklets prepared for use by families during and after Drug Abuse Prevention Week states:

Openness and genuine interaction between people is what the family process is all about. Where drugs are concerned, it's the kind of behavior that can help people find alternatives to handling their problems with chemicals.

Drug Abuse Prevention Week is not just a week of formal observances followed by oblivion. It is an ongoing program which I sincerely hope will be put into action in every community in the country.

Mr. President, I ask unanimous consent that the drug abuse prevention workbook for families, entitled Coming Home: A Thoughtbook for People, be printed in the RECORD. I am confident this book can shed light on ways in which we can all help prevent drug abuse.

There being no objection, the booklet was ordered to be printed in the RECORD, as follows:

COMING HOME: A THOUGHT BOOK FOR PEOPLE

INTRODUCTIONS

During the past few years, I have travelled coast to coast dozens of times, talked to thousands of people in state after state, met with audiences in tiny basement meeting rooms and huge auditoriums.

People have asked me: what about drug abuse? What about your own family's tragedy? How can we help prevent the spread of abuse?

If there were enough hours in the day, or enough time in the lives of all the people who have been so concerned, I would go back to the groups I met years ago and tell them: I didn't have all the facts. None of us did. There are things we should have talked about that we didn't, and my "answers" to drug abuse prevention today are not what they were when I set out to do something about it a few years ago.

Drug abuse and the problems people have with drugs are not very mysterious, but we