

HOUSE OF REPRESENTATIVES—Wednesday, February 7, 1973

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

Create in me a clean heart, O God; and renew a right spirit within me.—Psalms 51: 10.

O God, our Father, during these decisive days Thou art our refuge and our strength, in Thee do we put our trust. Grant us the will to know Thy will and the courage to do it that the spirit of wisdom may save us from all false choices and in Thy light we may see light and in Thy straight path we may not stumble.

In the midst of critical issues and perplexing problems do Thou support us in our good intentions and in our genuine endeavors to make the virtues of justice, freedom, and peace prevail in our land and in our world.

Grant us, O God, Thy protection;
And in protection, strength;
And in strength, knowledge;
And in knowledge, faith;
And in faith, love for Thee, our country, and all mankind.

In the spirit of Him who is the Light of the World, we pray. Amen.

THE JOURNAL

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

Without objection, the Journal stands approved.

There was no objection.

MESSAGE FROM THE SENATE

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

S.J. Res. 37. Joint resolution to designate the Manned Spacecraft Center in Houston, Tex., as the "Lyndon B. Johnson Space Center" in honor of the late President.

RESIGNATION AS MEMBER OF JOINT COMMITTEE ON THE LIBRARY OF CONGRESS

The SPEAKER laid before the House the following resignation as a member of the Joint Committee on the Library of Congress:

FEBRUARY 6, 1973.

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

DEAR MR. SPEAKER: I am hereby submitting my resignation as a member of the Joint Committee on the Library of Congress effective immediately. I make this request because of other pressing committee assignments and responsibilities.

It would be greatly appreciated if the necessary action can be taken to fulfill this request. Thank you very much.

Sincerely,

JAMES HARVEY,
Member of Congress.

The SPEAKER. Without objection, the resignation will be accepted.
There was no objection.

ELECTION AS A MEMBER OF JOINT COMMITTEE ON THE LIBRARY OF CONGRESS

Mr. GERALD R. FORD. Mr. Speaker, I offer a resolution (H. Res. 196) and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. Res. 196

Resolved, That Samuel L. Devine, of Ohio, be, and he is hereby, elected a member of the Joint Committee on the Library.

The resolution was agreed to.
A motion to reconsider was laid on the table.

AUTHORIZING PAYMENT OF SALARIES FOR STAFF OF SELECT COMMITTEE ON CRIME

Mr. HAYS. Mr. Speaker, by direction of the Committee on House Administration, I offer a privileged resolution (H. Res. 195) and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. Res. 195

Resolved, That there shall be paid out of the contingent fund of the House of Representatives such sums as may be necessary to pay the salary, for services performed in the period beginning January 3, 1973, and ending at the close of February 28, 1973, of each person performing such services who is certified by that Member who was Chairman of the Select Committee on Crime in the Ninety-second Congress as being on the staff of that committee on January 2, 1973. Such salary shall be paid to each such person at a rate not to exceed the rate he was receiving on January 2, 1973, plus any increase in his rate of salary which may have been granted for periods on and after January 3, 1973, pursuant to section 5 of the Federal Pay Comparability Act of 1970.

Sec. 2. Funds authorized by this resolution shall be expended pursuant to regulations established by the Committee on House Administration in accordance with law.

Mr. HAYS. Mr. Speaker, I yield to the gentleman from Michigan (Mr. GERALD R. FORD).

Mr. GERALD R. FORD. Mr. Speaker, I am going to ask the gentleman from Ohio, the chairman of the Committee on House Administration, what is the intent and purpose of this resolution?

Mr. HAYS. The intent and purpose of it is, very briefly, to permit to be paid the staff of the so-called Select Committee on Crime which was established in the 92d Congress, the members of which staff have been working through the month of January and this far into February without any action being taken by the House committee. The resolution is very specific that it terminates on the 28th of this month.

I might say to the gentleman from Michigan that legal counsel and the Parliamentarian advise me that I have no

right to sign the payroll for these people until the House reconstitutes the committee. This is an effort, since the Committee on Rules has done nothing to my knowledge, although whether a resolution is pending or not I do not know.

This Member has taken a good bit of heat as to whether or not he is personally holding up their pay.

I would like to point out that unless the House of Representatives reconstitutes the committee, and that would require action by the Committee on Rules and a vote by the House, that this is the end of the ball game on February 28.

Mr. GERALD R. FORD. Do I understand the gentleman to say that this is a temporary expedient as far as he is concerned, that this is a very unusual situation where the committee actually went out of existence with the termination of the last Congress, and this Congress has taken no affirmative action to extend its life?

Mr. HAYS. That is correct. I am told that there is a good deal of hardship since the staff was not told that its tenure was over. This is an attempt to pay them after the 3d of January, and allow them to terminate in an orderly fashion this month unless the House in its wisdom decides to reconstitute that committee. In that case, the chairman of the House Committee on Administration would have one vote the same as everyone else.

But, this is an effort on my part to get these people paid and to serve notice on the chairman, Mr. PEPPER, that if he wants to pay them after the 28th he had better get into the ball game and get a resolution in here and have it voted up or down, because as far as the House Administration Committee is concerned, this is it.

Mr. GERALD R. FORD. In other words, the gentleman is saying that for good and sufficient reasons, this action is recommended, but it is not his intention to take any other comparable action after February 28 unless the House of Representatives extends the life of the Select Committee, is that right?

Mr. HAYS. Exactly right. Of course, the House in its wisdom can work its will in committee.

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

Mr. HAYS. I yield to the gentleman from Alabama.

Mr. DICKINSON. Mr. Speaker, I thank the gentleman for yielding.

I am in favor of the resolution and wish to assist the gentleman from Ohio. In looking at the language, I notice it is very narrow in scope. It is my understanding that it is limited specifically to payrolls. The reason I bring this up is because, for some reason, this special subcommittee spent over \$30,000 in the last Congress in long-distance telephone calls, which at times ran over \$4,000 per month.

I want to be clear on whether or not the continued expenditure by this com-

mittee would be covered by this resolution, other than just salaries.

Mr. HAYS. It was intended to cover salaries. I would hope that the committee staff would be very careful about its long-distance calls from here on out, because I would hate to see the telephone company get stuck.

I suppose the committee would pay a reasonable amount, but \$4,000 or \$5,000 a month seems like an awful lot of conversation.

Mr. DICKINSON. If there are any additional expenses, they are not covered by this particular resolution, as I understand it.

Mr. HAYS. That is correct.

The resolution was agreed to.

A motion to reconsider was laid on the table.

READING OF GEORGE WASHINGTON'S FAREWELL ADDRESS

Mr. O'NEILL. Mr. Speaker, I ask unanimous consent that on Monday, February 19, 1973, George Washington's Farewell Address may be read by a Member to be designated by the Speaker.

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

There was no objection.

The SPEAKER. Pursuant to the special order agreed to today, the Chair designates the gentleman from Virginia, Mr. ROBERT W. DANIEL, JR., to read George Washington's Farewell Address immediately following the approval of the Journal on February 19, 1973.

IMPOUNDMENT OF FUNDS BY THE PRESIDENT

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

Mr. LONG of Maryland. Mr. Speaker, the President is currently impounding \$8.7 billion, of which \$7 billion represents the impoundment of civilian funds.

In doing so, despite the words of his advisers, he is taking away from the Congress the control over one-third of the entire controllable civilian budget of roughly \$22 billion. This impoundment is a trap to enable the President to accuse the Congress of causing overspending and inflation. He is impounding money for many programs which he knows the public will be insistent on having restored. Win or lose, the President will have won the battle. If he wins, he will have taken over from the Congress control of one-third of the controllable civilian budget. If he loses, he will blame the Congress for forcing overspending and inflation. A tax increase, if he asks for one, will then be blamed on the Congress, for alleged irresponsibility.

Congress is partly to blame for the overspending and for the deficit, but nothing can hide the fact that the spending was done at the President's request, a great part of it. He asked for this money and more besides, including the guaranteed annual income, which would have added \$5.5 billion to the current deficit

and on which Congress exercising real fiscal responsibility and discipline, turned him down. He lined up his forces on the Republican side of the House to push through those bills, and he signed them. Now he wants to blame the Congress for irresponsibility and lack of discipline, when actually Congress was carrying out his duly expressed wishes. The President must share fully in the overspending and any inflation or tax increase which may follow.

MORE EFFECTIVE CONTROLS ON CAPITAL OUTFLOW

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

Mr. VANIK. Mr. Speaker, today, the dollar is again under attack in world money markets.

At the very moment of this dollar crisis, we are experiencing an unprecedented trade deficit; we are continuing to permit American capital to flow abroad ostensibly for foreign investment—but, quite possibly, for shelter and speculation during this current period of crisis.

The interest equalization tax which we are currently extending affects only \$700 million in foreign investment. In the meanwhile, direct investments abroad soared to approximately \$7.8 billion in 1971—a 10-percent increase. The direct investment now totals about \$100 billion. The capital outflow for 1972 in direct investments has not yet been calculated, but it certainly exceeds the 1971 outflow.

In 1971, foreign loans and investments of U.S. commercial banks rose by \$2.1 billion to a total of \$12.9 billion—an increase of 18 percent. The 1972 figure may be in excess of \$3 billion.

The Commerce Department program of control over direct investment abroad and the Federal Reserve program to restrain the outflow of commercial loans by U.S. banks and nonbanking financial institutions are not effective controls on capital outflow.

In light of the current pressures on the dollar in foreign markets, it is exceedingly possible that capital outflows by U.S. investors and speculators in recent days is progressing at a horrendous rate.

It seems that this monetary crisis and the continued economic stability of our country demands more effective controls on capital outflow. Our capital is the lifeblood of our country. We depend on it for growth and the development of enterprise. The American economy simply cannot survive capital outflow at current rates. The Congress should act on this matter which is very close to a grave national economic emergency.

PERMISSION FOR COMMITTEE ON RULES TO FILE A REPORT

Mr. SISK. Mr. Speaker, I ask unanimous consent that the Committee on Rules may have until midnight tonight to file a report.

The SPEAKER. Is there objection to

the request of the gentleman from California?

There was no objection.

PERMANENT SELECT COMMITTEE ON SMALL BUSINESS

Mr. SISK. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 19 and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 19

Resolved, That, effective January 3, 1973, the permanent Select Committee on Small Business shall be composed of nineteen Members of the House of Representatives to be appointed by the Speaker, one of whom he shall designate as chairman. Any vacancy occurring in the membership of the committee shall be filled in the manner in which the original appointment was made.

Sec. 2. It shall be the duty of such committee to conduct studies and investigations of the problems of all types of small business, existing, arising, or that may arise, with particular reference to—

(1) the factors which have impeded or may impede the normal operations, growth, and development of small business;

(2) the administration of Federal laws relating specifically to small business in order to determine (A) whether such laws and their administration adequately serve the needs of small business, and (B) whether Government agencies adequately serve and give due consideration to the problems of small business; and

(3) the problems of small business enterprise generally; and to obtain all facts possible in relation thereto which would not only be of public interest but which would aid the Congress in enacting remedial legislation. However, the committee shall not undertake any investigation of any subject which is being investigated for the same purpose by any other committee of the House.

Sec. 3. Such committee shall not have legislative jurisdiction but is authorized to make studies, investigations, and reports; however, no bills or resolutions shall be referred to the committee.

Sec. 4. The committee may submit from time to time to the House such reports as the committee considers advisable and, prior to the close of the present Congress, shall submit to the House a final report of the committee on the results of its studies and investigations, together with such recommendations as the committee considers advisable. Any report submitted when the House is not in session may be filed with the Clerk of the House.

Sec. 5. For the purposes of this resolution, the committee, or any subcommittee thereof, is authorized, subject to clause 31 of rule XI of the Rules of the House of Representatives, to sit and act during the present Congress at such times and places within the United States, whether or not the House is meeting, has recessed, or has adjourned, to hold such hearings, to require the attendance of such witnesses and the production of such books, papers, and documents, and to take such testimony, as the committee considers necessary. Subpenas may be issued over the signature of the chairman of the committee, or by any member designated by such chairman, and may be served by any person designated by any such chairman or member. The chairman of the committee or any member thereof may administer oaths to witnesses.

Sec. 6. The majority of the members of the committee shall constitute a quorum for the transaction of business, except that two or more shall constitute a quorum for the pur-

pose of taking evidence, including sworn testimony.

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

Mr. SISK. 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, the effect of this resolution is that this simply recreates the Committee on Small Business, provides for the 19 Members, and outlines the jurisdiction of the Committee on Small Business.

Mr. Speaker, I urge the adoption of the resolution and reserve the balance of my time.

Mr. QUILLEN. Mr. Speaker, the resolution before us today creates again the permanent Select Committee on Small Business, which is composed of 19 Members of the House.

The committee has the same jurisdiction as in the past.

I know of no objection to this resolution, and therefore urge its adoption.

Mr. SISK. 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.

SELECT COMMITTEE ON THE HOUSE RESTAURANT

Mr. SISK. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 111 and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 111

Resolved, That (a) there is hereby created, as of January 3, 1973, a select committee to be known as the Select Committee on the House Restaurant, which shall be composed of five Members of the House of Representatives to be appointed by the Speaker, not more than three of whom shall be of the majority party, and one of whom shall be designated as chairman. Any vacancy occurring in the membership of the committee shall be filled in the same manner in which the original appointment was made.

(b) In the Ninety-third Congress, the select committee shall exercise direction and supervision over the immediate management and operation of the House Restaurant and the cafeteria and other food service facilities of the House of Representatives, subject to the authority of the Committee on House Administration.

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

Mr. SISK. 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, once again the reading of the resolution makes it amply clear that it re-creates for the 93d Congress a Select Committee on the House Restaurant for the purposes of supervising this activity.

I urge the adoption of House Resolution 111 and reserve the balance of my time.

Mr. QUILLEN. Mr. Speaker, this resolution creates the Select Committee on the House Restaurant, composed of five Members of the House.

Its jurisdiction is over all food facilities in the House, subject to authority of the Committee on House Administration. Knowing of no objection, I urge adoption of this resolution.

Mr. SISK. 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.

SELECT COMMITTEE TO REGULATE PARKING ON HOUSE SIDE OF THE CAPITOL

Mr. SISK. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 145 and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 145

Resolved, That (a) there is hereby created a select committee to be composed of three Members of the House of Representatives to be appointed by the Speaker, one of whom shall be designated as chairman. Any vacancy occurring in the membership of the committee shall be filled in the same manner in which the original appointment was made.

(b) The said committee is hereby authorized to exercise direction over the Sergeant at Arms of the House of Representatives in the assignment of space for outdoor parking of automobiles in squares 639, south of 635, and 692, located adjacent to the House Office Buildings, and for all other outdoor parking of automobiles on the House side of the United States Capitol Grounds.

Sec. 2. The House Office Building Commission, in carrying out the duties imposed upon the Commission by the Acts of March 4, 1907 (40 U.S.C. 175), May 28, 1908 (40 U.S.C. 183 and 184), and April 22, 1955 (40 U.S.C. 175), is hereby authorized to delegate so much of such duties as pertain to the direction and supervision of the Architect of the Capitol in the assignment of space for parking of automobiles in the garages in the Rayburn House Office Building, the Cannon House Office Building, and the two underground garages in squares 637 and 691, located adjacent to the House Office Buildings, and the issuance of regulations governing such assignments, to the select committee herein created.

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

Mr. SISK. Mr. Speaker, I yield 30 minutes to the gentleman from Tennessee (Mr. QUILLEN). Pending that I yield myself such time as I may consume.

Mr. Speaker, the reading of the resolution makes clear the intent and purpose, providing for a three-member committee to supervise parking on the House side of the Capitol.

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

Mr. Speaker, House Resolution 145 creates our Select Committee on Parking, composed of three Members.

This resolution speaks for itself, and I urge its adoption.

COMMITTEE AMENDMENT

The SPEAKER. The Clerk will report the committee amendment.

The Clerk read as follows:

Committee amendment: on page 1, line 1, strike out "That (a) there is hereby" and insert "That (a) effective January 3, 1973, there is".

The committee amendment was agreed to.

Mr. SISK. 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.

APPOINTMENT AS MEMBERS OF THE BOARD OF DIRECTORS OF GALLAUDET COLLEGE

The SPEAKER. Pursuant to the provisions of section 5, Public Law 420, 83d Congress, as amended, the Chair appoints as members of the Board of Directors of Gallaudet College the following Members on the part of the House: Mr. CAREY of New York; Mr. QUIE, of Minnesota.

APPOINTMENT AS MEMBERS OF THE JAMES MADISON MEMORIAL COMMISSION

The SPEAKER. Pursuant to the provisions of section 1, Public Law 86-417, the Chair appoints as members of the James Madison Memorial Commission the following Members on the part of the House: Mr. SLACK, of West Virginia; Mr. BENNETT, of Florida; Mr. WAMPLER, of Virginia; Mr. ROBERT W. DANIEL, Jr. of Virginia.

APPOINTMENT AS MEMBERS OF THE COMMISSION ON MARIHUANA AND DRUG ABUSE

The SPEAKER. Pursuant to the provisions of section 601(a), Public Law 91-513, the Chair appoints as members of the Commission on Marihuana and Drug Abuse the following Members on the part of the House: Mr. ROGERS, of Florida; Mr. CARTER, of Kentucky.

APPOINTMENT AS MEMBERS OF THE NATIONAL VISITOR FACILITIES ADVISORY COMMISSION

The SPEAKER. Pursuant to the provisions of section 202(a), title 2, Public Law 90-264, the Chair appoints as members of the National Visitor Facilities Advisory Commission the following Members on the part of the House: Mr. GRAY, of Illinois; Mr. BLATNIK, of Minnesota; Mr. HOWARD, of New Jersey; Mr. McEWEN, of New York; Mr. ZION, of Indiana; Mr. MIZELL, of North Carolina.

APPOINTMENT AS MEMBERS OF THE COMMITTEE TO INVESTIGATE NONESSENTIAL FEDERAL EXPENDITURES

The SPEAKER. Pursuant to the provisions of section 601, title 6, Public Law 250, 77th Congress, the Chair appoints as members of the Committee To Investigate Nonesential Federal Expenditures the following Members on the Committee on Ways and Means: Mr. MILLS of Arkansas; Mr. ULLMAN, of Oregon; Mr. COLLIER, of Illinois.

And the following members of the Committee on Appropriations: Mr. MA-

HON. of Texas; Mr. WHITTEN, of Mississippi; Mr. CEDERBERG, of Michigan.

APPOINTMENT AS MEMBERS OF THE U.S. DELEGATION OF THE MEXICO-UNITED STATES INTERPARLIAMENTARY GROUP

The SPEAKER. Pursuant to the provisions of section I, Public Law 86-420, the Chair appoints as members of the U.S. delegation of the Mexico-United States Interparliamentary Group the following Members on the part of the House: Mr. NIX, of Pennsylvania, chairman; Mr. WRIGHT, of Texas; Mr. GONZALEZ, of Texas; Mr. DE LA GARZA, of Texas; Mr. KAZEN, of Texas; Mr. UDALL, of Arizona; Mr. WALDIE, of California; Mr. WIGGINS, of California; Mr. LUJAN, of New Mexico; Mr. STEIGER, of Arizona; Mr. BROOMFIELD, of Michigan; and Mr. STEELE, of Connecticut.

APPOINTMENT AS MEMBERS OF THE NATIONAL MEMORIAL STADIUM COMMISSION

The SPEAKER. Pursuant to the provisions of section I, Public Law 523, 78th Congress, the Chair appoints as members of the National Memorial Stadium Commission the following Members on the part of the House: Mr. YATRON, of Pennsylvania; Mr. BYRON, of Maryland; and Mr. MIZELL, of North Carolina.

APPOINTMENT AS MEMBERS OF THE PERMANENT SELECT COMMITTEE ON SMALL BUSINESS

The SPEAKER. Pursuant to the provisions of House Resolution 19, 93d Congress, the Chair appoints as members of the permanent Select Committee on Small Business the following Members of the House: Mr. EVINS of Tennessee, chairman; Mr. STEED, of Oklahoma; Mr. KLUCZYNSKI, of Illinois; Mr. DINGELL, of Michigan; Mr. SMITH of Iowa; Mr. CORMAN, of California; Mr. ADDABBO, of New York; Mr. HUNGATE, of Missouri; Mr. ST GERMAIN, of Rhode Island; Mr. CARNEY of Ohio; Mr. MITCHELL of Maryland; Mr. BERGLAND, of Minnesota; Mr. CONTE, of Massachusetts; Mr. BROYHILL of North Carolina; Mr. J. WILLIAM, STANTON of Ohio; Mr. McDABE, of Pennsylvania; Mr. THOMPSON of Wisconsin; Mr. KEMP, of New York; Mr. MCCOLLISTER, of Nebraska.

APPOINTMENT AS MEMBERS OF THE SELECT COMMITTEE TO REGULATE PARKING ON THE HOUSE SIDE OF THE CAPITOL

The SPEAKER. Pursuant to the provisions of House Resolution 145, 93d Congress, the Chair appoints as members of the Select Committee To Regulate Parking on the House Side of the Capitol the following Members of the House: Mr. SISK, of California; Mr. HAYS, of Ohio; Mr. GROSS, of Iowa.

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APPOINTMENT AS MEMBERS OF THE SELECT COMMITTEE ON THE HOUSE RESTAURANT

The SPEAKER. Pursuant to the provisions of House Resolution 111, 93d Congress, the Chair appoints as members of the Select Committee on the House Restaurant the following Members of the House: Mr. KLUCZYNSKI, of Illinois, chairman; Mr. STEED, of Oklahoma; Mr. BURKE of Massachusetts; Mr. THOMPSON of Wisconsin; and Mr. JOHN-SON of Pennsylvania.

APPOINTMENT AS MEMBERS OF THE U.S. DELEGATION OF THE CANADA-UNITED STATES INTERPARLIAMENTARY GROUP

The SPEAKER. Pursuant to the provisions of section 1, Public Law 86-42, the Chair appoints as members of the U.S. delegation of the Canada-United States Interparliamentary Group the following Members on the part of the House: Mr. MORGAN, of Pennsylvania, chairman; Mr. JOHNSON of California; Mr. RANDALL, of Missouri; Mr. KYROS, of Maine; Mr. STRATTON, of New York; Mr. MEEDS, of Washington; Mr. CULVER, of Iowa; Mr. HARVEY, of Michigan; Mr. McEWEN, of New York; Mr. HORTON, of New York; Mr. WINN, of Kansas; and Mr. DU PONT, of Delaware.

APPOINTMENT AS MEMBERS OF THE JOINT COMMISSION ON THE COINAGE

The SPEAKER. Pursuant to the provisions of section 301, Public Law 89-81, the Chair appoints as members of the joint commission on the coinage the following Members on the part of the House: Mr. MAZZOLI, of Kentucky; Mr. DULSKI, of New York; Mr. CONTE, of Massachusetts; and Mr. SYMMS, of Idaho.

APPOINTMENT AS MEMBERS EX OFFICIO OF BOARD OF TRUSTEES OF THE JOHN F. KENNEDY CENTER FOR THE PERFORMING ARTS

The SPEAKER. Pursuant to the provisions of section 2(a), Public Law 85-874, as amended, the Chair appoints as members ex officio of the Board of Trustees of the John F. Kennedy Center for the Performing Arts the following Members on the part of the House: Mr. THOMPSON of New Jersey; Mr. RONCALIO of Wyoming; and Mr. FRELINGHUYSEN, of New Jersey.

RURAL ENVIRONMENTAL ASSISTANCE PROGRAM

Mr. SISK. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 188 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 188

Resolved, that upon the adoption of this resolution it shall be in order to move,

clause 27(d)(4) of rule XI to the contrary notwithstanding, 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. 2107) to require the Secretary of Agriculture to carry out a rural environmental assistance program. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Agriculture, 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.

CALL OF THE HOUSE

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

The SPEAKER. Evidently a quorum is not present.

Mr. SISK. 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. 13]

Addabbo	Eckhardt	Nedzi
Andrews, N.C.	Edwards, Ala.	Patten
Badillo	Esch	Pepper
Bell	Frelinghuysen	Pettis
Bevill	Frey	Price, Tex.
Biaggi	Gubser	Quile
Blackburn	Harsha	Rangel
Bolling	Harvey	Rooney, N.Y.
Burke, Calif.	Heckler, Mass.	Roybal
Burke, Fla.	Heinz	St Germain
Chamberlain	Hollifield	Satterfield
Chisholm	Jarman	Steed
Clark	King	Steiger, Ariz.
Clay	Koch	Stokes
Davis, Wis.	Kyros	Thompson,
Dellums	McKay	N.J.
Derwinski	McKinney	Vander Jagt
Diggs	Martin, Nebr.	Waldie
Dulski	Myers	Wilson, Bob

The SPEAKER. On this rollcall 375 Members have answered to their names, a quorum.

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

RURAL ENVIRONMENTAL ASSISTANCE PROGRAM

The SPEAKER. The gentleman from California (Mr. Sisk) is recognized for 1 hour.

Mr. SISK. Mr. Speaker, I yield 30 minutes to the gentleman from Illinois (Mr. ANDERSON) pending which I yield myself such time as I may consume.

Mr. Speaker, this is a rather important matter, and I believe it should have the attention of Members.

Mr. Speaker, let me assure the Members that we will attempt to move as rapidly as possible. I hope not to take the full hour on this rule.

This is a matter, of course, that is of some considerable importance to a number of people, because it does represent a difference of opinion in connection with

the program which has been canceled by the administration, and this particular piece of legislation proposes to require the expenditure of certain funds. So there are some basic principles involved.

Mr. Speaker, House Resolution 188 provides for an open rule with 1 hour of general debate on H.R. 2107, which is a bill to require the Secretary of Agriculture to carry out a rural environmental assistance program.

The 3-day rule, clause 27(d) (4) of rule XI of the Rules of the House of Representatives, is waived because it is important that we discuss H.R. 2107 on the floor today.

According to the Department of Agriculture, the main objectives of the rural environmental assistance program—REAP, are; to prevent or abate agriculture-related pollution of water, land, and air, to significantly reduce the loss of water, woodland or wildlife resources, to encourage enduring conservation practices in sound land use systems, to deal with critical conservation problems on average and small size family farms, and to achieve annually established goals and objectives in a manner consistent with community needs now and in the future.

H.R. 2107 will amend section 8(b) of the Soil Conservation and Domestic Allotment Act so as to require the Secretary of Agriculture to carry out the environmental assistance program.

Mr. Speaker, I urge the adoption of House Resolution 188 in order that we may discuss and debate H.R. 2107.

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

Mr. SISK. I will yield to the gentleman from Iowa.

Mr. GROSS. I hope—and I guess that is about all one can do is “hope”—that this rule is not setting a precedent for what is to come later on in this session of Congress by way of the waiving of the 3-day rule.

May I ask, can the gentleman give us any assurance that we might hope that we will not get bills in the future waiving the 3-day rule?

Mr. SISK. Mr. Speaker, I appreciate the comments of the gentleman, and let me say that I, for one, will expect to be quite circumspect in regard to this. I think the 3-day rule basically is a good rule. I cannot speak for the entire Committee on Rules, but for myself I am inclined to be very fearful about the use of this procedure.

Now, as I have said, in view of some of the statements I have understood to have been made, it was felt that this matter could be brought up on tomorrow, but in view of the pending recess, it was being done, as I understood it, for the convenience of the Members.

Mr. Speaker, I certainly will as to the future assure the gentleman that as far as I am concerned, I think the 3-day rule is a good one, and I would hope and would expect we will abide by it.

Mr. GROSS. I thank the gentleman.

Mr. ANDERSON of Illinois. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, in explaining this bill before us today, I am tempted to say that this body is being asked to commit statutory REAP. But I will not. Seriously,

though, H.R. 2107 would commit or require the Secretary of Agriculture to spend all of the funds which have been appropriated for the rural environmental assistance program in fiscal 1973—a total of \$225 million. On December 26 of last year, the Department of Agriculture announced that no new commitments would be made under REAP for the remainder of this fiscal year, but that commitments made prior to December 23 would be honored. At the time that announcement was made, some \$200 million of the \$225 million appropriated, remained unspent.

The reason for the REAP reduction, and for other such reductions, is an attempt to hold Federal spending within the \$250 billion ceiling for fiscal 1973. And, I might remind my colleagues, at this point, that on October 10 of last year, this body voted 221 to 163 to give the President the authority to hold spending within that \$250 billion ceiling for fiscal 1973, and it was only due to sentiment in that other body that we lost that spending ceiling as part of the debt limit bill. As a result of our inability or unwillingness to impose a spending ceiling, the President has been forced to hold down spending in those areas in which he has discretionary authority under the law to do so. In the case of REAP, I would direct the attention of my colleagues to the citations from law made by the General Counsel of the Department of Agriculture in his opinion as printed on pages 2 through 5 of the committee report on this bill.

Those citations from the relevant authorization and appropriations laws leave no question about the discretionary spending authority granted to the Secretary in administering this program. After citing this language, the General Counsel concludes, and I quote:

There are no provisions . . . in the Act which direct the expenditure of funds in carrying out the program. The declaration of Congressional policy in the Act does not constitute a mandate to the Department to approve all qualifying projects for which funds are available.

Indeed, the committee report on page 5 concedes that this discretionary spending authority does rest with the Secretary. To quote from the report:

(H.R. 2107) removes the option of the Secretary of Agriculture to use the discretion contained within the provisions of the Soil Conservation and Domestic Allotment Act to terminate the REAP program, and, by so doing, reinstates the program.

I make this point because I want to emphasize that the issue before us today is not whether the Secretary of Agriculture had legal authority to do what he did; he clearly did. The central issue is not even a question of rural environmental assistance. Make no mistake about it, the main issue before us today is whether we are going to force Federal spending in complete disregard of the need for a spending ceiling, or whether we are going to exercise self-restraint and discipline and demonstrate fiscal responsibility.

In appearing before the Rules Committee yesterday, the chairman of the Agriculture Committee (Mr. POAGE) conceded that the central issue was not environmental assistance. To quote from his statement—

This bill is a direct test of whether the legislative or executive branch will determine spending priorities.

I appreciate the frankness of the gentleman, but I would suggest that his own statement is the best argument against this bill. What are those priorities? How does this Congress propose to stay within the \$250 billion ceiling? I have not seen any alternative budget forthcoming from this Congress. I have not even seen an alternative Agriculture budget produced by the gentleman's committee. Instead we are told that the committee is now scheduling hearings on other legislation to force Federal spending on other programs. I would suggest to the distinguished chairman that by this legislation and other such attempts, we are putting the spending cart before the fiscal horse, and this can only result in runaway spending and inflation or increased taxes. It is all that simple.

As I said in this Chamber on Monday:

There is a lot of talk in this Congress about the need to reorder priorities, but I would suggest that if we are serious about this we must make the matter of setting an enforceable spending ceiling our very first priority.

Mr. Speaker, I would certainly agree with the distinguished chairman that today's vote is a test of the priorities issue. But I would submit that until we are willing to accept, embrace and implement that very first priority of setting an enforceable spending ceiling, all other talk of priorities is meaningless, frivolous and yes, even deceptive. As I said in this Chamber on Monday, and I will say it again: “There are a number of indications that the majority leadership is more interested in provoking confrontations with the executive branch on spending issue than in first setting our own fiscal house in order.” And that statement certainly applies to the bill which is before us today.

And I might further point out, as I did on Monday, that although we were operating under the assumption last fall that this new Joint Committee on the Budget would produce machinery to enable us to get a better handle on the fiscal 1974 budget and take a more rational approach to our authorization-appropriations process, by producing recommendations no later than February 15 of this year, we are now being told that it will only issue a preliminary report on that date, and probably will not have a final report until late this fall—far too late for fiscal 1974. As I suggested on Monday, this delay is not only inexcusable and irresponsible, but illegal. When, oh when, are we finally going to accept this responsibility and exercise this constitutional prerogative everyone is bemoaning we have lost? This is not a matter of executive usurpation, as some have suggested; this is a matter of legislative abdication. And do not be deceived by those who would argue that a vote for this bill today is a vote for reasserting our authority, for the fact is that a vote for this bill is a clear recognition that we have not learned one thing and we are not willing to do one thing about disciplining ourselves and setting our own priorities, within a defined limit.

Mr. Speaker, I wish to conclude my remarks by saying a few things about the

rule under which this bill is being brought to us today and the manner in which this important legislation is being brought to the floor.

This bill was not on the legislative program for this week as announced last week. This bill was not scheduled for consideration in the Rules Committee until late on Monday afternoon of this week. The report on this bill was not published and available until yesterday morning. The hearings on this bill will not be published and made available until late next week. The rule under which this bill is before us waives the requirement of rule XI clause 27(d)(4) which states, and I quote:

A measure or matter reported by any committee . . . shall not be considered in the House until the third calendar day on which the report of that committee upon that measure or matter has been available to the Members of the House.

I questioned the chairman of the Agriculture Committee on this waiver yesterday, and he denied all responsibility for this rush rule, saying it was written by the Parliamentarian. I moved in the Rules Committee that this waiver be deleted so that the Members of this body could have more time to study this bill, and my motion was defeated. I would simply ask, if this is such an important test, if this is being billed as the focal point for a so-called constitutional crisis, who is trying to cram this bill down our throats in such a hurry for what reason? I cannot believe the Parliamentarian dictates such policy.

I want to call the attention of this body to another motion I made in the Rules Committee yesterday which was defeated—a motion which would make the Findley fiscal responsibility amendment in order without being subjected to a question of germaneness. The text of that amendment can be found on page 22 of the minority report in the committee's report. That amendment would require that this act cannot take effect until the Congress either raises the debt ceiling by the amount of money mandated to be spent by this act, or raises revenues by the amount mandated to be spent by this act, or until the Comptroller General determines that the outlays mandated by this act combined with other fiscal 1973 outlays do not exceed total revenues and authorized public debt for this fiscal year.

It seems to me, Mr. Speaker, that the Findley amendment really goes to the heart of what I have been saying about this overriding first priority of fiscal responsibility and congressional self-discipline.

Mr. Speaker, as I said on Monday, I am not an advocate of "unlimited Presidential impoundment authority in perpetuity." I also wish to make clear that I come from a farm State and represent a farm district, and I am, therefore, acutely aware of the popularity of REAP, and this has been a very difficult decision for me to make. But I firmly believe that the responsible thing for us to do today is to look beyond our narrow interests to the national interest, to look beyond the popularity of our pet projects to the necessity for economic stability and fiscal soundness. I, therefore, strongly urge

my colleagues to join with me in voting down the previous question on this rule so that I might offer an amendment to the rule which would make the Findley fiscal responsibility amendment in order, waiving all points of order. This is the only way, it seems to me, that we can clearly demonstrate to the Nation that this Congress is truly serious about all this talk of holding down spending and avoiding further inflation and a tax increase. I urge a nay vote on the previous question.

The SPEAKER. Does the gentleman from Illinois have further requests for time?

Mr. ANDERSON of Illinois. I do, Mr. Speaker.

At this time I yield 2 minutes to the gentleman from California (Mr. TEAGUE).

Mr. TEAGUE of California. Mr. Speaker, and my colleagues, I want to make only about two points now, and then I will go into what I consider the serious defects of this bill during the general debate.

One point I want to make now, while we have a fairly good attendance, is that please, my colleagues, do not be misled by what REAP stands for in full. REAP means rural environmental assistance program, but the environment is only a secondary part of this whole program. The major objective of the program as it has evolved is the situation where it is an additional farm subsidy. It is an encouragement to increased production rather than to conserve the soil.

Mr. Speaker, I would be the last one to deny the fact and the first to say, I am very happy to admit, that when this program started back in the dust bowl days, and through many times since then, it has been successful and it has accomplished a lot of good. But most of that good has been accomplished or would be accomplished by farmers without Federal assistance, because they do not want their top soil to wash off into the river and go down to the sea.

If this were a matter where the environment as such was really concerned, or where it was an ecological or a conservation matter then that could be different, but that is not the case. It is very strange, I think, that the Sierra Club, the Friends of the Earth, the conservation societies, and such groups did not appear and testify at the hearings that we held on this matter. I for one have received no communications from any kind of conservation group requesting that this bill be supported.

We are talking about \$210 million, I would point out to the Members, plus—plus \$42 million just to administer the program.

It is nothing but an additional agricultural subsidy, and I would certainly think that those of you from the city areas would vote against the bill.

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

Mr. ANDERSON of Illinois. Mr. Speaker, I yield 5 minutes to the gentleman from Illinois (Mr. FINDLEY).

Mr. FINDLEY. Mr. Speaker, I rise in support of the action which my colleague, the gentleman from Illinois (Mr. ANDERSON) has indicated he will take, that is, to attempt to vote down the pre-

vious question in order to make in order a new rule. I certainly concur with his thoughts about the lack of necessity for eliminating the 3-day rule. I appreciate also very much his support for attempting to make in order the amendment which might be described as the fiscal discipline amendment.

I will read the text of that amendment later in my remarks, but I want to explain that I am not foreclosing the possibility of a favorable ruling by the Chair later when my amendment is offered. If the previous question is not voted down and this is not made in order by the action of the House, I still am hopeful that in the wisdom of the Chair it will be made in order in committee. I say that because there is really no precedent in history for the confrontation over the budget which now occurs between the President and the Congress. The first House test of this confrontation definitely is going to occur here this afternoon. That is why I feel it is of such significance as to merit the consideration of what would ordinarily be termed a rather unusual amendment.

The amendment I intend to offer reads as follows:

After line 11, add the following:

SEC. 2. This Act shall not take effect until such time as one of the following events occurs: (1) the enactment of legislation increasing the statutory ceiling on the public debt by an amount at least equal to the amount of outlay mandated herein; (2) the enactment of legislation which will produce a first-year increase in revenue at least equal to the amount of outlay mandated herein; or (3) the Comptroller General of the United States makes a determination and so reports to the Speaker of the House and the President of the Senate, that the outlay mandated herein, together with all other outlays expected to occur during fiscal 1973, will not exceed the total of revenue and authorized public debt for fiscal 1973.

It is in the nature of us as human beings to put off the tough questions and to take the easy way out. I recall last October when we last had the question on increasing the public debt ceiling a good many Members voted "no" despite the overriding necessity for this act. There were 163 Members of this body who chose to vote "no" against a higher ceiling on the public debt.

It was not too long ago that this body had before it a revenue measure which in effect was a substantial decrease in tax revenue, and almost everybody joyfully voted for lower taxes.

We have now an interesting test before us this afternoon. Will this body really exercise some fiscal discipline? Will it delay the effective date of this mandate of expenditures out of the Treasury of the United States until such time as we can be assured that there is indeed adequate money in the Treasury for this purpose? That is what the effect of this amendment: To assure that there will be adequate money in the Treasury from which this expenditure can be made.

We have confronted the President with an unfortunate dilemma. We have given him by statute a ceiling on the public debt, and he cannot borrow beyond that ceiling without another act of Congress. We have given him various revenue measures, and those—debt and revenue—taken together represent the total that

he can possibly lawfully spend during fiscal 1973. Yet, having rejected his request for an expenditure control measure in the last Congress, now we are trying to override his own, I would say, courageous individual effort to bring about expenditure control without the greater flexibility that act would have afforded.

One prudent way to meet this dilemma, and I do hope Members on both sides of the aisle would join me in this effort, is to support the motion by the gentleman from Illinois (Mr. ANDERSON) to vote down the previous question, to make in order the fiscal discipline amendment to this bill, and then, with that added, we can certainly in good conscience consider the merits of the program which is the subject of this legislation.

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

Mr. FINDLEY. I yield to the gentleman from Michigan.

Mr. GERALD R. FORD. Mr. Speaker, number one, I would like to ask the gentleman from Illinois: His amendment does not go to the merits of the substantive program included in the legislation from the Committee on Agriculture?

Mr. FINDLEY. That is correct. Instead it goes to the merit, or lack thereof, of the position of the Congress in the confrontation with the President over fiscal discipline.

Mr. GERALD R. FORD. No. 2, we have heard a great deal recently about the need for the Congress to be a partner in making basic decisions, and I agree that the Congress ought to be a partner with a coequal branch, the executive branch of the Government. My impression is that the attempt by the gentleman from Illinois is to get the Congress to be a partner in the operation of fiscal responsibility. The President has decided that in order to achieve a degree of fiscal responsibility, holding the line of \$250 billion for this fiscal year, he has to make some downward adjustments in certain programs, and REAP is one.

The gentleman says that if the Congress wants to continue this program, then the Congress has to be a partner in finding the resources to pay for it. Is that the sum and substance of what the gentleman is talking about?

Mr. FINDLEY. Indeed that is a very accurate summary.

I might say further that had the Congress approved the Expenditure Control Act the President sought last year, this would not be necessary.

Mr. GERALD R. FORD. Will the gentleman yield further?

Mr. FINDLEY. I yield to the gentleman from Michigan.

Mr. GERALD R. FORD. I have a suspicion, but I am not privy to the inner councils, that this is only one of a number of bills that will come from various committees that will seek to undo the President's effort to hold the line on spending and preclude additional taxes, and so forth. Is it the intention of the gentleman from Illinois, if and when this series of higher expenditure bills come to the floor, to offer the same opportunity for Members of the House on both sides of the aisle to be partners in this effort for fiscal responsibility?

Mr. FINDLEY. Indeed it is. That is

why I view what we do today as of such vast importance. It could well set the pace and set the tone, and it gives us the opportunity to enhance the position of the Congress in the eyes of the public. It is an opportunity for us to show restraint and good judgment and discipline in this very vital field.

Mr. GERALD R. FORD. I join the gentleman from Illinois (Mr. FINDLEY) and the previous speaker, the gentleman from Illinois (Mr. ANDERSON), in urging defeat of the previous question so that this amendment would be offered under those circumstances if we prevail, to have a partnership with the Executive in fiscal responsibility.

Mr. FINDLEY. I thank the gentleman.

Mr. ANDERSON of Illinois. Mr. Speaker, I have no further request for time and I reserve the balance of my time.

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

Mr. Speaker, as I have indicated earlier I hope we can move along rapidly with this, but I do feel I should call attention to some of the things we have heard here this morning, especially for some of my colleagues who may not have been with us in the past. We are hearing a recital of what we are going to hear a great deal of I am sure in the next few weeks or months. There are going to be other bills coming out of other committees I am sure very much along these same lines, because I think basically we are faced with certain basic principles.

I for one am all in favor of Congress assuming its rightful responsibility in connection with trying to bring our budget under some control. I think that rightfully Congress has to share some responsibility. I think we have made mistakes in the past, and I for one would hope that I will have the courage and I would hope we all do, to do the things in the future to begin to bring under control some of the problems that we have in connection with our deficit spending.

I do think, though, on the other hand, that we are faced with a challenge that I think is important for us to meet. This is not a constitutional crisis and it is not being put on that basis, this particular program, many other programs were so written as to give to the Secretary, the administering agent, very broad flexibility in carrying out the program.

It seems to me that had the executive branch of Government or the Secretary utilized his power under that flexible arrangement from a standpoint of some reductions, reasonable reductions, as I think has been the practice in the past, I certainly would have accepted it and I think basically that American agriculture would have accepted it.

But, unfortunately, we have suddenly been faced with what is no longer any consideration about the use of that method to bring into balance expenditures along with income, but rather the picking and choosing of particular programs which the administration wants to go forward with and to stop those which it does not like.

This, to me, is an infringement upon the power, the prerogatives, the policymaking power of this Congress. I propose to fight it on that basis, and I would hope

that this Congress, both Democrats and Republicans, are willing to stand up and to meet their share of responsibility of bringing our budget into balance, but at the same time not to permit dictation as to priorities or to programs.

This is what this is all about. We gave this flexibility, and I think the flexibility we gave to the Secretary in this instance has been abused. I happen to have a great deal of respect for the present Secretary of Agriculture, Earl Butz. I think he is a very able man. I think basically he is trying to do some things to help agriculture but unfortunately in connection with this particular area, he is not calling the shots. I think we can all agree that OMB is calling the shots. There is no question about it, they have their own pet programs and they have their particular hates. Many of us have been confronted with this over the years, so they are now going along with their pet programs, and those programs which they dislike, wham. "We will just cut them off at the throat."

That is the thing that I object to.

Let me conclude quickly. We are going to be asked here to vote down the previous question to make in order an amendment by the gentleman from Illinois (Mr. FINDLEY), frankly, to destroy the effectiveness of this bill. Let us not kid ourselves about this. We become amused at people who say, "We are all for this, but we have a way to sink the ship."

That is all this amounts to. This simply places a burden upon the operation of the program which would make it totally unworkable and impossible to comply with. That is all the effect of the amendment of the gentleman from Illinois amounts to.

I do not care how we cut it or how we slice it, it would just as well be saying that a vote for that amendment is a vote against this bill. Just put that in your pipe and smoke it, because that is what it amounts to.

So, I hope the Members will vote up the previous question and adopt the resolution.

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

The SPEAKER. The question is on ordering the previous question.

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

Mr. ANDERSON of Illinois. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make a 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 237, nays 150, not voting 44, as follows:

[Roll No. 14]

YEAS—237

Abdnor	Annunzio	Boland
Abzug	Ashley	Bolling
Adams	Aspin	Bowen
Alexander	Barrett	Brademas
Anderson,	Bergland	Brasco
Calif.	Biester	Breaux
Andrews,	Bingham	Breckinridge
N. Dak.	Blatnik	Brinkley

Brooks
Brown, Calif.
Burke, Mass.
Burlison, Tex.
Burlison, Mo.
Burton
Byron
Carey, N.Y.
Carney, Ohio
Carter
Casey, Tex.
Chappell
Clark
Clay
Cohen
Conte
Conyers
Corman
Cotter
Culver
Daniel, Dan
Daniels
Dominick V.
Danielson
Davis, Ga.
Davis, S.C.
de la Garza
Dellums
Denholm
Dent
Diggs
Dingell
Donohue
Dorn
Downing
Drinan
Eckhardt
Edwards, Calif.
Eilberg
Evans, Colo.
Evins, Tenn.
Fascell
Fisher
Flood
Flowers
Flynt
Foley
Ford
William D.
Fountain
Fraser
Fulton
Fuqua
Gaydos
Gettys
Glaime
Gibbons
Ginn
Gonzalez
Grasso
Gray
Green, Oreg.
Green, Pa.
Griffiths
Gunter
Hamilton
Hammer-
schmidt
Hanley
Hanna
Hansen, Wash.
Harrington
Harsha
Hawkins

Hays
Hébert
Helstoski
Henderson
Hicks
Hollifield
Holtzman
Howard
Hungate
Ichord
Johnson, Calif.
Jones, Ala.
Jones, N.C.
Jones, Okla.
Jones, Tenn.
Jordan
Karth
Kastenmeier
Kazen
Kluczynski
Kuykendall
Landrum
Leggett
Lehman
Littton
Long, La.
Long, Md.
McCloskey
McCormack
McFall
McSpadden
Macdonald
Madden
Mahon
Mann
Mathis, Ga.
Matsunaga
Mayne
Meeds
Melcher
Metcalfe
Mezvinisky
Millford
Miller
Mills, Ark.
Minish
Mink
Mitchell, Md.
Mitchell, N.Y.
Mizell
Moakley
Mollohan
Montgomery
Moorhead, Pa.
Morgan
Moss
Murphy, Ill.
Murphy, N.Y.
Natcher
Nichols
Nix
Obey
O'Neill
Owens
Passman
Patman
Perkins
Peyser
Pickle
Pike
Poage
Podell
Preyer
Price, Ill.

NAYS—150

Anderson, Ill.
Archer
Arends
Armstrong
Ashbrook
Bafalis
Baker
Beard
Bennett
Bray
Broomfield
Brotzman
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burgener
Butler
Camp
Cederberg
Clancy
Clausen
Don H.
Clawson, Del.
Cleveland
Cochran
Collier
Collins
Conable

Conlan
Coughlin
Crane
Cronin
Daniel, Robert
W., Jr.
Dellenback
Dennis
Devine
Dickinson
Dulski
Duncan
du Pont
Erlenborn
Eshleman
Findley
Fish
Ford, Gerald R.
Forsythe
Frenzel
Froehlich
Gilman
Goldwater
Goodling
Gross
Grover
Gubser
Gude
Guyer
Haley

Hanrahan
Hansen, Idaho
Hechler, W. Va.
Heckler, Mass.
Heinz
Hillis
Hinshaw
Hogan
Holt
Horton
Hosmer
Huber
Hudnut
Hunt
Hutchinson
Johnson, Colo.
Johnson, Pa.
Keating
Kemp
Ketchum
Landgrebe
Latta
Lent
Lott
Lujan
McClory
McCollister
McDade
McEwen
McKinney

Madigan
Mailliard
Mallory
Maraziti
Martin, N.C.
Mathias, Calif.
Mazzoli
Michel
Mills, Md.
Minshall, Ohio
Moorhead, Calif.
Mosher
Nelsen
O'Brien
Parris
Powell, Ohio
Pritchard
Quile
Rallsback
Regula
Rhodes

Rinaldo
Robinson, Va.
Robinson, N.Y.
Rogers
Roncallo, N.Y.
Roussetot
Ruppe
Ruth
Sandman
Sarsin
Saylor
Schneebeli
Shoup
Shuster
Smith, N.Y.
Snyder
Stanton
J. William
Steelman
Symms
Talcott
Taylor, Mo.

Teague, Calif.
Thomson, Wis.
Towell, Nev.
Treen
Veysey
Walsh
Ware
Whalen
Whitehurst
Widnall
Wiggins
Williams
Wilson, Bob
Wyatt
Wydler
Wylie
Wyman
Young, Fla.
Young, Ill.
Zion

NOT VOTING—44

Addabbo
Andrews, N.C.
Badillo
Bell
Bevill
Biaggi
Blackburn
Burke, Calif.
Burke, Fla.
Chamberlain
Chisholm
Davis, Wis.
Delaney
Derwinski
Edwards, Ala.

Esch
Frelinghuysen
Frey
Harvey
Hastings
Jarman
King
Koch
Kyros
Martin, Nebr.
McKay
Myers
Nedzi
O'Hara
Patten

Pepper
Pettis
Price, Tex.
Rangel
Roncallo, Wyo.
Rooney, N.Y.
Roybal
Satterfield
Staggers
Steed
Steiger, Ariz.
Stokes
Vander Jagt
Waldie

So the previous question was ordered.
The Clerk announced the following pairs:

On this vote:
Mr. Rooney of New York for, with Mr. Burke of Florida against.
Mr. King for, with Mr. Derwinski against.
Mr. Bevill for, with Mr. Frelinghuysen against.
Mr. Addabbo for, with Mr. Martin of Nebraska against.
Mr. Waldie for, with Mr. Myers against.
Mrs. Chisholm for, with Mr. Steiger of Arizona against.
Mr. Patten for, with Mr. Vander Jagt against.

Until further notice:

Mr. Biaggi with Mr. Satterfield.
Mr. Badillo with Mr. Bell.
Mr. Jarman with Mr. Andrews of North Carolina.
Mr. Koch with Mr. Price of Texas.
Mr. Kyros with Mr. Frey.
Mr. McKay with Mr. Blackburn.
Mr. Nedzi with Mr. Chamberlain.
Mr. O'Hara with Mrs. Burke of California.
Mr. Staggers with Mr. Davis of Wisconsin.
Mr. Stokes with Mr. Esch.
Mr. Rangel with Mr. Hastings.
Mr. Pepper with Mr. Edwards of Alabama.
Mr. Roybal with Mr. Harvey.
Mr. Steed with Mr. Pettis.
Mr. Roncallo of Wyoming with Mr. Delaney.

The result of the vote was announced as above recorded.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. POAGE. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 2107) to require the Secretary of Agriculture to carry out a rural environmental assistance program.

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

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 2107, with Mr. GLAIME in the chair.

The Clerk read the title of the bill.

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

The CHAIRMAN. Under the rule, the gentleman from Texas (Mr. POAGE) will be recognized for 30 minutes, and the gentleman from California (Mr. TEAGUE) will be recognized for 30 minutes.

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

Mr. POAGE. Mr. Chairman, I yield 10 minutes to the gentleman from Iowa (Mr. SCHERLE).

Mr. SCHERLE. Mr. Chairman, on December 22, 1972, the farmers of America awakened to learn of an unbelievable situation. They discovered that the one program that had served this country so capably for almost 40 years faced annihilation. In short, there was to be no more Federal money for rural environmental assistance. As many Members of Congress and many people throughout rural America began to realize, REAP would give way to the economic rape of rural America.

It is difficult to understand why REAP, which has served so many people for so long, has suddenly, arbitrarily, and without any congressional consultation been eliminated by Executive order. The people living in metropolitan areas should remember that they live in a wonderful country. They spend only 16 percent of their disposable income for food. This is the best buy, anywhere, ever.

Americans enjoy this exclusive opportunity only because of programs like REAP, funded through the wisdom of Congress. With the help of REAP, the farmers have been able to rise above the bare subsistence level to compete fairly with other segments of our economy.

As I see it today, the primary problem is that nobody representing rural America sits on the staff at 1600 Pennsylvania Avenue. The last man we had down there was a geologist, and, as I have said many times, "What the heck does he know about agriculture?" The President's recent criticism of REAP proves once again the inefficiency of White House staff work on agricultural affairs.

We represent less than 5 percent of the total population. Today's farmer bears even greater responsibilities than his predecessors. It has been said that if a farmer cannot survive without funds from REAP, he should not be a farmer. But the money he receives, an average of \$330, does not line his own pocket. He has to supplement this sum with an additional \$670. The combined contributions of Government—one-third—and citizen—two-thirds—provides \$1,000 in sound conservation practices, benefiting the general public as well as the farmer.

Last year, for instance, the farmer earned a net of only \$7,000 nationally, and 52 percent of that was earned by moonlighting on other jobs.

The farmer delivers a plentiful supply of the highest quality food and fiber at reasonable prices to the entire country. He should not be penalized by the elimi-

nation of programs like REAP which are vital to his continuing efficiency.

We have heard the argument that only 20 percent of those eligible participate in this farm program. But when there is only enough money for 20 percent, then no one else can participate.

According to my county ASC office, 74 farmers are enrolled in the program but a backlog of more than 100 applicants is waiting to sign up. The USDA has admitted to me that while fewer than 20 percent of the farmers now participate, more than 40 percent would do so if matching funds were available.

I have here a legislative digest which was passed out to me this morning. Let me read out to the Members some of the farm organizations supporting REAP: the National Grange, the Milk Producers Federation, the National Farm Organization, and the National Wildlife Federation.

On the back of this digest, the following statement appears:

The American Farm Bureau does not support this legislation.

This is very puzzling because I am holding an editorial here from the Iowa Farm Bureau spokesman, dated January 13, 1973, entitled "Reinstate REAP Funds."

The editorial follows:

[From the Iowa Farm Bureau Spokesman, Jan. 13, 1973]

REINSTATE REAP FUNDS

No one has spoken out more strongly than Farm Bureau on the need to reduce federal spending. And Farm Bureau last spring recommended specific cuts in the present federal budget of nearly \$21 billion.

But this present budget cutting approach isn't acceptable as important programs are being wiped out and it appears that agriculture and farm people are bearing the brunt of the budget cutting.

If a solid review of priorities can't be accomplished now (and budget cuts announced indicated it hasn't been done), a more acceptable approach would be a percentage reduction in federal spending in all areas—defense, health, welfare, education, etc.

The administration's cut in the Rural Environmental Assistance Program (REAP) is inconsistent with other actions of the administration and society's goal to improve the environment.

Agriculture is being asked to do more to control pollution. EPA has announced new regulations dealing with water quality control, including some impractical ones dealing with agriculture.

There is no question that the elimination of the REAP funds will seriously hamper conservation and water pollution programs in Iowa and across the nation. This is recognized by farmers and by those responsible for policy and administration of these pollution control and conservation programs. But it apparently is not recognized by the budget-cutters in the Bureau of the Budget.

There is widespread recognition that the benefits from good conservation programs are community and statewide and individual farmers shouldn't be made to bear the entire cost. In some cases, farmers will see little direct benefit from some conservation practices during their lifetime.

Even if farmers could afford these practices because of higher farm income in 1972 as some administration officials believe (which is erroneous), you could make the same argument that urban residents do not need federal grants for sewage treatment facilities and pollution control programs since their

income was up substantially in 1972 and cities are receiving millions of dollars in federal revenue sharing funds. But only agriculture has lost its funds for pollution control.

The Nixon administration should immediately reinstate funds for the REAP program for cost-sharing for those soil and water conservation practices and structures which contribute to the attainment of pollution prevention, enduring conservation and environmental enhancement.

It does not make a great deal of sense to me for the American Farm Bureau—and I am a member—to send out a statement opposing the Iowa Farm Bureau's support on this bill. They do not represent the people from my district, and apparently they do not even represent their own organization in the State of Iowa.

We have discussed ecology and the environment many times and debated a number of proposals to benefit them. Yet, REAP has been in effect for almost 40 years doing a tremendous job for everyone.

All Americans drink clearer water, breathe fresher air, protect their wildlife, and sail better because of REAP.

Critics of the program point to the \$19 billion made by farmers last year and assert that they can pay for it themselves. But no one mentions the low income these same farmers earned in 1971, 1970, 1969, and earlier. Can anyone assure me that in 1973 the average farmer will make enough to afford all the common conservation practices needed on his farm? Of course not, farming is a big gamble at best.

It was at the Appropriations Committee hearings the other day when Roy Ash, the new OMB Director, was asked about aid for North Vietnam. As yet no funds have been requested. But any money over and above that already budgeted would have to come out of the \$250-billion total. Thus additional cuts will have to be made in the very domestic programs we are talking about. Does the majority of this committee believe that we cannot afford \$200 million to conserve America's environment while we blithely hand out aid to Communist North Vietnam? I think not.

This is not a feud with the administration. We do not object to a spending ceiling, but Congress should play a strong role in determining priorities. This is a matter of principle. Rural America still does not earn as much income as the rest of the Nation today. The highest proportion of poor still lives in the country. Yet, Roy Ash admitted that Agriculture's budget suffered more than any other Department.

In voting for this bill, which is identical to one I introduced the opening day of Congress, cosponsored by 73 Members represents almost all political philosophies, you will insure the continuation of a vital environmental program. I urge the committee to support this bill.

Following are two eloquent editorials from Iowa radio stations backing the reinstatement of REAP:

EDITORIAL—WHO STATION, DES MOINES, IOWA

I think American farmers are feeling a little like the President is pulling the rug out from under them.

We're referring to the sudden announcement of massive cutbacks in spending for REAP . . . Rural Environmental Assistance Program . . . cutting out FHA disaster loans . . . and severely cutting down on 5½% ASC loans for crop-drying set-ups . . . and totally eliminating ASC 5½% loans for storing high moisture corn.

We can understand the USDA's planning to cut in half the amount of money spent to finance the governments feed grain program. In the face of good prices now, and export demand, the Secretary of Agriculture has no alternative, really, than to try to cut the amount of tax dollars going into diverting acres from crop production. But eliminating the REAP . . . and the decent-interest loans of 5½% . . . and the FHA disaster loans . . . is not warranted.

Even conservative Iowa Republican farmers who voted for Nixon, feel this is a mistake. And it is strictly an administration judgment. Not to be blamed on Congress, or the Secretary of Agriculture.

EDITORIAL—KMNS STATION, SIOUX CITY, IOWA

Practically every farm-connected group in the Midwest has voiced strong opposition to President Nixon's decision to cut costs by dropping certain farm programs worth about 1.5 million dollars per year. KMNS couldn't agree more.

One program, the Rural Environmental Assistance Program or "REAP", has given thousands of farmers the incentive and funds to undertake environmental programs that otherwise would be left undone. For 36 years, the program has helped build terraces, contour strips, wind breaks, wildlife plots, and other projects.

In the last full year for which figures are available, Woodbury Countians received over 37-thousand dollars of matching funds for REAP projects. Farmers in Dakota County, Nebraska received over 39-thousand dollars. Across Iowa 27-thousand farmers received 5½-million dollars in Federal funds. Nebraska farmers spent about 4-million dollars during the last reporting period.

Senators and Congressmen will argue that some farm programs are intended to help farmers at the expense of other citizens. Programs like REAP benefit everyone. Water pollution is curtailed by proper soil management. The better the quality of soil, the more food can be grown, and the less it will cost.

It's KMNS Viewpoint Congress should restore funds for The Rural Environmental Assistance Program.

Mr. TEAGUE of California. Mr. Chairman, I am very much opposed to this bill for reasons which I have set forth in the minority report which I signed along with seven others of my colleagues.

Let me start out by saying that the conservation program has been, through the years, a good program. It started in the dust bowl days. It did a lot of good then and it has done many worthwhile things during the last 35 or 40 years.

It has evolved into a situation far afield from just conservation. What it amounts to now is mostly another farm subsidy payable to the farmers for increased production. It provides money which is used in addition to some items, which I concede are true conservation practices, but let me remind the Members that these are the types of things or some of the things which go into making a part of the present program: Limestone application, construction of fences, home gardens, wells for livestock,

drainage, irrigation, brush removal, irrigation systems and wildlife ponds.

If this were a total environmental measure, I wonder why the Wilderness Society or any of the conservation groups did not appear before the Committee on Agriculture when we held extensive hearings on this proposal. They did not, which indicates to me that those of us who are concerned, as we all are, about the environmental and ecology and conservation problems need not have any fear of bringing the wrath of the environmentalists down on our shoulders if we show some fiscal responsibility and vote against this bill.

We are talking about \$210 million which the President would be ordered to spend, between now and July 1. The Senate has not even held hearings on this bill. It probably will and probably will pass the bill, but it could not possibly go into effect until after the first of March. Therefore, there would be four months where the President would be ordered to spend \$210 million.

I would also like to remind you that this bill carries an annual administration cost of \$42 million. There are 600 Federal employees fully engaged in this type of operation.

I repeat, it has turned out to be a production subsidy, supplemental subsidy, rather than a truly conservationist matter.

In conclusion, I would like to read two things into the RECORD. The first is a letter which I received from a farmer in North Dakota:

LAKOTA, N. DAK.,
January 31, 1973.

Rep. CHARLES M. TEAGUE:

DEAR SIR: I hear Congress wants to restore the Rural Environmental Assistance Program, and the Water Bank Program.

I have been a farmer here all my life. I am age 67 and I want to tell you we don't need REAP and Water Bank programs.

The Water Bank just deprived small farmers from cutting hay for livestock on this low land, and so they had to sell their livestock when the big farmers signed this land up for government payments.

This was just some more free money for big farmers and more weeds to let grow on this low land.

The REAP program never did amount to very much money for each farmer, and what we were paid for, we would have done on our own anyway.

The small farmers who remain on the farms and ranches of this nation are fighting for survival.

The government paying big payments to big farmers, that are financially already well off, are driving the small farmers off their land by the thousands.

That is why I have been opposed to many of these farm programs.

The letter continues:

Top payments of \$55,000 to big farmers are way out of line.

It is obvious that the small family type farmers is not the real beneficiary of our present farm programs.

We would be a thousand times better off if no payments were made to any farmer, big or small.

We desperately need an end to federal farm programs.

Thank you.

JESS KEITZMAN.

In final conclusion, I would like to read two paragraphs from an article which appeared in Time magazine, February 12, 1973:

BUCKING THE BUDGET

Rarely has a President attacked so many vested interests at one time as Richard Nixon has with his proposed budget cuts. Rarely have so many vested interests joined in trying to make the President back down. Lobbyists have poured into Washington to seek out and pressure members of Congress, many of whom welcome the invasion. They themselves are angry at the President for impounding funds that Congress has appropriated.

Helping the farmers is an unlikely ally: the National Limestone Institute. Although only 4% of the industry's output is purchased by farmers, Lobbyist Robert Koch is putting up a 100% fight to save REAP. The institute has sent out 15,000 protest letters to various policymakers as well as to county agents and farmers.

Let me remind the Members that President Nixon is not the first President to recommend either cutting back or abolishing the REAP program. President Truman did. President Eisenhower did. President Kennedy did. President Johnson did. Now President Nixon is making a similar sensible, fiscally responsible recommendation, which I hope the majority of the Members of this House will adopt.

Mr. POAGE. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. BURTON).

Mr. BURTON. Mr. Chairman, I rise in support of this legislation.

This particular legislation probably does not affect, in terms of districts of Members, any more than perhaps 10 to 20 percent of the Members sitting in the House.

I would urge upon my colleagues representing the urban and suburban areas to recognize that we have a collective responsibility to reaffirm that the House of Representatives, the Congress of the United States, is a coequal branch of the Government.

The Congress has worked its will with respect to this program. The executive is flouting the will of the Congress.

I would submit it is in the best interest of all of us, from the cities and suburbs as well as from the rural areas, to reaffirm the congressional will in this respect.

Just as this legislation does not affect the majority of our districts, similarly other legislation that we will be considering may not necessarily affect a majority of the constituencies of Members of this House. But if we extend a helping hand one to the other and strengthen each other's cause we are a good deal more apt to succeed in the effort to reassert and reaffirm the congressional will over legislative matters brought before this Congress.

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

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

Mr. DELLUMS. I thank the gentleman for his comments and I applaud him.

Mr. Chairman, I support the REAP program and I urge passage of this bill as reported from committee.

Yet, I believe we are fooling ourselves if we see today's battle solely in terms of a struggle by Congress to reassert itself in a fight with an intransigent administration.

That, of course, is at stake, but it is not the important matter at issue today.

Instead, I think we have to look at the thrust behind the Nixon strategies which are hurting every poor, working-poor and blue collar citizen in this country—be they urban or rural.

Notice who Nixon attacks first. Does he touch the farmers who receive between \$500,000 and \$3.5 million annually in crop subsidies? The producers—of whom there were 300 in 1970—who got over \$100,000 each?

Is it the corporate farms that are affected? We know the answer is "no" because these huge company-farms can absorb minor cost increments and are able to pass these increased costs on to consumers.

But for the small family farm, there are no easy answers, and every time the administration and its corporate friends are able to get away with cutting programs such as REAP while ignoring the real agricultural subsidies, and give-aways it forces the smaller farmer right into the hands of the corporate giants or to outright abandonment of their properties.

And I remind my colleagues that we are never going to be able to deal effectively with the myriad of urban problems unless we first reverse the out-migration from the rural areas to the cities.

The administration willingly subsidizes the massive capital expenditures of the corporate farms, but when Nixon policies force the small farmer and his workers off their land and into the cities, the administration cuts back on funds to handle job-training, health and education for these people—and then says "Help yourselves first."

That is utter nonsense, and that is why we must act to help the small farmer through REAP and related programs.

I note today that the lines are drawn very effectively between farm lobbies against this proposal—notably the Farm Bureau and its large-farm membership—and the National Farmers Union and the National Farmers Organization—two groups who I believe represent the real backbone of the agricultural heritage of this Nation and two groups who are for this bill.

I believe that members of the NFU and the NFO now realize what the role of "victim" in this society feels like. And I hope that all of us will be able to see the need and importance of working together in a true coalition of victims—the blacks, browns, native Americans, the poor and working poor, the blue collar and middle class, the women, the environmentalists, the senior citizens—all of those persons who are manipulated by the establishment and set to fighting for crumbs by it.

For the members of such a coalition, the issue today of the REAP program is just one skirmish in a much larger battle. We have the power to work together to change this Nation, and to bring about

a society based on justice, freedom and equity.

And that is the true nature of this vote today.

Mr. TEAGUE of California. Mr. Chairman, I yield 3 minutes to the gentleman from Arizona (Mr. RHODES).

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

Mr. RHODES. I yield to the gentleman from Kansas.

Mr. SEBELIUS. I thank the gentleman for yielding. I rise in support of this legislation.

Mr. Chairman, I appreciate this opportunity to join the distinguished chairman of the House Agriculture Committee, the Honorable W. R. "BOB" POAGE, in support of legislation to continue the highly successful rural environmental assistance program.

Through this program, over 1 million farmers annually invest their own money—many times in excess of the Federal funding—to build terraces, construct diversion dams, and institute pollution abatement practices.

The benefits of this program have been far-ranging and affect all Americans. Let me point out what should be an obvious fact to my urban colleagues who are naturally interested in increased food costs. We hear a lot about proposed price controls as a possible alternative to the food cost problem. Let us consider the kind of problem we will face if the consumer cannot find quality food on the counter. The answer to the food price dilemma is in productivity and in fair prices for farm product. This, in turn, is determined in part from the conservation and wise use of our natural resources. That is what REAP program is all about and why those of us familiar with the program believe it does not represent a cost, but an investment that benefits both the farmer and the consumer.

For example, in my home State of Kansas in 1972, about 80 percent of all the cost-share funds in Kansas were used on the four leading practices—terraces, farm ponds, waterways, and soil stabilizing seeding programs. The 1972 Kansas REAP allocation of \$6,355,000 produced approximately 8,387 miles of terraces; 2,334 farm reservoirs; 7,887 acres of waterways; and 58,551 acres of soil stabilizing seeding programs not to mention a host of other soil and water conservation measures. These cost-sharing incentives were sufficient to encourage soil and water conservation practices on 12,000 separate farms. The maximum payment of \$2,500 insured benefit to the small farmer.

Yet, despite the success of this program, much remains to be done. Statistics from the latest conservation needs inventory in Kansas reveal that over 60 percent of the 49.4 million acres in the State need erosion control and soil and water conservation practices. Much of this acreage will continue to lose productivity and create pollution problems without the REAP cost-sharing incentives.

Despite recent income gains, the average income of farmers is only 80 percent of the median income of wage earners in the nonfarm sector. Recent income gains

may be accurate from the standpoint of USDA statistics, but that income does not exist in the pockets of farmers. Although prices are improved, the farmer has nothing to sell.

As a result, the continued farm price-cost squeeze will force many farmers to forgo long-range costly conservation measures. This will not only set back our effort to clean up our environment, but will also have long-range implications for our Nation's food supply.

I understand and support the commitment to fiscal responsibility and the obvious need for us to restore common-sense to our Federal spending. We must employ restraint in the interest of economic stability. If we win the fight against inflation, the farmer and all citizens will be able to spend more of their own money, or save it, or lower the cost of their business operations.

The American farmer is willing to assume his fair share of responsibility in this effort. However, farmers and conservationists were justifiably shocked with the announcement that the REAP program was to be completely terminated. It is one thing to trim the fat from a Federal program or to limit this cost-sharing assistance to the basic soil and water conservation practices and environmental protection. It is quite another to employ a "meat ax" approach in an arbitrary fashion as we have witnessed in the termination of REAP assistance.

Mr. Chairman, my colleague from North Carolina, the honorable WILMER D. MIZELL, will introduce an amendment that would fund the REAP program at a level of \$140 million, the figure announced by the USDA last fall. Farmers programed their operations to reflect participation at that level. They have a right to count on the Government's commitment and the program itself has earned the right to continuation on its own merits.

While I support the efforts to restore funding to the rural environmental assistance program, I do not feel the attempt in H.R. 2107 adequately takes into account the goal of reducing Federal expenditures in the effort to fight inflation. Worse, it would simply dictate to the Secretary of Agriculture that he spend \$225 million between now and the end of the fiscal year. That kind of dictate, Mr. Chairman, is just as irresponsible as was the termination action taken by those within the Office of Management and Budget.

The Mizell amendment represents responsible legislation and is fiscally sound. The enactment of this legislation should carry with it the mandate that appropriate USDA officials should work with the House and Senate Agriculture Committees to establish program priorities and guidelines.

Mr. Chairman, if we are going to be successful in restoring funds for programs of proven worth, regardless of area of interest or the agency, we must work with the President in recommending which programs can be cut back and what new priorities can be set. I urge my colleagues to support the Mizell amendment as a fiscally responsible

means of carrying out the Government's earlier commitment regarding REAP, and as a means to continue a most needed program of rural environmental assistance.

In the past few weeks we have heard much discussion about the need to bring the Federal budget under control and for Congress to reassert its constitutional authority. Mr. Chairman, I submit we must accept that responsibility. In accepting it we must not only protest and oppose the recent "meat ax" approach by the Office of Management and Budget in terminating programs of proven worth, but we must also work with the President in setting spending goals and priorities. I personally feel the Mizell amendment accomplishes both goals.

Mr. RHODES. Mr. Chairman, I do not expect to speak to the merits of this bill. The bill, I am sure, represents a good program, one that has been in effect for many years and has stood the country in good stead.

However, I am going to speak on the effect I believe it would have on the country if we were to adopt this bill today.

The President of the United States has asked the Congress to go along with him in cutting expenditures to a point which will not inflate the economy. I think every Member of the House will agree we need to do just exactly that.

We have had enough inflation; we have had enough of rises in prices. It is necessary for us to bite several bullets, and today is the occasion of the first bullet we are being asked to bite in order to do this very important job for the people of this country.

Mr. Chairman, in case any of the Members doubt the mandate the President got in this last general election, let me point out to you that the mandate has been reaffirmed quite recently by a Gallup poll which says the President has a 68-percent approval rating insofar as the job he is doing is concerned.

Now, Mr. Chairman, this poll was taken after the budget came out. It was taken when the American people had become aware of the cuts which the President intended to make. It is important for us to understand that because, of course, we want to do what the people back home want us to do, and, believe me, they want us to do something about governmental expenditures.

Insofar as the money is concerned, it is not a great amount, but, believe me, the world is watching the House of Representatives today to see whether or not we have the courage to begin to do the tough things. This is truly a symbolic vote, and the world will take it as a measure of our determination to put our financial house in order.

We did a very intelligent thing just before the last session ended when we appointed a joint committee of the House and Senate on the budget to try to see what we could do to regain control of the purse strings. There can be no doubt that we have lost control of the purse strings.

Mr. Chairman, appropriation bills have come out at different times—one, one more, and then one more—until we get

all 12 of them out. Nobody ever makes a rational decision on the floor of the House of Representatives as to whether or not we are going to operate within the budget, within the available revenues, or whether we are not.

Mr. Chairman, until we begin to do make such decisions, we shall have to rely on the Executive to give us the spending priorities which he believes are most important. As soon as we set our house in order, it will not be necessary to worry about impoundments from the Executive; they will not be necessary, we will have then provided the mechanism to decide the spending priority, as we should, and we will not then have to rely on the Executive.

But until that time comes, Mr. Chairman, the welfare of this country and the interests of our people demand that we do those things which are necessary to put our fiscal house in order, and to end inflation.

Mr. Chairman, defeating this is the first step. We will be called upon to make many tough decisions in this session of the Congress, and if we do not make them correctly, then we can fear for the future of the country as far as the economy is concerned. If we do not make these tough votes for economy, this Congress may go down in history as the Congress that finally put the last nail in the coffin of the American free economy.

Mr. POAGE. Mr. Chairman, I yield 2 minutes to the gentleman from Georgia (Mr. MATHIS).

Mr. MATHIS of Georgia. Mr. Chairman, I thank the gentleman for yielding. I rise in support of the REAP bill, and I urge its passage by the House.

Mr. Chairman, we presently have before us for consideration legislation to reinstate the rural environmental assistance program and as a member of the House Committee on Agriculture I support this vital proposal and have asked unanimous consent to include in today's proceedings my statement of support for the REAP legislation.

In May of last year the Department of Agriculture stated it planned additional emphasis on enduring conservation and pollution abatement practices through the rural environmental assistance program.

In September of last year, the Department announced that the 1973 REAP program would strengthen conservation and diminish air and water pollution. They told us that the conservation and environmental protection features would receive high priority, and I want to emphasize "high priority," during the coming year.

If the above pledge was considered so important by the Department 4 months ago, why does this administration now unilaterally terminate a program that has more than proven its effectiveness in past years without even a dialog with the Congress?

I would like very much for this administration to tell me where else can one find 1 million Americans willing to put up 70 percent of the cost necessary to care for millions of acres of land?

Where else can you find a program

which has provided over 2 million water storage reservoirs, without which our beef shortage would be twice as bad?

Where else will you find a program that has provided terraces to control soil erosion on over 32 million acres of land?

Where can you find any group that has established wind or water erosion control, thus conserving water on 114 million acres?

Where is there any program or any hope for any program that will control erosion on ranch and pasturage lands to increase our beef supply on more than 62 million acres?

The agricultural conservation program participants have provided millions of other worthwhile conservation measures too numerous to mention.

Mr. Chairman, I just want to say that unless this program is not reinstated, American agriculture is in for 4 years of tough sledding. I urge passage of the bill.

Mr. TEAGUE of California. Mr. Chairman, I yield 5 minutes to the gentleman from Pennsylvania (Mr. GOODLING).

Mr. GOODLING. Mr. Chairman, I should first of all like to read two or three sentences from a letter which reached my desk yesterday:

I am concerned that our Federal Government is spending more than it is taking in tax revenue. My approach is quite simple. The Congress should either reduce expenditures or else should raise taxes to balance the budget.

Mr. Chairman, with that I agree 100 percent. My people want priorities in spending readjustments; my people want excess Government spending stopped, and I believe that applies to people practically everywhere.

Mr. Chairman, I am going to report a few figures to the House. One is constant, and the other changes practically every hour on the hour, and it is always upward.

When I came to this Congress in 1961, our national debt was \$186 billion. I wonder if the Members have checked that figure recently. It is 1973. Do the Members know what that debt is today? It is \$452 billion. At least that is what it was 2 days ago; it is probably higher than that by now.

We as Congressmen have been completely fiscally irresponsible during the last few years.

Just last week during our hearings the chairman told the Assistant Secretary of Agriculture that it is the Congress who should determine spending priorities. With that I agree 100 percent.

However, I also informed the chairman that when the Congress fails to accept its responsibility then I think it is time for the administration to step in and exercise some sense of fiscal responsibility.

Let us look at this REAP program quite briefly. It was first established in the early 1930's, and there probably is not a person anywhere in the United States who would not say that it did an excellent job. It did an excellent job, and it is still doing it today. To a certain extent it was set up as a pilot program.

There is not a farmer in the entire United States today who does not know

the value of sound conservation practices. Why, I ask you, should we pay that farmer to do the things he himself knows should be done?

It is 1973, and I do not think we should continue to do this. Why should I ask my neighbor to pick up the tab for the fertilizer that I use on my farm? Why should you people who represent urban communities ask those city people to pay a farmer to do what he knows is good practice and should be doing for himself?

This program has now gone from conservation to production. That was certainly not the original intent of the bill.

I have been a farmer for 50 years. I have had good and bad years, and I want the RECORD to show that when the big book above is opened there is one black mark which will not be against the name of GEORGE GOODLING. I have yet to take a penny in the form of subsidies, nor do I intend to do so. When I cannot operate my own farm profitably, I do not think I should be a farmer any longer.

That pretty generally applies to farmers everywhere. I will agree there are times when they need help. We have had some bad years, and they might need some help right now, but I do not believe this is the way to give it to them.

Mr. Chairman, there are more ecologists and conservationists in the United States today than there have been in the entire history of our country. I realize some do not know what day of the week it is when it comes to conservation. If this is such an important conservation measure, I ask you, why did not one of them appear before our committee? Not a single conservationist appeared before the committee in support of the bill we have before us today. I did not have one letter from my constituents in support of this bill other than a very, very few that came from committee members who have a personal interest in the bill. Not one individual farmer wrote me.

Mr. Chairman, I told the Secretary of Agriculture—and I want the RECORD to show this—that if these cuts were made across the board in every department, I am going to back him up 100 percent. If they apply to agriculture only, I will get out my apple crate and take to the street corner and tell the world about it. We have the assurance that these cuts will be made across the board.

I ask you, as Members of Congress, let us be fiscally responsible and defeat this bill.

In addition to what I have said, I would like to set the record straight on several misunderstandings and misapprehensions regarding the administration's proposed budget for 1974 and recent actions which have been taken in support of these proposals.

In the first place, too much emphasis has been placed on the negative by those who are looking backward, clinging to the past. They have been emphasizing such words as "cutting" and "eliminating" and "protesting." But this is not a negative budget and these are not bad times.

People have told us very clearly they want a reordering of priorities, a new direction responding to changing times

and new opportunities. People want excess Government spending stopped. Recent figures show that the Federal Government is taking 20 percent of the gross national product and State and local governments are taking another 14 percent out of our pockets. What this adds up to is that even people who are not on the public payroll are working for the Government one-third of the time.

So, appropriately and reflecting the needs of today, the main thrusts of the 1974 budget as proposed by the administration include: First, returning to State and local officials, power to make many major decisions which they are in the best position to make, knowing local conditions and opinions; second, developing a leaner Federal bureaucracy; and third, providing greater opportunity and freedom for the American people to make the fundamental choices for themselves which they best know how to do.

The alternative to taking this new direction is a continuation of inflation with costs rising faster than productivity, Government outlays rising faster than Government revenues, a continuation of a deteriorating value of the dollar and a continued imbalance in international trade.

If we continue in the old path, clinging to the past, we face three alternatives: First, a rising inflation with skyrocketing costs and the other problems I just recited; second, heavier taxation; or third, strict price and wage controls across the board, including controls on farm products.

Consumers do not want any of those three alternatives, nor do farmers. Farmers want higher net farm income; they want ceilings on Government spending; they want a rein put on inflation.

Likewise, consumers want reason in their fiscal budgets, ample food at reasonable prices. Farmers know what the new direction requires. They do not want ration stamps in their pockets nor blackmarkets, nor empty food shelves. They know they must make their contribution to curtailing Federal spending. They are willing to contribute to stopping inflation because inflation hurts them perhaps more than any other major segment of our economy. If the upward spiral in farm costs can be slowed, then farm income—net farm income—will be increased.

Many farmers have said that they are willing to take cuts in outmoded and outdated programs if it will help in balancing the budget, if other segments of the economy will accept their share of forward-looking moves toward fiscal responsibility. And the proposed budget is clearly moving in this direction.

Now every time a change in level of spending is proposed—more precisely when an outdated program is threatened with budget cuts—certain groups and people who live off the program or whose income is substantially affected by the program say, in effect, "Don't change that." A classic example is the agricultural conservation program, which was begun in the 1930's and has more recently been renamed the rural environmental assistance program—REAP. This program was started as an incentive pro-

gram to help farmers discover the benefits of conservation farming and to encourage them to install soil and water conservation practices on their land.

Today modern-day farmers accept these soil and water conservation practices as an integral part of sound, efficient farm operations. The cost-share incentive no longer is needed. Farmers have been telling us this—fewer farmers are participating in this cost-share program. Actually only about 20 percent of the total farms in the United States participate in the program in any given year and the average annual payment per participant is only \$239. Of that participation about 30 percent was for practices directly related to crop production—drainage, irrigation, and liming. Farmers know that such practices pay off in increased production and higher land values.

But there are others, such as limestone producers, committee members, and those whose profits or jobs depend on or are affected by the program, who feel they would be hurt by a change in the program. So they want to cling to the past, to retain the program, to hang on rather than allowing us to look at new program needs. This is not a new experience. The REAP, or agricultural conservation program, has been on the low end of the priority totem pole for many, many years. Attempts have been made to cut the program by both Democratic and Republican administrations. The Truman administration tried to cut the program, the Congress under some pressure, restored the appropriation. Similar attempts were made by the Eisenhower, the Kennedy, and the Johnson administrations. Again, each time Congress restored the appropriation. The important point is that the thrust to eliminate this program has gone on through both political parties over a period of many years and is not a partisan issue. The reasons for eliminating the expenditures from next year's budget are much the same as reasons recognized by previous administrations for taking the same action. It is time we stopped looking back to the needs of the 1930's and reorient our thinking to the need and opportunities of the 1970's.

Mr. POAGE. Mr. Chairman, I yield such time as he may use to the gentleman from Kansas (Mr. Roy).

Mr. ROY. Mr. Chairman, I strongly support legislation to require the Secretary of Agriculture to carry out a rural environmental assistance program, that is, to make the program mandatory and require expenditure of all funds appropriated by the Congress.

The rural environmental assistance program was terminated by administration action effective December 22. This program, under which farmers and the Federal Government worked cooperatively in soil erosion control and other agricultural pollution control programs, has been of benefit not only to the farmer, but to the American public as a whole. Silt, often precious topsoil, is the No. 1 pollutant of our streams and rivers.

It is important to remember that REAP is a cost-sharing program—that

over one million Americans each year contribute their money and their labor to preserve land and natural resources for future generations. Congress provided for a \$225 million program.

REAP has been very important to Kansas farmers. The 105 conservation districts of Kansas have a good record of installing land treatment practices to protect the State's soil and water resources. As one example, 272,000 miles of terraces have been placed on Kansas land. A substantial portion was made possible by the rural environmental assistance program and its predecessors.

There is much work of this type left to be done on the nearly 50 million acres of Kansas agricultural land. It is to the benefit of present and future generations to conserve this land—a large contributor to the Nation's current and future food supply.

It appears that the administration believes conservation to be one of our Nation's lower priorities: Witness the veto of the Water Pollution Act in the 92d Congress—overwhelmingly overridden by the Congress—in addition to the termination of REAP.

Congress has the power to authorize programs and to appropriate funds therefor. It is imperative that the Congress prevent the Executive from "unmaking" laws by refusing to spend moneys appropriated by the Congress for them.

I strongly urge the passage of this legislation to make the rural environmental assistance program mandatory. The funds appropriated are small compensation for the vital resource conservation and environmental protection work done.

Mr. POAGE. I yield such time as he may consume to the gentleman from California (Mr. JOHNSON).

Mr. JOHNSON of California. Mr. Chairman, I rise today to express my wholehearted support for H.R. 2107, which would effectively reinstate the rural environmental assistance program. How tragic and ironic it is that the most successful and proven conservation program we have has been terminated by Executive fiat at the time when concern for our environment is at an alltime high. The foolishness of impounding the funds for this program is only exceeded by the administration's willingness to ignore the law in doing it.

The rural environmental assistance program, known for years as the agricultural conservation program, has been so beneficial to the Nation since its beginning in the 1930's that one can only wonder by what twisted logic the administration decided to terminate it.

Millions of acres of legumes and cover crops planted, millions of acres of forests established, the fields which have been contoured, the farm ponds created, and all the conservation practices which have been developed as a result of this program have prevented millions of acres of topsoil from running down our Nation's waterways wasting into the oceans, causing pollution along the way. Despite these accomplishments, much remains to be done. The soil equivalent of 40 farms still washes down the Mississippi

River into the Gulf of Mexico every day. Over 3 million acre-feet of silt poured into our Nation's streams last year.

In my own State of California, 4,647 farms with over 560,000 acres benefited in 1971 from the rural environmental assistance program, according to the latest available figures.

In spite of the proven value of this program, the administration has terminated it for budgetary reasons by impounding the funds. This is one of the clearest examples of false economy we will ever see. The administration has emphasized that farm income has reached a new high in the last year, while ignoring the position of agriculture relative to the rest of the economy over the years.

Finally, if the administration is going to terminate programs by impounding their funds after the Congress has passed an appropriations bill and the President has signed it into law, then we might as well forget about the appropriations process in the Congress and just let the Executive run the country. This practice subverts our democratic, balanced government in a most fundamental way.

I also spoke in support of H.R. 2107, Mr. Chairman, in hearings held by the Committee on Agriculture. The distinguished chairman, Mr. POAGE, and the other members of the Agriculture Committee are to be commended for their expeditious handling of this legislation. I believe the rural environmental assistance program has proven its worth and should not be terminated without regard to the wishes of the Congress.

Mr. POAGE. Mr. Chairman, I yield such time as he may consume to the gentleman from South Dakota (Mr. DENHOLM).

Mr. DENHOLM. Mr. Chairman, the years of precedent by more than three decades of legislative history clearly establish the intent and purpose of the Congress and six Presidents in the administration of the law.

The merit of land and water conservation cannot be denied. The need for stewardship of natural resources has never been greater in America. The realization that approximately 300 acre-feet of topsoil erodes annually to silt mandates action of the highest priority.

I respectfully submit the issue is clearly a matter of discretionary language as now expressed in the existing statutes—or—words essential to amend those statutes mandating execution of the law consistent with the intent, purpose, and spirit thereof.

I know that other of my colleagues of this Congress desire legislation to amend the existing statutes to compel mandatory performance of the executive branch of this Government in full implementation of the programs of public policy consistent with the spirit of the law enacted by the Congress.

Many of the laws enacted by the Congress in the historic past are the result of a request of and for the authority and appropriations necessary to effectuate public policy that originated with an apparent friendly and willing administration of the executive branch of Government. That includes the leadership role of the New Deal, the Fair Deal, and the Great Society of the recent historic eras

of the past three decades or more. The Congress responded and such discretionary words as "authorized" and "empowered" or "have power to" became a part of the enabling acts that have been continuously funded by annual appropriations by the Congress. The legislative history and proven merit of conservation programs cannot be denied notwithstanding the recent policy decisions of the advisers of the Nixon administration to the contrary.

I realize the logic of arguments against mandatory language in statutes of public policy for essential programs enacted by the people as expressed by the will of the Congress. However, the alternative has been thrust upon us—and programs of public policy have been terminated against the interest of the people and in direct conflict with the spirit of the law as heretofore enacted by the Congress—all without just cause or reasonable notice. A prudent person does not resort easily to a "straitjacket" control in mandatory public policy but we must realize in calm reflection the Ten Commandments, the Declaration of Independence, the Bill of Rights, our criminal laws and laws of taxation are not words of discretion to be flouted in a willy-nilly fashion of public policy without consequence and reprisal in the public interest.

I do not agree with those that allege a constitutional crisis or that this great Nation has fallen to the depths of a "dictatorship." That line of argument is emotional and political rhetoric. It is empty of logic and shallow of reason.

The Nixon administration has acted within the law and sought escape of performance under discretionary words of existing statutes.

I know that H.R. 2107 constitutes mandatory language to amend the present law. I am hopeful that it will be promptly approved by the members of this Committee and enacted by the Congress as an amendment to existing law.

The issue is not the merit of conservation or the intent, purpose or spirit of the law. The issue is words of discretion in the existing statute and it is my judgment that the law should be amended to clearly express and reflect the will of Congress. I urge the enactment of H.R. 2107 accordingly.

Mr. POAGE. Mr. Chairman, I yield such time as he may consume to the gentleman from Florida (Mr. FUQUA).

Mr. FUQUA. Mr. Chairman, as a cosponsor of this essential legislation, I concur wholeheartedly with the comments heard on this floor today in support of the reinstatement of the rural environmental assistance program. This cost-sharing conservation program has been one of the mainstays in providing cost-sharing assistance to our farmers in cleaning up our Nation's streams and generally improving the livability of our lands. The thing that urban dwellers don't often think of is the fact that the farmer lives on the land. From morning to sundown he is working and tilling the land and has a personal interest in his environment. But it is not only the farmer who benefits by the cost-sharing activities of REAP, but every son and daughter in this country benefits

because our streams and lands are protected and improved. This one program provides as many environmentally related benefits to our Nation as all of the other pollution programs combined. And on a cost-sharing basis at that. REAP moneys are used to erect terraces and establish cover crops to stop the movement of silt. And on a cost-sharing basis at that.

Ever since I first came to the House I have been going on an annual basis to the Appropriations Committee and lending my support to a high level of funding for this important program. The committee and the Congress have given this support, and yet, all of a sudden there is no more REAP program. The Congress passed a law last year and mandated that \$225 million would be spent to enter into cost-sharing arrangements with American farmers to improve the quality of the environment and aid the production of foodstuffs. Prior to the election, the administration told the American farmer that he could expect at least \$140 million. Then, all of a sudden, and safely past the November elections, the President tells the American farmer that REAP will be terminated.

The Under Secretary of the Department of Agriculture, I was interested to note, stated in recommending that the bill not be passed:

The Department could not support legislation to remove authority and obligation administration in the stewardship of public funds.

Let me tell the Under Secretary that I am not about to stand by while the Department or any other arm of the executive branch blatantly avoids the "faithful execution of the law." I am not about to permit the President or the Department of Agriculture to assume the role of grand designer of national priorities. The people of the Second Congressional District sent me here to see that their views are known when decisions affecting national priorities are made. As long as I serve in this body I plan to take whatever action possible to insure that their views are known and unless my distinguished colleagues in the Congress tell me differently, the rural environmental assistance program is Federal law and this law should be fully implemented by the executive branch.

The President has brought all of this on himself. He knows full well that the Congress is not a bunch of spendthrifts. He knows that we have reduced his budget every year he has spent in the White House. He knows that the Congress is constitutionally given the power of the purse and is empowered to raise and spend Federal revenues. I strongly support the maintenance of a rigid spending ceiling on Federal expenditures and I will continue to do so. But where the cuts should come is a question that the Congress is fully capable of addressing and, in my opinion, is most willing to do.

The House Committee on Agriculture and its distinguished chairman are to be commended for bringing this important legislation to the floor. I support this legislation and will vote accordingly today, and I encourage my colleagues to join with me in responding to the ill-con-

ceived action taken by the President and the Department of Agriculture.

Mr. POAGE. Mr. Chairman, I yield such time as he may consume to the gentleman from Virginia (Mr. DAN DANIEL).

Mr. DAN DANIEL. Mr. Chairman, I rise in support of H.R. 2107, of which I am a cosponsor.

Since the announcement was made by the Department of Agriculture on December 26, 1972, to the effect that the REA program was to be terminated, I have received a great many communications from my congressional district and elsewhere in Virginia expressing concern over this action.

In many instances these comments and observations have come from people who over the years have found a great deal of encouragement in this program in starting conservation practices. Others have seen evidence of results of these practices and have, therefore, become friends of the program.

From personal observation, I know of few activities of the Federal Government which have brought forth greater returns and come closer to achieving their objectives than has the rural environmental assistance program. Therefore, it simply does not make sense to terminate the program in an arbitrary action of this kind without more study than has apparently been given to it.

On a nationwide basis, REAP has done a tremendous amount of good and has accomplished a wide range of objectives. In Virginia in 1972, 25,979 farms participated in REAP and the contribution by the Federal Government to the overall accomplishments amounted to a small proportion of the total value achieved.

I have been impressed by statistics which I have obtained for the Fifth Congressional District, which I have the honor of representing. In 1972, 5,795 farms participated in a total conservation program costing \$2,265,597. Of this amount the Federal cost-share was \$755,199 meaning that the farmers themselves expended \$1,510,398. The average participant in the REAP program in my district last year received only \$130 motivation, which the program provided, causing him to spend much more of his own funds.

In 1971, 5,492 farms in the Fifth District participated in a total program costing \$1,810,011, of which the Government paid \$603,337 and the farmers then spent \$1,206,674. This amounted to an average of \$110 per farm after the Federal Government contribution.

It seems to me that there is a good deal more involved in this matter than the dollars and cents which are budgeted for it. The conservation programs of the Department of Agriculture were the forerunners of today's emphasis on protecting our environment. These practices have proven to be not only successful but have stimulated the individual farmer into promoting and practicing conservation in other ways.

This partnership between the Government and the farmer has brought forth outstanding benefits where many other Government programs of lesser attainment have not been touched by the present economy actions.

It has always been my feeling that any conservation program, if it is properly administered, can be made cost-effective, and there seems to be no doubt that REAP has achieved this objective.

My greatest concern with this whole problem of cuts in rural-oriented programs is that proportionate reductions apparently are not being made in urban areas. Experience has shown in the past that the economy of our country has to a large extent been based upon how our rural areas are prospering. We have had some very bad experiences on a national level when our farmers have been in trouble. Thus, it seems to me that, if severe reductions are made in these rural programs, we may well run the risk of creating greater problems in our cities by virtue of decreasing the advantages of remaining on the farm.

I urge the House to approve H.R. 2107 and trust that the Congress will reinstate the REAP program.

Mr. POAGE. Mr. Chairman, I yield such time as he may consume to the gentleman from Tennessee (Mr. JONES).

Mr. JONES of Tennessee. Mr. Chairman, like most Members of this body who represent districts with a large number of small towns and farms, I was shocked by the Department of Agriculture's announcement that it was ending the rural environmental assistance program. If you could see the mail that I have received from my constituents protesting this move, you would know that they are just as upset as I am about it.

This program has done a tremendous amount of good for rural America and the entire country. In Tennessee it is about the most popular rural program we have; it helped us save our topsoil and keep it fertile. It cleared our lakes and streams of the silt that was running off our farmland, and today is doing as much to keep my district green and economically strong as any manmade program.

This is why it has been so popular, not only in the Southeast, but throughout rural America. ACP and REAP which succeeded it, came at a time when we needed help. It helped us to begin the long hard task of restoring rural America from the disaster that threatened us from erosion by wind and water and from pollution.

It continues to meet the same needs today. Every dollar spent has been matched by farmers' funds. The prime beneficiary of REAP today is not only the average American taxpayer and consumer, but the substantial part of American taxpayers and consumers who happen to be small farmers as well.

As has been noted, Mr. Speaker, the program has provided more recreation in the tens of thousands of ponds built over all this country than has any recreation program sponsored by the Federal Government. It has stopped the movement of silt at its source through the erection of terraces, the use of contour farming, and the establishment of cover crops and grasslands. It has slowed the spread of noxious brush and weeds, and restored grass to millions of acres of land that was being eroded by wind and water.

Following the termination announcement, I was looking across some papers on my desk and I came across the following description of the REAP activities; I think it is a good one:

REAP is the principal channel through which the Federal Government, in the national interest and for the public good, shares with farmers and ranchers the cost of carrying out approved soil, water, woodland, and wildlife conservation and pollution abatement practices on their land that are directed to:

1. Help maintain the productive capacity of American agriculture, and
2. Help assure the Nation's growing population an increased supply of clean water, reduced air pollution, and enhanced natural beauty, more opportunities for the enjoyment of outdoor recreation, improvements in the quality of the environment, and better ecological balance.

Now, Mr. Chairman, this statement did not come from the National Limestone Institute, or a group of ASCS employees; this is a direct quote from an information sheet circulated by the Department of Agriculture, that was still being mailed out right up to the day the Department decided that we did not need the program any more and terminated it.

I disagree with the Department. I not only think we need the programs, I know we do. During the years when I was State Commissioner of Agriculture and chairman of the Tennessee ASCS committee, I saw what the program could do, and watched it encourage farmers to put into effect erosion and pollution abatement practices when they could not afford to do it on their own. No one can tell me now that the need for this program has ended.

Mr. Chairman, I urge all of my colleagues to vote in favor of Chairman POAGE's bill to restore one of the USDA's finest programs.

Mr. POAGE. Mr. Chairman, I yield such time as he may consume to the gentleman from Kentucky (Mr. STUBBLEFIELD).

Mr. STUBBLEFIELD. Mr. Chairman, there is little I can add to the many statements made before this committee in behalf of the rural environmental assistance program. Everything has already been said to qualify the need for REAP, to point out the inexplicable and unfounded reasoning of the action by the Secretary of Agriculture in terminating this program, and to show the incalculable contributions the agricultural conservation program, now known as the rural environmental assistance program, has made to this Nation since its inception in 1936.

The Secretary of Agriculture has claimed that this harsh action by his Department is "an economy move," which I protest so vehemently. Terminating this program for budgetary reasons by impounding the funds is one of the clearest examples of false economy we will ever see. Whether or not farm income has reached a new high during the past year has little significance in determining whether or not REAP should be continued. Prosperous years for the farmer, such as you might describe 1972, are so few and far between that it becomes all too easy for those who take the polls or analyze the statistics to ignore the posi-

tion of agriculture relative to the rest of the economy over the years.

Over the past decade, the administration, the Congress, and the American people have all come to the serious realization of the emergency need for drastic steps to be taken to clean up our environment, save our wildlife, preserve our rivers and lakes, and conserve our land for future generations. Years before, as early as the 1930's, agriculture recognized this need and went about to take steps in the right direction, through the agricultural conservation program, now known as REAP, to accomplish what the so-called ecologists began to warn the Nation to do only a few years ago.

I believe the thing that alarms me most about the action taken December 26 by the Department of Agriculture in announcing the termination of the rural environmental assistance program is the apparent contradiction and overlap of authority in this move. Our so-called balanced and democratic form of government has been subverted in a most fundamental way. While the Congress, on one hand, has passed an appropriations bill and the President has signed it into law, the executive branch has, on the other hand, blatantly terminated the program authorized by the Congress and impounded the funds by which REAP must be administered. I am very much concerned about the serious challenge the Secretary of Agriculture has made to the constitutional balance between the executive and legislative branches of our Government.

Mr. Chairman, the purpose of my remarks is simply to go on record, along with the countless others, as supporting the reinstatement of the rural environmental assistance program. This has already been done by my introduction of legislation to accomplish this, along with the chairman of the committee. I, therefore, respectfully urge that each one of us as members of this committee, relentlessly push and work for the enactment of H.R. 2107.

Mr. POAGE. Mr. Chairman, I yield such time as he may consume to the gentleman from South Carolina (Mr. DAVIS).

Mr. DAVIS of South Carolina. Mr. Chairman, I would like to lend my support to H.R. 2107 and urge my fellow colleagues to do the same. The rural environmental assistance program has been called by many one of the finest antipollution programs in the United States currently in operation. REAP has done much to clean up our streams and waterways and to stop now when there is still so much to be done would be unthinkable. REAP is being made a scapegoat I fear by the administration. Today as the attempt to cut funds from the rural programs is underway, increases in the urban programs are commonplace. REAP should not be forced into the stepchild category in the Federal assistance program. The funds which this bill will restore will be far better spent in the REAP program than anywhere else. The

public will benefit from every nickel that is sent to REAP.

Better to spend the thousands today on the REAP program than wait until the tide has turned too far and millions or perhaps billions are required tomorrow.

Mr. POAGE. Mr. Chairman, I yield 2 minutes to the gentleman from Florida (Mr. SIKES).

Mr. SIKES. Mr. Chairman, I congratulate the distinguished chairman and members of the great House Committee on Agriculture on the fact that they have responded in a prompt and realistic way to the threat of the curtailment of an important service to the farmers of America. The rural environmental agricultural program is one of the most effective natural resource conservation measures ever to be enacted by the Congress. I share this committee's concern over the curtailment of this important program and I have grave misgivings about the situation in rural areas which would result.

The arbitrary action of the administration in canceling a basic program that was mandated by the Congress initially and has been reaffirmed annually by this body for more than three decades is, I think, a most unfortunate procedure. REAP and its predecessor, ACP, helped to rescue rural America from the brink of ruin by providing the incentives required to stop soil erosion, control sedimentation of streams, establish cover crops and reforest lands no longer required for agricultural production. I am particularly concerned about the latter activity. If the REAP program has outlived its usefulness, as claimed by the executive branch, this is news to the Members of Congress. At least there should have been consultation with the Congress and with the farmers and so far as I can determine this has not been done.

Instead of curtailing REAP, there is a definite need for its expansion. In particular at this time, we should concentrate efforts on basic long-range conservation treatments such as terracing to halt erosion, construction of lagoons to trap barnyard wastes, and planting of trees, shrubs and cover crops to trap each raindrop where it falls.

Please bear in mind that it is necessary also to maintain a coordinated program of education, technical assistance and cost-sharing of public benefits in order to achieve progress in conservation in rural America.

I think this should be recognized as one of our most important objectives. This work together with the very important rural development program enacted by the Congress last year can help to turn the tide of migration back to the farm and rural areas and away from the cities. I can think of no greater contribution to the future of America.

REAP should be applauded and expanded, not curtailed, and Congress should exercise its full authority to accomplish this.

Mr. TEAGUE of California. Mr. Chairman, at this time I yield 3 minutes to the gentleman from Iowa (Mr. MAYNE).

Mr. MAYNE. Mr. Chairman, it has

been said in the debate here today that when the administration terminated the REAP program it did so to make a savings, that it did so in the interest of economy and good management, and fiscal responsibility. I say that to end the best program for saving the natural resources of America that this country has ever seen is not saving. I say that it is squandering America's most precious asset. I say that we should vote for this bill, H.R. 2107.

The bill is not perfect. Unfortunately, in any program, no matter how good, there are going to be some goldbrickers who sneak into it. There are going to be some things that do not really contribute to conservation. But we will have an opportunity here today under this open rule to vote against those sorts of things. I too intend to vote to eliminate from this program things that have absolutely nothing to do with conservation, and that are in here under false pretenses.

Liming has nothing to do with conservation; liming is to increase production. Tilling has nothing to do with conservation, and neither do the funds in here for irrigation, and I intend to vote to delete those.

However, I reject the spurious argument that one cannot be for conservation without accepting every single word in this bill. I am for conservation. I am for those practices that have proved their worth all through America.

I know from first-hand experience that REAP has been a great boon to Iowa and I am satisfied that there have been relatively few abuses of it in my State. The 26,603 Iowa farmers who participated in the REAP program in 1971 emphasized such legitimate conservation programs as planting 14,000 acres of trees for erosion control. There were 699 farm ponds and 55 wildlife ponds constructed in Iowa in 1971 serving 26,905 acres. Terraces were built conserving soil and water on 8,725 acres.

Other sediment and run-off control structures protected 184,139 acres. One hundred and ninety-eight individual animal-waste storage units were also built in Iowa in 1971 under the REAP program. In addition, 4,136 acres of grass waterways draining 50,163 acres were shaped during this same time period.

The total gross assistance under the cost-sharing REAP program amounted to \$6,740,775, which means at least \$12 to \$13 million were spent for conservation practices in Iowa in 1971.

Preliminary figures show that the REAP program will be about one-third larger across the board nationally in 1972 compared to 1971, which means that \$16 million plus were spent for conservation in 1972 in Iowa alone. I think this clearly demonstrates my point that substantial funds are spent for worthwhile conservation programs in my State.

I feel certain that farmers will not carryout costly conservation practices without some incentives to do so. I can assure you that it is definitely not in the long-run national interest to let these conservation practices go undone.

It is in the interest of the general public that the REAP program be reinstated as rapidly as possible to protect

our food and fiber producing resources and it is proper that public funds be used to help defray the costs of protecting our basic resources. Without the REAP program, efforts to install the more costly erosion control practice on agricultural lands will be severely retarded.

The argument that very substantial increases in farm prices make Government conservation payments unnecessary simply does not hold water in many cases. I am thinking particularly about smaller and younger farmers just starting out who have not shared fully in improved farm prices and really need some help on terracing, pond, and grass waterway construction.

Some have argued that the REAP program has outlived its usefulness. This could not be further from the truth. Certainly, we all must realize that it was the agricultural conservation program—now known as the REAP program—that eliminated the "dust bowl" and stopped millions of acres of farmland from eroding to the sea. Clean air, clean water, and an environment free from pollution are the heritage of all Americans. But these resources are becoming scarce.

While the ACP and REAP programs have accomplished much in helping provide clean water, clean air, and a better environment, the need for these practices is even greater for the future. I feel that the current energy crisis provides us with a good example that we must plan ahead if future needs of our country are to be met.

With an increased projected population and an increased need for maintaining and improving our environment, now is not the time for the Government to turn its back on the problem. In fact, it is necessary that the need for conservation programs be recognized and that long-range conservation programs are continued in order to preserve our soil and maintain clean water and air.

The 65th General Assembly of Iowa enacted the Iowa conservancy district law which can compel a landowner to install soil and water conservation practices when excessive erosion on his land results in sediment damage to another property or to public or private improvements. The legislature, in acknowledging the public's interest, stipulated that nothing may be required of a landowner unless cost-sharing funds in certain amounts are made available to him—75 percent cost-sharing assistance in the case of permanent soil and water conservation practices.

The Iowa Department of Soil Conservation has submitted a request for an appropriation of State funds which together with the REAP funds that were previously available would have met the 75-percent cost-sharing requirement. If society is serious about reducing erosion to manageable levels it must now fulfill its part of the bargain. Without cost sharing, this carefully conceived and developed conservancy law will have been a futile exercise.

Let me again urge all my colleagues to carefully consider what I have said, and to vote affirmatively on H.R. 2107.

Mr. POAGE. Mr. Chairman, I yield 2

minutes to the gentleman from Pennsylvania (Mr. VIGORITO).

Mr. VIGORITO. Mr. Chairman, I rise in support of H.R. 2107, also known as the REAP bill. It is an important bill.

The most precious asset that we have is our land, that is, after our citizens. The way we are reducing our acreage, good acreage, we will never survive as a nation, the strong Nation that we are. We are consuming 2 or 3 million acres of land every year, putting it under asphalt, concrete, and nonreturnable containers. We are destroying the land.

Here we have a chance to improve our land, to keep improving it, and to make it better land.

In the year A.D. 247, Rome celebrated its 1,000th anniversary. We have not even celebrated our 200th anniversary and we will never arrive at the 1,000th anniversary at the rate that we are going in destroying our land. Let us start now by approving 2107, the REAP bill.

Mr. TEAGUE of California. Mr. Chairman, I yield 3 minutes to the gentleman from North Carolina (Mr. MIZELL).

Mr. MIZELL. I thank the gentleman for yielding me this time.

Mr. Chairman, as a member of the Committee on Agriculture and as a Member of Congress who represents a number of small farmers in North Carolina, I appreciate the job that the REAP program has done in my area, and at the same time I can appreciate fully the effort that is being made here today to save the REAP program.

At the same time, Mr. Chairman, we recognize that inflation is no friend of the American farmer, and if we in the Congress fail to recognize the need for belt tightening at this very crucial stage of our economic stability program, we are doing no service to the American farmer or to the American people as a whole.

If we insist on passing legislation which no doubt is headed for a Presidential veto, and if we would be unable to override that Presidential veto in the House, it would spell doom for the REAP program, at least for the current fiscal year.

I have proposed a bill, H.R. 2613, which recognizes the need for both a rural environmental assistance program and a Federal budget that will not impose further hardships of inflation on the American farmer.

My legislation proposes that the Secretary of Agriculture provide \$140 million for the REAP program, the level of initial allocation announced by the Agriculture Department for this program in September of last year.

While this legislation represents a reduction from the \$225 million level proposed in H.R. 2107, thus taking into account the much needed austerity measures being called for throughout the Government, it also reinstates exactly the amount which USDA county agriculture offices and individual farmers have planned on for the current fiscal year.

I believe my legislation offers a better course for the Congress to follow in this matter, and I intend to offer it as an amendment in the nature of a substitute to the committee bill when this legisla-

tion is opened for amendment in Committee today.

I believe this offers the best opportunity for us to get something for our farmers, a better opportunity in the balance of this fiscal year than the course we are proposing at this time with H.R. 2107.

Mr. BURLISON of Missouri. Mr. Chairman, will the gentleman yield?

Mr. MIZELL. I yield to the gentleman from Missouri.

Mr. BURLISON of Missouri. Mr. Chairman, I appreciate the gentleman yielding. He is one of the more able members of the Committee on Agriculture on which he serves, and an outstanding Member of this body.

I wonder if the gentleman is saying he has some assurance that, if his amendment or substitute is adopted, the legislation will not be vetoed by the President?

Mr. MIZELL. No. I wish I could give my friend that assurance here today, but I think we are caught between a rock and a hard place in the confrontation between the administration and those who would like to preserve this program. I am merely offering what I think is a reasonable compromise. There is no question in my mind that it would be more difficult for the administration to veto my measure, but, even better, this would offer a better opportunity to override a veto should one come.

Mr. POAGE. Mr. Chairman, I yield 1 minute to the gentleman from Arkansas (Mr. ALEXANDER).

Mr. ALEXANDER. Mr. Chairman, a few minutes ago during the debate it was said that the executive through the Secretary of Agriculture has asked the Congress to reduce the rural environmental assistance program, to help fight inflation. No such request was made to this Congress or any Representative of this Congress. In fact a statement was issued by the Secretary of Agriculture in December which attempts to cancel, to terminate the law.

In my view a basic policy issue has been raised by this arbitrary action. The question here today is whether the Congress through the elected Representatives of the people of this Nation will continue to establish national priorities or whether that power will be eroded away from the legislative branch to be exercised by the executive branch.

It is true that Congress with the help of the President have not done the job that should have been done to establish a sound national fiscal policy. However, the doctrine of separation of powers under the Constitution was not established to promote efficiency, but rather to preclude the exercise of arbitrary power by the executive branch.

The conflict of authority between the Congress and the executive branch must be resolved. Today in this Chamber we have the opportunity to decide whether this country will in fact be ruled by Presidential edict or whether the time honored constitutional separation of powers will be followed.

I urge the enactment of this bill.

Mr. TEAGUE of California. Mr. Chair-

man, I yield 3 minutes to the gentleman from Tennessee (Mr. BAKER).

Mr. BAKER. Mr. Chairman, it is with reluctance that I oppose my chairman, Mr. POAGE. But I rise in opposition to H.R. 2107, legislation to force the President to spend \$210 million on the rural environmental assistance program between the time this legislation is enacted and the end of this fiscal year.

A week ago yesterday, on January 30, the House and Senate leadership had a breakfast meeting. The next morning the Washington Post reported:

The reaching of general consensus . . . that Congress should stay within the President's proposed spending total of \$268.7 billion for fiscal 1974 but should shift priorities to save programs of aid to people enacted by Democrats.

Now, during our committee consideration of this legislation, Mr. MIZELL offered an amendment to keep the program going for the balance of this fiscal year at the \$140 million level originally budgeted by the administration. I supported this amendment. I wanted to give our farmers something of value. I wanted to give Congress the opportunity to go over the entire program and weed out those portions which are not truly beneficial to our farmers and their agricultural environment.

However, the majority joined in rejecting this effort to reinstate and reform the program. They chose instead to force the President to spend \$210 million in the next few months.

Thus I submit the debate here today has nothing to do with the value of the rural environmental assistance program. Every Federal program has, after all, some value, some reason for being.

I submit, Mr. Chairman, the issue today is that of forcing the President to spend money. Is Congress going to raise taxes to pay for those moneys? Or, what program will be cut instead so REAP can be funded? Meat inspection? School lunches?

It seems to me, despite the inspiring rhetoric about the good that some REAP programs have done, the only real issue before us is the issue of spending and taxes and inflation.

If we cannot get a handle on spending, we had better face up to higher taxes or further inflation. Either way, we here in this House and people throughout the country are going to be hurting.

I choose, and I believe the people of this Nation choose, to hold the line. We are going to have to tighten our belts all the way up and down the line. It is painful to see some good programs curtailed or suspended or terminated. But, it would be a lot more painful to ask everyone in this country to pay more taxes to keep REAP and other programs on a continuing basis. REAP will not, after all, be wiped off the books.

The basic statute remains. It is being suspended, as it were, and it can be funded in the future when the fiscal crunch is eased.

So, let us suspend it and see what happens.

I think we will find that we will all do as well as in the past, including the farmer. And, this country will continue to do the impossible in order to keep our land great and good.

We are not against the farmers.

We are not against the environment.

We simply want to get a handle on Federal spending.

A vote against this bill is a vote for fiscal responsibility.

Mr. TEAGUE of California. Mr. Chairman, I yield such time as he may consume to the gentleman from Virginia (Mr. WAMPLER).

Mr. WAMPLER. Mr. Chairman, over a million farmers, nationwide, annually participate in the rural environmental assistance program, which is designed, on a nearly 2-to-1 cost-sharing basis, to preserve and replenish the land which is used regularly for producing the Nation's food. The Federal contribution is insignificant when compared to the myriad

other cost-sharing or direct aid programs, but indispensable when compared to the benefits gained.

In my district in southwestern Virginia, a total of 8,556 farmers participated in the program during the calendar year 1972, and received approximately \$854,708 in Federal aid. By contrast, their own out-of-pocket costs have amounted to an aggregate of \$1,709,000 just in the Ninth District. I include, as part of my remarks, a chart showing, by counties, the number of farms participating, the cost-share dollar amounts, and the average payment, covering the past 2 years.

The REAP program has been in effect since 1936. It has proven to be a constructive, worthwhile program, contributing untold benefits to stable farm production year after year. On December 26, the Department of Agriculture terminated this program, abruptly cutting off the cost-sharing incentive to regular soil and water conservation practices. Its cancellation worked a particular hardship on small farmers, like those in my district.

A total of \$225 million was originally appropriated by Congress for REAP for the fiscal year 1972-73. The President felt that was too much, but had agreed to spend at least \$140 million. Had he lived up to the agreement, we would probably not be debating this matter on the floor today.

I am fully aware of the necessity to cut Federal expenditures and strongly approve of the President's efforts. Many programs have outlived their usefulness, but not this one. I believe that a compromise is in order, and will support the amendment that would require the Secretary of Agriculture to continue the rural environmental assistance program at the reduced amount of \$140 million through fiscal year 1972-73. This would lessen the burden abruptly cast upon the farmers, and would still effect a saving in the total annual cost of the program.

PARTICIPATION IN THE RURAL ENVIRONMENTAL ASSISTANCE PROGRAM CONGRESSIONAL DISTRICT NO. 9, VIRGINIA

County	Participation, 1971			Participation, 1972			Number farms participating at least once, 1968-72
	Farms	Cost-share dollars	Average payment	Farms	Cost-share dollars	Average payment	
Bland	266	23,902	90	269	29,480	111	535
Buchanan	109	4,794	44	123	8,749	71	396
Carroll	1,068	75,340	71	1,265	96,471	76	2,193
Craig	128	14,136	110	156	19,386	124	308
Dickenson	193	11,490	60	241	17,673	73	689
Giles	144	20,216	140	228	29,889	131	451
Grayson	877	68,410	78	889	72,454	81	1,803
Lee	861	51,745	60	785	79,666	101	1,710
Montgomery	395	34,343	87	436	44,972	103	922
Pulaski	207	31,283	151	219	41,378	189	459
Russell	515	52,840	103	626	72,451	116	1,388
Scott	612	34,687	57	693	58,315	84	1,797
Smyth	487	39,065	80	657	53,545	81	1,255
Tazewell	317	43,082	136	370	58,653	159	764
Washington	769	76,545	100	881	93,474	106	1,879
Wise	152	10,839	71	135	11,763	87	453
Wythe	500	55,464	111	583	66,389	115	1,034
Total	7,600	648,181	85	8,556	854,708	100	18,036

Note: Estimated farmers' contribution based on the Government's contribution equaling approximately $\frac{1}{3}$ cost and farmers' contribution equaling approximately $\frac{2}{3}$ cost: 1971—\$1,296,362, 1972—\$1,709,416.

Total conservation effort as result of Rural Environmental Assistance Program: 1971—\$1,944,543, 1972—\$2,564,124.

Mr. TEAGUE of California. Mr. Chairman, I yield 3 minutes to the gentleman from Illinois (Mr. FINDLEY).

Mr. FINDLEY. Mr. Chairman, I

listened as my good friend and colleague from Arkansas (Mr. ALEXANDER) pointed out the importance of the Congress standing up as a responsible, coequal

branch of government. In those remarks he added to the sentiment which Mr. BURTON of California voiced just a short time before, and I certainly agree that

this bill does join the question, and in a sense the President has intruded upon what would seem to be the prerogatives of the Congress.

We have the right and the responsibility to establish priorities. It is our duty to raise revenue and to decide where the fruits of that revenue ought to be spent. But, if we fail in that responsibility, then it seems to me in ill grace for the Congress to be complaining when the President steps in and, acting under the necessity of faithfully executing the laws, tries to apply an expenditure control program.

I hope the day will soon come when the Congress will begin the business year by adopting the budget and setting forth in it the priorities for the Nation. Until that time comes, I think we had better applaud and not complain when the President does the job we should be doing.

Mr. POAGE. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, there has been a good deal of talk here about the effect this bill has on the confrontation created by the President's assumption of legislative powers. I do not know what effect it has there. This bill is not one to settle constitutional issues, but whatever effect it has, I think it will be good, because I think it is time we had that confrontation with the executive branch.

This bill is a very simple measure. It does not do a thing in the world except to strike out the words "shall have power to" and insert merely the word "shall," taking away discretion, and in the next place striking out the words "in amounts determined by the Secretary to be fair and reasonable in connection with the effectuation of such purposes" and inserting in lieu thereof "in an aggregate amount equal to the sums appropriated therefor."

In effect that says that we are taking away from the Secretary the discretionary authority he now has.

Our Committee on Agriculture for a long time has felt that we got better administration when we gave the Administrator some leeway and some discretion. We tried to give it in this case. Over the years it has been used fairly and reasonably under all administrations. Now we come to a case where in my opinion it is not so used.

Termination of a program is not using it to achieve that which is fair and reasonable in connection with the effectuation of the purposes. The Secretary himself says that we have terminated the program. That is the reading of the notice that came from the Department of Agriculture. That is not the effectuation of a program, and it is not a procedure authorized by law. Clearly, it is a grave abuse of the discretion we granted to the Secretary.

The law does not authorize him to terminate the program. If he is going to abuse the discretion we gave him, I think we have to tighten the controls, although I know it makes it harder to get proper administration.

My father taught me a long time ago that if a man took advantage of me in a trade that was his fault, but if he did a second time that was my fault.

I do not propose that there be a second time for the Secretary of Agriculture or for the Bureau of the Budget or for the White House to take advantage of us.

They have done so the first time. They abused the discretion that we gave them to use.

So, now, let us take away that discretion. That is all the bill does.

This bill does not say, "Mr. President, we are raising a constitutional issue." This bill accepts the proposition that the way the law stands the Secretary could at least reduce the program down to but not including termination, so long as he felt this was carrying out or effectuating the purposes of the law. But obviously termination is not effectuating the purposes of the law.

So we thought we would just have to write it out in plain language. If they cannot understand, we will write it again and try to make it very clear.

The gentleman raises a question about a possible vote. In effect he suggested: "Well, now, the big black wolf is going to veto all this." Well, just let him crack his whip. We will try to cooperate in improving any program he wants to discuss with us, but we will not be intimidated either by "termination" or "veto."

We are going to try to do what this House should do. This House should continue one of the finest agricultural programs we have had, one of the finest of all the environmental programs we have had.

We are just entering into a new era of environmental work. It is costly. You cannot carry on more environmental work without spending lots of money. Somebody has got to spend it.

Mr. Chairman, we are trying to carry on a program that would get as many dairies, as many feedlots, and as many chicken houses as possible taken care of under the anti-pollution rules, and it is costly. And this is the program which gives some aid and it is the only active program which gives some aid to these farmers who are compelled to spend thousands of dollars to take care of the newly imposed environmental requirements.

You want that clean water and that clean air. I want it. We all want it. But it does not come free.

Mr. Chairman, what is the best way of getting these things that we need? Would the Members have the Government take up the entire cost? That has been suggested. But here we have got a program under which farmers are paying 70 percent of the cost. They are paying 70 percent, and some of the Members are saying, "Let us take away that 30 percent that the Government is paying."

This program is not a lime program. Only 7.4 percent of this program went for lime, just 7.4 and yet, of course, they drag this out as the big bugaboo.

In certain States in the North and East you cannot sprout peas without putting some lime on that land. It is all right for the gentleman from Iowa and it will be all right for me to complain about that because we do not use lime; we do not need it; we have got it in our soil.

But there are vast areas in the United States that do not have it, and we are

trying to pass legislation for the whole of the United States. Let us deal with the United States as a whole. Let us carry out a program here that not only helps our farmers make conditions more livable in rural areas but which makes the whole environment of the United States a better place to live in, which makes our streams run clearer, and which makes our air more pure. That is the kind of a program you would be destroying today were you to refuse to reinstate this REAP program.

Oh, I understand we are not going to sink this bill today. We are going to pass it. But what I am afraid of is that some of the Members are going to feel that they can destroy the program by amendments and then say:

"Well, now, I can hide under one of these amendments."

I recognize the good faith of some of my friends who are going to offer amendments. But there are amendments being offered, not for the purpose of maintaining the REAP program, but for the purpose of killing the REAP program, for the purpose of taking somebody off the hook.

Mr. MIZELL. Mr. Chairman, will the gentleman yield at that point?

Mr. POAGE. Yes, certainly I will yield to the gentleman.

Mr. MIZELL. I do not think that the chairman really intended to imply that I was trying to get anybody off the hook when he made that statement—

Mr. POAGE. No. I will say to the gentleman from North Carolina that I am sure what he is offering is offered in good faith, and that he is sure the President will veto this bill. The weakness is that he has no more assurance the President will approve his amendment.

Mr. MIZELL. Will the gentleman yield further?

Mr. POAGE. Yes, I will yield to the gentleman.

Mr. MIZELL. Mr. Chairman, I know the gentleman did not mean to say that I was offering an amendment here to try to get anyone off the hook. I think the chairman knows that I offered this amendment in the committee and that I have attempted in good faith to reach a compromise so that we might have a REAP program for the farmers.

The CHAIRMAN. The Chair wishes to inform the gentleman that he has consumed 8 minutes and has 2 minutes remaining.

Mr. POAGE. Mr. Chairman, I have no question but what the gentleman is offering this amendment in good faith, because he knows how unpredictable the President is. He knows that the President approved this REAP program before the election, and he knows that right after the election he decided it was not a good program. He signed it; he signed the bill providing the money, and he authorized the issue of the program before November, and it was out before the people, and they were told they were going to have a REAP program after the election. The gentleman from North Carolina knows how likely the President is to change his mind.

What we are offering to you is simple language stating that the Secretary of Agriculture should go ahead and do what the Congress told him to do and do it

in the figures that the Congress told him to do it in. That is the only change made by this bill. It is a simple proposition. It just keeps what we are doing now.

We know, every one of the people who have spoken about it knows how good the program is, but they say we have to make some kind of a concession. This is a good program. It is good for the farmers and it is good for the whole Nation, and we ought to keep it. Everybody knows that. Let us keep this program and not destroy it with a bunch of amendments.

Mr. RONCALIO of Wyoming. Will the gentleman yield?

Mr. POAGE. I yield to the gentleman from Wyoming.

Mr. RONCALIO of Wyoming. Mr. Chairman, while I am sympathetic to efforts by the administration to restrain Government spending in order to curb inflation, I also feel that the rural environmental assistance program makes valuable contributions to conservation and environmental preservation practices.

In 1971, 20 percent of this Nation's farms participated in one or more of the 64 different practices available through REAP. Practices which are largely directed toward conservation of soil, water, and wildlife resources—programs such as plantings for forestry or erosion control purposes, control of noxious weeds, land terracing, erosion control dams, stream-bank or shore protection, wind erosion control, animal waste management programs, sediment retention programs, wildlife food plots and other wildlife practices, and other conservation and pollution abatement practices and programs.

Between 1967 and 1971, 2,099,990 farms took advantage of REAP incentive subsidy programs.

I advocate the passage of H.R. 2107 and feel that REAP should continue but possibly more in the context of its original intent. There are practices included in the program which are directed more toward enhancing crop production and farm profits than toward conservation and environment preservation. The programs offered under REAP should be closely inspected in order to see what areas might be eliminated or in what practices expenditures could be reduced to make the operation of this program consistent with its intent.

Under Secretary of Agriculture, J. Phil Campbell, said in testimony before the House Agriculture Committee that approximately \$42 million was spent in the last year for administration of REAP. Compared to the \$140 million actually paid out on programs, that is a terribly high administrative cost. These moneys were appropriated for use by America's farmers, not to give 23 percent of the allotted funds to Federal bureaucrats.

The organization and administration of this program must be inspected. There are surely areas in which these administrative costs can be drastically cut. A reorganization of the program administration, and the system through which it operates, from Washington to the individual counties, may be in order. I

would truly like to know where that \$42 million goes. It certainly is not to the farmer.

Although the portion of the REAP funding going to the farmer was cut back by the administration, from that appropriated by Congress, to \$140 million, administrative funds were left intact for 1973. Why should the bureaucracy continue to receive its full funding, when the citizenry meant to benefit from the program does not? In light of these developments, I would like to introduce the following amendment to H.R. 2107:

When duly appropriated program application funds are withheld, program administrative costs shall be proportionately reduced.

Mr. TEAGUE of California. Mr. Chairman, I yield such time as remains to me to the gentleman from Louisiana (Mr. TREEN).

Mr. TREEN. Mr. Chairman, I rise in opposition to this bill.

I would like to state at the outset that I am a freshman Congressman and I have a district which is 60 percent rural. Farming is of tremendous importance in my district. I take second place to no one in my concern for the American farmer and for the environment of this great Nation. I am going back home at the end of this week, and I am going to talk squarely to the farmers.

I utterly reject the notion that a vote against this bill is a vote against the American farmer. To the contrary, I suggest to the House and to the Committee that a vote against this bill is a vote for the American farmer.

Now, why do I say that? Because, the farmer has a stake in fiscal responsibility in this Nation which is second to none. We all know, or at least I think we all know, that deficits lead to inflation. Who is hit hardest by inflation? The resourceful of the United States of America. Who are the resourceful people of this country? Many, but none are more resourceful than the American farmer. They have a stake in inflation.

We know deficits will lead to higher taxes. Who is hit hardest by those higher taxes? The productive people of this Nation. There is no group in this Nation that is more productive than the American farmer.

There are farm people and farm groups that oppose this bill. Nobody can deny that Secretary of Agriculture Earl Butz is a good friend of the farmer, and an effective Secretary of Agriculture in increasing the income of farmers. Secretary Butz is opposed to this bill. The American Farm Bureau Federation is opposed to this bill, as explained in a communication that I think every Member of the House received.

The leaders of both parties have spoken out in favor of a ceiling on spending. They have even suggested that the \$250 billion ceiling is the proper ceiling. So when do we cut expenditures and where do we cut expenditures?

As my colleague from Arizona said, the eyes of America are on us today. Are we going to put our house in order? All of us know what the malady is that afflicts this Nation; most of us know the treatment needed; but few of us are willing to

apply that treatment. Many say, "Let the next Congress do it," or "Let us do it next year," or "Let us do it next month." I say that the time has come now for us to put our fiscal house in order not only for nonfarmers but for the farmers of this Nation who have a great stake in fiscal responsibility.

Mr. FRENZEL. Mr. Chairman, I regret that I must vote against H.R. 2107. Many of its programs are meritorious and should be maintained.

But some are pure subsidies and do not belong in an environmental program.

If we are to exercise any fiscal responsibility, we have to begin somewhere. I will begin here.

I supported the Mizell amendment which would have continued this program at a \$140 million level, a cut of about one-third. I supported the Findley amendments. The best amendment of all was the Quie amendment which would have separated out the subsidies and saved the environmental programs.

But the committee was not interested in improving REAP. They only wanted to arm wrestle with the Executive. I support the principles of REAP. I am willing to support specific environmental programs. I must, however, vote "no" to a simple repassage of the program which needs restructuring, and which should not escape the scrutiny of a priority test at a time of fiscal crisis.

Mr. MALLARY. Mr. Chairman, I rise regretfully to oppose H.R. 2107 which purportedly attempts to require the Secretary of Agriculture to carry out the rural environmental assistance program. I suspect that this is merely a first shot in a new skirmish of the long war between the executive and legislative branches of Government. This bill raises many questions. It brings into question the validity of the REAP program itself. It raises the question as to the proper level of Federal spending and the establishment of spending priorities. It also raises the basic constitutional question of the power of the President to refrain from spending funds that have been appropriated by the Congress. Let me comment briefly on some of these issues.

The bill itself very simply mandates that the Secretary of Agriculture expend an amount equal to all the sums appropriated for the rural environmental assistance program. It removes from the existing law the discretionary authority which lay with the Secretary to spend only that which he felt was reasonable to effectuate the purposes of the act.

In our system of divided powers, I have very serious questions as to the constitutional ability of the Congress to force spending, if, as I suspect, the President will not be bound by such legislation even if it is passed. This bill will merely exacerbate the already strained relations between the Congress and Executive. The only other purpose it will serve is to permit a great deal of public posturing here in the Congress which will have no measurable benefit to the general public or the farm community directly affected by this program termination.

If, on the other hand, the kind of language embodied in H.R. 2107 is effective in forcing the expenditure of all funds

appropriated for REAP, the effect would be very significant. I would assume that every subsequent legislative authorization bill in the Congress would have similar language, removing any discretion from the executive branch as to the spending of funds appropriated for its purpose. Followed through to its logical extreme, this development would mean the expenditure of approximately \$11 billion more in fiscal year 1973 than the \$250 billion which the President proposes to spend and which both Houses of the Congress individually agreed to be an appropriate limit for spending. The long-range fiscal and social implications of this kind of the forced-draft overspending are frightening to consider.

I think it is necessary that we look at the rural environmental assistance program and many other programs which have been subject to impoundment in broad perspective. The House of Representatives in the 92d Congress recognized a critical need for fiscal restraint. The House recognized when it voted a spending limit the overriding danger of renewed inflationary pressures on our economy. I think the voters spoke very eloquently last fall of their distaste for any new or increased taxes. The only rational alternative is to restrain the growth of Federal spending.

On the early announcement of impoundments of REAP funds, the termination of 2-percent REA loans, the termination of some of the Farmers Home Administration emergency disaster loans, and the termination of the water bank program, I wrote Secretary of Agriculture Butz expressing my concern with the action which had been taken. I said then and I believe now that the agricultural and rural sector of the economy of the United States will be willing to bear its fair share of the burden of balancing the Federal budget. I said then and I believe now that proposed program cutbacks impose a disproportionate burden on the agricultural and rural community and there should be reconsideration of these cuts in the light of a rational system of national priorities.

I can speak with some real familiarity of the major benefits of the rural environmental assistance program. As an active farmer until about a year ago, I participated for over 20 years in the REAP program and its predecessor, the agricultural conservation program. The participation rate of farmers in Vermont is as high as any State in the Union. The program has been educational and has provided substantial environmental benefits to the general public.

I am also aware from watching the program that certain of its practices have been popular and have remained in effect, although they may have only a marginal relationship to the long term public interest. Clearly, this program can be justified as a recipient of tax funds only if it has general public benefits. There are many practices subsidized and promoted by the program which do serve the general public interest. They conserve our productive resources, reduce pollution and improve environmental quality for all the public. These programs will be sorely missed if the REAP program is phased out.

By the same token, I fully recognize that some practices have been subsidized under REAP which primarily or incidentally increase annual production of agricultural products. This kind of recurring subsidy of agricultural production is of questionable propriety as an ongoing Federal appropriation in times when fiscal stringency is required. It seems clear to me that any cuts in the REAP should have been made with a scalpel, excising the improper programs that used tax money to subsidize agricultural production, rather than with a meat ax destroying all the conservation and environmental benefits that have come from the program.

In this light, I find that H.R. 2107 places me on the horns of a dilemma. Anxious as I am to reinstitute the important and constructive aspects of REAP, I feel that the long-term policy and fiscal results that would come in the train of the passage of this bill would be even more damaging to the Nation as a whole and the farm community in particular. I do not believe this is a responsible approach to the problem we face. The responsible approach is a congressionally passed, balanced full employment budget allocating adequate resources to our rural and agricultural programs. Because of its balanced character, such a budget will then be immune from unwise and possibly illegal impoundments.

Mr. Chairman, in the interest of long-term fiscal sanity, I urge a "no" vote on H.R. 2107.

Mr. ANNUNZIO. Mr. Chairman, I rise to vote "aye" on the rural environmental assistance program for I feel strongly that the President cannot eliminate programs already authorized and funded by Congress through the vehicle of impoundment.

On this vote I am challenging the right of the President to eliminate a program created by the Congress. If our legislative branch of government wants to play a significant part in establishing national policy, we cannot leave the President with unlimited power to cut any appropriation, at any time, to any point, which he apparently is now attempting to do.

It is my feeling, shared by the majority of my colleagues, that wherever waste and duplication exist, they must be eliminated from the Federal budget. However, it is up to the Congress to eliminate this waste and duplication when the committees, through the authorizing and appropriating process, bring their bills before the Congress for passage. But, once the Congress has approved and funded programs which it deems essential to the best interests of the American people, then under the time-honored constitutional separation of powers of the executive, judiciary, and legislative branches of our Government, the President has no right to impound funds and eliminate those programs.

As far as the rural environmental assistance program is concerned, it dates back more than 35 years and has encouraged soil, water, woodland, and wildlife conservation and pollution-control projects by cost-sharing with farmers. Under REAP, farmers have done the

work and have been reimbursed, usually on a 50-percent rate on materials, and cost involved in implementing the approved projects. The soil, water, wildlife, and timber conservation which has resulted from REAP has brought enduring benefits to all Americans.

But the issue here is not the value or need for a program, or who wants more or less Government spending, but rather, who should control the process. If our Government is to function as a representative democracy, then clearly the Congress must reassert its authority over expenditure of funds and restore the balance of power between the Congress and the White House.

The Constitution provides that Congress, and only Congress, has the power to appropriate money and that the President has the duty to faithfully execute all the laws. Let us, therefore, take a stand here and now and put control of the purse back in Congress where it belongs.

Mr. HUNGATE. Mr. Chairman, my congressional district includes a large agricultural population which will greatly benefit by passage of H.R. 2107, which I was pleased to cosponsor as it will reinstate the rural environmental assistance program.

It seems to me that at a time when attention to environmental problems is critically needed and the future of the family farm is already in jeopardy, a program aimed at helping both of these areas must be retained.

Not only is REAP vital to the economy of rural America it is a program that has been proven to work. It has been a successful cooperative program with financial efforts by the farmers assisted by Federal funds. It is not a subsidy or giveaway program as contributions to operating this program are made by farmers even though the net income of the family farm is often hardly enough to meet rising costs.

If we fail to enact this bill, we will be taking a big step backward in our efforts to save the family farm and our efforts to solve agricultural pollution. I urge its passage.

Mr. ZWACH. Mr. Chairman, I rise in support of H.R. 2107 the REAP program. I fully support all of the features that are truly solid conservation programs, and hope we can find the means to eliminate those features that do not fall into conservation categories. Lining underground drainage, irrigation are examples of the features that do not fall into truly conservation practices.

Mr. OBEY. Mr. Chairman, I rise in support of the bill before us today to require the Secretary of Agriculture to carry out the REAP program.

I was one of the 99 Members of the House who introduced legislation to reinstate the REAP program, and I did so because I think it is one of the most effective rural programs we have.

Even the opponents of this measure admit in their minority views that REAP has been an effective Federal program which has served as an incentive to land owners to perform conservation and anti-pollution practices on a cost-sharing basis.

Mr. Chairman, over 12,000 farmers in

Wisconsin will be affected if we allow REAP to die as the President has recommended. They will lose upward of \$3.5 million, and in northern Wisconsin especially, conservation program accomplishments are likely to be reduced by about 70 percent unless these funds for REAP are reinstated.

For those who are concerned that our farm programs sometimes help the large farmer more than the small one, let me point out that it cannot be said of REAP. It is truly a program which helps the small farmers in this country. Last year the average payment under the program was \$239. And now, unless the House acts today, that program to help our small farmers to improve the environment of rural America will be gone.

Unfortunately a great deal seems to be "going" as far as rural America is concerned. REAP is just one instance of many where the President has unilaterally terminated or sharply cut back a number of farm and rural development programs enacted and funded by Congress in an effort to strengthen and improve farm income and improve opportunities and the standard of life for farmers and rural citizens.

FHA disaster loans have been ended. Emergency livestock and feed grain assistance is not available, and meat and dairy imports have increased.

The dairy indemnification program has been killed, and funds for the special milk program have been cut by 75 percent.

Two percent REA loans are no longer available, a decision which will mean higher rates for rural consumers who probably would not have electricity today except for the fact that REA co-ops brought it to them.

Water and sewer grants will no longer be available to small communities, except under the Rural Development Act or the Water Pollution Act.

But the problem is that 55 percent of the clean water bill money has already been impounded, and the President is expecting money for the rural development bill to also finance REA, pollution control and forestry programs, plus programs which used to be funded by the Economic Development Administration.

That is expecting a great deal from a piece of legislation which the President did not even want to sign in the first place—and the fact is that there just will not be that much money available for these programs.

I want to make it clear that I am not against the President's goal of fighting inflation and cutting Government programs which do not work. I voted for cuts of over \$9 billion in the President's budget last year.

But I do object when it seems that the budget cuts center heavily on people programs, including those in rural America.

Let us look at that budget.

If we take the administration at its word, the \$81.1 billion defense budget was cut \$2.7 billion from what it would otherwise have been in 1974, a cut of about 4 percent. The \$5.5 billion agriculture budget was cut \$1.1 billion, or 17 percent from its last year's level. In reality, of course, defense outlays will actually in-

crease \$4.7 billion above last year, or about 6 percent. So, anyway you look at it, those in rural communities appear to be low on the President's priority scale.

Mr. Chairman, when these agriculture cuts were announced, I received quite a few letters which said, "good, I'm glad these programs have been ended. It's time the government got out of agriculture."

Well, the Government is not going to get out of agriculture and it should not.

Even now we hear rumors of a secret report—the Flanagan report—which indicates the Government may seek trade agreements which would open the gates to tremendous increases in dairy imports, and which could cause dairy farmers to lose 25 percent of their present markets.

The Government wants the farmers' grain to ship overseas—and to help right our wobbly balance of payments.

The fact is that Government farm programs are aimed to assure consumers an adequate supply of food while assuring production and income stability for farmers. And what is wrong with that?

Government subsidies and tax benefits have not been stopped for shipbuilders, or oil producers or railroads or tax-loss farmers. The President's budget even includes money for the SST.

I am not willing to accept a budget with bundles of benefits for the Nation's corporations and the wealthy, but little more than coal in the stockings of the average taxpayer in this country.

I intend to vote for cuts in the President's budget in areas where I think there is fat and waste.

But I also intend to vote for this legislation today which will require the expenditure of funds Congress has already allocated for REAP, action which has been endorsed, I might add, by a number of assemblymen from my district including Tony Earl, Joe Sweda, Laurence Day, Gene Oberle, Len Groshek, Harvey Dueholm, Sheehan Donoghue, Lloyd Kincaid, Terry Willkom, Joe Looby, Thomas Murray, Dave Kedrowski, Kenneth Schriker, Robert Quackenbush, Marlin Schneider, and John Oestreich.

Furthermore, I have already joined others in introducing legislation to require the Secretary of Agriculture to increase the support price for milk to 85 percent of parity and to require funds appropriated for REA to be made available for that purpose.

Mr. ABDNOR. Mr. Chairman, I rise in support of the rural environmental assistance program before us today. When I first heard that the Department of Agriculture was going to terminate this fine conservation program on the basis that it was "low priority" in the administration's eyes, I objected. I am pleased that the House Agriculture Committee has moved so quickly to report out a bill which would mandate the Secretary of Agriculture to fund REAP.

At a time when environmental issues have become priority concerns for each and every American, we should not be taking from the American farmer his best means of contributing to improved soil, water, woodland, and wildlife conservation. REAP also aids pollution

abatement practices on farms and ranches.

What I like so much about this program is that it is cost-sharing. It is not an all-out giveaway of the taxpayer's dollars. Before a rancher or farmer can even be eligible for the standard 50 percent cost portion paid by the Government he must first sign up. Then he must personally invest in the cost of equipment and do the work himself. In other words, Mr. Chairman, the Government pays its share of the program only after the farmer and rancher invested their work and money in the project.

As far as I am concerned there are few programs in Government which give the taxpayer so much benefit for their tax dollar. In South Dakota the terracing, drainage, tile, fertilizer, and seeding projects have immeasurably added to conservation practices in our State. Sediment control and animal waste control are highly important in the prevention and abatement of water pollution. REAP conservation practices conducted by South Dakota ranchers have helped abate eutrophication from animal wastes, thus keeping our water clean for human consumption and our lands attractive for scenic and recreational purposes. The raising of feed grains and cattle comprise South Dakota's No. 1 industry. Conservation of the soil and preservation of clean water are vital. REAP has been a most valuable tool in this regard.

There are also many secondary benefits of REAP programs in South Dakota, not the least of which is the resultant improvement to habitat, vital in preserving the best pheasant hunting in the United States. REAP, along with the waterbank program, has also made South Dakota famous for the goose and duck hunting.

Mr. Chairman, I counter the argument by the administration that REAP is no longer necessary because the net farm income is at an alltime high. Higher costs and inflation reach the farmer just as they do the steelworker. Without REAP, rural America could not afford to do its proper part to conserve our land and water resources. Let us keep this valuable program by supporting H.R. 2107 today.

Mr. JONES of Alabama. Mr. Chairman, I want to commend the gentleman from Texas (Mr. POAGE) and the Committee on Agriculture for their timely response in bringing H.R. 2107, to require the Secretary of Agriculture to carry out a rural environmental assistance program, before the House for early consideration.

The restoration of the rural environmental assistance program to its proper usefulness for the people of this Nation is an urgent priority. The conservation measures which this program encourages among farmers are of considerable value to all citizens regardless of whether they live in rural areas or cities.

The enhancement of our land and soil resources through activities sponsored by the rural environmental assistance program adds to our total national wealth.

Because of the considerable effort to reduce and terminate this program and

others, it is important that this legislation be approved by a substantial vote to indicate the strong will of the House to have the Secretary of Agriculture and others in the executive branch properly execute the activities mandated by the Congress.

Through our country's assistance programs to people in foreign lands, activities to restore agricultural lands to proper productivity are being supported. We should do no less for the citizens of this country and we can do so through the rural environmental assistance program.

This program deserved support when it was initiated in 1936 to restore exhausted land to productivity. The program is still needed and deserves support today when public concern for protection and conservation of resources is even greater.

I urge approval of H.R. 2107 to restore the rural environmental assistance program to a place of usefulness.

Mr. SLACK. Mr. Chairman, I support passage of the bill requiring the Secretary of Agriculture to carry out the rural environmental assistance program which has been in operation for many years. I feel it necessary to speak out not only because I have had hundreds of letters from my constituents who reside in rural areas, but also because I note that some opponents of the bill complain that too much of the money provided by the Federal Government is used to increase agricultural production and is not applied to the furtherance of soil and water conservation practices.

I would think that any rational view of world developments would convince us that there was never a time when we should give more attention to increasing agricultural production. We are entering what might be called the post-Vietnam era. The negotiated agreement which ended American military involvement in Southeast Asia has cleared the way for consideration of what could be the greatest international threat to peace and prosperity.

Whether the United States should have been involved in South Vietnam, and if so to what extent, and how our involvement should have been handled, are all questions which will be debated perhaps for years into the future. Whether our involvement was worth the effort will only be established by the course of future events, as time writes the pages of history.

But we are now in a position to ask ourselves—what was it really all about? The answer is not complex. It is not related to any of the numerous interpretations of political theory or "manifest destiny" broadcast during the past 5 years from Hanoi, Saigon, Moscow, Peking, or even Washington.

Most wars among tribes and nations since the beginning of recorded history have been fought for reasons of "security." When you measure that word against the background of a particular war, the measurement reveals that "security" actually means food. You discover that few wars have been fought except for the purpose of acquiring or protecting a food supply.

And so it was in South Vietnam. The single great physical prize at stake was nothing more or less than controlling the Mekong River Delta, the most productive rice region in the world. In Asia rice is life. Those who have a supply will live. Those who do not will be swept away in one of the periodic famines or epidemics. So the stakes were not small in South Vietnam, and the vital interest of Hanoi and Peking is self-evident. Whether the rice of the Mekong is protected and made available at fair prices at the market in Asia will do much to determine whether the fragile peace agreement will become permanent.

Ironically, the fighting stops as the reason for the fighting becomes more ominous. Food shortages equaling the era of the plague in the 15th century may be ahead.

The Soviet Union, reported to have purchased 11 million tons of grain in 1972, may need even more this year. The winter wheat crop is damaged by ice storms and erratic weather, and may be lost.

The Chinese, purchasers of 9 million tons of grain in 1972, are already negotiating for at least that amount this year and will probably need more. They restrain themselves with difficulty as they view the millions of acres in Russian Siberia which produces little or no food.

India's millions exist on the knife's edge of famine even today, and must import food this year.

There are food shortages in Egypt. The much-publicized Aswan High Dam has not added to the number of acres under cultivation or the total amount of food available.

Unprecedented drought has virtually destroyed the crops in the nations of Central Africa and in much of the Union of South Africa.

The United Nations Food and Agricultural Organization reports that the world stockpile of grain is at its lowest level in 21 years and that this could lead to a crippling shortage by the end of this year. They state there is "no likelihood of immediate widespread famine for the next few months."

Two-thirds of the earth's population faces conditions ranging from food scarcity to outright starvation.

The sources of surplus food are few—the United States, Canada, Australia, and a few small countries.

Americans enjoying a full granary of limitless quantity and variety become involved as they experience rising food prices. Wholesale food prices in December jumped 6.8 percent, the biggest 1-month advance in a quarter of a century. The Department of Agriculture has forecast that prices of food during the first 6 months of 1973 will rise 50 percent faster than they had predicted earlier.

The worldwide demand for food will continue to apply pressure on food prices wherever there is a surplus. We cannot expect the American family to pay an indirect subsidy in high prices at the grocery store to supply food for the billions in Asia and Africa.

We must grow more. We must expand our capability across the board. We must encourage more than just the corporate

factory farm. In fact, we must urge every family unit who can and who will to grow more food.

In line with this requirement we must not reverse the long established policy of protecting our topsoil and enriching our fields. It is this realization that drives home to us the need to maintain the REAP program and the allied efforts to encourage and assist the small farmer.

During the next few years the United States will be called upon more than ever to supply surplus food. Food is not a "weapon" in the "cold war." It is a defense against the incentive to make war, because men will die in combat for food rather than see their families starve.

I suggest then that the programs which are aimed at preservation of the soil, protecting against floods, and general enrichment of the food production processes are all of primary importance today. It is not simply a question of whether or not some of these funds provide an improper subsidy for some small farmers. The fact is, in the pattern of world conditions, developing food will be the greatest and most desired of all American resources. It will be the hallmark of American productivity.

For this reason I believe it is a singularly inappropriate time to cancel the REAP program. Even though the conditions which caused the program to be first launched in the 1930's may no longer pertain, we must realize that those conditions have been superseded by others of much more critical importance to our country, our people, and our position in relation to other nations of the earth.

Mr. TAYLOR of North Carolina. Mr. Chairman, I am pleased to support legislation that would continue the rural environmental assistance program and require the expenditure of funds appropriated by Congress for this purpose. REAP, formerly the ACP, was initiated during the thirties under the Franklin Roosevelt administration to encourage farmers to adopt soil and water conservation practices. It came at a time when farmers were largely unable to afford the burdens of such projects alone. Through REAP, the Federal Government has been matching on a dollar-for-dollar basis some of the money farmers spend each year for fertilizing and seeding pasture lands. This fund has been used widely in the 17-county 11th Congressional District of North Carolina which I represent in Congress and has provided matching funds for drainage systems, reforestation, cover crop planting, and other small-farm conservation projects.

In Haywood County, a typical western North Carolina largely rural county, 1,600 farms have been participating with an average Federal expenditure of \$78 per farm.

In the western North Carolina district that I represent, this program reaches more farm people than any other phase of the entire agricultural program. Continuation of REAP on at least the same level as in recent years is probably more vital to the farmers of western North Carolina and throughout the 200-odd counties of the southern Appalachian area than in other sections of the coun-

try. With our very small farms, heavy rural population, steep fields, and limited land resources, it is most important that every encouragement and assistance be given that will help to conserve and restore the productivity of these farms. Failure to do so can only mean a continued and chronic low-income situation such as we already have.

Much progress has been made in healing the gullies, stopping the washes, eliminating the broomsage and planting trees on the slopes in western North Carolina. Any curtailment in these efforts will be a step backward for the area.

We cannot afford to lose ground in our efforts to conserve the soil and water resources which are so essential to the well-being of our Nation. It is the responsibility of this generation to pass on to future generations the natural resources that will insure the basic necessities of life. REAP gives the essential encouragement and guidance in this direction.

The farmer's economic status does not permit him to bear the entire cost of conservation. Conservation is a matter of concern to all segments of our population. We must realize that protecting and improving our soil and water resources is a national responsibility and a concern to all American citizens.

Congress last year passed the Rural Development Act to bring hope and purpose to rural sections of our Nation and reverse the rush to the cities. Recent Presidential action in freezing funds for REAP and other rural programs is a step in the opposite direction. Using Federal funds to encourage a strong rural economy is in the national interest.

Mr. FOUNTAIN. Mr. Chairman, the recent announcements of the Department of Agriculture regarding across-the-board cuts in essential farm programs, including a termination of REAP, have hit us all very hard. I cannot remember the last time we witnessed such a strong bipartisan reaction to a farm problem. Letters from my constituents, who are at the same time angry, hurt and confused, have been pouring into my office daily, and I know this to be the case in many, many offices on Capitol Hill.

Over the years farmers have had every right in the world to be angry and to wonder as to who has been champion for their causes. Heaven knows they have drawn the short stick time and time again. What other industry has increased its productivity so much and kept the prices of its products so low? What other single industry employs so many men and women? What other industry provides such vital functions as feeding and clothing human beings? And what other industry has had its magnificent accomplishments taken so much for granted? The farmer's struggle to make ends meet has too often met with a lack of understanding. Programs upon which many farmers depend for their very survival have been criticized as excessive subsidies. Every rise in the retail cost of food products has been blamed on the farmer.

Mr. Chairman, those of us who come from farming and rural communities know the tremendous contribution of our

farm sector to the strength of this great Nation's economy. We know well the hard work and the endless effort that is a part of farming. We know the adversity which has haunted so many farmers and has driven so many from the lives which they knew and loved.

It is these people who know rising production costs, skyrocketing land prices and unchecked tax rises, who feel the Department's action most deeply. It is these people who cringe to watch an administration move from a posture of simple indifference to something far worse.

The programs which the Department of Agriculture has so coldly dismissed must be reinstated. They have advanced the state of American agriculture beyond comprehension. They have enabled farmers to make American agriculture the most efficient industry in the country. Rural electric and telephone loans now severely affected by administration cuts have introduced the 20th century to millions of our farms. Today, over 21 million farm and rural people in 2,700 counties in 46 States across our Nation have the convenience of modern electric machinery and appliances.

Farmers Home Administration grants for rural water and waste disposal systems, recently eliminated by the Department, have helped in the planning and construction of thousands of rural systems and have been essential elements in the orderly growth and development of rural communities.

Mr. Chairman, I am profoundly concerned about the consequences of cuts in the Farmers Home Administration disaster assistance program. In North Carolina we have had 2 years of harsh weather. Many of our crops have been ruined and many of our farmers have had their backs pushed flat against the wall. In several counties of the Second Congressional District we have been awaiting word from the administration for quite a long time, as to whether or not we would be extended the financial assistance we need so desperately.

Not long ago we received our answer in a curt news release—the same news that hundreds of thousands of other farmers across the country have received—the Department of Agriculture will not help us. It now falls on our shoulders to rebuild our crops, our land, our farms, and our lives. Many farm leaders fear that the ultimate result of this denial of help will be that many rural families will be driven onto the welfare rolls.

Curtailment of the emergency loan program leaves many farmers across the country with urgent credit needs resulting from their losses. These losses seriously jeopardize their ability to qualify for credit from customary commercial sources and for the regular FHA operating loans.

I am cosponsor of legislation to require the reinstatement of the rural environmental assistance program. I feel that REAP is one of the most important Federal conservation programs we have ever had. Under REAP annual payments have helped landowners install approved conservation and pollution abatement practices which benefit all people. The pro-

gram is cost sharing and not an income supplement as some of its critics would have us believe.

Such investments in the future of America are not investments solely for the benefits of landowners. I think the program has been quite effective in its intended purpose. This Federal program of cost sharing should be continued for these soil and water conservation practices and structures which contribute to the attainment of pollution prevention, enduring conservation and environmental enhancement.

Farmers are ready and willing to bear their fair share of the necessary cuts in Federal expenditures, but they cannot be asked at this time to bear an inequitable burden. I do not feel that this is the time to shift the burden of the soil conservation and the rural antipollution battle onto the backs of our farmers.

The legislation which I have cosponsored will change the existing law to require the Secretary of Agriculture to reestablish REAP. In light of the Secretary's recent display of disregard for the problems and needs of our farmers, I do not think it is wise to leave their fate in his hands any longer. I think we must make the REAP a mandatory program. I hope that this bill or one like it will receive immediate attention so that we can give back to our farmers the help which should never have been taken from them in the first place.

I come from a rural district composed of people who have helped to build and preserve this good land, people who are interested in conserving and handing down to generations yet unborn a land with an abundance of good, fertile topsoil, of clean water and unpolluted air. We should not let them down.

Mr. PICKLE. Mr. Chairman, first I want to salute Chairman POAGE's leadership in bringing H.R. 2107 to the floor. He and his committee have done an outstanding job in moving this body to a point where we can say, "The Congress is an equal branch of the Government."

Last week I submitted testimony outlining why I supported reinstating REAP for fiscal year 1973. Without going into the details of the program, which Chairman POAGE has done so well, I do want to state briefly what the elimination of REAP means to my district, the 10th District of Texas.

There are 12 counties in the 10th District. If REAP is eliminated, my district would lose approximately \$558,836. The range is an estimated \$57,430 for Lee County to an estimated \$24,528 for Blanco County.

But, Mr. Chairman, I want to emphasize that what my district will lose is not all important.

It is not all important because the administration's action in canceling REAP represents a most severe disregard for the elected branch of our Government—the Congress.

We have the impoundment problem—everyone agrees; but impoundment usually means withholding a fraction of the funds for a program.

With REAP, there has been a total cancellation. We pass a law, appropriate money for it, the President signs the law,

and then, "whamo," no more program. Something is amiss; something is constitutionally wrong.

Attorneys have told me that the administration's action with REAP presents the clearest constitutional clash between the Congress and the Presidency. Other impoundments, in the legal sense, revolve heavily around how much discretion the enabling legislation gives the administration in administering the moneys for a program. This is true, for example, with the highway trust fund impoundment question.

We did not, however, pass REAP, and say in the enabling legislation, "Mr. Secretary of Agriculture, we, the Congress, are giving you some money for REAP, but you, the Secretary, don't have to spend one penny of the money if you don't want to."

Since Congress did not, does not, and I hope never will, pass legislation with such a ridiculous negation of congressional intent, the clear question here is, "Will the Congress allow the Executive to set a precedent that means the Executive can ignore and nullify the Congress?"

I think, Mr. Chairman, that today Members of this body, from both sides of the aisle, will answer the question I pose with a resounding "No" by passing H.R. 2107 with a resounding "Yes."

It is our duty, Mr. Chairman.

Mr. BOLAND. Mr. Chairman, the existence of the rural environmental assistance program—REAP—has proved its worth not only in the rural farming areas of the United States, but also where the effects of our agricultural system are felt on a large, public scale; in the benefits accrued by the American consumer. All of our citizens have the right, as well as the opportunity, to enjoy clean water from streams, lakes, and reservoirs, and we all benefit from the beauty of our wildlife communities and unspoiled woodlands. This is to say nothing about the food put on our tables by the same 2,000,000 farms which have participated in the programs since 1969.

In June of 1972, a U.S. Department of Agriculture bulletin described REAP as—

The principal channel through which the Federal Government, in the National interest and for the public good, shares with farmers and ranchers the cost of carrying our approved soil, water, woodland and wildlife conservation and pollution abatement practices . . . that are directed to:

1. Help maintain the productive capacity of American agriculture
2. Help assure the nation's growing population an increased supply of clean water, reduced air pollution, an enhanced natural beauty, more opportunities for the enjoyment of outdoor recreation, improvements in the quality of the environment, and better ecological balance.

For the most part, the Federal share of the cost is limited to an account which does not exceed 50 percent of the total cost of performing the REAP approved practices. While \$140,000,000 had been appropriated by Congress for REAP in fiscal year 1973, only \$15,000,000 had been obligated by the December 22 deadline—which may have been lifted for emergency home loan applications—and the rest has been impounded by the Nixon

administration. The 1974 budget provides a \$1 billion cutback in agricultural spending, and it is already projected that the farming industry is operating at some \$1 billion loss for 1973.

Low income U.S. farmers must struggle as it is to meet their share of the costs of necessary farm practices—housing, maintenance, feed, innovative development, and so forth. By canceling an efficient program such as REAP, the administration is not reducing the costs of Government, but merely shifting the burden of those costs to the shoulders of the people most in need of its help. In view of our reliance upon farm produce, the necessity, and the dependence of the U.S. farmer on cost sharing, a refusal to continue REAP seems short sighted. Cancellation will not increase the efficiency of productivity, it will merely squash the poorer farmer unable to go it alone.

Agricultural assistance has been severely reduced recently. I am enclosing testimony I have received from constituents describing the impact of these reductions, especially on the small family farmer:

BONNIE VIEW FARM,

Dudley, Mass., January 11, 1973.

Representative EDWARD P. BOLAND,
Rayburn Office Building,
Washington, D.C.

DEAR SIR: I wish to state that it is urgent we have your support to re-instate the REAP ACP USDA program which was terminated as of December 22, 1972, by the Nixon administration.

I was born, raised and my folks have tilled the farm in producing food and fiber for the past 60 years. It is only with the assistance given by REAP in protecting, improving and preserving the soil, water, and woodlands that we have been able to keep the farm producing food. We have seen two major wars come and go, and in each case, because the soil was protected, we were able to provide food for the needs of the people and armed services.

My farm family and neighbors urge you to support the reinstating of the ACP REAP USDA program so that we can continue to farm for generations to come.

Yours truly,

Mrs. ANN KULISA.

RUTLAND, MASS.

DEAR CONGRESSMAN BOLAND: On January 18, 1973 I spoke at the meeting in Spencer to discuss the plight of the local farmers (which was attended by a representative of your office). After considerable time and research I came up with the enclosed testimony. Available time and space was limited at the meeting.

At the time I presented graphs and charts showing pertinent information from 1961 through 1972, such as:

1. Day to day weather effects on grain, hay, milk, beef, vegetable and fruit prices.
2. The federal price of milk and its relation to the various expenses going into its production, such as labor, machinery, gas, oil etc.
3. Taxes and their effects (movement from the family farm).
4. The rising prices to the consumer:

I feel at this time that any price increase is out of order—the solution will have to come from the budget of the Dept. of Agriculture with a reduction in the cost of food the end result. The farmers are an economical and cost-conscious group but have just about reached the limits of their productive abilities. I am sure that with immediate and the proper type of assistance they will show

as they have before, that they are not only great farmers but great and true Americans.

. . . One serious loss due to cancellation of the R.E.A.P. Program will be the loss of incentive payments for waste disposal and pollution control structures. This can have a serious setback effect in getting this very important work done to protect the quality of our environment.

With food shortages developing world wide it seems foolish to withdraw any assistance to farmers which can help them to meet this need and keep food prices at an acceptable level. Loss of this aid will only mean much higher consumer food prices. . . .

I think now more than ever before we need help. Now, not tomorrow, not next year, but right now. My first concern is the farm family but in the long run it is not the farmer, it is not the machinery dealer, it is the consumer without food. We will no longer need the farmer for the farmer and consumer will have eliminated themselves. When the Federal Government cut off the Disaster Relief the farmers were told to tighten their belts. Who has found relief from the belt tightness. As a farmer for some 25 years I know all about belts and how they must be kept in a useable condition. It is with a sad look into the past that what I spoke of then has come to pass and with greater impact than even I had predicted. Farm and Farm families, and I mean real experienced farm families have left in great numbers. It is said that they are being absorbed by larger farms. That is a good answer but how true is it?

Statistics show this—but I find some are misleading. We have a number of well learned men in a lot of our departments. They can with their pencil and paper show you how you can make a profit in your setup but they lack the actual experience needed to put the idea into practice. My point is that even though we have brilliant college men, we still need a few farmers with the experience needed in both liaison work between the State department and the Federal government. Again, I emphasize that these men should be independent of any of the larger groups. A representative of the farm family not a coop, or large federation that loses the identity of the people who are the backbone of our nation. . . .

I would like to say I am speaking, not only for the poultry, fish, dairy, beef and vegetable farmer etc. but for the consumer and in my last closing statement wish to express my desire for proper advertising and I think with a little common sense, a little help and the Good Lord willing we will receive the needed help.

RAYMOND TRUM.

Mr. COTTER. Mr. Chairman, I will oppose H.R. 2107, the rural environmental assistance program, because I believe that it is not a necessary program. The ostensible purpose of this program is to protect the environment, but of the \$225 million earmarked by this bill, over \$42 million is spent on administrative costs. Also, for fiscal year 1972, the entire State of Connecticut was only allocated \$275,000. Beyond this, the fact that this program is used not for conservation, but for investments in fertilizers, and in some instances for nonfarming and nonenvironmental purposes, raises serious and unresolved questions.

Many Members are voting for this program to protest President Nixon's impoundment of funds, and I share their concern over the massive and, I believe, unconstitutional extension of the President's authority. However, my desire to fight impoundments does not relieve my obligation to study each program and evaluate its worth. My support for the

rule indicates my displeasure over the President's impoundment. I supported the Findley amendment to restrict this program only to help the small farmer, the family farmer, with an income less than \$10,000, but I cannot vote to spend \$240 million in a program whose merits are, I believe, less than convincing.

Mr. ROBISON of New York. Mr. Chairman, the abrupt termination of the rural environmental assistance program, as expected, brought cries of anguish and consternation—some out of a sincere and heartfelt dedication to the purposes of the program, others because they saw it as the first opportunity to challenge the President on the entire impoundment issue.

The REAP program, and those programs that preceded it, began in the 1930's, responding to what was then a desperate need for Federal help to conserve our soil. These programs have played an important role in advancing soil conservation, improving agricultural production, and controlling agricultural pollution. Through the years, however, though the agricultural methods and national needs changed dramatically, the program has remained pretty much intact. There are those who maintain that soil and water conservation practices are now an accepted part of any well-managed farm operation, making the cost-share incentive less important than it was when the program was initiated.

This may be true, for the Department of Agriculture tells us that only about 20 percent of the farms in this country participated in the program in recent years with an average payment per farm of \$239. Almost half of the 1971 cost-sharing payments were used for livestock operations, while only 30 percent of the payments were used for practices directly related to crop production.

So, like many other, older Federal programs, the REAP program is, I believe, in need of review and change. There are clearly some REAP practices that are no longer relevant, that do not deserve Government support, and that are recurring in nature. Among those who recognize the need for change are farmers themselves.

One farm constituent wrote:

I, as a landowner and farmer, have probably used the REAP and its predecessor programs as much as anyone and I am proud of the job we have done to conserve a part of New York State for posterity and the part we have played in reducing soil pollution in our streams to nearly zero. But the program has been misused and I agree with the Bureau of the Budget. The REAP county managers and committees have gone down the road selling their program to keep the dollar volume up and consequently the bulk of the dollars have been used to maintain productive agricultural land which is not in need of conservation practices.

Even supporters of REAP wrote:

We do believe that some portions of the program had been carried on for too long a period of time—after having adequately served the purpose of providing the necessary incentive for landowners to promote proper use of the land . . . We feel that the Rural Environmental Assistance Program should be re-established, that is continued with modifications and adjustments made.

Looking at this legislation from the

budgetary perspective there are other important factors which must be taken into account. First, we—the Congress—have lost the initiative in setting overall budget priorities. Whatever the reasons may be, and they are being debated rather thoroughly, Congress has failed to exercise its obligation to allocate national resources in a responsible manner. Last fall this administration made clear its determination to hold fiscal 1973 spending to \$250 billion. When Congress refused to reallocate priorities to meet this goal, the President, as is obvious, has not been reluctant in trying to do so.

Given the mandated and, in effect, "uncontrollable" spending built into the budget, the President was forced to make his cuts in that 30-percent part of the budget which was "controllable." In fiscal year 1974, almost 75 percent of the budget will fall in the "relatively uncontrollable" category.

It is clear that Congress must re-examine the substance of the process through which it makes its allocation of resources. We have, through the Joint Committee on the Budget, begun to do just that, but too late, however, to have any real impact on either the 1973 or 1974 budgets.

Next, when you look at our budget situation from the revenue perspective there are figures which cannot escape our attention. If the changes we have made in the tax code since 1962 had not been enacted, there would be an additional \$50.3 billion in tax revenues in this fiscal year alone. The tax cut of 1964 is responsible for a reduction of \$27 billion while the tax acts of 1969 and 1971 account for another \$11.7 billion. Because of increases in State and local taxes, along with social security tax increases, the impact of these tax reductions on the average taxpayer has been negligible. But the fact remains that, without these revenue actions, the funds would be available for many, or perhaps all of the programs, including REAP, which are subject to controversy today.

I am not suggesting that all of these revenue acts be repealed. In fact, I voted for them. What I am suggesting is that there must be a closer relationship between revenue and spending policies. Too often that has not been the case in the past. Again, it is my hope that the Joint Committee on the Budget will help us find a way to accomplish this objective.

These are factors, though not necessarily helpful in making the specific judgment we are called upon to make today, which, in my opinion, should be aired in this opening round in what promises to be a year-long debate over budgetary and spending issues.

What, then, should be our reaction to H.R. 2107—a bill to require the Secretary of Agriculture to carry out a rural environmental assistance program?

The abruptness which characterized the termination of the REAP, or for that matter FHA and HUD programs, is of considerable concern to me. It has left many individuals and communities in a difficult and often unfair situation. It seems to me that it would have been bet-

ter for the administration to provide for a transition period to soften the impact and shock of the actions it has taken. The Mizell amendment—which I support—would accomplish that purpose if the President would accept it.

Nevertheless, the committee bill before us today simply requires the Secretary of Agriculture to expend all of the funds appropriated for the REAP program—\$225 million as compared to \$140 million covered by the Mizell amendment. The committee bill does not take into account the difficult fiscal problems we are facing—it does not address itself to the challenge of reforming the REAP program to make it more responsive to real needs—it does nothing to correct the unwarranted spending which now takes place under REAP.

Regrettably, the Committee on Agriculture turned aside other efforts to amend H.R. 2107 which might have made the bill more acceptable and worthy of support. The Findley amendments, as described in the minority report to H.R. 2107, have considerable merit.

Therefore, I feel forced to vote against the REAP bill, if the Mizell amendment is not adopted, not because I am opposed to all aspects of the REAP program, but because this legislation does not present a responsible answer on our part to the stark dimensions of the fiscal problem we, and the President, face together.

If the Committee on Agriculture had chosen to require funding at a much lower level, with the promise to report to the House legislation to reform and improve the REAP program, such legislation would have had my support.

It is not too late for the House Committee on Agriculture to undertake such an effort. The certainty of passage of this bill is probably matched only by the certainty of a Presidential veto. Rather than merely provoking confrontation, I would hope we would seriously explore those avenues where accommodation is possible. This bill is not designed to do that. Perhaps, future legislation will.

Mr. TAYLOR of Missouri. Mr. Chairman, much has been said today about the value of the rural environmental assistance program. The debate has been open and frank, as it should be, and we have had the privilege of learning the views of those who are against, as well as those who are for it. However, I must call attention to the fact that even those who favor terminating the program, admit that REAP and its forerunner the ACP have made good and valuable contributions to agriculture in the past. I know they have, for I come from a part of the country where the farmers have literally carved their acreage out of rocky and hill land that could not produce much more than weeds and scrub trees without hard work, planning, and help provided by agricultural programs such as REAP and ACP.

The farmers of the Ozarks know the importance of building up the land so that it will yield a suitable crop or provide needed pasture. They know the value of storing precious water so as to have it available for the dry season which could ruin a crop and place a farmer in bankruptcy. I have no doubt that much of our top soil would now be lost or depleted

were it not for the agricultural conservation program of the past 30 years.

Mr. Chairman, I know of the need to place our economy on a fiscally sound basis. The farmers of southwest Missouri know it too, and I guarantee you that if the people of this Nation were as self-reliant as those who till the soil, we would not be talking of the need to cut the budget or impound funds, or to get our priorities in order. Our economy would be sound and the Federal Government would not be operating with a deficit budget.

Mr. Chairman, the farmers of this Nation have not asked for a handout from their Government. They have always willingly paid their share of the cost with the full knowledge that the benefits accrued would not be theirs alone, but would be shared by the population as a whole. They are aware that this conservation program would help preserve the land for generations to come, and would make it possible for fertile soil to be restored and available for food production when the need arises, and for a nation of more than 207 million people, there will be such a need.

Mr. Chairman, I do not think that we should take away from the Secretary of Agriculture the option of flexibility in implementing this program. If there are inequities in the rural environmental assistance program, let him throw them out, but let us not vote to kill that which has proved so beneficial simply because a few bad apples have been found among an otherwise bountiful crop.

Mr. Chairman, I intend to vote for the passage of H.R. 2107 and I encourage my colleagues to do likewise.

Mr. MEZVINSKY. Mr. Chairman, it is ironic that today, when the Nation is becoming more and more ecology conscious, we must act to reaffirm the Federal Government's commitment to an environmental protection program that reaches back to the Dust Bowl days of the 1930's.

The rural environmental assistance program—formerly the agricultural conservation program—has proven itself over the past three and a half decades to be a valuable and productive program.

We all know that conservation practices are expensive, and although farmers and other rural citizens are willing to do the needed job in environmental protection, they need financial assistance.

REAP is not a selfish program for farmers. They are not the only Americans who benefit from the Federal cost-sharing funds.

By working to avoid siltation, sedimentation, and soil erosion, we protect not only a farmer's land but the scenic beauty of our countryside and the quality of the Nation's rivers.

Consumers benefit, too, because conservation practices protect the productivity of our greatest natural resource—our land.

Farmers have relied for 35 years on Federal cost-sharing assistance for conservation practices.

We must not abandon our responsibility to conserve the environment.

Mr. HUDNUT. Mr. Chairman, I ap-

preciate having this opportunity to speak in opposition to H.R. 2107, which would force the Secretary of Agriculture to spend money on a program which has been deemed to be of low priority.

This bill marks the first assault on the President's policy of fiscal responsibility and I feel we will be setting a precedent by our action. If this compulsory spending legislation is enacted it will surely be followed by a host of other special-interests programs. Personally, I applaud the efforts of President Nixon to hold down Federal spending and to establish priorities in spending for those areas that need most vital attention. I believe, as he does, that the American people do not want their budgets wrecked by higher taxes and higher prices which is brought on by Federal deficit spending.

The issue in this legislation is not so much whether the rural environment assistance program has been all good or all bad. I am sure it has been and is beneficial in many respects. However, while specific Federal programs such as REAP, may be of importance to many people and groups, none is more important than a concerted program to hold down the cost of living and the rate of taxes. Therefore, I urge the defeat of H.R. 2107.

Mr. MICHEL. Mr. Chairman, as we debate this bill today, my thoughts go back over the many previous debates we have had on the merits of this program. I recall especially a day early in 1959—14 years ago—when I stood in the well and offered an amendment to cut the funding of what we then called ACP by 60 percent from \$250 million to \$100 million.

It is interesting to look back at that effort now and see that most of the arguments we used then are just as valid today.

We pointed out then, for instance, that a good part of the program funds went for practices directly related to crop production, such as limestone and seasonal cover crops along with wells for livestock.

I would like to quote just a few paragraphs from that 1959 statement, because I think it helps brings the present situation a little better into focus:

REMARKS OF HON. ROBERT H. MICHEL IN THE HOUSE OF REPRESENTATIVES, MAY 18, 1959

Of course, you are going to get some objections from some people back home. Representing a rural and an urban district, about half and half, as I do, I will get some objections from some of my farmers. It is not an easy thing to tell some fellow, "You are going to get less from the Federal Government," or, "We are going to do a little bit less for you this year than we did last year." But to my mind, it is the right thing to do. There will be some areas of the country where they will say, "This is the only program in which we can participate in the farm program." Particularly up in New England they will say, "This is the only chance we have to get our fist into the Federal till. You fellows in the Midwest with your acreage reserve and conservation reserve are going to get bundles of it, but this is an opportunity for us to get a little bit of change for our small farmers."

I think also you are going to get some objections from what I like to call the limestone trust, and those who through the years have come to sell a great many bags of fertilizer, because the Federal Government is

picking up half of the tab to do the job. But that does not necessarily mean it is the right thing to do. Frankly, it looks to me as though we are doing a round robin. On the one hand, we are paying out to increase the productivity of millions of acres and at the same time we are having to pay thousands of farmers a support price or a conservation reserve payment to take his land out of production. Frankly, I think it makes much more sense to put this money into the long-range conservation reserve program where we take land out of production for a period of years and put it back into a cover crop rather than simply paying a farmer for increasing his production this year or the next year. If it is a long-range program, then I can support part of it, but so much of these payments are in the form of short-term year-to-year payments, and I am certainly opposed to the continuation of that type of program. That is the purpose of this amendment to give you folks a chance to register your objections to these continual payments which now amount to a quarter of a billion dollars this year and to give you a chance to do something by way of economizing and saving the taxpayers a good chunk or do-re-me.

Today, Mr. Chairman, about 30 percent of the cost-sharing participation under REAP is for practices directly related to crop production, rather than for conservation practices as such.

In 1971, for example, Federal cost-sharing funds through REAP amounted to: Nearly \$12 million for installing irrigation systems, land leveling, ditch lining and the like; nearly \$10 million for liming materials; more than \$4 million for control of competitive shrubs on range or pasture; more than \$3.5 million for wells, pipelines and the like for livestock water facilities; over \$122,000 for construction of permanent fences; and, we spent more than \$30,000 for home gardens.

I am not going to go on at great length here, because we all know that REAP is not; the real issue, anyway. If it were not REAP, some other program would be the vehicle.

What it all boils down to is that if we are serious about controlling Federal spending and inflation, and if we are serious about preventing an increase in taxes, then we are all going to have to stand up and take our licks in the budget.

This is not the only program the President proposes to cut back because of a low cost-benefit ratio. Just take a look at the list beginning on page 50 of the new budget document. There are seven and a half pages of program cuts in virtually every Federal department and agency.

Is REAP worth a tax increase and continued inflation? Is any program on that list? That is the real question, because if we cannot take our share of belt tightening in agriculture, we can be darn sure nobody else will, either.

Mr. CULVER. Mr. Chairman, today the 93d Congress faces an important vote. At issue is whether the President or the Congress ought to decide how the Federal taxpayer's money is spent. Since 1935, Congress has voted funds to promote local soil and water conservation practices on a cost sharing basis. This Rural Environmental Assistance Program—REAP—has proven to be one of our most effective means of abating and

preventing pollution of water, land, and air in agricultural areas.

The last Congress appropriated \$210.5 million for the REAP program. The President signed the appropriation bill without objection. In September, the Department of Agriculture announced that \$140 million would be available for the program. Once election day passed and the President was reelected, however, he impounded all funds for the program. Without congressional action today, this program will die.

I strongly support appropriate congressional action to cut unnecessary Federal spending. However, REAP has been one of our most effective and efficient cost sharing programs. It has purchased \$3 worth of needed soil and water conservation practices for every \$1 of money spent. REAP has proven to be a sound financial investment for the last 38 years.

In Iowa, over 26,000 farmers participate in the REAP program each year. Most of the payments are for help in financing terraces, ponds, and other permanent conservation structures. Many projects are for wildlife habitat development in Iowa. Some projects already started will not be completed unless the President's action is reversed.

We need the rural environmental assistance program in Iowa. It has helped prevent the pollution of our water, land, and air, and the increasing degradation of our natural resources. It has helped provide an adequate supply of food and fiber, and greater outdoor recreational opportunities. In short, it has contributed to the environmental welfare of our State and the Nation. It should be continued.

The CHAIRMAN. All time has expired.

The Clerk will read.

The Clerk read as follows:

H.R. 2107

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first sentence of section 8(b) of the Soil Conservation and Domestic Allotment Act (16 U.S.C. 490h(b)) is amended by striking out the words "shall have power to" and inserting in lieu thereof the word "shall", and by striking out the phrase "in amounts determined by the Secretary to be fair and reasonable in connection with the effectuation of such purposes", and inserting in lieu thereof the phrase "in an aggregate amount equal to the sums appropriated therefor."

AMENDMENT IN THE NATURE OF A SUBSTITUTE
OFFERED BY MR. MIZELL

Mr. MIZELL. Mr. Chairman, I offer an amendment in the nature of a substitute. The Clerk read as follows:

Amendment in the nature of a substitute offered by Mr. MIZELL: Strike out all after the enacting clause, and insert: "That funds allocated by the Secretary of Agriculture for the purpose of carrying into effect the rural environmental assistance program authorized by sections 7 through 15, 16(a), and 17 of the Soil Conservation and Domestic Allotment Act (16 U.S.C. 490g, h, i, j-o, 490p(a), and 490q) for the fiscal year ending June 30, 1973, shall be fully expended for such purpose in such fiscal year."

Mr. MIZELL. Mr. Chairman, I offer this amendment today as a means of try-

ing to achieve a compromise that will save the REAP program and save money and assert the authority of Congress. On the one hand, there are those who would say to the President that "You are going to spend the maximum amount that was appropriated by Congress for the REAP program in fiscal year 1973, during the balance of this year."

On the other hand, there are those who would abolish the REAP program completely, taking those phases of the program that we know have done a good job of preserving our natural resources, and throwing them out the window, throwing out the good along with the bad.

And then I think there are some Members here today who want to use this measure to try and reestablish the authority of the Congress.

So, Mr. Chairman, I think that I have suggested here a compromise that the committee should be able to support.

It recognizes the need for continuing those programs under REAP that have done a good job. This is not the place for us to try to change this program, and remove the inequities that are in the program. This we should do in the committee—and we will have the opportunity to do this when we bring forth the agricultural bill this year. That will be the place for us to correct any of the inequities that might be in the program—and certainly we recognize that there are some.

At the same time, by adopting my amendment, I think that it really enhances the possibility of our farmers having some money under the REAP program for the balance of this year. That is the main reason I offer my amendment today.

What the amendment really does is tell the administration that it will make available the \$140 million that it told the American farmers last September was going to be available. That is the amount of money that the farmers were expecting to have in the program, and that is the amount of money that they should have at this time.

I think for us to say now that we are going to require the Secretary of Agriculture to expend the maximum amount appropriated by Congress comes a little bit late. I did not hear all of the hue and cry coming forth for the maximum funding of the program at the time the Agriculture Department announced there would be \$140 million in this program. If there was any real objection to it, that was the time that it should have been raised. But we are at a point now where we can either have a direct confrontation with the administration and, in my opinion, lose the whole package, or else we can look for some area in which we can compromise and get something for your farmers and for my farmers the rest of this year. I cannot agree with those who would like to kill this program, because I believe there is too much good in it. Neither can I agree with those who would think to use this program as merely a confrontation with the President downtown. Nor can I agree with those who would seek to

change this program at this stage of the game. Rather let us wait until we bring the legislation out of our Agriculture Committee. That is the place to deal with it.

I say to the Members in all sincerity that if the Members are for the continuation of the REAP program this year, they should vote for my amendment. If the Members are for fiscal responsibility, they should vote for my amendment—which is an \$85 million reduction in what was appropriated by Congress.

If the Members are for Congress exercising its authority, then, of course, the Members can vote for my amendment.

I trust that the committee today will adopt my amendment and that we will get a REAP program for our farmers for the balance of this year.

Mr. POAGE. Mr. Chairman, I rise in opposition to the amendment. First, I want to suggest that I overspoke myself awhile ago. I apologize. The gentleman from North Carolina is one of our fine members of the committee, and I certainly raise no question as to his sincerity of purpose in what he is trying to do. Of course, I think that he has sought and does now seek to try to achieve something for the American farmer. I cannot be as charitable as to his judgment. I think that it probably is a little warped.

I think I understand what the gentleman wants to do, but I doubt very much if the amendment does it. The amendment is no place says at what time the Secretary's mind should have been made up as to what he wanted or how much he wanted. He says:

The funds allocated by the Secretary of Agriculture for the purpose of carrying out—

At what date? At one time the Secretary of Agriculture was allocating \$140 million; that is true. At another time the Secretary of Agriculture said he "terminated" the program; he is not allocating anything.

Today I do not think there is any allocation of any funds whatsoever by the Secretary of Agriculture, because the Secretary, himself, sent out a notice saying that the program was terminated. That means that there are not any funds.

Just on what date does the gentleman want the Secretary to "allocate" funds, and can the Secretary change his mind? Surely the amendment does not make this clear.

Mr. MIZELL. Mr. Chairman, if I can direct the gentleman's attention to the amendment itself, it says for the fiscal year ending June 30, 1973. Counsel, and those backing the amendment, have advised me that it would require the Secretary of Agriculture to make available this \$140 million that he had already allocated to the State.

Mr. POAGE. The moneys he had allocated last fall, or that were allocated at the time the bill was passed?

Mr. MIZELL. The \$140 million that were allocated to the States.

Mr. POAGE. But it does not say so. It says the funds allocated by the Secretary of Agriculture.

I assume it means the funds allocated

by the Secretary of Agriculture at the date the bill is passed. On the date the bill is going to be passed there is not going to be a dime allocated by the Secretary of Agriculture.

The Secretary of Agriculture has unallocated.

Just as I mentioned awhile ago, our President changed his mind, and the Secretary changed his, and he unallocated that \$140 million and sent out a notice that the program was terminated. He did not say it was suspended; he did not say that it was put on the shelf; he did not say "this year." He said that the program was terminated, period.

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

Mr. POAGE. Yes, I yield.

Mr. MIZELL. I thank the gentleman for yielding.

So that we do not mislead the Committee in any way, there is no question in my mind and in the mind of counsel that these funds that were allocated under the 1972 and 1973 program are the ones that would be made available to the offices across the State. In that respect I think that it is clear in all of our minds when the \$140 million would be available.

Mr. POAGE. I say to the gentleman if they were allocated, why are not they still allocated? How did they get unallocated?

Mr. MIZELL. The chairman directs his attention in his amendment to requiring that the funds that were appropriated be expended. I direct the members' attention to my amendment which States that funds which are allocated should be expended.

Mr. POAGE. That is right. Are they allocated today or are they not?

Mr. MIZELL. They would be if my amendment is passed.

Mr. POAGE. Are they allocated right now? Are they allocated right at this moment?

I think it is perfectly clear that the gentleman's amendment is rather meaningless.

Mr. MIZELL. It is not meaningless. There is no question those funds would be made available if this is passed by the Congress.

Mr. POAGE. There is no doubt in my mind that the same Secretary of Agriculture who can unallocate in December can unallocate later in this year and each day in the week.

Mr. MIZELL. If the chairman can direct what those funds are in his amendment, my amendment is just as clear.

Mr. POAGE. But if what we direct, if what Congress has appropriated is the figure, then that is still appropriated. We have not changed our minds. We have not unappropriated. The Secretary has unallocated. We have not. Our appropriation is still there and it is available to be spent at any time.

I submit to the House it is obvious that the amendment does not achieve what it seeks to, or at least there is serious question as to whether it achieves what the gentleman feels it should achieve. Are we going to go into a proposition this evening of adopting some of these half-

baked and un-thought-through amendments in order to try to prevent a veto? That is why the gentleman says we should adopt his amendment.

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

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

Mr. MELCHER. I yield to the gentleman from Minnesota.

Mr. BERGLAND. Mr. Chairman, this bill, H.R. 2107, addresses a question that is even more important than the resolutions of the rural environmental assistance program for all its merits.

The real issue before us is the matter of public trust. Last fall prior to the general election President Nixon caused to be announced an initial allocation of \$140 million for the 1973 REAP implying that the balance of the \$225 million appropriated would be released later. All persons interested in soil, water, and environmental conservation applauded the announcement and planning for the 1973 program commenced. On December 26, 1972, the President reversed himself and abruptly terminated the program. Is there any wonder the American people doubt the capability of its political leadership? The financial crisis cited by the President as being a reason for the termination was as apparent before the election as it was on December 26.

Mr. Chairman, if I can't trust my President on this issue, can I trust him on any other? I'm deeply troubled by his handling of this program and I urge adoption of this bill without amendments as one means of restoring our citizens' faith in our Government.

Mr. MELCHER. I want to address myself, Mr. Chairman, to further discuss a number of points which have been raised by the debate and by this particular amendment.

I think first of all we are doing an injustice to ourselves as a deliberative body and also an injustice to the people involved in REAP, that is the landowners and the farmers and the ranchers of this country, if we are to compare the REAP payments with income supplements. That simply is not the case. Rather it is an investment. The part that Uncle Sam pays is the investment on behalf of the Nation, but 50 to 75 percent of the cost is borne by the landowners, the farmers, and the ranchers of this country, and that is an investment on their part. So jointly Uncle Sam and the landowners make an investment in conservation.

It has been debated here this afternoon that adopting the bill would somehow force payments up to \$225 million during the balance of this fiscal year. That is very unlikely, because it is not up to the Department of Agriculture to force out this money. Rather it is up to the individual landowners, farmers, and ranchers of this country to come in and apply in their local county offices for a conservation contract. They have to take the initiative. If we can predict that there is enough demand on the part of the landowners of this Nation to make that investment, where they put up 50 to 75 percent to get Uncle Sam's matching share, I say that is great. However, I do

not think it is likely to happen between now and June 30.

There is an additional point in regard to the expenditure of money under this program during this fiscal year. These are contracts entered into virtually none of which will be completed during this fiscal year. The payments will be made for the most part almost entirely in the next fiscal year.

Then further I think the point made by the ranking minority member of the House Agriculture Committee, my good friend, the gentleman from California, was that the Department has said this program cost \$42 million to administer and they have 600 people that did nothing else but administer the REAP program. That is a fuzzy type of mathematics that we as Members of this House should shoot down each time it is given to us by any bureaucrats, regardless of what Department they come from. If we take \$42 million for 600 employees, it amounts to \$70,000 per year per employee, which is not only untrue but is absolutely ridiculous. But that is the type of argument that is advanced against a piece of legislation or against a program when all too hastily some of the departments determine that they are going to cut out something that we want and that the people want, and then they attempt to justify it.

It is not only faulty mathematics, it is misleading. We should reject it and we should reject their entire argument, pass the bill and not be worried about the amendment by my good friend from North Carolina, because under any circumstances the real test of how much of the funds are used is going to be made by the initiative of the farmers and ranchers applying for conservation purposes. They will be paying the bulk of it, so if they are willing to make that investment to improve their land, the lands of this country, and enhance and conserve it for the entire country, I think we owe them a big thank you and should make it available to them.

Mr. SMITH of Iowa. Mr. Chairman, I move to strike the last word.

Mr. Chairman, there has been a lot of reference here to deficits and to expenditures and to appropriations and interchange of words which were really not used in the right context.

As far as deficits are concerned, the reasons for them fall into three categories: First. We had a number of tax reductions in this country. Both the Congress and the President are responsible and both bragged about them in the last election. But for those tax reductions, this years receipts would have been \$25.8 billion more. That would have wiped out the deficit. Both the Congress and the President are responsible for that.

The next cause of the deficit involves programs which are not subject to the annual revenue process before the Committee on Appropriations and before this Congress. Those programs have climbed and climbed and climbed. The President signed those bills and bragged about them during the election. He and the Congress are jointly and equally responsible for any deficit caused that way.

This REAP program does not fall within either one of those categories. This is a program which is subject to the annual review process. For every dollar which was appropriated for this program last year, the Congress cut out at least a dollar someplace else. We reduced the President's 1973 appropriation request by \$6 billion overall, so we are not talking now about something where we did not act responsibly.

We said, and for good reason, this is a program to which we attach the highest priorities. This program involves the saving of the topsoil of this land. This involves something that is our most precious asset, because all life is fed from the topsoil. It is the topsoil that future generations for thousands of years will have to depend upon if they are to survive on this continent. It is the topsoil through which plant life is recycled. Although making topsoil requires thousands of years, it can be eroded away in one or a few years.

What we are involved with today is not deficits, it is not fiscal responsibility, because we have already met that by cutting other programs to offset the cost of this one. The Congress decided that REAP is something for which it was worth cutting some other program dollar for dollar. What we are involved with today is not deficits or fiscal responsibility but rather: Should the Congress establish the priorities or should the President?

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

Mr. Chairman, I will not use the 5 minutes. The only reason that I take this time is because I think there is one extremely important point that has not been covered in debate.

On page 50 of the President's budget, for a span of six pages, we have a section entitled "Outlay savings from program reductions and terminations, 1973-75."

Now, the important point, Mr. Chairman, is that in that section we find that Agriculture programs have been terminated to the extent of \$2.1 billion. What are the other agencies cut back? Let us look at Defense which spends manyfold more dollars than Agriculture; yet, it is cut back only \$2.7 billion.

What about the big civilian spender, HEW, which spends approximately eightfold the dollars of the Agriculture Department? It is cut back only \$4.8 billion.

I could go right down the line. How about the big independent agencies? We can take one example, the Atomic Energy Commission, which spends billions of dollars. What is it cut back? A meager million dollars. Imagine, Mr. Chairman, \$1 million, while Agriculture is cut back \$2.137 billion.

What am I saying? I am saying that the programs of the Department of Agriculture for farmers are being made the whipping boy by this administration on the budget for the remainder of this year and for the 1974 budget.

Yesterday and the day before we had Secretary Shultz and Chairman Stein and Director Ash before the Appropriations

Committee. I pointed these things out to these very distinguished gentlemen. Their response was a weak one. I pointed out further that these facts I have stated are very consistent with the position of the present Director of the Budget who sent this budget to us. He recommended just a few months ago that the Department of Agriculture be eliminated. The President approved his recommendation, but Congress would not enact it.

I say, my friends, that I am in favor of spending limitations. I am in favor of holding the line on budget deficits. But I place two qualifications on those statements. One is that Agriculture should not be treated unfairly and unconscionably when compared with the other agencies. And I say that we in the Congress and not the President should decide what the spending priorities of this Government are.

That is what the Constitution says. That is what we ought to be interested in carrying out.

So I speak against the amendment and all other amendments that will be offered. I speak in favor of this much-needed legislation.

AMENDMENT OFFERED BY MR. BENNETT TO THE AMENDMENT IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. MIZELL

Mr. BENNETT. Mr. Chairman, I offer an amendment to the substitute amendment offered by the gentleman from North Carolina (Mr. MIZELL).

The Clerk read as follows:

Amendment offered by Mr. BENNETT to the amendment in the nature of a substitute offered by Mr. MIZELL: After the words "Secretary of Agriculture" insert the words "during the calendar year 1972 pursuant to the Appropriations Act funding the United States Department of Agriculture for the fiscal year ending June 30, 1973."

Mr. BENNETT. Mr. Chairman, my purpose in offering this amendment is merely to make clear what the gentleman from North Carolina had in mind.

I hate to see, as a Member of Congress, things sloughed off here because we do not have language which is interpreted by all Members to mean the same thing. We ought to be a better legislative body than that.

The gentleman from North Carolina offered an amendment which he thought was clear, and which I thought was clear, but the chairman of the committee has raised doubt about whether it is clear, that is to make certain the objectives the gentleman from North Carolina had in mind, which is to fix the amount of money the Secretary of Agriculture has put in for this program, to wit, \$140 million in 1972.

I hate to see our legislative processes befouled by such confusion. So, whether the language I offer is necessary or not, it will clarify the matter and the objective of the gentleman from North Carolina. It will now be achieved by the language which is offered.

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

Mr. BENNETT. I yield to the gentleman from North Carolina and as I do so I congratulate the gentleman on his amendment. I hope we can to this extent,

at least, support the President in his efforts for fiscal responsibility.

Mr. MIZELL. I thank the gentleman for yielding.

I also thank the gentleman for offering this language, so that there might be no doubt in the minds of the members of the committee of the intent and purpose of my amendment.

I was satisfied the amendment would accomplish the goal of making available the \$140 million for the REAP program for the balance of this fiscal year. I believe the language as offered by the gentleman from Florida further clarifies that, so I thank him for offering it and I accept his amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida (Mr. BENNETT) to the amendment in the nature of a substitute offered by the gentleman from North Carolina (Mr. MIZELL).

The amendment to the amendment in the nature of a substitute was agreed to.

The CHAIRMAN. The question is on the amendment in the nature of a substitute, as amended.

The question was taken; and the Chairman announced that the yeas appeared to have it.

RECORDED VOTE

Mr. MIZELL. Mr. Chairman, I demand tellers.

The CHAIRMAN. Does the gentleman demand a recorded vote?

Mr. MIZELL. Yes, Mr. Chairman, I do demand a recorded vote.

The CHAIRMAN. As the Chair understands, the new procedure in the House is that the demand is for a recorded vote. The vote will be taken by electronic device.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—yeas 176, nays 217, not voting 38, as follows:

[Roll No. 15]

YEAS—176

Abdnor	Delaney	Johnson, Pa.
Anderson, Ill.	Dellenback	Jones, Okla.
Archer	Devine	Keating
Arends	Dickinson	Kemp
Armstrong	Drinan	Ketchum
Ashbrook	Dulski	Kuykendall
Bafalis	Duncan	Landgrebe
Baker	du Pont	Latta
Beard	Erlenborn	Lent
Bennett	Eshleman	Long, La.
Blester	Fish	Lott
Blackburn	Ford, Gerald R.	Lujan
Bray	Forsythe	McClory
Broomfield	Frenzel	McCloskey
Brotzman	Fröhlich	McCollister
Brown, Mich.	Gilman	McDade
Brown, Ohio	Goldwater	McEwen
Broyhill, N.C.	Grover	McKinney
Broyhill, Va.	Gubser	Macdonald
Burgener	Gude	Madigan
Butler	Guyer	Mallary
Byron	Haley	Mann
Camp	Hammer-	Maraziti
Carter	schmidt	Martin, N.C.
Cederberg	Hanley	Mathias, Calif.
Clancy	Hansen, Idaho	Mayne
Clausen,	Hastings	Mazzoli
Don H.	Hechler, W. Va.	Miller
Clawson, Del.	Heckler, Mass.	Mills, Ark.
Cleveland	Heinz	Mills, Md.
Cochran	Hillis	Minshall, Ohio
Cohen	Hogan	Mitchell, N.Y.
Conlan	Holt	Mizell
Conyers	Horton	Moorhead,
Cotter	Hosmer	Calif.
Coughlin	Huber	Mosher
Crane	Hunt	Nelsen
Daniel, Robert	Hutchinson	O'Brien
W., Jr.	Johnson, Colo.	Parris

Peysner
Pickle
Powell, Ohio
Pritchard
Quile
Quillen
Rallsback
Regula
Robinson, Va.
Robison, N.Y.
Rogers
Roncallo, N.Y.
Rostenkowski
Roussetot
Ruppe
Ruth
Sandman
Sarasin
Saylor
Schneebell
Sebelius
Shoup

Shriver
Shuster
Skubitz
Smith, N.Y.
Snyder
Spence
Stanton
J. William
Stanton
James V.
Steele
Steelman
Steiger, Wis.
Stratton
Sullivan
Symington
Symms
Talcott
Taylor, Mo.
Thomson, Wis.
Thone
Towell, Nev.

Treen
Vanik
Veysey
Walsh
Wampler
Ware
Whitehurst
Widnall
Wiggins
Williams
Wilson, Bob
Winn
Wyatt
Wydler
Wyllie
Wyman
Young, Fla.
Young, Ill.
Young, S.C.
Zablocki
Zion

Hébert
Jarman
King
Koch
Kyros
Martin, Nebr.
Mollohan
McKay
Myers

Nedzi
Patten
Pettis
Price, Tex.
Reid
Rooney, N.Y.
Roybal
Satterfield
Steed

Stelger, Ariz.
Stokes
Vander Jagt
Waldie
Wilson,
Charles H.,
Calif.

Abzug
Adams
Alexander
Anderson,
Calif.
Andrews,
N. Dak.
Annunzio
Ashley
Aspin
Barrett
Bergland
Bingham
Blatnik
Boland
Bolling
Bowen
Brademas
Brasco
Breau
Breckinridge
Brinkley
Brooks
Brown, Calif.
Buchanan
Burke, Calif.
Burke, Mass.
Burlison, Tex.
Burlison, Mo.
Burton
Carey, N.Y.
Carney, Ohio
Casey, Tex.
Chappell
Chisholm
Clark
Clay
Collier
Collins
Conable
Conte
Corman
Cronin
Culver
Daniel, Dan
Daniels,
Dominick V.
Danielson
Davis, Ga.
Davis, S.C.
de la Garza
Dellums
Denholm
Dennis
Dent
Diggs
Dingell
Donohue
Dorn
Downing
Eckhardt
Edwards, Calif.
Ellberg
Evans, Colo.
Evins, Tenn.
Fascell
Findley
Fisher
Flood
Flowers
Flynt
Foley
Ford
William D.

Fountain
Fraser
Fulton
Fuqua
Gaydos
Gettys
Gialmo
Gibbons
Ginn
Gonzalez
Goodling
Grasso
Gray
Green, Oreg.
Green, Pa.
Griffiths
Gross
Gunter
Hamilton
Hanna
Hanrahan
Hansen, Wash.
Harrington
Harsha
Hawkins
Hays
Helstoski
Henderson
Hicks
Hinshaw
Hollifield
Holtzman
Howard
Hudnut
Hungate
Ichord
Johnson, Calif.
Jones, Ala.
Jones, N.C.
Jones, Tenn.
Jordan
Karth
Kastenmeier
Kazen
Kluczynski
Landrum
Leggett
Lehman
Littton
Long, Md.
McCormack
McFall
McSpadden
Madden
Mahon
Mailliard
Mathis, Ga.
Matsunaga
Meeds
Melcher
Metcalfe
Mezvisinsky
Michel
Milford
Minish
Mink
Mitchell, Md.
Moakley
Montgomery
Moorhead, Pa.
Morgan
Moss
Murphy, Ill.
Murphy, N.Y.

Natcher
Nichols
Nix
Obey
O'Hara
O'Neill
Owens
Passman
Patman
Pepper
Perkins
Pike
Poage
Podell
Preyer
Price, Ill.
Randall
Rangel
Rarick
Rees
Reuss
Rhodes
Riegle
Rinaldo
Roberts
Rodino
Roe
Roncalio, Wyo.
Rooney, Pa.
Rose
Rosenthal
Roush
Roy
Runnels
Ryan
St Germain
Sarbanes
Scherle
Schroeder
Seiberling
Shipley
Sikes
Sisk
Slack
Smith, Iowa
Staggers
Stark
Stephens
Stubblefield
Stuckey
Studds
Taylor, N.C.
Teague, Calif.
Teague, Tex.
Thompson, N.J.
Thornton
Tiernan
Udall
Ullman
Van Deerlin
Vigorito
Waggoner
Whalen
White
Whitten
Wilson,
Charles, Tex.
Wolf
Wright
Yates
Yatron
Young, Ga.
Young, Tex.
Zwach

NOT VOTING—38

Addabbo
Andrews, N.C.
Badillo
Bell
Bevill

Biaggi
Burke, Fla.
Chamberlain
Davis, Wis.
Derwinski
Edwards, Ala.
Esch
Frelinghuysen
Frey
Harvey

So the amendment in the nature of a substitute, as amended, was rejected.

AMENDMENT OFFERED BY MR. FINDLEY

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

The Clerk read as follows:

Amendment offered by Mr. FINDLEY: After line 11, add the following:

"Sec. 2, This Act shall not take effect until such time as one of the following events occur: (1) the enactment of legislation increasing the statutory ceiling on the public debt by an amount at least equal to the amount of outlay mandated herein; (2) the enactment of legislation which will produce a first-year increase in revenue at least equal to the amount of spending; or (3) the Comptroller General of the United States makes a determination and so reports to the Speaker of the House and the President of the Senate, that the expenditure of funds provided herein, together with all other outlays expected to occur during fiscal 1973, will not exceed the total of revenue and authorized public debt for fiscal 1973."

POINT OF ORDER

Mr. POAGE. Mr. Chairman, I make a point of order on the amendment.

The CHAIRMAN. The gentleman will state it.

Mr. POAGE. Mr. Chairman, it is not germane to H.R. 2107.

H.R. 2107 amends Section 8(b) of the Soil Conservation and Domestic Allotment Act, and the amendment in no manner deals with the fundamental purpose of this legislation which simply requires the expenditure of funds lawfully appropriated by the Congress. In addition, Mr. Chairman, the amendment would require action by a number of other agencies of the U.S. Government which are not considered and not included in the bill before us, and, therefore, it is not germane to the bill before us.

The CHAIRMAN. Does the gentleman from Illinois desire to be heard on the point of order?

Mr. FINDLEY. Yes, Mr. Chairman.

I would ask the indulgence of the Chair so I may make several remarks about this point of order, and my reasons for asking the indulgence of the Chair are twofold. First of all, as the Chair realizes, there are no recent printed precedents of the House that a Member like myself can consult on a matter of this kind and I have to rely on my poor powers of reasoning, and these may take some number of words. Second, I believe the indulgence of the Chair is justified because this parliamentary issue which is now before the Chair is probably the first parliamentary test of what may be a rather prolonged confrontation between the President and the Congress over the management of the budget.

As I understood the argument of the chairman of the House Committee on Agriculture, the gentleman from Texas (Mr. POAGE), it was that this involved unrelated actions. I think in substance that was his argument in support of his

point that the amendment is not germane. I would like to argue to the contrary, that the bill before us is so far-reaching in its scope that the items which are in my amendment are indeed closely related. They can hardly be considered as isolated and separate propositions.

First of all, the bill does not involve just the REAP program. It involves the U.S. Treasury. It mandates spending. Therefore the Treasury balance of money is vitally important and closely related to this question.

It involves the appropriation of money. It would seek to mandate the spending of money which had been authorized by an act of appropriation of the Congress. In that connection it may well be that some of the Members of this body have not examined the wording which is in an appropriation bill preamble, and I would like to read that at this point. I cite this typical language from the Appropriation Act of the 92d Congress:

That the following sums are appropriated out of any money in the Treasury not otherwise appropriated . . .

That is any money in the Treasury. Well, what does money in the Treasury consist of? It consists of revenue from taxes. It consists of revenue from borrowings. Therefore revenue as well as the public debt ceiling have to be considered an integral part of the legislation we are considering this afternoon.

There is the further question of the constitutional duty of the President. One provision of the Constitution requires that the President faithfully execute all the laws enacted by the Congress. One of these laws is the debt ceiling. Another is the set of laws which provide revenue. Another is an act commonly known as the Anti-Deficiency Act, and as an officer of the Federal Government the President by the terms of that act is prohibited from issuing any obligations for funds that are not within the Treasury as of that time.

Unless my amendment is accepted as a part of this bill, this would indeed contribute to what could be a serious dilemma for the President in trying to faithfully execute the laws that have been enacted by the Congress.

This is not the first time that the Chair has ruled favorably on an amendment of the same nature that is now before the Chair. On January 8, 1964, I offered an amendment to an authorization bill—and I point out that it was an authorization bill. This language appears in the CONGRESSIONAL RECORD, volume 110, part 1, page 144, 88th Congress, second session. The language of the amendment that I offered at that time read as follows:

The authorization for an appropriation contained in this Act shall not be effective until such time as the receipts of the Government for the preceding fiscal year have exceeded the expenditures of the Government for such year, as determined by the Director of the Bureau of the Budget.

So, if there is an unrelated section or item involved in the issue before the Chair at this time, there certainly was on that occasion also.

On that occasion, when I offered the amendment and the Clerk had finished

his reading, Mr. JONES of Alabama stated:

Mr. Chairman, I make a point or order against the amendment, because it would restrict the appropriation to be made available under the terms of Section 8, starting on line 22, page 3.

The Chairman responded:

In the interest of being expeditious, the Chair rules that the point of order is not well taken, because the amendment involves a limitation on an appropriation.

That bill, like the bill before us, was an authorization bill, not an appropriation bill, when the Chair saw fit to rule in favor of my amendment, citing that it did amount to a limitation of appropriation. In effect, the amendment now before the Chair is a limitation on appropriations.

Based on that ruling, as well as the general argument I made on the constitutional basis, I do ask the Chair to overrule the point of order.

Mr. POAGE. Mr. Chairman, the gentleman makes his presentation upon the assumption that his amendment somehow is a limitation on an appropriation. The bill before us has nothing to do with an appropriation. It does not involve an appropriation. It simply says what the Secretary is to do with the money that has already been appropriated and how he shall carry out the program.

It does not involve an appropriation one way or the other. For that reason I submit that the argument is entirely missing the point.

The CHAIRMAN (Mr. GIALMO). The Chair has had occasion to study this problem, and is ready to rule.

The gentleman from Texas makes the point of order that the amendment offered by the gentleman from Illinois (Mr. FINDLEY) is not germane to the bill H.R. 2107. The amendment would delay the effectiveness of the bill until Congress enacts legislation increasing the statutory ceiling on the public debt limit—or legislation raising revenue by the amount of spending in the bill—or until the Comptroller General determines and reports to the Congress that the expenditure of funds in the bill, together with all other outlays during fiscal 1973, will not exceed the total of revenue and authorized public debt for fiscal 1973.

To a bill authorizing an expenditure of certain funds, an amendment postponing the effectiveness of that authorization pending the enactment of legislation raising revenue has been held not germane.

The statement made by the Chairman of the Committee of the Whole on the occasion of that earlier ruling is applicable here. Chairman Walter of Pennsylvania then said:

This amendment is not germane because it requires the enactment of other legislation in order to make the action taken here effective. This requires action not only by another committee of the Congress but also by the executive branch of government.

The amendment offered by the gentleman from Illinois would certainly require the ascertainment of facts and the exercise of duties by government officials and committees and agencies not included within the present bill.

The Chair has also examined several precedents in Cannon's Precedents of the House of Representatives, including those found in sections 3035 and 3037 of volume VIII. In both of those decisions, amendments delaying the operation of proposed legislation pending the completion of other legislative action was ruled out as not germane.

The Chair further distinguishes this from the situation that the gentleman from Illinois referred to in the earlier case involving House Joint Resolution 871 and the ruling by Chairman Rains, of Alabama, in the 88th Congress. There the amendment did involve a limitation but required nothing further to be done by another committee of this body.

The Chair holds that the pending amendment is not germane to the bill and sustains the point of order.

AMENDMENT OFFERED BY MR. FINDLEY

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

The Clerk read as follows:

Amendment offered by Mr. FINDLEY: After line 11, insert the following:

"Sec. 2. Section 8(b) of such Act is further amended by adding at the end thereof the following new sentence: 'Provided, That as a condition of eligibility for cost-sharing benefits, a person must certify in writing that his average annual net income from all sources during the preceding three years, as reported to the Internal Revenue Service, was \$10,000 or less.'"

The CHAIRMAN. The gentleman from Illinois (Mr. FINDLEY) is recognized for 5 minutes.

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

Mr. FINDLEY. I am glad to yield to the gentleman from Nebraska.

Mr. THONE. Mr. Chairman, in considering this bill to restore the rural environmental assistance program, we should discuss very briefly the constitutional question and to reiterate the need for the REAP program.

President Nixon has said that to avoid spending must be made during the current fiscal year. I agree that reductions a tax increase and inflation, a cut in in spending must be made. I am hopeful that the President's drastic actions will cause the Congress to be more responsible in balancing income and outgo.

The administration could have sent a message to Congress last month asking that the budget for fiscal 1973 be reduced uniformly across the board so that the total outlay would not exceed \$250 billion. It would take a cut of less than 5 percent in all programs to reach this goal. The resulting budget would not agree with my order of priorities, but I would support a uniform reduction. I would support such an across-the-board reduction because I realize that my personal views on each item in the budget, or the views of any other individual, are unlikely to coincide perfectly with the views of the majority in Congress. It is my opinion that legislation to provide for uniform reductions in spending could pass Congress swiftly.

While attempting to reduce spending, however, the administration is also en-

deavoring to impose its will on Congress as to which programs shall be funded.

In a report to Congress on February 5, 1973, the Office of Management and Budget admitted that the REAP funds appropriated by Congress for this year would legally be available next year if not expended by June 30. The OMB gave as its authority and reason for impoundment the fact that the national debt ceiling would not provide sufficient funds to cover all outlays contemplated by acts of Congress.

The recent announcement concerning REAP from the U.S. Department of Agriculture, however, made no attempt to justify the legality of its action. The USDA did not say that all funds for the fiscal year were impounded. The USDA flatly said "funding is being terminated." In my dictionary, the word "terminated" means concluded or ended. It seems to me that the executive branch does not have the power under our Constitution to abolish by fiat the laws of Congress, and I recognize that the REAP law in its appropriation stages is open to legal question.

Now, let us turn to the merits of REAP. The people of America, the Congress, and the President have said that fighting pollution is one of the most important concerns of America. The largest source of water pollution in America is runoff from the land. REAP is a program which has proved its effectiveness in reducing the runoff of fertilizers, herbicides, pesticides, silt, and animal wastes. Lincoln, Nebr., the largest city in the district I represent, not only has clearer lakes and streams, but also enjoys flood protection because of REAP.

The people of America, the Congress, and the President have said that conservation of natural resources is one of the most important concerns of America. REAP is a program that has proved its effectiveness in protecting one of our Nation's most precious resources, our rich topsoil. If we lose this resource, we will not be able to feed ourselves, much less millions of others around the globe.

In announcing the termination of the REAP program, the Department of Agriculture said that it was being done because farm income has improved so that farmers can afford to pay all the costs of conservation. In the recent past, farm income has been satisfactory in only one year, 1972. Regardless of whether the farmer can afford conservation, however, most are unlikely to carry out the best practices to preserve the land unless Government provides an incentive. If a farmer invests in small dams, terraces, and other needed measures to protect his topsoil, 50 years or more may pass before he realizes a cash return.

The majority of the benefits from good soil conservation accrue not to the farmer who institutes them, but to all the farmers and city dwellers who live downstream between him and the ocean.

We must continue REAP to give farmers an incentive for making installations and carrying out practices which benefit all the people of America.

Mr. FINDLEY. Mr. Chairman, this is

a very simple amendment. It would restrict the cost-sharing benefits to persons whose aggregate annual average income is \$10,000 or less. It is just as plain as that.

If a Member has a REAP program in his district, as I have had in mine for many years—and it is a very popular program—the Member is aware, as I am, that many well-to-do people have been getting cost-sharing benefits under this program.

The effect of this amendment would be to discourage that one abuse of the REAP program, to save a little money and to make the saved money available to other farmers of low income.

This has been advertised as a program for the little farmer. The implication is the little farmer is one with very little money. The sad fact is there is no income test for eligibility under this program. I believe it is high time one was established.

Mr. TEAGUE of California. Mr. Chairman, will the gentleman yield?

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

Mr. TEAGUE of California. As I understand, from reading the amendment, the gentleman is talking about average net income.

Mr. FINDLEY. Average annual net income.

Mr. TEAGUE of California. Not gross income?

Mr. FINDLEY. Net income.

Mr. TEAGUE of California. Members received a letter from a legislative representative this morning which gave an entirely contrary impression. I want the Members of the House to understand the gentleman is talking about net income from all sources.

Mr. FINDLEY. I thank the gentleman for his clarification.

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

Mr. Chairman, this is not an income supplement program. It is a conservation, environmental program. It gives the farmer nothing. Indeed it requires him to spend about \$2 for every \$1 the Government puts in. If it is desirable to save money that would otherwise be expended to improve the waters in a given stream because one man who lives on it makes \$10,000 per year, we should simply say that we will save all of the money—and I wonder if that is not the real purpose of the amendment.

This is a program that applies equally across the board and tries to improve the quality of the environment in every stream. It tries to improve the quality of all our air, tries to improve the quality of our environment everywhere regardless of who lives up the stream and who does not.

The amendment would say that if my friend from Illinois, with an income of more than \$40,000, lived on the stream, he could receive no assistance for improving the quality of the water in that stream, and the public, not he, would suffer.

All we would be achieving with this would be to make the public bear the burden of those who need a little incentive to induce them to get into the pro-

gram. It is human nature to need that incentive, even though it is only \$239 per individual. That was the average payment last year.

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

Mr. POAGE. I yield to the gentleman from Illinois.

Mr. FINDLEY. I thank the gentleman for yielding. I believe his summary is correct.

There is the implication that the stream improvement and the soil improvement will not be done simply because cost sharing is not available. Most farmers already pay for all of these conservation practices themselves, and I think we should require that all persons of substantial means pay the full freight themselves.

Mr. POAGE. The chairman not only left the impression, he said it, because the gentleman knows as well as I do that it takes this little inducement to get people started doing these things, and we will do a hundred times more of this work when we have this little amount of \$239 than we did without any program.

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

We have restored this program 18 times. This year is the first time the agricultural conservation program, so strongly supported by the people's branch, the Congress, has been canceled after the Congress acted. We in the Congress provided for a \$225 million program, \$35,000,000 for antipollution-type practices and September 29, 1972, the Secretary of Agriculture, acting with the knowledge of the Office of Management and Budget, committed the Department of Agriculture to an initial \$140 million program, sending notice to the press and to the people. Notwithstanding the fact that the Federal Government's word was given and the people in many areas accepted the offer, we now find the Secretary—at the direction of the Office of Management and Budget—has backed out on his own commitment. In taking this action the Secretary of Agriculture has turned his back on the more than 1 million Americans from all over the United States who each year have put up their money and their labor to save the lands and natural resources for future generations.

The Federal Government now provides only a 30-percent payment of the cost.

Where else will you find 1 million Americans putting up 70 percent of the cost necessary to care for millions of acres of land?

Where else will you find a program which has provided over 2 million water storage reservoirs, without which our beef shortage would be twice as bad?

Where else will you find a program that has provided terraces to control soil erosion on over 32 million acres of land?

Where else can we find any group that has established wind or water erosion control, thus conserving water on 114 million acres?

Where else is there any program or any hope for any program that would control erosion on ranch and pasturage lands to increase our beef supply on more than 62 million acres?

The ACP participants have provided millions of other worthwhile conservation measures, too numerous to mention here.

And on all this, the landowner, the person who holds the land in stewardship for unborn generations, has provided about two-thirds of the cost.

In canceling this program we will lose hundreds of soil technicians and the Secretary loses, too, for not only has he gone back on his word, publicly given just before the election, but by his cancellation he will set in motion the destruction of the soil of our country and would lead us on the way to conditions now suffered by much of India, China and other worn-out areas of the world.

We are dependent upon the President to give relief, for he has the power to direct the Office of Management and Budget and Secretary Butz to cancel this order and restore this program. We must also call on the President to direct the Secretary of Agriculture to reinstate grants for rural water and sewage systems. This program, such an outstanding success for the last 4 years, offers by far the most effective tool for enabling our people to be happy in rural areas, thereby relieving much of the undue pressure on our overcrowded and deeply troubled cities at a minimum of cost.

Mr. Chairman, with our three equal and coordinate branches of Government, legislative, executive, and judicial, each branch and the people of the Nation are dependent upon a comity of understanding between the branches, each acknowledging the rights and responsibility of the other. Some may point out that the Congress could retaliate by withholding appropriations desired by the President, including even those for the operation of his own department. Any such course should not even be thought of, for if each branch sets out to block the other, we would have a complete breakdown of Government.

For these and other reasons, I firmly believe that where and when the President differs with the actions of the legislative branch, either on appropriations or the formulating of programs such as the agricultural conservation program, he should either veto the entire bill, as provided by the Constitution, or at least send the objected-to part back to the Congress for reaffirmation or rejection and abide by the result. To do otherwise is to go contrary to the intent of the Constitution.

Until such an understanding is reached, the whole country will suffer as we do here, unless we can get the President to direct a cancellation of Secretary Butz' order setting aside the action of Congress and canceling his own announcement.

Mr. Chairman, I am glad to know the Secretary of Agriculture has at least announced some program of loans for crop production in disaster areas, so vital if we are to keep the cost of living down and keep our farmers from bankruptcy. The Secretary has also acknowledged that under existing law he could make 2-percent money available for REA loans in hardship cases. It is to be hoped that in

proper cases the Secretary will act under this law.

The more serious our problems, the greater our fiscal situation, the more imperative it is that we take care of the land, for it is on this that all else depends. We could leave to our children all the money in the world and a worn-out land, and we would in effect leave them nothing. On the other hand, if we leave them a rich land with soil erosion stopped, with rivers and harbors free of pollution and our hillsides once again in trees, they will make it fine whatever our financial plight, for if necessary they could establish their own financial system.

If we fail to get this message across to the President, truly we will be on the road to ruin.

Mr. GERALD R. FORD. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, although I am going to vote for the Findley amendment, I would like to make a few broader comments concerning the bill and the overall fiscal situation.

Obviously I am going to vote against the committee bill. However, to understand why I think we have to go back and take a look at some history of the long-standing fight over the \$250 billion spending limitation for fiscal year 1973.

Those of us who were here in the waning days of the last session know a controversial, complicated fight was made in the House of Representatives to impose a \$250 billion spending limitation on the budget for fiscal year 1973. We passed it twice, if my memory serves me correctly. The other body went through the motions of passing one, but they had so many holes in it that for all intents and purposes it was a leaky sieve.

The arguments that were made against a congressionally imposed \$250 billion ceiling that came up during the debate were the arguments that if the Congress did this, we were abdicating our authority and turning that spending responsibility over to the President. There were arguments of that nature made by people on this side of the aisle and to some extent on the other side of the aisle. Nevertheless, a fairly substantial majority of the House voted to impose that ceiling.

I did not like to impose the arbitrary ceiling, but I was willing to, for a limited period of time, until next June 30. I made this concession to Presidential authority to give up my congressional prerogatives because we were facing then a fiscal crisis; and, ladies and gentlemen of this body, we face a more critical crisis today.

The Senate did not act in the last Congress, so the President, cognizant of this fiscal crisis, which has gotten worse and not better, has taken the bull by the horns and has made reductions in the spending for the remainder of this fiscal year. As a matter of fact, he is in effect withholding approximately \$11 billion in spending in this fiscal year over and above spending that he could spend, if he so desired, under either authorizations or appropriations approved by this Con-

gress. However, he has taken the bit in his teeth and said, "We as a Government will not spend more than \$250 billion."

The CHAIRMAN. The time of the gentleman has expired.

(By unanimous consent, Mr. GERALD R. FORD was allowed to proceed for 5 additional minutes.)

Mr. GERALD R. FORD. The President was faced with no other alternative. The Congress would not act. The House did, but the other body did not. So he has no choice if he is going to preclude the possibility of a tax increase or accelerated inflation.

Now, I cannot understand why the Congress, if it would not act itself to make sufficient reductions, is objecting to the President making those reductions. As I look down the legislative road between now and June 30, at the end of the fiscal year, I know of no legislation, either authorization or appropriation, that is going to cut 1 penny out of the spending. Is there? Can anybody tell me of any bill, either an authorization or a spending bill, that is going to save \$1 in spending between now and June 30?

Therefore, the President has to act.

And it amazes me that the only actions to be taken by this Congress between now and June 30 will be to increase spending, to complicate the problem, and not to help it.

Therefore, with this bill as a precedent, we are going to get deeper and deeper into the mire of fiscal irresponsibility.

I not only hope the President will veto it, I have good reason to believe that he will veto it, and I have enough respect for the responsibility and good sense of this body that we will sustain that veto. And the President can go to the American people and say, "I did my best. Thank goodness, I have had some stouthearted men in the House of Representatives who stood up with me to keep us from having a tax increase or increased inflation."

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

Mr. Chairman, the remarks of the distinguished minority leader sound real good until you start to analyze them.

This is the President who wants to save money. He is very selective, however, about where he saves it. He is coming in with a budget for foreign aid which will be about \$2.3 billion more than this spendthrift Congress that the gentleman was talking about gave him last year, but he is going to take away from the farmers this program which has helped a lot of people in a lot of conservation practices.

Then the gentleman from Illinois comes along with an amendment for anyone who makes over \$10,000. Well, I am for some kind of a ceiling on it, but that seems to me to be kind of a narrow one because, supposing that a committee comes in and wants a farmer to build a pond to stop erosion on the land on down the stream, are you going to say that a man with \$10,000 is going to put out \$4,000 of his own money that year to build a pond? He might put out \$2,000 if the Government will put out the rest; he would have to put up that much.

But I think if you are going to talk about spendthrift, my dear friend, you had better really get your priorities lined up.

You know, the President has intimated that he wants—and in leadership meetings he has outrightly said, I am told—that he wants a billion dollars in aid for North Vietnam next year, but that we do not have any money for hospital rooms, that we have overproduced to supply hospital rooms. Well, I do not know anything about the rest of you, but I can take anyone who wants to go, whether it be the President, to two or three hospitals in my district on any given day that he picks, unannounced, and if he cannot find 30, 40, or 50 people living in the halls because there are not enough rooms, then I will vote for any program he asks me to the next 2 years.

You know, the whole trouble is—and I supported the President when it was unpopular to do so around here on some of his things such as on Vietnam, and against some of the people in my own party, but I do not have any mandate to support him on everything. I think he has gotten some bad advice. He had a former Budget Director that I do not believe ever accomplished very much in this world, and he has got one now who took a big corporation and ran it into bankruptcy. So I think it might be better for him to take some advice from some of the Members of the Congress who are home every weekend, and who know what is going on.

I think the people want some economy in Government, but I do not think they want to double foreign aid, and I do not think they want to add \$5 billion to the budget of the Pentagon—and that is what the President is proposing in his budget.

And if you think this is such a great campaign issue I will take you to the mat in 2 years about it, because you know the old saying that Abraham Lincoln is supposed to have said, that you can fool some of the people some of the time, but you cannot fool all of the people all of the time, has been changed. This election now tells us, "You cannot fool very many of the people any of the time." If you think you can take this phony issue of the economy and let the President select the programs he is going to put out of business and the programs he is going to increase, forget about it, because people are not that stupid. They are going to be able to sort this one out.

If the Members think this is such a great campaign issue, I will be prepared to debate it with them in any district in any place in the United States at any time in the fall of 1974.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois (Mr. FINDLEY).

The question was taken; and the Chairman announced that the yeas appeared to have it.

RECORDED VOTE

Mr. FINDLEY. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—yeas 132, nays 260, not voting 39, as follows:

[Roll No. 16]

YEAS—132

Adams	Goldwater	O'Brien
Anderson, Ill.	Goodling	Parris
Archer	Gross	Powell, Ohio
Arends	Grover	Pritchard
Armstrong	Gubser	Railsback
Ashbrook	Gude	Regula
Bennett	Guyer	Rinaldo
Blester	Hastings	Robison, N.Y.
Blackburn	Hechler, W. Va.	Rogers
Bray	Heckler, Mass.	Roncallo, N.Y.
Broomfield	Heinz	Rousselot
Brotzman	Hillis	Ruppe
Brown, Ohio	Hinshaw	Sandman
Broyhill, Va.	Hogan	Sarasin
Buchanan	Holt	Saylor
Burgener	Horton	Scherle
Clancy	Hosmer	Schneebeil
Clawson, Del.	Hudnut	Schroeder
Cleveland	Hunt	Shoup
Cohen	Hutchinson	Shuster
Collier	Johnson, Colo.	Smith, N.Y.
Collins	Johnson, Pa.	Snyder
Conable	Keating	Stanton
Conlan	Kemp	J. William
Conte	Latta	Steelman
Conyers	Lent	Stratton
Coughlin	Lujan	Talcott
Crane	McClory	Teague, Calif.
Cronin	McCloskey	Treen
Dellenback	McEwen	Ullman
Dennis	McKinney	Van Deerlin
Devine	Macdonald	Walsh
Dickinson	Madigan	Ware
Dulski	Mailliard	Whitehurst
du Pont	Maraziti	Wiggins
Erlenborn	Martin, N.C.	Williams
Eshleman	Mathias, Calif.	Wilson, Bob
Findley	Mayne	Wyatt
Fish	Michel	Wylder
Ford, Gerald R.	Millard	Wyllie
Forsythe	Miller	Young, Fla.
Frenzel	Minshall, Ohio	Young, Ill.
Freehlich	Moorhead,	Young, S.C.
Gilman	Calif.	Zion
	Nelsen	

NAYS—260

Abdnor	Daniel, Dan	Hamilton
Abzug	Daniel, Robert	Hammer-
Alexander	W., Jr.	schmidt
Anderson,	Daniels,	Hanley
Calif.	Dominick V.	Hanna
Andrews,	Danielson	Hanrahan
N. Dak.	Davis, Ga.	Hansen, Idaho
Annunzio	Davis, S.C.	Hansen, Wash.
Ashley	de la Garza	Harrington
Aspin	Delaney	Harsha
Bafalis	Dellums	Hawkins
Baker	Denholm	Hays
Barrett	Dent	Hébert
Beard	Diggs	Helstoski
Bergland	Dingell	Henderson
Bingham	Donohue	Hicks
Blatnik	Dorn	Hollifield
Boland	Downing	Holtzman
Bolling	Drinan	Howard
Bowen	Duncan	Huber
Brademas	Eckhardt	Hungate
Brasco	Edwards, Calif.	Ichord
Breaux	Eilberg	Johnson, Calif.
Breckinridge	Evans, Colo.	Jones, Ala.
Brinkley	Evins, Tenn.	Jones, N.C.
Brooks	Fascell	Jones, Okla.
Brown, Calif.	Fisher	Jones, Tenn.
Brown, Mich.	Flood	Jordan
Broyhill, N.C.	Flowers	Karth
Burke, Calif.	Flynt	Kastenmeier
Burke, Mass.	Foley	Kazen
Burleson, Tex.	Ford,	Kelchum
Burlison, Mo.	William D.	Kluczynski
Burton	Fountain	Kuykendall
Butler	Fraser	Landgrebe
Byron	Fulton	Landrum
Camp	Fuqua	Leggett
Carney, Ohio	Gaydos	Lehman
Carter	Gettys	Littin
Casey, Tex.	Gialmo	Long, La.
Cederberg	Gibbons	Lott
Chappell	Ginn	McCollister
Chisholm	Gonzalez	McCormack
Clark	Grasso	McDade
Clausen,	Gray	McFall
Don H.	Green, Oreg.	McSpadden
Clay	Green, Pa.	Madden
Cochran	Griffiths	Mahon
Corman	Gunter	Mallory
Culver	Haley	Mann

Mathis, Ga.	Quie	Steiger, Wis.
Matsunaga	Quillen	Stephens
Mazzoli	Randall	Stubblefield
Meeds	Rangel	Stuckey
Melcher	Rarick	Studds
Metcalfe	Rees	Sullivan
Mezvinsky	Reuss	Symington
Mills, Md.	Rhodes	Symms
Minish	Riegle	Taylor, Mo.
Mink	Roberts	Taylor, N.C.
Mitchell, Md.	Robinson, Va.	Teague, Tex.
Mitchell, N.Y.	Rodino	Thompson, N.J.
Mizell	Roe	Thomson, Wis.
Moakley	Roncallo, Wyo.	Thone
Mollohan	Rooney, Pa.	Thornton
Montgomery	Rose	Tiernan
Moorhead, Pa.	Rosenthal	Towell, Nev.
Morgan	Rostenkowski	Udall
Mosher	Roush	Vanik
Moss	Roy	Veysey
Murphy, Ill.	Runnels	Vigorito
Murphy, N.Y.	Ruth	Waggonner
Natcher	Ryan	Wampler
Nichols	St Germain	Whalen
Nix	Sarbanes	White
Obey	Sebellus	Whitten
O'Hara	Seiberling	Widnall
O'Neill	Shipley	Wilson,
Owens	Shriver	Charles, Tex.
Passman	Sikes	Winn
Patman	Sisk	Wolff
Pepper	Skubitz	Wright
Perkins	Slack	Wyman
Peyser	Smith, Iowa	Yates
Pickle	Spence	Yatron
Pike	Staggers	Young, Ga.
Poage	Stanton,	Young, Tex.
Podell	James V.	Zablocki
Preyer	Stark	Zwach
Price, Ill.	Steele	

NOT VOTING—39

Addabbo	Frey	Price, Tex.
Andrews, N.C.	Harvey	Reid
Badillo	Jarman	Rooney, N.Y.
Bell	King	Roybal
Bevill	Koch	Satterfield
Biaggi	Kyros	Steed
Burke, Fla.	Long, Md.	Steiger, Ariz.
Carey, N.Y.	Martin, Nebr.	Stokes
Chamberlain	McKay	Vander Jagt
Davis, Wis.	Mills, Ark.	Waldie
Derwinski	Myers	Wilson,
Edwards, Ala.	Nedzi	Charles H.,
Esch	Patten	Calif.
Frelinghuysen	Pettis	

So the amendment was rejected.

AMENDMENT OFFERED BY MR. QUIE

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

The Clerk read as follows:

Amendment offered by Mr. QUIE: After line 11, insert the following—

"Sec. 2. Section 8(b) of such Act is further amended by adding at the end thereof the following new sentence: 'None of the funds provided pursuant to this Act shall be used for any cost-sharing practice for the primary purpose of which the Secretary finds to be the increase of commodity production.'"

Mr. QUIE. Mr. Chairman, I just want to say that both the President and the committee, I believe, are wrong.

I believe the President was wrong in cutting back a program which has many cost-sharing practices that provide for the conservation of land, and when a commitment had been made to the American farmers that the program was going to last through this year. I believe he is also wrong in indicating he will not operate the program next year under his new budget for 1974.

We have heard a number of speakers here say how important conservation of land is. Some of these cost-sharing practices are conserving land and water, and must be continued.

However, I believe the committee is wrong in mandating the expenditure of funds for practices that, any way one looks at them, have a primary purpose to increase production.

What sense does that make now, at this time when we are in a fiscal crisis, to have programs operating where we pay to increase production while at the same time we will be running programs to cut production? That does not make sense at all.

We are talking about limestone on the land. We have to use it in my congressional district.

I might say, as a farmer myself, since I have been in the Congress I have not taken any payments in what was known as the ACP and now is known as REAP, but I know my neighbors do it and use the money well.

However, the limestone has value for 10 years, and that means that the increase in fertility is used for soil-depleting crops as well as soil-conserving crops.

Now, Mr. Chairman, there are other things like drainage and irrigation that I think the farmers would be willing to forgo as far as Federal payments are concerned until we get our own fiscal matters under control. They know this situation better than anyone else in the country. They have had some real tough times through the years, as we know, and they recognize what the Federal Government is facing.

But I think they need to have that incentive of cost sharing for true conservation practices that hold the soil on the land and to provide for the pollution control practices that are now demanded. These are enormously expensive burdens on the farmer, and the results are of benefit primarily to the nonfarmer, and, therefore, we ought to continue this program.

Mr. Chairman, I think we ought to make it very certain that we do not mean just for this year, but for the years hereafter as well.

But I think this Congress is mistaken if it now also says that we must continue to make those payments for practices that increase production, that are primarily a benefit for the farmer himself, to increase his own income, and here I would expect the farmers not to demand that action on our part.

If we adopt this amendment and pass the legislation, I must say to the Members that I am going to support the legislation. This is not any effort on my part to try to kill the legislation or weaken it, but, I believe, to strengthen it.

Mr. Chairman, I think this would greatly enhance the legislation and it would remove those practices where, if we had the money and the means to do it, we would help the farmer and increase his income, but at this time and in this way we would remove those practices that make the whole program questionable.

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

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

Mr. RAILSBACK. Mr. Chairman, I want to thank the gentleman for yielding, and to commend the gentleman for what I think is a wise decision: to go after those aspects of the REAP program that merely increase production and are not in any sense of the word aimed at long-range conservation.

Mr. Chairman, I also want to point this out:

In total, ASCS figures indicate that only 13 percent of all REAP expenditures are devoted to high-priority programs with clear long-term conservation or antipollution benefits to the broad public. By contrast, according to the ASCS, up to double that proportion of funding is probably used for the purchase of limestone, which obviously improves yields and soil fertility but which can hardly be used for conservation practices. Farmers would not refrain from using limestone in the absence of subsidies.

There was a GAO report issued in February of 1972. That report supported this criticism by detailing a large number of instances where funds were used for distinctly nonenvironmental practices. They were classified as those of insignificant conservation value and those yielding immediate benefits to the farmers.

Mr. Chairman, if I may just say one other thing, last weekend I met with many farmers in my district. They are very much aware of the need to hold spending down. They want to hold the budget down to the \$250 billion figure. Therefore, they clearly differentiate between long-term conservation practices as part of the REAP program and those that are nothing more than programs to increase production.

Mr. QUIE. Mr. Chairman, that is what I was saying. In reply to the gentleman, I believe the 13 percent referred to is way too low. I think at least 65 percent of the production is really for long-range conservation practice.

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

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

Mr. FISH. I thank the gentleman for yielding.

Mr. Chairman, I commend the gentleman from Minnesota for offering his amendment which gives the House an opportunity to consider priorities as we legislate.

REAP began as the agricultural conservation program in 1936. It was conceived as a program to encourage good conservation practices and to control erosion. Twenty percent of the farms in this country now participate on a cost-sharing basis, and the average share of the participants is \$239 per year—with a \$2,500 payment maximum. But the fact is that many of the practices now partially financed under this program—that is liming, tiling, fertilization, and drainage—no longer demand this cost-sharing incentive. Rather, they are good farming practices designed to increase productivity. They pay dividends to those who utilize them. Farmers would do these things without any incentive. The taxpayer should not bear this cost.

Soil and water conservation practices encouraged by Federal cost sharing ought to be just that—for conservation. They should not be those annual practices the primary objectives of which are to increase production. Rather, Federal incentives should be reserved for those

long-term practices that farmers ordinarily would not undertake and that would substantially and beneficially affect the environment of all of us. It is with genuine pollution prevention, enduring conservation, and environmental enhancement that the real public interest becomes involved.

Mr. Chairman, REAP, which has long needed constructive overhaul, is receiving it today. The amendment of the gentleman from Minnesota (Mr. QUIE) tailors REAP into a truly constructive conservation program. I could support continued funding of a cost-sharing conservation program stripped of indefensible and wasteful provisions as advocated by the gentleman's amendment.

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

Mr. Chairman, I am not sure whether I should welcome the former member of our committee as a pinch-hitter or as a relief pitcher, but in either capacity we are always delighted to work with him. I would, however, call attention to the fact that this is now the "Quie amendment," and up to 5 minutes ago it was the "Findley amendment." It was offered in the committee by the gentleman from Illinois, and it has been circulated today as the product of the gentleman from Illinois. I would not want to wish the gentleman from Minnesota any better luck than I would wish the gentleman from Illinois, but I wonder why the change of quarterbacks at this time.

I do not want to involve myself in the dragging of a red herring across the field in regard to the use of lime. I think lime has its purposes. There are those who have sought to make it a whipping boy, but I would call attention to this amendment just like some of the other amendments that have been offered this afternoon and to the fact that it opens the door wide in that no one knows just what its intention is.

This amendment is pretty clear until it gets to the last line where it provides that the Secretary shall not make any payments for any practices whose primary purpose the Secretary finds to be the increase of production.

Well, that sounds pretty good, but what can the Secretary find? There are no requirements whatever and absolutely no guidelines. The Secretary can find that any practice in the world is intended to increase production, because I do not know of any that would not increase production. The program does increase production; all of these practices do.

It goes right back, my friends, to just what they have been trying to do all afternoon, that is, place back in the hands of the Secretary of Agriculture the absolute, unlimited authority to kill the program at any time he wants to. I do not believe the committee wants to do that. I do not believe the gentleman from Minnesota wants to do that. I think he was handed an amendment he had not read and did not know what was in it.

Mr. QUIE. Will the gentleman yield?

Mr. POAGE. Of course I yield to the gentleman.

Mr. QUIE. I am sorry. I hoped I would not have to react to your statement that this is a Findley amendment, but I had prepared an amendment before I came over here on this purpose, and the gentleman from Illinois decided not to offer his, so I thought it was the best amendment of all he had.

Mr. POAGE. You did not offer the amendment that you prepared, though, but you offered the one that Mr. FINDLEY had prepared?

Mr. QUIE. I did not want to single out one thing, and I do not think you ought to single out one commodity, so I crossed it out. It just referred to any practice the primary purpose of which is to increase commodity production, because that is really the issue now.

You see, Mr. Chairman, you give the Secretary this discretion. He has the discretion now to work out the practices so that they will provide for this on a national basis and then submit them and the States can select theirs and the counties can select theirs.

I cannot understand why the Secretary in the first place did not cut out these practices that are questionable rather than coming in and cutting out the whole program.

Mr. POAGE. I will simply call the attention of the membership that this amendment does in fact raise the question as to whether the Secretary will have the right to destroy the program with the help of this amendment. I think that is sufficient to make us understand it would be a dangerous thing to pass.

Mr. SEIBERLING. Will the gentleman yield for a question?

Mr. POAGE. Certainly.

Mr. SEIBERLING. Is it correct to say that this program does not cover all kinds of chemical fertilizers but merely additives to the soil to restore it to its natural productivity?

Mr. POAGE. That is correct. And that carried through the whole thing with or without adding lime.

Mr. SEIBERLING. So this is a question as to whether or not we will restore the soil to its original productivity and not augment it?

Mr. POAGE. That is right.

Mr. SEIBERLING. I thank you.

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

Mr. Chairman, I happen to be from an overwhelmingly urban district. I notice some of my brethren from similar districts are inclined to vote against this bill. I want to point out a few things that I think have great bearing on Congressmen whose primary interest is in the consumers of agricultural products.

To the extent that we make the soil more productive we enable the farmers to catch up with the mounting shortage of certain agricultural products, particularly grain, which we have all been talking about now for months, and which is driving up the prices on consumer products. So this is not just a bill to help the farmers, but it is a bill to help the consumers, and help keep the price of food products down.

There is another aspect to this. I happen to come from a State bordering

on a lake which is threatened with extinction, Lake Erie. The situation is so serious that the city of Akron, Ohio, has just put an absolute ban on phosphates in detergents, so the housewife can no longer use them to do her laundry. The funds for building of proper sewage and water treatment plants that will take care of the phosphates—funds that the President has also impounded—would help this situation. But that is only part of the problem. It so happens that a major cause of eutrophication of Lake Erie is agricultural runoff. To the extent that we help and we encourage the farmers in the use of contour planting and contour plowing and other conservation practices that lessen runoff of agricultural chemicals, we are going to help prevent the pollution of this great water resource in Ohio. And I am sure the same is true in a lot of other areas in this country.

So this is a conservation bill. It is a consumer-oriented bill. It is not just a boondoggle for the farmers. I feel strongly that we have to take another look at price supports, and planting controls, for example—and the Chairman of the Committee probably will not agree with me on that—but that is not the bill before us. It is the very opposite of legislation which would raise prices to the consumer. This is a pro-consumer bill, it is a pro-environment bill, and it is a bill which every Congressman from an urban area ought to support.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota (Mr. QUIGLEY).

The amendment was rejected.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. CHAIMO, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H.R. 2107) to require the Secretary of Agriculture to carry out a rural environmental assistance program, pursuant to House Resolution 188, he reported the bill back to the House.

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

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

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

MOTION TO RECOMMIT OFFERED BY MR. TEAGUE OF CALIFORNIA

Mr. TEAGUE of California. Mr. Speaker, I offer a motion to recommit. The SPEAKER. Is the gentleman opposed to the bill?

Mr. TEAGUE of California. I am, Mr. Speaker.

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

The Clerk read as follows:

Mr. TEAGUE of California moves to recommit the bill H.R. 2107 to the Committee on Agriculture.

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

There was no objection.

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

The motion to recommit was rejected.

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

Mr. GERALD R. FORD. 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 251, nays 142, not voting 38, as follows:

[Roll No. 17]

YEAS—251

Abdnor	Gibbons	Patman
Abzug	Ginn	Pepper
Adams	Gonzalez	Perkins
Alexander	Grasso	Pickle
Anderson, Calif.	Gray	Poage
Andrews, N. Dak.	Green, Oreg.	Podell
Annunzio	Green, Pa.	Preyer
Aspin	Gude	Price, Ill.
Barrett	Gunter	Quile
Beard	Hamilton	Quillen
Bergland	Hammer	Railsback
Bingham	schmidt	Randall
Blatnik	Hanley	Rangel
Boland	Hanna	Rarick
Bolling	Hansen, Idaho	Reid
Bowen	Hansen, Wash.	Reuss
Brademas	Harrington	Riegle
Brasco	Harsha	Roberts
Breaux	Hastings	Robinson, Va.
Breckinridge	Hawkins	Rodino
Brinkley	Hays	Roncallo, Wyo.
Brooks	Hebert	Rooney, Pa.
Brown, Calif.	Hechler, W. Va.	Rose
Burke, Calif.	Helstoski	Rosenthal
Burke, Mass.	Henderson	Roush
Burleson, Tex.	Hicks	Roy
Burlison, Mo.	Holifield	Runnels
Burton	Holtzman	St Germain
Butler	Howard	Sarbanes
Byron	Hungate	Saylor
Camp	Ichord	Scherle
Carney, Ohio	Johnson, Calif.	Schroeder
Carter	Johnson, Colo.	Sebelius
Casey, Tex.	Johnson, Pa.	Seiberling
Chappell	Jones, Ala.	Shipey
Chisholm	Jones, N.C.	Shoup
Clark	Jones, Okla.	Shriver
Clausen.	Jones, Tenn.	Sikes
Don H.	Jordan	Sisk
Clay	Karth	Skubitz
Cleveland	Kastenmeier	Slack
Cochran	Kazen	Smith, Iowa
Cohen	Kluczynski	Spence
Conte	Landrum	Staggers
Culver	Leggett	Stanton
Daniel, Robert W., Jr.	Lehman	James V.
Daniel, Dan	Litton	Stark
Daniels	Long, La.	Steiger, Wis.
Dominick V.	Long, Md.	Stevens
Danielson	Lott	Stubblefield
Davis, Ga.	McCloskey	Stuckey
Davis, S.C.	McCollister	Studds
de la Garza	McCormack	Sullivan
Dellums	McDade	Symington
Denholm	McFall	Taylor, Mo.
Dent	McSpadden	Taylor, N.C.
Diggs	Macdonald	Teague, Tex.
Dingell	Madden	Thompson, N.J.
Donohue	Mahon	Thomson, Wis.
Dorn	Mann	Thone
Downing	Mathis, Ga.	Thornton
Drinan	Matsunaga	Tiernan
Dulski	Mayne	Udall
Duncan	Meeds	Ullman
Eckhardt	Melcher	Van Deerlin
Edwards, Calif.	Metcalfe	Vigorito
Ellberg	Mezvisky	Waggonner
Eshleman	Millard	Walsh
Evans, Colo.	Miller	Wampler
Evins, Tenn.	Mink	White
Fascell	Mitchell, Md.	Whitten
Fisher	Mitchell, N.Y.	Wilson,
Flood	Moakley	Charles H., Calif.
Flowers	Mollohan	Wilson,
Flynt	Montgomery	Charles, Tex.
Ford,	Moorhead, Pa.	
William D.	Morgan	
Fountain	Moss	
Fraser	Murphy, Ill.	
Froehlich	Murphy, N.Y.	
Fulton	Natcher	
Fuqua	Nichols	
Gaydos	Nix	
Gettys	Obey	
Gialmo	O'Hara	
	O'Neill	
	Owens	
	Passman	

NAYS—142

Anderson, Ill.	Goodling	Parris
Archer	Griffiths	Peyser
Arends	Gross	Pike
Armstrong	Grover	Powell, Ohio
Ashbrook	Gubser	Pritchard
Ashley	Guyer	Rees
Bafalis	Haley	Regula
Baker	Hanrahan	Rhodes
Bennett	Heckler, Mass.	Rinaldo
Bieber	Heinz	Robison, N.Y.
Blackburn	Hillis	Roe
Bray	Hinshaw	Rogers
Broomfield	Hogan	Roncallo, N.Y.
Brotzman	Holt	Rostenkowski
Brown, Mich.	Horton	Roussellot
Brown, Ohio	Hosmer	Ruppe
Broyhill, N.C.	Huber	Ruth
Broyhill, Va.	Hudnut	Sandman
Buchanan	Hunt	Sarasin
Burgener	Hutchinson	Schneebeli
Cederberg	Keating	Shuster
Clancy	Kemp	Smith, N.Y.
Clawson, Del.	Ketchum	Snyder
Collier	Kuykendall	Stanton,
Collins	Landgrebe	J. William
Conable	Latta	Steele
Conlan	Lent	Steeleman
Conyers	Lujan	Stratton
Corman	McClary	Symms
Cotter	McEwen	Talcott
Coughlin	McKinney	Teague, Calif.
Crane	Madigan	Towell, Nev.
Cronin	Mailliard	Treen
Delaney	Mallory	Vanik
Dellenback	Maraziti	Vessey
Dennis	Martin, N.C.	Ware
Devine	Mathias, Calif.	Whalen
Dickinson	Mazzoli	Whitehurst
du Pont	Michel	Widnall
Erlenborn	Mills, Md.	Wiggins
Findley	Minish	Williams
Fish	Minshall, Ohio	Wilson, Bob
Foley	Mizell	Wolf
Ford, Gerald R.	Moorhead,	Wyder
Forsythe	Calif.	Wyllie
Frenzel	Mosher	Yates
Gilman	Nelsen	Young, Fla.
Goldwater	O'Brien	Young, Ill.

NOT VOTING—38

Addabbo	Frelinghuysen	Pettis
Andrews, N.C.	Frey	Price, Tex.
Badillo	Harvey	Rooney, N.Y.
Bell	Jarman	Roybal
Bevill	King	Ryan
Biaggi	Koch	Satterfield
Burke, Fla.	Kyros	Steed
Carey, N.Y.	McKay	Steiger, Ariz.
Chamberlain	Martin, Nebr.	Stokes
Davis, Wis.	Mills, Ark.	Vander Jagt
Derwinski	Myers	Waldie
Edwards, Ala.	Nedzi	Wyatt
Esch	Patten	

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. King for, with Mr. Steiger of Arizona against.

Mr. Price of Texas for, with Mr. Frelinghuysen against.

Mr. Esch for, with Mr. Derwinski against.

Until further notice:

Mr. Rooney of New York with Mr. Wyatt.

Mr. Addabbo with Mr. Frey.

Mr. Bevill with Mr. Chamberlain.

Mr. Kyros with Mr. Burke of Florida.

Mr. Nedzi with Mr. Harvey.

Mr. Stokes with Mr. Ryan.

Mr. Waldie with Mr. Bell.

Mr. Badillo with Mr. Andrews of North Carolina.

Mr. Biaggi with Mr. Myers.

Mr. Koch with Mr. Vander Jagt.

Mr. Carey of New York with Mr. Pettis.

Mr. Jarman with Mr. Davis of Wisconsin.

Mr. McKay with Mr. Edwards of Alabama.

Mr. Patten with Mr. Martin of Nebraska.

Mr. Mills of Arkansas with Mr. Roybal.

Mr. Steed with Mr. Satterfield.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. POAGE. 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, H.R. 2107.

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

There was no objection.

APPOINTMENT AS MEMBERS OF NATIONAL COMMISSION ON INDIVIDUAL RIGHTS

The SPEAKER. Pursuant to the provisions of section 1202, title 12, Public Law 91-452, the Chair appoints as members of the National Commission on Individual Rights the following Members on the part of the House: Mr. KASTENMEIER, of Wisconsin; Mr. EDWARDS of California; Mr. HUTCHINSON, of Michigan; and Mr. SANDMAN, of New Jersey.

APPOINTMENT AS MEMBERS OF THE COMMISSION ON HIGHWAY BEAUTIFICATION

The SPEAKER. Pursuant to the provisions of section 123(a), Public Law 91-605, the Chair appoints as members of the Commission on Highway Beautification the following Members on the part of the House: Mr. WRIGHT, of Texas; Mr. GRAY, of Illinois; Mr. DON H. CLAUSEN of California; and Mr. SNYDER, of Kentucky.

DESIGNATING THE MANNED SPACECRAFT CENTER, HOUSTON, TEX., AS THE "LYNDON B. JOHNSON SPACE CENTER"

Mr. TEAGUE of Texas. Mr. Speaker, I ask unanimous consent for the immediate consideration of the Senate joint resolution (S.J. Res. 37) to designate the Manned Spacecraft Center in Houston, Tex., as the "Lyndon B. Johnson Space Center" in honor of the late President.

The Clerk read the title of the Senate joint resolution.

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

There was no objection.

The Clerk read the Senate joint resolution, as follows:

S.J. Res. 37

Whereas President Lyndon B. Johnson was one of the first of our national leaders to recognize the long-range benefits of an intensive space exploration effort; and

Whereas President Johnson, as Senate majority leader, established and served as Chairman of the Special Committee on Space and Astronautics which gave the initial direction to the United States space effort; and

Whereas President Johnson, as Vice President of the United States, served as Chairman of the National Aeronautics and Space Council which recommended the goals for the manned space program; and

Whereas President Johnson for five years, as President of the United States, bore ultimate responsibility for the development of the Gemini and Apollo programs which resulted in man's first landing on the moon: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Manned Spacecraft Center, located in Houston, Texas,

is hereby designated as the "Lyndon B. Johnson Space Center", and any reference to such center in any law, regulation, document, record, map, or other paper of the United States shall be deemed a reference to such center as the "Lyndon B. Johnson Space Center".

The Senate joint resolution 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.

PRESSURE OF COMPETITION FROM ABROAD

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

Mr. BROWN of California. Mr. Speaker, many American industries today feel threatened by the pressure of competition from abroad. Among those under this pressure is the steel industry, especially on the west coast, where approximately one-third of all steel purchased is imported.

During a crisis in my own district caused, at least in part, by this problem, a good friend of mine, Dino Papavero, was instrumental in showing that American workers can often contribute more to the solution than management usually assumes. I would like to insert in the RECORD today a recent article by Los Angeles Times labor writer Harry Bernstein, which describes some of the methods used by Dino and his fellow members of United Steelworkers of America Local 2869 in the face of a very difficult situation.

[From the Los Angeles Times, Jan. 26, 1973]
WORKERS GIVEN CHANCE—AND OUTPUT SOARS
(By Harry Bernstein)

The tough corporate decision was finally made in October, and M. J. (Smitty) Smith sent the word down to the workers at Kaiser Steel Co.'s pipe mill at Fontana: "We're going to shut the place down."

"We just told the men the facts of life," plant manager Smith said last week, "and the facts were that the Japanese produce the same high quality steel pipe we make, but they do it a hell of a lot cheaper. We're losing money and the mill had to go."

The decision came as a surprise even though the men in the mill had been hearing rumors of a shutdown for a year or more. They appealed to the company to let them try to save the mill.

Management, while retaining final authority, gave the workers the responsibility for saving the mill.

PRODUCTIVITY JUMPS

Now, three months later, the company reports that there has been a 32.1% increase in productivity, an astonishing figure when it is remembered that 4% to 5% annual increase is regarded as a good average.

What happened in that one segment of Kaiser's giant steel plant in less than 90 days could have an impact on the future of the mill workers and on the careers of the company and union officials who took part in the experiment.

But, more importantly, the experiment could be a microcosm of the nation's broader problems, such as incentives for workers as well as the ability of this country to compete with the ever-increasing flood of imported goods.

"The situation at our CW (continuous weld) pipe mill is just part of the experiment we're trying throughout the whole

plant here at Fontana. Nationally, the nine major steel companies are doing the same kind of experimenting in cooperation with the union," Smith said.

PAST EFFORTS UNFRUITFUL

Past efforts to get mutual cooperation between workers and management in the industry have been unsuccessful, and the Fontana effort may not save the pipe mill. Japanese competition is still highly competitive and the industry and unions say only government help can stem the tide of imported steel.

But everybody involved in the pipe mill's increase in productivity says it has exciting possibilities.

The basic problem is that the Japanese are delivering 2-inch galvanized steel pipe for \$240 a ton, while U.S. steelmakers, including Kaiser, sell it for \$300 a ton. Kaiser says it takes a loss on each ton.

The companies will not say what it costs to make a ton of pipe, and even with a 32.1% productivity increase, it may be economically sensible to Kaiser to close down the mill.

One company official estimated that with the productivity gain, the company will save between \$10 and \$15 a ton, but the resulting profit is not close to the margin steelmen say they need to stay in business.

"The workers came to us and said they wanted to try to run the mill even though our statistics showed it just wasn't economically feasible," Smith said, "and they didn't want any reduction in crew sizes, either."

But "finally we told them, OK, see what you can do."

The spokesmen for the workers was Dino Papavero, president of the AFL-CIO United Steelworkers of America Local 2869, who recently had led a 45-day strike against the company, and Timon (Curley) Covert.

Papavero's role, in addition to handling problems of the entire plant, is to find new ways to sell steel.

Covert, who earns \$12,000 a year as a utility man in another part of the Kaiser plant, is the grievance committeeman for the union in Zone 14 at the plant, of which the CW pipe mill is a part.

Covert, 55, can be eloquent and polite enough to be a speaker at a church supper, but at times he speaks bluntly:

CONFIDENT OF ABILITIES

"I told management, look, we don't believe anybody in the goddamned world can outproduce us. I hear all this bunk about how good they do it in Japan and Germany and we told management to let us try some things."

One of the things, Covert said, is that management has "got to start really listening to the men for a change."

"It was a lot of little things and a few big things, and a change in attitude, but it didn't take long before those damned production figures were leaping up."

"Nobody could believe it. At first, the company guys kept thinking it was all a computer mistake, then they figured it was a one-shot thing, but now they know it's all true."

"I think it is important, I really do."

One of the "little things" which were changed when the workers were given responsibility to run the mill was a pay raise for a key helper on the pipe straightening machine.

"The helper felt he was a nothing. When he was raised up, it really had an impact," Covert said. A few other men received pay hikes to make their earnings comparable with fellow-workers.

Then the workers demanded a new saw. Although skeptical of the request, the company agreed to spend \$125,000 for a new saw.

"It doesn't sound like much, but the men were getting bad cuts with the old saw. Now the pipe ends are not smashed down when

it comes through the hot mill, which means the tools don't get torn up as the pipe is put through facers and threaders," Covert said.

"All of a sudden, we started getting some results when we called on maintenance to get a job done. You didn't put in a request for a job and wait a week. Like right now it was done," he said.

OFFICIAL IMPRESSED

Smith, who became the top man at Fontana four years ago and who is regarded as one of the most knowledgeable men in the industry, is impressed with the changed attitude of the men. Covert agrees that attitudes have changed.

"Look, before, nobody paid any attention to a guy and so he figured why in hell should he pay any attention to the pipe. Nobody cared," Covert contended.

"People finally paid attention to the men, the boss started listening, the man on the next machine started looking around, and pretty soon everybody got into the swing of things."

Covert, Papavero and other union men interviewed at Kaiser were quick to stress that, as Covert said, "we aren't letting the company get away with one, not even one, contract violation. We live by that contract."

Al Chavez, another steelworker, said, "Let's put it like this: We're not fishing buddies with them (management) but if they'll listen, we will, too."

In the pipe mill, the changing uproar is almost ear-splitting as narrow, flat sheets of steel shoot through the white-hot furnace, form into orange-hot pipe, are cut, straightened, faced, threaded and sometimes galvanized all in what is almost a continuous operation.

Reese Johnson momentarily stopped his threading machine to talk with a visitor, but the noise of the other machines still forced him to shout as he explained the productivity increase.

"You just kind of watch things more. If the threads aren't being cut right on one piece, you shut it down and fix it right away. That means one pipe goes back for reprocessing. Guess a few more were going back before we started watching things more," Johnson said.

Now only 9% of the pipes have to be sent back through the system for reprocessing. Three months ago the rate was 29%.

WELDER'S COMMENT

Herbert McFeaters, welder on the hot mill, said the workers are "just running things steadier now. Less delays for down time so the steel keeps flowing at a pretty even rate."

"That means if those guys (in the processing sections) keep their noses clean, the pipe goes out faster. But there is no speedup, believe me."

Papavero, Local 2869 president, guessed that "a way of working can become a way of life. So what if a few pipes do go by. Nobody cares. Management never asked anybody to participate, to involve themselves."

"Besides, when people tell us something is impossible, if we don't think they're out to screw us, then we say the hell it is, and we do it."

The men in the pipe mill all have seniority, so even if the mill closed, they would still be working at Kaiser.

Papavero made certain that almost every other sentence of explanation about the overall Union-Management Productivity Committee was a reiteration of the union's determination not to lose any of its rights.

"There is a lot of apprehension about a speedup. We're not giving up anything, but we're ready to see how to increase productivity without any speedup."

Papavero, 43, who has been working at Kaiser since the age of 17, knows about former steelworkers' union international President David J. McDonald and his hopes

for a "mutual trusteeship" of union and management over the steel industry.

"But somehow it never got off the ground. At Kaiser, it worked for a while with our 'fruits of progress' plan where workers get to share in the savings made by increased productivity, but we never really sat down with management and talked about our problems," Papavero said.

Under the "fruits of progress" plan, workers share in savings made when production costs are reduced.

Kaiser workers make about \$40 a month more than workers doing the same job in other steel plants around the nation, and, according to management and union officials, Kaiser's productivity is generally higher than in other steel plants.

Both sides are now convinced it takes more than just a higher wage to raise production, and that involves cooperation on a variety of ideas.

PLANT ACTIVITY

"In the plant we've got committees of workers and foremen all over the place now—from two to seven people—to look at every thing from sales ideas like using steel instead of concrete for road overpasses and 'Buy American Steel' campaigns to grievances of workers whom management never seemed to hear before," Papavero said.

Similar plant productivity committees are being created in all steel companies under the 1971 basic steel industry-union contract.

I. W. Abel, president of the international union, recently joined R. Heath Larry of United States Steel Corp. to report "substantial progress" in reducing unnecessary absenteeism and achieving "a better understanding among both company and union representatives of the role of plant productivity committees to make the domestic steel industry more competitive against the imports of foreign steel."

But union officials face elections regularly—Papavero and Covert are up for reelection in June—and if the cooperation effort appears to the membership to be a sell-out to management they could lose.

Yet foreign imports last year meant 108,000 fewer U.S. workers were needed in the steel industry, and union members are aware of this.

OTHER INDUSTRIES

The job figures are typical of those in the garment, rubber, electrical and other industries which are at times competition with foreign rivals.

Fewer and fewer U.S. workers are turning out more and more goods. Ten years ago it took 521,000 steel workers to produce 98.3 million tons of steel.

Last year, 487,000 workers were pouring steel at the rate of 120.4 million tons. In other words, 7% fewer workers turned out 18% more steel, primarily because of new techniques and equipment.

In any case, the figures do not indicate that steel workers are loafing more now than in the past. But U.S. needs rose even faster than production, and the slack was taken up by foreigners.

Ten years ago, foreign steel made up only 5.6% of the amount consumed in this country. By last year imports made up 18% of the nation's steel consumption.

WEST COAST IMPORTS

And on the West Coast last year the imported steel was a whopping 38% of the amount bought by those in Kaiser's prime market area.

The nation's top industrialists and union leaders, politicians and financial experts have offered a number of possible solutions.

Some want laws to slow down the flow of imports, others want to stop U.S. conglomerates from exporting capital and American know-how to foreigners who then are in a better position to compete with U.S.-made goods.

All agree on the need to increase productivity, but usually management says workers should work harder to achieve more production while workers say management is just looking for a way to make more profits at their expense.

The experience of workers at Kaiser's pipe mill cannot be duplicated exactly in other mills at Kaiser, or in other plants around the country.

But the steel unions and industry leaders, and rank-and-file workers, are at least talking about ways of cooperating.

And in Kaiser's CW pipe mill, they have astonished even themselves.

Mr. Speaker, in addition to the obvious praise due to the workers at Kaiser, I think management deserves a little credit too. I wish more companies were willing to gamble on the possibility that, just maybe, the workers in the factories might have noticed a few problems that most management personnel could not see from behind their desks. This open-mindedness on Kaiser's part deserves commendation.

I should point out, Mr. Speaker, that this is not the entire solution to the steel import problem. There are other steps which must be taken, and in the coming weeks and months I expect to be involved in some of those steps. But I very much doubt if anything we do here in Washington will be deserving of quite so much praise as has justly been given to Dino Papavero, Curley Covert and the rest of the men who taught us all a lesson at Kaiser's pipe mill in Fontana.

POSTAL PROFLIGACY

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

Mr. VAN DEERLIN. Mr. Speaker, the U.S. Postal Service is top-heavy with brass. It is not the lean, trim organization one might expect following the widely heralded switch to private management.

For the initial investigations and exposure of this excessive executive hierarchy, we are indebted to the distinguished and formidable gentleman from Iowa (Mr. Gross) and to Mike Causey, civil service columnist for the Washington Post.

If hiring all these officials—more than 1,800 of them making more than \$15,000 a year—were producing an improvement in service, I would tend to be for it. Lamentably, the opposite is true, you may have to wait until next week for that letter that once would have been delivered tomorrow.

I have been hearing plenty from my constituents about this steady deterioration of our mail service, and I know our colleagues could relay plenty of postal horror stories of their own.

What is the Postal Service doing to improve matters? Starkly put, they are reducing routes, cutting work shifts of ordinary clerks and carriers, and adding highly paid executives with job titles and responsibilities seemingly calculated to infuriate the public.

Why should it be necessary to hire a suggestions award administrator, at a salary as high as \$30,280?

And just how is a manager of creative services, pulling in up to \$33,493, going to speed deliveries—not to mention the specialists in schemes routing—\$22,440—social priorities—\$24,783—and fringe benefits—\$24,784.

These positions and many more are reported in an official book, U.S. Government Policy and Supporting Positions—a veritable gold mine of information available at the Government Printing Office for a modest \$3.

The raw facts, so many of them, can be rather awesome. I, for one, am mystified as to why the Postal Service regional offices in San Francisco, Chicago, New York, Philadelphia, and Memphis each requires its own lobby program officer at salaries ranging from \$20,589 to \$27,383.

Even more puzzling are the data for interns and trainees. These classifications are normally low men on the corporate totem pole. But not in the Postal Service. Washington headquarters alone has 48 trainees, and they make \$16,872 to \$24,784—not bad for beginners.

As a former newsman, I am also quite astonished at the wages listed for Postal Service public relations personnel. The pay is enough to make honest newsmen blanch, but perhaps understandable in view of the generally drab record of this new public/private corporation.

Perhaps it is not surprising they think they need a well-padded flak corps. But the average citizen might prefer to see his money spent on the more fundamental task of moving mail.

I will include with my remarks two columns of Mr. Causey, one reporting how Congressman Gross is seeking a more detailed accounting of executive recruitment practices in the Postal Service. The columns, published January 29 and January 31, follow:

IT'S NOT EASY FILLING \$42,500-A-YEAR JOBS
(By Mike Causey)

At \$42,500 per annum, H.R. Gross is no doubt the most financially successful (even under protest) son of Arispe, Iowa.

His trade is member of Congress, Republican, Conservative. All spelled with capital letters.

Gross's specialty, conducted from the ranking minority chair of the Post Office-Civil Service Committee, is tossing sand in the federal spending machine. Despite his public frowns, the congressman loves his work.

His current project is to fathom why the U.S. Postal Service cannot—as spokesmen claim—get capable executives and managers at the going rate of \$42,500 a year (the same as for members of Congress) to \$58,000.

Gross is intrigued with the pay squeeze, since the chairman of USPS' board of governors wrote Congress asking that pay and fringe benefits for top postal managers be liberalized. Frederick R. Kappel, who once pulled down a lot of money as head of American Telephone and Telegraph, wrote the Congress:

"There have been a number of resignations in the senior management of the Postal Service during this past year (1972) and experience in attracting replacements has proven to us that the noncompetitiveness of top executive salaries is a major problem in hiring and holding senior managers."

Like a bulldog, Gross has seized on that paragraph from that letter, and put in the mail the other day a first-class letter to Kappel, asking the following questions:

How many USPS officials now make \$42,500 to \$58,000, and what were they making in

private industry before they decided to sacrifice for the government?

Who has resigned from top management of the U.S. Postal Service on poverty grounds?

What top jobs are presently vacant, and how much do they pay?

What are the "fringe benefits or emoluments" and the salaries of all top postal jobs? Do the chiefs get cash bonuses, and if so, how much and how often?

Who turned down a \$42,500 to \$58,000 job on grounds it didn't pay enough?

It's estimated that the U.S. Postal Service now has some 60 executives making \$42,500 a year or better. A favorable ruling is expected soon from the Pay Board that would mean raises of several thousand dollars annually for those officials.

The nine members of the USPS board of governors do not serve full time. For being on the board they get \$10,000 a year. For each day they meet (not to exceed 30 days a year) they get \$300, plus travel expenses and lunch money.

Postal officials argue that they have one of the biggest, most important jobs in the country. Their firm is committed to good service and making a profit, and it manages more employees—some 620,000—than most private firms and many foreign governments. They contend they must pay top market wages to get the best people.

Gross feels, however, that the salary picture isn't as bleak as it appears, and that there must be qualified people out in Arispe, Iowa, and other places, who would be happy to take a crack at the job at present pay scales. Gross is awaiting a reply from Chairman Kappel.

Meanwhile, the U.S. Postal Service's personnel office telephone number is ST 3-3100.

Fiscal 1974 Budget: It goes to Congress at noon today, and will contain the President's blueprints for the size and makeup of the federal establishment beginning July 1. Federal agencies will, as earlier announced, get new job targets for the period between now and June 30, and modification or elimination of the hiring-promotion freeze will also be announced today.

[From the Washington Post, Jan. 31, 1973]

"PLUM BOOK" GUIDE TO JOBS IS ON SALE
(By Mike Causey)

The "plum book," a limited edition guide to plush federal jobs for the politically plugged-in, has rolled off the presses. It is fatter than the 1969 version, and much more interesting thanks to the addition of nearly 2,000 attractive if little-known positions in the U.S. Postal Service.

Officially titled "Policy and Supporting Positions," the 191-page book lists most of the patronage, policy-making or noncareer positions in the executive branch, by name, title and salary. The book is printed every four years, for the benefit of new or returning administrators.

Fascinating reading is supplied in the U.S. Postal Service section of the book. It shows an increase from 84 to 1,846 noncareer jobs in the \$15,000 to \$60,000 range. Most of the slots were created when the USPS took over from the old Post Office Department, but this is the first time the public has had a look at job titles and pay.

People who think of the Postal Service as the friendly postmaster and his clerks or carriers will be intrigued with new titles and pay scales now that the USPS is being operated like a business. For instance:

Manager of Creative Services, \$25,183 to \$33,493.

Civil Defense Coordinator, \$18,634 to \$24,783.

Computer Technicians, \$16,872 to \$22,440.

Social Priorities Specialist, \$18,634 to \$24,783.

Schemes Routing Specialist, \$16,872 to \$22,440.

Management Trainees, and Interns, \$16,872 to \$22,440.

Psychologists, \$18,634 to \$33,493.

Micromation Specialist, \$16,872 to \$22,440.

Environmental Officer, \$16,872 to \$22,440.

Fringe Benefit Specialist, \$18,634 to \$24,783.

Suggestions Award Administrator, \$22,767 to \$30,280.

Lobby Program Officer, \$20,589 to \$27,383.

The job descriptions, and matching pay scales, are sure to cause a flap on Capitol Hill, especially since the USPS board of governors has asked permission to raise executive pay and fringes on grounds that it is not competitive with industry. USPS's board of governors, incidentally, serve part-time, getting a flat \$10,000 a year plus \$300 for each day they formally meet either here, or by conference telephone.

One Senator who has already blown his stack is Jennings Randolph (D-W. Va.). Randolph says top job inflation translates to a 2,000 per cent increase in postal chiefs, at a time when mail service leaves something to be desired.

Randolph, senior member of the Post Office-Civil Service Committee, said the top team at the USPS has taken a "public be damned" attitude and is more interested in "importing high-priced bureaucrats from unrelated public industries" than in getting mail delivered.

The West Virginia Senator is pushing for full-scale hearings on the present condition of mail service, and grade escalation in the USPS.

Federal workers, job hunters and just plain taxpayers will find the plum book a fascinating snoop sheet into the top reaches of government. At a glance the reader can tell who holds what job, his or her status, and the pay of just about everybody from Cabinet officers to their chauffeurs. The guide is on sale at the Government Printing Office, \$3 a copy, or \$3.25 by mail.

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

Mr. VAN DEERLIN. I yield to the gentleman from Iowa.

Mr. GROSS. I commend the gentleman for his statement, and I will read it in full in the RECORD.

Mr. VAN DEERLIN. It makes excellent bedside reading.

IMPROVING OUR MAIL SERVICE

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

Mr. HILLIS. Mr. Speaker, the idea of improving our mail service with streamlined methods and keeping politics out of the post office department is important.

We have made great strides in this direction.

But improvements have to be made. If these improvements are not made, public outcry will force us to abandon the Postal Corporation concept.

Letters are coming into my office daily criticizing the mail delivery service.

The mail must be speeded up. It is certainly not the fault of the letter carrier or the mail handler. The fault lies at the top.

A Wabash, Ind., industrialist recently wrote:

We have an office in Haddonfield, New Jersey. Today I received the large envelope enclosed, mailed December 26 and received 34 days later. I realize third-class mail re-

ceives the least attention, but surely delivery shouldn't take over a month.

Recently we received four first-class letters from Haddonfield on the same day, January 8. They were mailed on January 2, 3, 4, and 5.

A newspaper publisher from Peru, Ind., writes:

Time and again we suffer atrocious service at the hands of the Post Office Department... we're now getting frequent 2-day mail service from Peru to Wabash, only 14 miles away. A package of mail including a \$15,000 check floated between Peru and Wabash for several weeks not long ago.

Mr. Speaker, complaints are coming in from all parts of the country. A man from Santa Fe, N. Mex., writes:

Sometimes I get down on my knees and give thanks that I have received my mail. Maybe Dr. Kissinger should look into this matter.

An advertising service executive from Peru, Ind., explains his problems:

We have a correspondent in Mobile, Alabama, who has a post office box, but sometimes uses his street address. The ZIP code for his box is 36601, and for his street address, 36604. One of our letters (first-class) was addressed to the box, with the proper box number, but with 36604 as the ZIP. Believe it or not, they sent it all the way back to Peru with a faulty notation.

The publisher also explains:

Some time ago we mailed a first-class letter to a party in Dayton, Ohio with whom we had done business for ten years at the same address. It came back with the notation: "No such address." Our letter to the Dayton postmaster brought the explanation that they had changed the name of the street.

THE GREAT JAWBONER AND THE PRIME RATE GAME

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

Mr. PATMAN. Mr. Speaker, the American public—and the press—are being badly deluded on interest rates.

Since last week, Dr. Arthur Burns, Chairman of the Federal Reserve Board, has been busy sending telegrams to banks around the Nation insisting that something called the "prime rate" be kept down. He has asked the four banks which raised the prime rate on Friday for economic justification. In each instance, Dr. Burns and his staff are quick to release the telegrams to the press which in turn conveys to the American public an impression of great vigor by the Committee on Interest and Dividends and/or the Federal Reserve System.

As this soap opera unfolds, three of the four banks rescind their increases and the press trumpets Dr. Burns' successes in headlines on the front pages.

The unsuspecting public now assumes that its interests are being protected and that somehow the upward spiral of interest rates has been checked. This is not true and Dr. Burns is certainly in a position to know this.

The prime rate is a total fraud. It has no meaning unless the banks are willing to tell us who qualifies for such a rate and under what criteria.

It is quite easy for the banks to agree

to Dr. Burns' jawboning and at the same time raise their rates. The banks could obviously afford to have a 1-percent prime rate if there were no prime customers. It is the banks themselves which determine who shall be a prime customer.

The list of prime customers can be changed daily—even hourly—without the knowledge of the public. The list could include 100 names, a dozen, or zero, and the public would be none the wiser.

To avoid the strictures of Dr. Burns' jawboning, the banks can simply reduce the number of customers entitled to a "prime rate" and quietly increase the other rates. This is what is going on right now throughout the banking system and despite the good Doctor's jawboning, interest rates have increased and will continue to do so until there is definitive controls action taken by the Federal Government.

Undoubtedly, the public relations men and the officials of the major banks are chuckling as they read the news stories about their willingness to agree to Dr. Burns' jawboning.

The processes leading to tighter credit and higher interest rates have been going on for many weeks and started long before Dr. Burns started sending his telegrams and conducting his visits with leading lights of the banking world. On February 1, the New York Times—back on its financial pages—ran a news story which led off:

The nation's largest banks, faced with soaring loan demand and rising money costs, are quietly raising their lending rates and tightening up significantly the terms and conditions of the loans they are negotiating.

The news story went on to say:

None of the rate increases, which began on January 18, and continued through yesterday, have been announced.

This is the kind of quiet behind-the-scenes jacking up of interest rates which is occurring right now while the public is led to believe that there is a great effort to halt the increases.

It is significant that Dr. Burns' greatest effort on interest rates—his jawboning and his teas with the bankers—are all directed at this fictitious "prime rate." Why has Dr. Burns not sent out the telegrams and conducted the meetings on the steady increases in mortgage interest rates which now exceed 8 percent in some areas of the Nation? Each month since last April, interest rates as surveyed by the Federal Home Loan Bank Board—have gone up on new homes. There has been a tightening of consumer credit and small businesses are being required to pay much higher rates on their borrowings. The bond markets have eroded and corporations are selling their paper well over the 7½-percent mark.

Why is it that Dr. Burns has not zeroed in on these other rates? And why has he not been more frank in his discussion of the pressures across the board on all money rates?

This latest game-playing over the prime rate is designed to forestall congressional action and public pressure for mandatory controls over interest rates. The monetary experts hope that a brief

show of muscle—or jawboning—by the Committee on Interest and Dividends will lead the Congress to believe that there is no need to take further steps on interest controls.

The Nixon administration wants this illusion kept intact until the Congress passes a simple extension of the Economic Stabilization Act. Once this power is given the President, the big banks will be turned loose to do whatever they want with interest rates. By that time, the issue will be out of the hands of the Congress and we will see some large—and destructive—increases in all interest rates.

So the current jawboning—and the play-acting—is not aimed so much at the banks as it is at the Congress. It is supposed to delude the Congress into thinking that firm action is being taken when in truth nothing is really happening.

Instead of these headline-seeking efforts, the Nixon administration needs to face up to the real facts of life and impose mandatory controls on interest rates and to institute policies which will lead to a steady rollback of all interest rates. If this does not happen, we are going to see the economy severely hurt in 1973, and a reversal of our efforts to put people back to work.

THE SOVIET UNION POLICY OF PREVENTING JEWS FROM EMIGRATING TO ISRAEL

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

Mr. FASCELL. Mr. Speaker, I am joining our colleague, the Honorable CHARLES VANIK, in cosponsoring legislation today which will prohibit the United States from giving most-favored-nation treatment to those countries which impose unduly severe taxes on individuals wishing to leave that country.

While this bill would apply to any nation which imposes such restrictive measures, I believe we are all aware that it is the Soviet Union which has maintained this policy specifically to prevent its Jews from emigrating to Israel. The Soviets have levied a so-called education tax, amounting, in some cases, to many thousands of dollars, on all those who are granted exit visas. This education tax is nothing more than a ransom on human lives which cannot be tolerated.

It does appear that worldwide public pressure has caused the Soviets to ease up somewhat on their policy of repression. However, the situation over there is still far from acceptable, by any humane terms. Recent reports indicate that there has been a wave of new arrests in the last month.

If Americans are to remain true to our basic belief in equal treatment for all and the right of all human beings to choose where and how they live, then we cannot, in good conscience, support a nation which denies these basic principles.

The U.S. Congress must let the administration and the world know that it finds such policies abhorrent and that we will not relent until they are eased.

Mr. Speaker, while this bill was introduced in the last session of Congress, no action was taken on it. It is my sincere hope that the Ways and Means Committee will give early consideration to this legislation so that it can come before the full House of Representatives soon.

INTERIM REPORT BY THE JOINT STUDY COMMITTEE ON BUDGET CONTROL

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

Mr. ULLMAN. Mr. Speaker, last October, in Public Law 92-599, the Congress established the Joint Study Committee on Budget Control. This committee was given the assignment of recommending to the Congress procedures that would enable it to improve congressional control over the outlay and receipt totals in the budget and to enable the Congress to establish spending priorities in the budget.

The committee was organized and started its deliberations shortly after this session of the 93d Congress was begun. Since that time, the committee has held several meetings in which it discussed the issues that must be considered when developing congressional procedures for the budget control, was briefed by the staff on background material relating to the problems encountered in the present system, and heard briefing statements by specialists in the budgetary process in the executive branch and in the Congress.

These briefings and hearings convinced the committee members that it would not be possible to present detailed recommendations for a carefully thought-out procedure to realize the goal of improved congressional budgetary control by mid-February. There are difficult problems to be solved in developing a full procedure. I am convinced, however, it can be done. In fact, in its interim report we are presenting today the study committee has already developed a set of general principles as to what should be done. In subsequent reports we will convert this set of principles into specific recommendations.

In the interim report, which Cochairman JAMIE WHITTEN and I now have the privilege of presenting to you, the Joint Study Committee is placing before the Members of Congress the direction its thoughts have taken. The committee members are aware of the great interest all Members of Congress have in this subject, and they plan in the very near future to hold public hearings on the tentative recommendations that are contained in this report. They hope that the Members of Congress will read the report thoughtfully and present to the Joint Study Committee their recommendations during the public hearings.

As soon as it is reasonable after the hearings have been concluded, the Joint Study Committee will report its final recommendations.

The interim recommendations of the committee are as follows:

II. TENTATIVE RECOMMENDATIONS

Because of the difficulty of taking into account all of the different aspects of the prob-

lem, the Joint Study Committee, in the short time available to it, has as yet been unable to reach final conclusions as to a solution to the problems of legislative budgetary control. Nevertheless, it has concluded that the legislative process should include an opportunity for the Congress to examine the budget from an overall point of view, together with a congressional system of deciding priorities. It also believes that ways of preventing further splintering off of control from the Appropriations Committees should be found as well as ways of speeding up authorizations. While not having yet worked out the details of its proposals, the committee nevertheless can subscribe to the following as general principles:

1. There should be a mechanism for Congress to—

(a) determine the proper level of expenditures for the coming fiscal year after full consideration of the fiscal, economic, monetary and other factors involved.

(b) provide an overall ceiling on expenditures and on budget authority for each year, and

(c) determine the aggregate revenue and debt levels which appropriately should be associated with the expenditure and budget authority limits.

The limitations referred to above should be provided only if Congress also makes provision for a system whereby it can make the decisions on budget priorities that will guide it as to where reductions are to be made in the event that this becomes necessary.

The committee favors provision for limitations on both expenditure and new obligatory authority so an impact, to the extent possible, will be felt in the current year (as a result of the expenditure limitation) and also so that control will be obtained over future growth (as a result of the budget authority limitation). At the same time however, it is essential that Congress develop ways of making its own decisions on budget priorities so that realistic control over the purse can be regained by the Congress, as intended by the Constitution. Any mechanism for establishing these limitations also needs to provide an opportunity to review and make recommendations as to overall tax and debt policies, since these also are an essential part of the Government's fiscal policy.

2. Any limitation on expenditures and new obligatory authority should cover not only budgetary outlays handled through the Appropriation Committees but also any legislation which provides funding separately from the annual appropriation process.

Because of the increasing number in recent years of legislative bills, other than appropriation bills which provide for funding, any meaningful overall control of spending and budget authority also must apply to these types of spending.

3. Initial action taken with respect to expenditure ceilings and new obligatory authority limitations should occur early in each session of the Congress, but there should be a procedure established for reconsideration of these ceilings in the latter part of each Congressional session.

Because many decisions as to spending are not made until well along in a Congressional session, it is important that a procedure for flexibility in budget ceilings be provided, so there is an adequate opportunity for review of these ceilings in the latter part of the sessions.

4. A procedure should be developed for allocating the appropriate portions of expenditure and budget authority ceilings to various committees having jurisdiction over the legislation affecting the budget.

Provision must be made for the application of the expenditure and budget authority ceilings to each committee having jurisdiction over spending. Also a way of subdividing these amounts on a broad program basis must be

found if Congress is to make its own decisions as to priorities.

5. Procedures should be developed to assure compliance with the expenditure and budget authority ceilings.

To provide expenditure and budget authority guidelines which could be ignored at will does not meet the problem of requiring an examination of competing priorities. A non-binding expenditure ceiling has already been tried, and failed.

6. Procedures should be developed to present to Congress the effect on expenditures of existing and proposed legislation, not only in the current year, but also for years up to 3 to 5 years ahead. Such information should be made available currently both with respect to the effect of authorizing legislation and legislation directly making funds available for expenditure.

7. An organization to implement the control procedures outlined above probably should encompass the formation of permanent legislative committees on the budget. The appropriations and tax committees in the case of each House should be adequately represented in the membership of the budget committee. A legislative committee of this type is needed so there will be an opportunity for overall review of tax and expenditure policy.

8. Any permanent legislative committees on the budget of the type referred to above should have an adequate nonpartisan, professional staff which will need to develop skill in translating funding actions into expenditure and budget authority totals for the current year, but also for up to three to five years ahead. Such a staff might well be a joint staff for separate House and Senate committees.

9. There also should be an opportunity for Congress to review periodically the different ways in which budget authority and expenditures are in fact authorized or incurred. In practice, these have changed from time to time, and it is not at all certain that expenditure mechanisms used in one period of time will necessarily continue to be desirable.

10. Provision for authorizations (except in unusual circumstances) at least one year in advance should be required.

Such a provision would probably be the single most effective step to obtaining appropriations at, or near, the beginning of the fiscal year to which they relate.

11. The committee recognizes that the study of the subject of impoundments is an important part of its assignment. The subject will be examined carefully, and recommendations will be included in the final report.

IMPROVING CONGRESSIONAL CONTROL OVER BUDGETARY OUTLAY AND RECEIPT TOTALS

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

Mr. WHITTEN. Mr. Speaker, the gentleman who just spoke to us, our good friend, AL ULLMAN of Oregon, and I have the honor of having been named the co-chairmen of this special committee to study how the Congress can gain control of the overall budget.

At the conclusion of my remarks, I shall insert a list of the members of that committee, as well as the letter of transmittal, which speaks for itself.

Mr. Speaker, I am proud to report that in making this interim report we have 32 members on that committee, whose names will be listed, who have unanimously agreed on the compilation of what has happened heretofore. In other words, one way of expressing it is to show where we are and how we got

that way, and surprisingly it is going to show that so much of it has been by avoiding the annual review of the Congress of this appropriation process, by the method of directing expenditures by backdoor spending and various and sundry others.

We have tried to obtain all the information that we can for consideration. We have heard the former Director of the Bureau of the Budget, Mr. Charles Schultze; we have also listened to the present Assistant Director of the Office of Management and Budget, Mr. Samuel M. Cohen, and we feel it will be worthwhile to read about the progress that we have made in bringing this very complex subject to you.

The material referred to is as follows:

JOINT STUDY COMMITTEE ON BUDGET CONTROL
Co-Chairman: Jamie L. Whitten, House Appropriations; Al Ullman, House Ways and Means.

Co-Vice Chairmen: John L. McClellan, Senate Appropriations; Russell B. Long, Senate Finance; Roman L. Hruska, Senate Appropriations; Herman T. Schneebell, House Ways and Means.

Senate Appropriations Committee: John C. Stennis, John O. Pastore, Alan Bible, Milton E. Young, Norris Cotton.

Senate Finance Committee: Herman E. Talmadge, Vance Hartke, J. W. Fulbright, Wallace F. Bennett, Carl T. Curtis, Paul J. Fannin.

At Large: William Proxmire, William V. Roth, Jr.

House Appropriations Committee: George H. Mahon, John J. Rooney, Robert L. F. Sikes, Alfred A. Cederberg, John J. Rhodes, Glenn R. Davis.

House Ways and Means Committee: James A. Burke, Martha W. Griffiths, Dan Rostenkowski, Harold R. Collier, Joel T. Broyhill.

At Large: Henry S. Reuss, James T. Broyhill.

LETTER OF TRANSMITTAL

JOINT STUDY COMMITTEE ON BUDGET CONTROL,
Washington, D.C., February 7, 1973.

HON. CARL ALBERT,
Speaker of the House of Representatives,
HON. JAMES O. EASTLAND,
President Pro Tempore of the U.S. Senate.

DEAR MR. SPEAKER AND MR. PRESIDENT PRO TEMPORE: By direction of the Joint Study Committee on Budget Control, we submit herewith the committee's first report pursuant to the provisions of Public Law 92-599, approved October 27, 1972.

In making this interim report, the committee is in a position, because of the limited time that has been available, to make at this time only very preliminary and general recommendations as to possible courses of action to improve budgetary control procedures.

The committee is making every effort to expedite its work and finalize its recommendations. The committee has heard expert testimony from Mr. Charles Schultze, senior fellow at Brookings Institution and former Director of the Bureau of the Budget, and Mr. Samuel M. Cohn, Assistant Director of the Office of Management and Budget. The committee has also had compiled extensive background data required to pursue a detailed analysis of the complex budgetary control problem. It is planned to receive additional expert testimony and to conduct public hearings in order that the committee may have the benefit of suggestions and proposals from the Members of Congress and the public.

As outlined in detail in the body of the report, there are many problems involved in

the budgetary process that must be carefully considered if a sound, workable budgetary control system is to be developed. Because these problems are difficult they will require further in-depth study and review before a detailed plan of action can be recommended to the Congress. Implementing legislation would then have to be formulated and approved by the Congress before any permanent organization, procedures, and staffing that may be required could be established and the plans become operative.

COCHAIRMAN

JAMIE L. WHITTEN,
House Appropriations.

AL ULLMAN,
House Ways and Means.

CO-VICE CHAIRMEN

JOHN L. MCCLELLAN,
Senate Appropriations.

ROMAN L. HRUSKA,
Senate Appropriations.

RUSSELL B. LONG,
Senate Finance.

HERMAN T. SCHNEEBELL,
House Ways and Means.

IMPROVEMENT IN POSTAL SERVICE NEEDED

The SPEAKER pro tempore (Mr. McFALL). Under a previous order of the House, the gentleman from Pennsylvania (Mr. BIESTER) is recognized for 5 minutes.

Mr. BIESTER. Mr. Speaker, most of us, I believe, were patient with the U.S. Postal Service during its early transition from the old Post Office Department and did not expect overnight miracles in service. However, a year and a half has passed since the postal reorganization went into effect, and although the Postal Service is trying to improve, I am afraid the substantive results we expected simply have not materialized.

The objective of the postal reorganization is "to provide postal services promptly, reliably, and efficiently." But as one person wrote me, "it seems as science advances and the postal system becomes more complex, implementing costly technology, the efficiency of the system deteriorates." The failure of service to live up to its stated goal has inconvenienced us all and in many instances has caused financial loss to individuals and businesses.

There is no doubt in my mind that there are thousands of dedicated, hard-working employees in the Postal Service, and I have had the opportunity to discuss this situation with local postal authorities. They agree with me that there are basic and critical operational deficiencies which must be located and corrected if we are to realize dependable mail delivery service.

I can sympathize with the voluminous task facing our post offices and postal workers each day, but I also share the utter frustration so many of my constituents are voicing about totally unreasonable delays in mail delivery.

In his report to Congress last month, the Postmaster General stated:

Without regard to the time of day when the letter was deposited or to the distance sent, the average time for delivering each of the 49 billion first-class letters decreased from 1.7 to 1.6 days.

I find this evaluation difficult to square with my own experiences with the mail

and those I have learned about from my constituents. Letters mailed to locations within the same community take 3, 4, and 5 days. Mail going 8 miles may take 6 days. One hundred miles could take 9 days, as might a letter sent a thousand miles. But then, as one constituent in Perkaskie related to me, it may take 40 days to receive a letter from New York City. Again, it may not even make it the few miles from Philadelphia—it may just wind up in a corner at the main post office.

Experiences with my office mail reveal more of the same: 9 days to travel 500 miles, 4 days to come across town, 3 days for a special delivery letter from my district office. A letter from the Pennsylvania State Association of Letter Carriers actually took 4 days.

If there is one consideration the public expects and should receive from the Postal Service, it is dependable service. Yet, one discovers a consistent pattern of inconsistency in comparing distance with delivery time. You cannot be certain when a mailed letter will arrive at its destination. In effect, we have all become unwilling players in a Government-operated nationwide game of chance. Before dropping a letter in the mail slot, you have to ask yourself what the odds are that it will arrive at its destination in time and what effect first-class, air mail, or special delivery postage will have on its chances. The entire situation prompts you to consider another horrible possibility: How much of your mail, both to and from you, never arrives?

The assurances from the Postal Service are frustratingly predictable: sincere apologies and encouragement that studies and programs underway will solve the inadequacies "in a number of years." We thought things were bad under the old setup, but I regret to say that they may now be even worse.

The problems and complaints with the Postal Service do not stop with mail delays. Post office window service, convenience of mailboxes, frequency of pickups and rates often come under fire. The most commonly heard criticisms, however, are focused on the total unreliability of delivery service.

I believe the Postal Service has to become more seriously mindful of the tremendous grassroots furor it has allowed to develop. The phrase "confidence in Government" encompasses many features of our governmental system, but few functions of the Federal Government are so obvious to the public as its daily mail service. Poor service can all too easily be seen as an example of "poor Government."

To differing degrees, I know many of my colleagues share the feelings I have expressed. The Postal Service has been forewarned of the deep current of public and congressional dissatisfaction with its performance. I trust it will take the extra steps necessary to set things straight or Congress must take it upon itself to find the solutions.

INFLATION

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

man from Arkansas (Mr. MILLS) is recognized for 20 minutes.

Mr. MILLS of Arkansas. Mr. Speaker, this will not be a tranquil year in the American economy. The domestic and international problems confronting us raise considerable doubt about the vitality of our seemingly vibrant economy as we move into the latter part of this year.

Domestically, the current rapid acceleration in economic activity is now being accompanied by a higher rate of inflation. While most of the price increases thus far have been largely in food, it would be folly to assume that industrial prices will not also accelerate in the months ahead as employment continues to rise, and business intensifies its effort to build inventories and to expand plant capacity. A higher rate of inflation, particularly during the first part of this year which now seems likely, is bound to endanger the outcome of the many wage negotiations that will begin this spring. A low rate of inflation now is a necessity for assuring labor to accept moderate wage increases. Unfortunately, the assurance that must be offered to labor is the promise that inflation will again moderate sometime by the end of the year and not the demonstrable fact that inflation has been sufficiently checked.

Part of our current economic dilemma lies in the fact that Federal budgetary discipline has been slow in coming. In this fiscal year, in which the unified budget deficit will total an estimated \$25 billion, Federal expenditures will increase by \$18 billion. In fiscal 1974, for which the administration is now estimating a unified budget deficit of \$13 billion, Federal expenditures are still scheduled to increase by \$18 billion. This small falloff may well be too little and too late.

It is indeed disturbing that the failure to adjust the fiscal posture quickly enough and the failure of other governmental programs aimed at stemming inflation is forcing the Federal Reserve to shoulder much of the task of halting inflation. The arsenal of the Federal Reserve is quite limited, although very powerful. A decisive slowing in credit availability and substantially higher interest rates are likely to be the enforcing measures that will have to be increasingly relied upon to compensate for the weakness in other administration policies. This harsh remedy will punish participants in the private sector.

Internationally, there are also important warning signals. Besides the recent weakness of the dollar, it will be very difficult to improve our international trade balance this year. Imports continue to increase at an uncomfortably rapid rate. The import boom is being fueled by our domestic business boom and now our energy shortage. Our export effort is making little headway with our foreign trading partners. There is also little evidence to suggest that long-term capital flows into the United States in the latter part of 1972 were of the lasting kind. The weakness in stock prices lately has probably slowed this flow appreciably. The exchange relationship between the dollar and other major

currencies will have to be realigned some more, and efforts to improve our trade balance and international capital flows will have to be intensified. These matters must be considered, soon in a conference—not later in separate conferences—These problems are growing—these solutions are becoming more evasive.

ON INTRODUCTION OF THE FREEDOM OF EMIGRATION ACT OF 1973

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Mr. VANIK) is recognized for 60 minutes.

Mr. VANIK. Mr. Speaker, it is with great pleasure that Chairman Mills and I introduce today the "Freedom of Emigration Act" along with over 258 of our colleagues in the House of Representatives from every section of the United States.

This measure is designed to restrain trading privileges or "most favored nation treatment" with any nation in East-West trade until that country ceases its discriminatory emigration policies.

This measure most directly affects the Soviet Union which persists in maintaining its extremely harsh and unwarranted education head tax which has already dealt a severe blow to thousands of Soviet Jews wanting only to leave that country.

It has been with a great deal of thought that I undertook this effort in the House of Representatives to gather support for this measure. I have been one of the principal House sponsors of East-West trade. I believe firmly in detente through trade. It is my hope to continue to support such measures without reservations.

There should be no differentiation made by our country between economic and commercial matters and social policies. In my mind, we as a Nation cannot overlook denigration of human rights for the sake of commercial gain.

This unsavory experience is not new in our relations with Russia. In 1911, because of ongoing pogroms against Russian Jews, the U.S. Government canceled the Commercial Treaty of 1832 to demonstrate our abhorrence of that officially condoned policy of terror.

It is my profound hope that passage of this legislation will not become necessary. It is my sincere hope that the great strides toward detente and meaningful friendship can go forward. But we as a Nation should not abide denial of basic, universally recognized rights of any people to emigrate freely, without onerous, oppressive impediments.

I wish to express my gratitude to Chairman WILBUR MILLS for his willingness to assume the leadership of this important effort.

Tribute should also be extended to the majority of members of the Ways and Means Committee and the House majority leader, Mr. O'NEILL, and majority whip, Mr. McFALL, for their steadfast support.

Finally, and most important, I extend my appreciation to the Members of this House of both political parties and

of diverging philosophies who have united in such great numbers behind this measure to demonstrate the strong feelings in the House for this legislation.

Mr. Speaker, I include at this point a list of the cosponsors of the Freedom of Immigration Act.

LIST OF COSPONSORS OF THE FREEDOM OF EMIGRATION ACT

(Introduced by Hon. WILBUR MILLS and Hon. CHARLES A. VANIK in the House of Representatives, Feb. 7, 1973)

Mills, Wilbur D. (D-Ark).
 Vanik, Charles A. (D-Ohio).
 Abzug, Bella S. (D-NY).
 Adams, Brock (D-Wash).
 Addabbo, Joseph P. (D-NY).
 Anderson, Glenn M. (D-Calif).
 Annunzio, Frank (D-Ill).
 Archer, Bill (R-Tex).
 Aspin, Les (D-Wis).
 Badillo, Herman (D-NY).
 Bafalis, L. A. (Skip) (D-Fla).
 Barrett, William A. (D-Pa).
 Bell, Alphonzo (R-Calif).
 Bennett, Charles E. (D-Fla).
 Bergland, Bob (D-Minn).
 Bevil, Tom (D-Ala).
 Biaggi, Mario (D-NY).
 Bingham, Jonathan B. (D-NY).
 Blatnik, John A. (D-Minn).
 Boland, Edward P. (D-Mass).
 Bolling, Richard (D-Mo).
 Brademas, John (D-Ind).
 Brasco, Frank J. (D-NY).
 Breckinridge, John (D-Ky).
 Brinkley, Jack (D-Ga).
 Broomfield, William S. (R-Mich).
 Brown, George E., Jr. (D-Calif).
 Broyhill, Joe T. (R-Va).
 Buchanan, John (R-Ala).
 Burke, J. Herbert (R-Fla).
 Burke, James A. (D-Mass).
 Burke, Yvonne Brathwaite (D-Calif).
 Burton, Phillip (D-Calif).
 Byron, Goodloe E. (D-Md).
 Carey, Hugh L. (D-NY).
 Carney, Charles J. (D-Ohio).
 Casey, Bob (D-Tex).
 Chappell, Bill, Jr. (D-Fla).
 Chisholm, Shirley (D-NY).
 Clancy, Frank M. (R-Ohio).
 Clark, Frank M. (D-Pa).
 Clay, William (Bill) (D-Mo).
 Cohen, William S. (R-Maine).
 Collins, James M. (R-Tex).
 Conlan, John B. (R-Ariz).
 Conte, Silvio O. (R-Mass).
 Conyers, John, Jr. (D-Mich).
 Corman, James C. (D-Calif).
 Cotter, William R. (D-Conn).
 Coughlin, Lawrence (R-Pa).
 Crane, Philip M. (R-Ill).
 Cronin, Paul W. (R-Mass).
 Daniel, Dan (D-Va).
 Daniel, Robert W., Jr. (R-Va).
 Daniels, Dominick V. (D-NJ).
 Danielson, George E. (D-Calif).
 Davis, John W. (D-Ga).
 Davis, Mendel J. (D-SC).
 Delaney, James J. (D-NY).
 Dellums, Ronald V. (D-Calif).
 De Lugo, Ron (Del.-V.I.).
 Denholm, Frank E. (D-S. Dak).
 Dent, John H. (D-Pa).
 Diggs, Charles C., Jr. (D-Mich).
 Donohue, Harold D. (D-Mass).
 Downing, Thomas N. (D-Va).
 Drinan, Robert F. (D-Mass).
 Dulski, Thaddeus J. (D-NY).
 Eckhardt, Bob (D-Tex).
 Edwards, Don (D-Calif).
 Ellberg, Joshua (D-Pa).
 Evans, Frank E. (D-Colo).
 Fascell, Dante B. (D-Fla).
 Fauntroy, Walter E. (Del.-D.C.).

Footnote at end of list.

Fish, Hamilton, Jr. (R-NY).
 Fisher, O. C. (D-Tex).
 Flood, Daniel J. (D-Pa).
 Flowers, Walter (D-Ala).
 Forsythe, Edwin B. (R-NJ).
 Fraser, Donald M. (D-Minn).
 Frenzel, Bill (R-Minn).
 Frey, Louis, Jr. (R-Fla).
 Froehlich, Harold V. (R-Wis).
 Fulton, Richard H. (R-Tenn).
 Fuqua, Don (D-Fla).
 Gaydos, Joseph M. (D-SC).
 Gettys, Tom S. (D-SC).
 Gialmo, Robert N. (D-Conn).
 Gibbons, Sam (D-Fla).
 Gilman, Benjamin A. (R-NY).
 Ginn, Bo (D-Ga).
 Goldwater, Barry M., Jr. (R-Calif).
 Gonzalez, Henry B. (D-Tex).
 Grasso, Ella T. (D-Conn).
 Gray, Kenneth J. (D-Ill).
 Green, Edith (D-Oreg).
 Green, William J. (D-Pa).
 Griffiths, Martha W. (D-Mich).
 Grover, James R., Jr. (R-NY).
 Gubser, Charles S. (R-Calif).
 Gude, Gilbert (R-Md).
 Gunter, Bill (D-Fla).
 Haley, James A. (D-Fla).
 Hanley, James M. (D-NY).
 Harrington, Michael (D-Mass).
 Hawkins, Augustus F. (D-Calif).
 Hays, Wayne L. (D-Ohio).
 Hechler, Ken (D-W. Va).
 Heckler, Margaret M. (R-Mass).
 Heinz, H. John, III (R-Pa).
 Helstoski, Henry (D-NJ).
 Henderson, David N. (D-NC).
 Hicks, Floyd V. (D-Wash).
 Hillis, Elwood (R-Ind).
 Hogan, Lawrence J. (R-Md).
 Hollifield, Chet (D-Calif).
 Holt, Marjorie S. (R-Md).
 Holtzman, Elizabeth (D-NY).
 Horton, Frank (R-NY).
 Howard, James J. (D-NJ).
 Huber, Robert J. (R-Mich).
 Hudnut, William H., III (R-Ind).
 Hungate, William L. (D-Mo).
 Ichord, Richard H. (D-Mo).
 Jones, James R. (D-Okla).
 Jordan, Barbara (D-Tex).
 Karth, Joseph E. (D-Minn).
 Keating, William J. (R-Ohio).
 Kemp, Jack F. (R-NY).
 Kluczynski, John C. (D-Ill).
 Koch, Edward I. (D-NY).
 Kuykendall, Dan (R-Tenn).
 Kyros, Peter N. (D-Maine).
 Leggett, Robert L. (D-Calif).
 Lehman, William (D-Fla).
 Lent, Norman F. (R-NY).
 Long, Clarence D. (D-Md).
 Long, Gillis W. (D-La).
 Lujan, Manuel, Jr. (R-N. Mex).
 McCloskey, Paul N., Jr. (R-Calif).
 McCormack, Mike (D-Wash).
 McDade, Joseph M. (R-Pa).
 McFall, John J. (D-Calif).
 McKinney, Stewart B. (R-Conn).
 MacDonald, Torbert H. (D-Mass).
 Madden, Ray J. (D-Ind).
 Madigan, Edward R. (R-Ill).
 Matsunaga, Spark M. (D-Hawaii).
 Meeds, Lloyd (D-Wash).
 Metcalfe, Ralph H. (D-Ill).
 Mezvinsky, Edward (D-Iowa).
 Minish, Joseph G. (D-NJ).
 Minshall, William E. (R-Ohio).
 Mitchell, Donald J. (R-NY).
 Mitchell, Parren J. (D-Md).
 Moakley, John Joseph (Mass).
 Mollohan, Robert H. (D-W. Va).
 Moorhead, William S. (D-Pa).
 Morgan, Thomas E. (D-Pa).
 Moss, John E. (D-Calif).
 Murphy, John M. (D-NY).
 Murphy, Morgan F. (D-Ill).
 Myers, John T. (R-Ind).
 Nelsen, Ancher (R-Minn).
 Nix, Robert N. C. (D-Pa).
 O'Brien, George M. (R-Ill).
 O'Hara, James G. (D-Mich).
 O'Neill, Thomas P., Jr. (D-Mass).
 Owens, Wayne (D-Utah).
 Parris, Stanford E. (R-Va).
 Patten, Edward J. (D-NJ).
 Pepper, Claude (D-Fla).
 Pettis, Jerry L. (R-Calif).
 Peyser, Peter A. (R-NY).
 Pickle, J. J. (D-Tex).
 Pike, Otis G. (D-NY).
 Podell, Bertram L. (D-NY).
 Price, Melvin (D-Ill).
 Pritchard, Joel (R-Wash).
 Quile, Albert H. (R-Minn).
 Rallsback, Tom (R-Ill).
 Rangel, Charles B. (D-NY).
 Rarick, John R. (D-La).
 Rees, Thomas M. (D-Calif).
 Regula, Ralph S. (R-Ohio).
 Reid, Ogden R. (D-NY).
 Reuss, Henry S. (D-Wis).
 Rhodes, John J. (R-Ariz).
 Riegle, Donald W., Jr. (R-Mich).
 Rinaldo, Matthew J. (R-NJ).
 Robinson, J. Kenneth (R-Va).
 Rodino, Peter W., Jr. (D-NJ).
 Roe, Robert A. (D-NJ).
 Rogers, Paul G. (D-Fla).
 Roncalio, Teno (D-Wyo).
 Roncalio, Angelo D. (R-NY).
 Rooney, Fred B. (D-Pa).
 Rose, Charles (D-NC).
 Rosenthal, Benjamin S. (D-NY).
 Rostenkowski, Dan (D-Ill).
 Roush, J. Edward (D-Ind).
 Roy, William R. (D-Kans).
 Roybal, Edward R. (D-Calif).
 Ryan, Leo J. (D-Calif).
 St Germain, Fernand J. (D-R.I.).
 Sarasin, Ronald A. (R-Conn).
 Sarbanes, Paul S. (D-Md).
 Saylor, John P. (R-Pa).
 Scherle, William J. (R-Iowa).
 Schroeder, Patricia (D-Colo).
 Seiberling, John F. (D-Ohio).
 Shriver, Garner E. (R-Kans).
 Sisk, B. F. (D-Calif).
 Smith, Henry P., III (R-NY).
 Spence, Floyd (R-SC).
 Stanton, J. Wm. (R-Ohio).
 Stanton, James V. (D-Ohio).
 Stark, Fortney H. (Pete) (D-Calif).
 Steele, Robert H. (R-Conn).
 Steelman, Alan (R-Tex).
 Steiger, Sam (R-Ariz).
 Stephens, Robert G., Jr. (D-Ga).
 Stokes, Louis (D-Ohio).
 Stratton, Samuel S. (D-NY).
 Stuckey, W. S. (Bill), Jr. (D-Ga).
 Studts, Gerry E. (D-Mass).
 Sullivan, Leonor K. (Mrs. John B.) (D-Mo).
 Symington, James W. (D-Mo).
 Taylor, Roy A. (D-NC).
 Towell, David (R-Nev).
 Thompson, Frank, Jr. (D-NJ).
 Tiernan, Robert O. (D-RI).
 Udall, Morris K. (D-Ariz).
 Van Deerlin, Lionel (D-Calif).
 Vigorito, Joseph P. (D-Pa).
 Waggonner, Joe D., Jr. (D-La).
 Waldie, Jerome R. (D-Calif).
 Walsh, William F. (R-NY).
 Whitehurst, G. William (R-Va).
 Widnall, William B. (R-NJ).
 Williams, Lawrence G. (R-Pa).
 Wilson, Bob (R-Calif).
 Wilson, Charles (D-Tex).
 Wilson, Charles H. (D-Calif).
 Winn, Larry, Jr. (R-Kans).
 Wolff, Lester L. (D-NY).
 Won Pat, Antonio Borja (Del-Guam).
 Wyatt, Wendell (R-Oreg).
 Wydler, John W. (R-NY).
 Wyman, Louis C. (R-NH).
 Yates, Sidney R. (D-Ill).
 Yatron, Gus (D-Pa).
 Young, Andrew (D-Ga).

Young, C. W. Bill (R-Fla).
 Young, Edward (R-SC).
 Young, Samuel H. (R-Ill).
 Zwach, John M. (R-Minn).
 Johnson, Harold T. (D-Calif).
 Veysey, Victor V. (R-Calif).

Mr. Speaker, I include at this point a joint statement made by Congressman WILBUR MILLS, myself, and Senator JACKSON in a press conference this morning at the Capitol:

JOINT STATEMENT BY CONGRESSMEN WILBUR MILLS AND CHARLES VANIK AND SENATOR HENRY M. JACKSON

We are pleased to announce that more than 250 members of the House of Representatives are today joining with a previously announced majority of their Senate colleagues in sponsoring legislation to deny most-favored-nation and other trade benefits to countries that prevent their citizens from emigrating freely without the payment of ransom taxes.

In taking this action we are reaffirming the deeply-held American conviction that the right to emigrate is fundamental to human liberty and to traditional American concepts of freedom and decency. We are, moreover, acting in support of the Universal Declaration of Human Rights, unanimously adopted by the United Nations 25 years ago, in which the international community committed itself to uphold the right to free emigration and free return.

We hope that our action today will be understood by the responsible Soviet authorities as our answer to the official publication in Moscow last month of the so-called "education tax" schedule—an outrageous price list on human beings that reduces trained and educated men and women to chattel. The promulgation of that decree is, in our view, a profoundly disappointing response to the worldwide concern with which an oppressive and capricious Soviet emigration policy has been followed.

We are confident that our amendment reflects the deep commitment of the American people to the cause of individual liberty; and we are confident that the American people can tell a tax when they see one and know that the Soviet education charge is not a tax but a prison wall.

It is our intention to move in both the House and the Senate at an appropriate time and in connection with the appropriate legislation to assure that the provisions of the Jackson-Mills-Vanik amendment are enacted into law.

We know that we speak for our colleagues in both Houses in expressing the hope that the Soviet Union will begin to conform to the Universal Declaration by permitting those of its citizens who wish to emigrate the opportunity to do so, and that our desire for improved United States-Soviet relations will be advanced thereby.

Mr. PODELL. Mr. Speaker, I am proud to be numbered today among the co-sponsors of the Freedom of Emigration Act of 1973.

I have long been concerned with the problems of being a Jew in Russia. As you know, I went to Russia nearly 2 years ago. The things I experienced there strengthened my conviction that we must do all we humanly can to help those Jews who want to leave, for it is impossible today to live as a Jew in the Soviet Union, and things will very likely get worse in the future.

I view this act as the last great hope for Russian Jewry. It is a crass thing to say that men are motivated by economic gain. But this is a truism as much for the Communists as it is for us capitalists. And since this is a fact of life, the

*Indicates member of Ways and Means Committee.

possibility that there will be no economic gain is also a strong motivating factor. This is the rationale behind my distinguished colleague's proposal: To hit the Russians where they will be hurt the most, in their economic plans. If they are hit hard enough, they will ease their pain by letting the Jews leave Russia without paying that abominable ransom.

Human freedom and dignity must be more important to us than any potential economic advantage we may get from increased trade with the Soviet Union. It is for this reason that I will support the Freedom of Emigration Act of 1973. It is the very least that I can do to help the Jews in Russia.

Mrs. GRASSO. Mr. Speaker, all people have the right to live on this earth in dignity with personal freedom. Yet, in the Soviet Union today, Jews are subjected to repressive and discriminatory policies which are a blatant denial of basic human rights.

Perhaps the most despicable affront to hapless, harassed Soviet Jews is the imposition of an immoral education tax, designed to place severe restrictions on those who desperately wish to emigrate to Israel. Freedom to live in peace or leave in peace is sought by Soviet Jews so that they might be able to practice their religious beliefs and preserve their cultural heritage without fear.

If the Soviet Union sees fit to continue its policy of blackmailing Jews who wish to emigrate, then it is the responsibility of the Congress to express its profound convictions against this ruthless policy in a manner which will reach the ears of Soviet leaders. That is why I am proud to join 237 of my colleagues in the House in sponsoring a bill, to be known as the Freedom of Emigration Act, which would restrain most-favored-nation status or special trade privileges to any country in East-West trade until such time as that country eliminates contemptuous emigration policies.

It is my hope that the strong, united voice of the Congress, expressed in economic terms, will pierce the walls of the Kremlin and awaken Soviet leaders to their responsibilities toward oppressed citizens.

Mr. EDWARDS of California. Mr. Speaker, I again wish to express my support for the Freedom of Emigration Act, prohibiting most-favored-nation trade status for countries denying their citizens the right to emigrate or imposing excessive fees for emigration. In view of the recent Soviet Union formalization of its policy of imposing education exit taxes on those seeking to emigrate, I believe we must continue to bring pressure to bear expressing our outrage and intolerance for such actions.

The emigration taxes now levied by the Soviet Union and directed at Soviet Jews desiring to leave the country are an affront to principles of individual liberty that apply to all peoples. Recognizing the special value of Jews and turning them into cash export is an exploitative action that should not be allowed to go unchallenged.

The substantial majority of members of both houses of Congress cosponsoring this legislation is evidence of the over-

whelming opinion in the United States that we will not disregard the callous violation of the civil rights of citizens anywhere in the world. In addition to merely registering our protest, this bill would reinforce our opinions with economic sanctions that the Soviet Union cannot ignore.

I believe that the introduction and consideration—no less the passage—of this legislation can influence the Soviet Union to rescind the exist fees.

Ms. ABZUG. Mr. Speaker, I am proud to be a sponsor of the Freedom of Emigration Act, which would restrain trading privileges with, or most-favored-nation treatment for any nation that practices discriminatory emigration policies, and I commend Representatives VANIK and MILLS and Senator JACKSON on their work in this critical area.

We are at the beginning of a cautious detente with the other great powers; trade and travel restrictions are gradually being relaxed; American cultural and professional groups are journeying to and from the Soviet Union and China.

This is tremendously encouraging. It leads us to hope that one day the entire world will be free of artificial barriers, since all human beings share the same little planet.

To reach this point, it is essential that we in the United States indicate what standards of human freedom are. Different countries may be expected to hold different values, but some universal human rights must not be abridged: the freedom to choose one's place of residence, for example, and the freedom to observe one's own religious and cultural practices. The United Nations Declaration of Human Rights has stood firm on these points.

Yet these rights are being denied to Soviet Jews who are now subject to exit fees, the amount depending on the extent of their education and the country to which they wish to go. Sometimes, as in the case of highly trained scientists, the amount runs to thousands of dollars. Many who went through the long exit-permit process before this new tax was levied are now doomed to disappointment; it would take the average Soviet citizen about 10 years to save enough for the average "exit fee."

Under such circumstances, normal trade relations with the Soviet Union cannot proceed. We in the Congress have the ability to assert sanctions against such deprivation of liberty. We have a major role in the passage of trade legislation. The unusually broad spectrum of sponsorship of this bill indicates the depth of our concern.

We have a further responsibility to maintain an atmosphere in which a true world community can be created. In this atmosphere each individual must be free to express his religious and cultural convictions. The ransom of citizens cannot be tolerated. I have asked the United Nations to investigate the situation and if reports are substantiated to issue formal condemnation of the policy of putting a price tag on freedom.

Mr. DELUGO. Mr. Speaker, I am hopeful that the introduction of this legislation by such an overwhelming major-

ity of the membership of this House and the prodigious support that it has also received in the Senate will convince the Soviet Union that the United States will not tolerate such unfair treatment of Soviet Jews in the U.S.S.R. The repressive policies of the Soviet Union effectively restrict these helpless people from emigrating from the U.S.S.R. to Israel. If the U.S.S.R. desires to continue trade with us under its favored status it will have to abandon this harassment of citizens whose only wish is to leave and begin a new life.

We in the Congress who support this measure are uniting to enunciate a principle fundamental to human liberty: that any individual has the right to emigrate. In doing so we reaffirm the Universal Declaration of Human Rights adopted by the United Nations where signatories promised to uphold the right to free emigration and return.

I deplore this outrageous policy of the U.S.S.R. which now threatens East-West relations. But I steadfastly demand that this oppressive discrimination be halted remembering the admonition of the late Dr. Martin Luther King, Jr. that "a threat to freedom anywhere is a threat to freedom everywhere."

Mr. LEHMAN. Mr. Speaker, I am proud to join with the majority of my colleagues in the House of Representatives in cosponsoring the Freedom of Emigration Act.

The exorbitant exit fees now charged by the Soviet Union are an affront to all who believe in individual rights and freedoms.

We may soon be asked to support an agreement giving Russia most-favored-nation status in its trade relations with the United States—an agreement much sought by the Russians. It is unthinkable that we should reward the Soviet Union at a time when so many are facing hardship and imprisonment for wishing to return to the land of their heritage.

The Freedom of Emigration Act will prohibit granting economic and trade concessions to any country which denies the right to emigrate or which imposes an unreasonable tax on emigration.

A strong vote for this legislation in the House and its companion in the Senate will leave no doubt in the minds of the Soviet leaders that their repressive emigration policies will result only in their own economic hardship. This is our opportunity to stand up for America's ideals.

Mr. ARCHER. Mr. Speaker, I wish today to commend the action of the majority of my colleagues in agreeing to cosponsor the Freedom of Emigration Act, providing for freedom of emigration as a condition to East-West trade agreements.

I am proud to be among those Members of the House who have cosponsored this bill which would prohibit most-favored-nation treatment and commercial and guarantee agreements with respect to any non-market-economy country which denies to its citizens the right to emigrate or imposes more than nominal fees upon its citizens as a condition of emigration.

There must be a continued conscious-

ness among Americans about the plight of the millions of Soviet Jews being held hostage behind the Iron Curtain. By taking this action we call upon the Government of the Union of Soviet Socialist Republics to cease persecution of these people on the basis of religious belief.

We also call upon the Soviet Union to release all prisoners, those already sentenced and those due to stand trial, arrested as a result of their attempt to exercise their religious beliefs and to study their religious heritage and culture.

We call upon the Soviet Union to permit those Russian citizens of the Jewish faith to practice and study Judaism in any place of their choosing without penalty and to be able to observe all Jewish holidays, including the Sabbath, in freedom and without fear. This is in accordance with article 124 of the Constitution of the Union of Soviet Socialist Republics.

Finally, we call upon the Soviet Union to permit any citizen of that country to emigrate to any country of his or her choosing, providing that that country is willing and able to receive him, or her, in accordance with article 13, part 2, of the Universal Declaration of Human Rights, which reads:

Everyone has the right to leave any country, including his own, and to return to his country.

The increased tax on Soviet Jews wishing to emigrate to Israel is the antithesis of every value basic to human dignity and a slap at free people throughout the world. We in America, who are blessed with freedom, protest this type of action.

We, as Members of Congress, should not rest until human beings in the Soviet Union are granted these rights which are fundamental to human life and dignity. We cry out in protest against the oppression of Jews in the Soviet Union.

The American Government should not compromise itself into doing business with any nation that deprives its citizens the basic right of free emigration. Fortunately, we can still choose whom we want to do business with. We do not need foreign trade enough to do business with countries that practice religious discrimination and this form of bondage.

Mr. GILMAN. Mr. Speaker, the Freedom of Emigration Act, which I am today cosponsoring, is an initial step in calling the Soviet's attention to the deep feelings of Americans regarding the severe penalties being imposed upon Soviet Jews wishing to emigrate.

The restrictions on emigration imposed by way of a head tax are generally prohibitive to the average emigrants.

Introduction of this measure, providing for freedom of emigration as a precondition of East-West trade, is intended to focus national and world attention upon the unjust emigration policy of the Soviets.

It is incumbent upon all freedom loving people to encourage the Soviet Union to desist in pursuing such discriminatory practices prohibiting the emigration of Soviet Jewry.

I urge all of my colleagues in the House and Senate to demonstrate our Nation's sensitivity to the plight of the Soviet

Jews by assisting in the passage of the Freedom of Emigration Act.

Mr. LENT. Mr. Speaker, I was extremely distressed to learn recently that the Supreme Soviet made official its policy of charging high emigration taxes for all of its educated citizens who wish to emigrate to the West. These taxes, ostensibly aimed at all educated Soviet citizens, primarily affect Soviet Jews, who are the most highly educated ethnic group in the Soviet Union, and who account for most of that nation's emigration. This Soviet policy of levying emigration taxes on Jews wishing to leave the country is despicable, a flagrant violation of human civil rights, and I will continue to do all I can to have our Government press this issue in an effort to have this persecution halted immediately.

The American Jewish community is rightly angered, as the Soviets have also increased their use of sudden callups to military duty to discourage young trained Jews from leaving the country. Older Jews seeking to leave Russia are facing various forms of harassment, including the head tax, demotions and discharges at their place of employment, removal of telephones and police surveillance.

Late in the 92d Congress, I was pleased to join with my colleague from Ohio (Mr. VANIK) in the introduction of legislation which would prevent the granting of most-favored-nation trade status to any nation which charges more than a nominal exit fee for its citizens wishing to emigrate. Regrettably, time did not permit action on this legislation before the adjournment of Congress. As a result, I am again pleased to join with Mr. MILLS, Mr. VANIK and 230 of my colleagues in the reintroduction of this vital legislation. I think it is imperative we join together to make it clear that free peoples of the world will not tolerate this form of 20th century slavery.

Mr. JAMES V. STANTON. Mr. Speaker, I would like to join my colleagues here in condemnation of the incredible policy of the Soviet Union which puts a price tag on human beings. There is a situation that is wrapped in historical irony. A couple of generations back, a strong-willed group of men in Russia, who claimed to be idealists, started a revolution proclaiming they would create a paradise on earth. Today, Mr. Speaker, we can see what has happened. Their paradise has become a prison. Jewish citizens of that nation are trying to get out, but they are trapped. Now we hear that many of them might be able to get a parole, so to speak, but if they want it, they will have to buy it. I cannot say too much in abhorrence of public policy of that type. I would hope that the President of the United States would use whatever influence he might have, in an attempt to induce the Soviet leaders to treat their citizens, whatever their religion and nationality background, not as chattel, but as human beings.

Mr. STEELE. Mr. Speaker, as a Nation we have strongly supported the right of all persons to emigrate from any country and are committed to the Universal Dec-

laration of Human Rights of the United Nations. During the 92d Congress we have repeatedly protested the barriers against the emigration of Soviet Jews maintained and continually worsened by the Soviet Government.

As we hear more and more about the plight of the Jews in the Soviet Union, it is little wonder that so many thousands of them desire to leave that country for the more welcome prospects afforded them by Israel. They are denied the right to publish religious materials, prohibited from receiving rabbinical training and pressured not to attend synagogues—normal religious activities which should be the right of every person, no matter in what country or of what religious persuasion.

Although the Soviet Union officially permits Jews to emigrate, that nation has now made the leaving of the country by Jews almost impossible. Those who dare to apply for exit visas face possible imprisonment and risk losing their jobs. Moreover, if granted a visa at a cost of \$1,100, an emigrant is now required to pay an atrocious fee, ranging from \$4,000 to \$25,000, depending on the amount of education he or she has received in the Soviet Union. Many simply cannot afford this fee. Others are deliberately cutting short their education to limit the fee, an act that can make them subject to induction into the Soviet armed forces. These fees are not only a prohibition to the Soviet Jews, they are also a form of blackmail levied against sympathetic relatives in America who feel responsible for aiding their relatives who are trapped in the Soviet Union.

We strongly condemn this policy of the Soviet Union and, as a cosponsor, we urge support and early passage for Mr. VANIK's Freedom of Emigration Act. We should also make it clear to the Soviet Union that Congress' attitude toward further improvements in our relations with the U.S.S.R. will be strongly influenced by continued Soviet violations of the Universal Declaration of Human Rights.

Mr. STEELMAN. Mr. Speaker, today I and 237 of my colleagues in the House of Representatives have joined together to cosponsor the Freedom of Emigration Act. This bill will have a profound effect on those countries which seek to limit emigration by posting unreasonable exit rates.

Specifically this measure is aimed at the Soviet Union, which requires up to \$37,000 in payment for the right to emigrate and which directs this requirement almost entirely toward people of the Jewish faith.

Two weeks ago the Soviet Union formalized its policy by publishing the exit rates in their official records. The education taxes alone run up to \$18,000 per person depending on the education level reached by the intended emigrant.

I am convinced that the enormous amount of support this bill is receiving in Congress, and the United States, will show the Soviet Union how appalled we are of their repressive and discriminatory emigration policies.

The Freedom of Emigration Act will bar most-favored-nation status or special

trade privileges to any country in East-West trade until such time as that country abolishes its unfair and harsh emigration practices.

We, as Members of Congress, must demonstrate that we will not encourage trade with a nation that uses its people as bargaining tools.

Mr. BADILLO. Mr. Speaker, I am proud to join with over half of our colleagues in sponsoring the Freedom of Emigration Act and again calling attention to the vicious campaign by the Soviet Union to impede and prevent Jews to emigrate to Israel.

Jews in the Soviet Union have historically been the victims of the most brutal and sustained campaigns of harassment, intimidation, and persecution, both under the tsars and the present Communist rulers. Particularly odious is the current campaign to stifle Jewish emigration through the imposition of a tax or levy on prospective emigrants based on their education. This tax, which in some instances is reported to amount to as much as \$37,000, requires a person to not only sell all of his worldly possessions but oftentimes forces him and his family to commit economic crimes for which the punishments are quite severe. This situation arises simply because men, women, and children desire to exercise a basic human right to live in the land of their own choosing, free to live their own lives in peace, to seek an end to repression, to strive for some degree of economic security and stability, and to practice their religion without fear of Government retaliation.

For a time it appeared as if international public pressure was achieving some modest success when it was thought that the U.S.S.R. was relaxing these ill-conceived and discriminatory policies. The Soviet Union claimed that this offensive tax had been adjusted for older emigrants and that a certain number of Jews were permitted to leave. Last November, for example, there was, in fact, some substantial emigration.

Unfortunately, however, this apparent thaw was not to last as the diploma tax was officially enunciated as the law of the land in the Soviet Union on January 20 and the exit rates were published in the official records. The education taxes amount to as much as \$18,000 per person, depending upon the educational level attained by the intending emigrant.

Thus, the educated and skilled continue to be deterred from seeking to leave the U.S.S.R. and those who are courageous enough to apply for exit documents are economically, socially, and culturally isolated and are singled out for especially prejudicial treatment. In some instances they are tried on a variety of trumped-up charges and imprisoned. Those who do not suffer this fate are frequently fired from their positions, are forced to discontinue their educations, are required to live in a state of constant fear and apprehension, are denied their cultural and religious identity and are scrapped by their dictatorial leaders.

Mr. Speaker, we cannot—we must not—permit this unconscionable policy to continue and we must once again make it clear that we will not stand idly by

while religious freedom is denied to the Soviet Jews. It is reported that there are at least 100,000 Jews in the Soviet Union awaiting visa issuance and unless we take some affirmative action, they will surely suffer the same fate and degradations of the others who have attempted to leave.

Certainly our actions are not ignored as I am informed that Jews from the Soviet Union now living in Israel credit previous actions by the U.S. Congress for facilitating their departures and rallying worldwide public support in behalf of Soviet Jewry. Thus, by denying most-favored-nation status to countries which extort exorbitant diploma or education taxes from visa applicants, the Congress will be able to offer visible proof that we will not tolerate the repressive policies being pursued against Soviet Jews. We will be able to give forceful evidence of America's moral concern about the problem of the emigration rights of certain Soviet citizens.

I commend our distinguished colleague from Ohio (Mr. VANIK) and the junior Senator from Washington (Mr. JACKSON) for their leadership in this effort and I am pleased to join with them in it. As the United States and the U.S.S.R. increasingly move toward rapprochement—a move which I support and encourage—no effort should be spared in removing restrictions on the free movement of people just as similar action is being taken toward facilitating the free movement of goods and commodities. Certainly the attitude of the Soviet Union toward prospective Jewish emigrants and the distasteful and discriminatory education ransom tax clouds current negotiations between our two countries and such an impediment must be removed without delay. I urge the prompt consideration and enactment of the measure we are introducing today.

Mr. ANNUNZIO. Mr. Speaker, it is an honor to join Chairman WILBUR MILLS, Hon. CHARLES A. VANIK, and over 250 of my colleagues in the introduction of the Freedom of Emigration Act.

This legislation will restrain trading privileges or most-favored-nation treatment with any nation in East-West trade until that country ceases its discriminatory emigration policies.

The proposal is aimed principally at the Soviet Union, which has levied exorbitant diploma taxes on Jews, Lithuanians, Latvians, Estonians, Ukrainians, and other ethnic groups seeking permission to live in the country of their choice. This most recent of a long record of Soviet injustices comes in the midst of increased American-Russian trade activity. Perhaps the Soviets are convinced we will not let human rights stand in the way of making a few dollars in wheat and other trade deals.

The Congress of the United States must make it unmistakably clear that we value human rights—including the right of emigration—more than the dollars we stand to make as a result of these new trade deals.

It should be pointed out that many nations impose minor exit fees on citizens leaving the country. The Soviet Union, however, has carried this policy to

outrageous and inhuman extremes with its education tax which averages \$18,000 per person depending upon the level of education attained by an intended emigrant.

We have successfully existed without trading with the Soviet Union for decades. We can certainly wait a little longer and insist upon some standards of human decency on the part of those with whom we intend to trade in the future.

I, for one, can never condone a governmental policy of extortion for human freedom, and the time has arrived to draw the line on this moral question. A nation which demands extortion for human beings must not be rewarded with increased trade, increased credit, or any of the other amenities, involved in international trade and investment financing.

It is my feeling that so long as the Soviets insist on these new and exorbitant exit fees, the United States must withhold favored nation status as far as trading is concerned. It is our moral responsibility to use all the power that we possess to influence the Soviet Government to stop its reprehensible policy of harassment and persecution against those who wish to leave the U.S.S.R.

Mr. KOCH. Mr. Speaker, I am pleased to join with 237 of my colleagues in cosponsoring Representative VANIK's bill to provide for freedom of emigration as a condition to East-West trade.

It is indeed unfortunate that legislation such as this is necessary. But, since the Soviet Government is still harassing its Jewish population by continuing to impose exorbitant visa fees based on the level of the person's education, passage of this bill is crucial. In fact, the Soviet Union has now formalized this policy by 2 weeks ago publishing the exit rates in their official records. The education taxes go up to \$18,000 per person depending upon the level of education attained by an intended emigrant. Whatever the reasons are for this latest form of discrimination, it is obvious that the Russians are desperately seeking to end emigration of the educated Jews.

The only hope of rescinding the tax is if massive political and economic pressure can be mounted in the West. This is what we, as Members of Congress must do to stop this barbaric ransom of humans. These Soviet Jews have no intention of paying the ransom. They feel that if the initial money is paid, there will be no limit to the further demands made on these Jews before they can obtain their visas.

There must, therefore, be economic reprisals against the Soviet Union. We must make it clear to the Russians that they will receive credits and new trade deals only if these new visa restrictions are removed. I will not vote for any new trade concessions for the Soviet Union, and I do not see how many Members of Congress can, in good conscience, do so either, as long as these high fees are imposed on persons wishing to emigrate. If the Russians will not bow to world public opinion, perhaps they will submit to economic pressure. Congress has the power and special constitutional responsibilities in this area. Legislatively we

have authority to deal with Eximbank credits, most-favored-nation treatment, and overseas private investment corporations.

The Soviet action has already had an effect on the Russian Jewish community. Young people have begun withdrawing from universities and are refusing to even begin their studies. For the men, this means army duty which amounts to an 8-year obligation. This, of course, means that there is no chance to emigrate elsewhere for that 8-year period. Also, parents whose children have served are frequently prevented from emigrating.

The U.S. Government must take steps to prove to the Russians that economically it will be counterproductive to continue to impose this levy. And, we must assure the Russian Jews that we are more interested in protecting their lives than we are in selling commodities to the country holding them hostage.

Mr. MINISH. Mr. Speaker, it is a great privilege for me to join so many of my colleagues today in reintroducing the Freedom of Emigration Act.

It is my understanding that over 230 Members—a majority of the House—are sponsoring this legislation. This overwhelming support should give clear warning to the leaders of the Soviet Union that the U.S. Congress will not stand idly by while they continue to practice repression and cultural genocide against their Jewish citizens.

The legislation which we are introducing today would prohibit expanded trade with Russia until Soviet Jews are granted freedom to emigrate to the country of their choice. Specifically, it would restrain most-favored-nation status or special trade privileges to any country in East-West trade until such time as that country eliminates discriminatory emigration policies.

As one Member of Congress who also sponsored this bill in the last Congress, I have noted no indication of any change in emigration policy by the Soviet Union since we adjourned last October. Inhumane restrictions on emigration are still in force, particularly against Jews wishing to leave for Israel. Indeed, just 2 weeks ago the Soviet Union saw fit to formalize its repressive policies by publishing exit rates in the official records. The education taxes which must be paid by a person wishing to leave Russia run up to a fantastic \$18,000 per person depending upon the level of education attained by the prospective emigrant.

At the same time that the Soviets have been formalizing their new emigration policy, there have been numerous reports of new commercial negotiations, trade agreements, and investment commitments between the United States and Russia.

Mr. Speaker, our Government has an opportunity in this situation to assert moral leadership by refusing to proceed with expanded East-West trade until the Soviet Union clearly recognizes the basic human rights of all its citizens.

It is my sincere hope that the Soviet Union, in light of the action we are taking today, will cease to enforce the head tax on emigrants. However, in the ab-

sence of a clear and quick change in Soviet policy, I urge the House to move promptly to enact this legislation.

Mr. WOLFF. Mr. Speaker, I rise to add my voice in support of the Freedom of Emigration Act which is being introduced today. Under the able leadership of the gentleman from Ohio (Mr. VANIK) more than 230 of our colleagues have already joined in this vitally important effort to help eliminate repressive and discriminatory emigration policies of nations of the world.

Freedom of movement should be the birthright of every citizen of the world. However, in all too many cases, restrictive policies have infringed on this basic human freedom. Unfortunately, the basis for such restrictions is often grounded in religious persecution and racial intolerance.

As one who has spoken out forcefully wherever and whenever such practices exist, I strongly urge the Congress to begin to consider this legislation immediately. While the intent of this measure is clearly to aid in the removal of the criminal and unconscionable head tax being levied on emigrating Jews in the Soviet Union, its adoption would be a signal to the family of nations that the United States will place principle above profit.

For too long now, the United States has spoken one way on moral questions, and acted another way in trading agreements with other nations. By prohibiting most favored nation treatment and commercial agreements with any nation that denies its citizens the right to emigrate, the United States is using more than merely its reserve of moral suasion, it is rightfully seeking justice by attacking conditions to the benefits of trade.

I believe that the introduction of this legislation, particularly with its wide, bipartisan support, will make it clear to the Soviet Union that special consideration in economic terms cannot be gained without certain concessions in human terms. We are not seeking to interfere in what is often called an "internal" matter. Rather, we are asking, perhaps even demanding, that the Soviet Union and other nations whom we refer to as "most favored" will not restrict their people's basic freedom of emigration. I feel that we should not extend most-favored nation status to the Soviet Union unless and until they eliminate their restrictive and discriminatory emigration laws.

I want to commend my distinguished colleague (Mr. VANIK) for the active role he has played in gaining such overwhelming support for this bill and I hope that we will adopt this measure in the very near future.

Mr. HOGAN. Mr. Speaker, I am indeed proud to be among the 258 sponsors of the Freedom of Emigration Act of 1973.

I think it is especially significant that a majority of the Members of the House of Representatives have seen fit to express their concern and desire to take action in behalf of Soviet Jewry.

This measure is designed to restrain trading privileges or most-favored-nation status with any nation in East-West trade until that country has abandoned any discriminatory emigration policies.

Obviously the main thrust of the bill is aimed at the Soviet Union, which has persisted in maintaining harsh and unwarranted taxes on the thousands of Soviet Jews wanting only to leave the country.

I have often spoken out against the situation that exists in the Soviet Union and during the 92d Congress introduced legislation condemning this action. I am anxious to see that Congress takes every appropriate action to relieve those Jews who want to leave the Soviet Union.

Within the past 2 weeks the Soviet Union formalized its repressive policies. By publishing the exit rates in their official records it became clear that nothing short of massive world pressure can force a shift in their policy.

The education taxes that must be paid by a person wishing to leave Russia can run as high as \$18,000 per person depending on the level of education that the prospective emigrant has attained.

The Soviet Union may choose to ignore the concerns of its Jewish citizens, but we all realize that they are extremely well aware of the realities of international politics.

It can be supposed that the Soviet Union is using the emigration tax to try and gain some diplomatic advantage as a bargaining chip. If they were to retreat from the education tax policy it could be construed as a concession. Thus, in addition to being subjected to an unfair tax, Soviet Jews are also being used as political pawns.

It is my sincere hope that the Soviet Union will take appropriate action to rectify this unfair tax on Soviet Jews wishing to leave Russia, not only as a matter of humanitarianism but also in response to the need for better relations between our countries.

INTRODUCTION OF THE FREEDOM OF EMIGRATION ACT OF 1973

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Massachusetts (Mr. DRINAN) is recognized for 60 minutes.

Mr. DRINAN. Mr. Speaker, I want to commend Senator JACKSON, Congressman VANIK, and Congressman WILBUR MILLS upon the initiative and leadership they have displayed on this urgent issue.

Mr. Speaker, today I am full of hope for the oppressed Jewish citizens of the Soviet Union. It now appears that the U.S. Congress will take firm and direct action to end the outrageous education tax exit visa fees that have been imposed since last August upon Soviet Jews wishing to emigrate.

Two hundred fifty-one Representatives have now sponsored Congressman VANIK's Freedom of Emigration Act. This bill will prevent the granting of most favored nation trading status, or other trade privileges, to any nation—particularly the Soviet Union—which does not allow its citizens the right to freely emigrate with only a nominal charge. Seventy-five Members of the Senate have sponsored a similar bill, introduced by Senator JACKSON.

It is particularly appropriate that we should speak out against the Soviet

Union's emigration policies at this time. For a little more than 3 weeks ago the Government of the Soviet Union, defying the pressures of world opinion, published an official decree on the subject of the notorious education tax. This decree reads as follows:

Citizens of the U.S.S.R. who leave for permanent residence abroad—except for those moving to socialist countries—are required to repay the government expenditures for their training in an institution of higher education, postgraduate studies, medical internship and advanced military education and for the award of corresponding academic degrees.

I am sure that most of my colleagues are familiar with the outrageous exit visa fee system. In addition to a fee of 400 rubles—\$480—for a visa to a non-Communist country and 500 rubles—\$600—fee automatically added for renouncing Soviet citizenship, prospective emigrants are required by this law to reimburse the Soviet State for the costs of their education. This so-called reimbursement charge starts with a fee of 3,600 rubles—\$4,320—for a graduate of a trade institute. The normal fee for a university graduate is 12,500 rubles—\$15,000. The maximum charge, for a scholar with a doctoral degree, is 31,000 rubles—\$37,400.

The fees are completely beyond the reach of the average Soviet citizen; the average monthly income in the Soviet Union is only about \$153.

There is no doubt that the fees are specifically targeted at the Jewish citizens of the Soviet Union. While the visa fee schedule is supposedly being levied on all Soviets wishing to emigrate, in practice the Jews bear the brunt of this repressive policy. Jews constitute the principal group seeking to emigrate from the Soviet Union. More than 31,000 Soviet Jews emigrated, mostly to Israel, during 1972.

In addition, Jews are the most highly educated of the ethnic minorities in the Soviet Union. According to Soviet sources, one-fourth of the Soviet Union's Jewish population of over 2 million has had education beyond the high school level. There are 100,000 Jewish college students—in percentage terms there are nearly twice as many Jewish students as non-Jewish students.

In addition, the exit visa fees cannot be looked at as an isolated example of repression. Even since the Mideast War of 1967, and particularly after 1970, the Soviet Union has exercised increasingly harsh policies upon its Jewish citizens. In June of last year the Soviet Union jammed the "Voice of Israel" radio transmission. Conscription of Jews into the Soviet Army has been markedly increased. Restrictions have been placed upon the teaching of Hebrew in private Jewish schools. Jews who protested these Government actions have been subject to interrogation and loss of employment. Some have become, along with their non-Jewish "activist" counterparts, "non-persons."

Perhaps in an attempt to defuse the pressures of world opinion, in recent weeks the Government of the Soviet Union appears to have modified the visa fee schedule for certain circumstances.

Provisions have been made to waive the education tax for pensioners and invalids who wanted to emigrate and to reduce the taxes for others on a sliding scale, depending on the number of years they had worked subsequent to their education. According to Soviet sources, these provisions could result in a reduction of up to 75 percent of the tax amount.

In addition to these new provisions, which are obviously slanted against more educated Jews, the capricious and arbitrary administration of the education tax requirement has had the result of limiting the Jewish emigration to primarily working class people, clerical workers, those in service trades, and the elderly. Relatively few of the more educated Jews have been able to leave—especially those who are scientists or engineers. Not that these more educated Jews do not want to leave; in fact, Israeli authorities have estimated that 80,000 new invitations for emigration have gone out to Soviet families, and that at least one person in one-third of these families has had a university education.

The education tax has been combined with a seemingly irrational administration to make the emigration process close to impossible, particularly for educated Jews. Even before the imposition of the education tax, the requirements for emigration were so demanding as to be Kafkaesque. The first step in emigration is to receive an invitation from a blood relative residing in the country of destination. This step is often complicated by delays and nondeliveries in the postal system. Next, a prospective emigrant must obtain the consent of his immediate family in the Soviet Union. Thus one objecting member of a family can effectively prevent another member from emigrating.

The prospective emigrant is required by law to obtain a character reference from his employer. Requesting such a reference often brings immediate dismissal from work and social ostracism. In fact, the applicant can be imprisoned if he remains unemployed and falls into the category of a social parasite. An example of this situation—which gives the lie to the Soviet claim that an education tax is necessary to prevent a brain drain—is the case of Prof. Benjamin Levich, a leading electrochemical scientist and a member of the prestigious Soviet Academy of the Sciences. As a result of his protests against the emigration policy, and his own efforts to emigrate, he has lost his job and has been denied scientific privileges.

The Government of the Soviet Union has raised a number of defenses for the education tax. It is claimed that people have an obligation to reimburse the state for the costs of their education. This argument, which presumes free education, neglects the fact that education has not always been free under the Soviet system and was in fact quite costly during the Stalin era. No allowance is made for those who might have paid for their education. What is more, this argument is made inconsistent by the fact that the education tax is required only for those wishing to emigrate to non-Communist

countries. In addition, Soviet law already requires that every Soviet citizen who has received a higher education is obliged to spend 3 years in government service.

The Soviet Union has also said that the education tax is justifiable on the grounds of national security. The fact of the matter is that very few potential emigrants could be classified as being involved in work actually involving national security—and this small number hardly justifies the imposition of a general tax.

The Soviet Government also purports to fear a brain drain, but as has been demonstrated in innumerable cases, they inflict a brain drain upon themselves—by depriving Jewish scientists and intellectuals the right to work if they attempt to emigrate—even if they do not succeed.

The Soviet Union also claims that other countries have similar exit fees and imply that such a tax is an accepted international practice. In fact, the Soviet Union's tax is many thousands of dollars greater than even the worst of the few other countries that have exit fees that could be greater than nominal.

The failures of the Soviet Union's rationalizations suggest that there are other motives involved. Traditional Soviet anti-Semitism cannot be overlooked. But more cynical reasons abound.

When Soviet officials advised American Jews last year that they can pay the costs imposed upon their Russian brethren, and then implemented a substantial surcharge upon payment in foreign currency, it became clear that educated Jews were being held for ransom—to be paid in foreign currency since the Soviet Jews cannot pay the tax on their own. The Soviet Union's need for foreign currency has grown sharply in recent years, while its earnings have not kept pace. Foreign currency is needed to finance the new Soviet international trade agreements—such as the mammoth \$900 million grain deal with the United States. Thus the Soviet Government has developed a new export commodity—educated Jews.

In addition, it is probable that the Soviet Union hopes to gain some sort of diplomatic advantage from the use of the education tax as a bargaining chip. Retreat from the education tax policy could be used as a concession in international diplomacy. Thus, in addition to being held for ransom as an export commodity, educated Soviet Jews are being used as political pawns.

Mr. Speaker, the Soviet Union may be insensitive to the concerns of its Jewish citizens, but I do not believe that it is oblivious to the realities of international politics. The Soviet Union cannot afford to ignore the fact that a majority of the U.S. Congress has gone on record in opposition to these repressive emigration policies. The Soviet Union knows that successful completion of the recently negotiated trade agreements, ranging from wheat to natural gas, depend on receiving certain trade concessions from the United States—concessions that are effectively controlled by Congress.

Under the new trade agreement the Soviet Union has agreed to repay a certain portion of its World War II lend-lease debt, in return for American action

to grant the Soviet Union most-favored-nation—MFN—trading status. This action would exempt the Soviet Union from the Hawley-Smoot tariffs, under which Soviet-American trade is now regulated, in favor of the lower rates of the non-discriminatory MFN treatment. In addition, the trade agreements will require extension of Export-Import Bank—Eximbank—credits to the Soviet Union and OPIC credit guarantees for the export of American goods to the U.S.S.R.

Congress alone controls the granting of most-favored-nation treatment, and it is safe to say that the Soviet Union has virtually no chance whatsoever to receive this trade advantage unless it repeals the education tax immediately and in full. I do not believe that Congress will settle for any half-measures. Successful completion of the trade agreements, which will be of great benefit to both the Soviet and American peoples, clearly depend on a speedy and complete end to the ransom policy.

Mr. Speaker, I hope that the Soviet Government will take the requisite action soon to remove this hurdle from the path of improved Soviet-American relations. But the great goal of international peace must not prevent us from responding to injustice where we see it. The Soviet Union's policies toward its Jewish citizens wishing to emigrate represent a callous injustice, and it is out of a sense of conscience that I say—as 251 other Representatives have said—that I will not support any further trade initiatives with the Soviet Union until this injustice is rooted out.

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

Mr. DRINAN. I yield to the gentleman from Ohio.

Mr. VANIK. Mr. Speaker, I want to congratulate the gentleman in the well, the gentleman from Massachusetts (Mr. DRINAN) and to express to him my appreciation for his tremendous contribution and dedication to this bill, and the humane cause which it represents.

Mr. DRINAN. Mr. Speaker, I thank the distinguished gentleman from Ohio.

BIG CARS—MORE POLLUTION; SMALL CARS—LESS POLLUTION

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

Mr. DANIELSON. Mr. Speaker, when the Administrator of the Environmental Protection Agency, William D. Ruckelshaus, announced a plan to ration gasoline in south California, the general reaction across the country was either "They will never go through with it," or "Thank goodness it did not happen here." But the fact is that, under present conditions, EPA may have no choice but to go through with their plan, and it may not be long until other metropolitan areas in the United States are confronted with the identical situation.

Congress established air quality standards for the health and well-being of the Nation, and we should not shy from these goals unless we truly have no other practical choice. The situation in south Cali-

fornia is one in which we have a large population, an extraordinary number of automobiles, and very little mass transportation. It has been estimated that up to 75 percent of vehicle miles traveled in southern California are work-related. Yet, the Administrator of EPA has found that even "if all available measures are taken to reduce reactive hydrocarbon emissions from individual motor vehicles and stationary sources, the ambient air quality standard for photochemical oxidants will still be exceeded in the basin approximately 90 days per year in 1977," and that a reduction of over 80 percent in vehicle miles traveled will be required to achieve compliance with 1977 air quality standards.

Obviously, if 75 percent of the travel is work related but travel will have to be reduced by 80 percent in order to achieve air quality standards during the summer months, the economy of southern California will be up on blocks from May to October. As a practical matter, this would destroy our economy—destroy southern California. Even a superb system of mass transportation in southern California, if there were one, would be unlikely to reduce automobile traffic by the required 80 percent. It would help, but it would not meet the need.

There is one option we have not explored. We have been working on controlling the quality of the emissions of our automobiles, but not much thought has been given to reducing the total quantity of those emissions by reducing the size of the automobiles which produce those emissions. I have no doubt that, even without smog control devices, a reduction in size of automobiles would significantly reduce fuel consumption and consequent air pollution.

There is now a large and growing body of evidence that our big American cars, because of their size, weight, and power, cause more pollution than is necessary, consume more of our irreplaceable petroleum and mineral resources than is necessary, take up more space than is necessary, and are more likely to get into an accident.

At the present time, approximately two-thirds of the automobiles on American roads are what is called standard-size automobiles, which are actually quite large. The reputation of these large automobiles for fuel consumption is notorious. And for every gallon of gasoline which is burned, there is a corresponding volume of exhaust discharged into the air.

In the opinion of the Environmental Protection Agency, an increase of only 500 pounds in car weight can decrease an auto's miles-per-gallon by 14 percent. A 5,000-pound automobile consumes 100 percent more gas than its 2,500-pound counterpart. We must also note that the heavier car requires 100 percent more metal in its manufacture.

When I inquired on this subject to the Department of Transportation nearly a year ago, Secretary Volpe responded that—

If it can be assumed that small cars have the same travel patterns as the standard American car, then the difference in air pollution becomes a function of the difference in fuel consumption. The small car consumes

considerably less fuel because of its much lower weight. There is probably an added advantage in that fewer of them have automatic transmissions, power brakes, power steering and air conditioning. I am not sure to what extent this applies to the American made subcompacts.

This, of course, has a significant effect on the total amount of pollutants a motor vehicle will discharge into the air, but it is also important with respect to our fuel shortage problem. For example, if the weight on an automobile were limited to a maximum of 2,500 pounds, EPA estimates the total projected gasoline consumption for the year 1985 would be reduced to the level which is now estimated for 1975. This would reduce our air pollution problem to the level where the rationing which Mr. Ruckelshaus has threatened would be unnecessary. This would also reduce crude oil imports by 2.1 million barrels per day in 1985 and would reduce our projected balance-of-payments deficit by \$2.3 billion annually at current prices.

And this is a most important fact. Even apart from a deficit trade balance, the energy crisis—the fuel shortage—in America today has reached grave proportions. The shortage has passed the stage of being worrisome—it is critical. America's need for fuel has outstripped her available resources so far that we are now a fuel-importing nation. America is literally "running out of gas." We no longer can afford automobiles that consume gasoline at the rate of 8 or 9 miles to the gallon, when it is reasonable and possible to operate at 20 or 25 miles to the gallon.

I also note that car size is a significant factor in highway safety. Small cars have less accidents, as evidenced by statistics and also by the fact that insurance companies have lower rates for small cars. For example, a 1969 study of accidents on the Garden State Parkway in New Jersey showed that, while small cars comprised 35 percent of the total number of cars using the parkway, they were involved in only 24 percent of the accidents. When small cars are involved in accidents, the injuries to the occupants are usually more serious, but I suspect that this is because the odds are two-to-one that when a smaller car collides with another vehicle, it will collide with a larger vehicle, if only because there are twice as many large vehicles. A collision between two small cars would not result in as serious an injury as would a collision between a small car and a large car.

I will also concede that a larger car will have an advantage over a small car in a collision with a fixed object, but I think this disadvantage will decrease in the future as we continue to move these deadly fixed obstructions away from the roadsides or replace them with such things as breakaway utility poles.

In addition to considerations of pollution, fuel consumption, foreign trade deficits, and highway safety, the size of cars is also a factor in the overcrowding of city streets and the lack of adequate parking in our urban areas. Right now, because of the size of cars, the average parking stall is 18 feet in length, while a suitable stall for small cars is 15 feet.

Thus, designing for small cars would give us about a 15-percent increase in available parking spaces. The size of cars may even have a relationship to our need for additional highway construction. Additionally, I feel that smaller cars may be able to use alternative powerplants more efficiently, such as the much wished for electric power, which is unsuitable for a big, heavy car.

The legislation which I introduced yesterday, House Joint Resolution 301, would authorize a \$2 million, 1-year study of this problem by the Department of Transportation. It would empower the Department to call upon other Federal agencies with expertise in this matter, such as the Department of Commerce, the Department of the Interior, the Environmental Protection Agency, and others.

In addition, the study would consider the most effective means of effecting a reduction in car size, either by establishing a maximum permissible size, or by such devices as increasing gasoline taxes or imposing other taxes on cars in proportion to their weight to make small cars the only practical alternative for a car buyer. Whatever the most effective means is, we will have a thorough study at our disposal so that we can make an intelligent judgment.

A text of House Joint Resolution 301 follows:

H.J. RES. 301

Joint resolution to direct the Secretary of Transportation to conduct a comprehensive study of the relationship of motor vehicle size to air pollution, fuel consumption, and motor vehicle accidents, and for other purposes

Whereas Congress finds and declares that adherence to air quality standards established by the Clean Air Act Amendments of 1970 is vital to the health and safety of the Nation; and

Whereas motor vehicles and passenger automobiles using internal combustion engines are a major source of air pollution and a major consumer of petroleum products; and

Whereas adequate supplies of petroleum and metals are essential for the common defense and welfare of the Nation; and

Whereas the physical dimensions of an automobile and the size of its engine has a direct relationship to its consumption of fuel and the quantity of its emissions; and

Whereas there is a growing body of evidence that the size of automobiles is a significant factor in highway safety, congestion of urban roadways, and the shortage of automobile parking places in urban areas; Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,

STUDY AND INVESTIGATION

SECTION 1. (a) The Secretary of Transportation (hereinafter in this joint resolution referred to as the "Secretary"), in consultation with the agencies represented on the advisory committee established under section 4, shall conduct a comprehensive study and investigation of the relationship of motor vehicle size to the public interest. Such study and investigation shall include consideration of—

(1) the relationship between motor vehicle size and—

(A) pollution of the air and other components of the environment;

(B) consumption of the Nation's supply

of petroleum, metals, and other nonrenewable resources;

(C) the rate and frequency of motor vehicle accidents and the costs, injuries, and fatalities attendant thereto;

(D) the shortage of motor vehicle parking spaces in urban and metropolitan areas;

(E) the need for additional highway construction;

(F) the congestion of urban roadways;

(G) the needs of motor vehicle users;

(H) the automobile manufacturing industry, motor vehicle insurance costs, and the various industries and businesses which supply services and goods required for the maintenance, operation, and manufacture of motor vehicles; and

(I) the feasibility of motor vehicle power plants other than internal combustion engines;

(2) whether a reduction of motor vehicle size would be in the public interest; and

(3) the possible means of reducing the size of motor vehicles, such as through the power of Congress to tax or to regulate interstate and foreign commerce or in any other way, and the relative costs and benefits of each such means, monetary or otherwise.

(b) The Secretary shall submit interim reports from time to time to the Congress and to the President and a final report not later than twelve months after the date of approval of this joint resolution. Such final report shall contain a detailed statement of the findings, conclusions, and recommendations of the Secretary, and may propose such legislation or other action as the Secretary considers necessary to carry out his recommendations.

ADMINISTRATIVE POWERS

SEC. 2. In order to carry out his functions under this joint resolution, the Secretary is authorized to—

(1) appoint and fix the compensation of such employees as he deems necessary without regard to the provisions of title 5, United States Code, governing appointment in the competitive service and without regard to the provisions of chapter 51 and subchapter 111 of chapter 53 of such title relating to classification and General Schedule pay rates;

(2) obtain the services of experts and consultants in accordance with the provisions of section 3109 of title 5, United States Code, but at rates for individuals not to exceed \$100 per diem;

(3) enter into contracts with corporations, business firms, institutions, and individuals for the conduct of research and surveys and the preparation of reports; and

(4) appoint, without regard to the provisions of title 5, United States Code, governing appointments in competitive services, such advisory committees, representative of the divergent interests involved, as he deems appropriate for the purpose of consulting with, and advising him.

Members of advisory committees appointed under paragraph (4) of this section, other than those regularly employed by the Federal Government, while attending meetings of such committees or otherwise serving at the request of the Secretary, may be compensated at rates to be fixed by the Secretary, but not exceeding \$100 per day. While away from their homes or regular places of business, each member of such an advisory committee may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for persons in the Government service employed intermittently. Members of such advisory committees shall, for the purposes of chapter 11 of title 18, United States Code, be deemed to be special Government employees.

COOPERATION OF GOVERNMENT AGENCIES

SEC. 3. (a) The Secretary is authorized to request from any department, agency, or independent instrumentality of the Government any information he deems necessary to carry out his functions under this joint resolution; and each such department, agency, or independent instrumentality is authorized and directed to cooperate with the Secretary and to furnish such information to the Department of Transportation upon request made by the Secretary.

(b) The head of any Federal department, agency, or independent instrumentality is authorized to detail, upon request of the Secretary and on a reimbursable basis, any personnel of such department, agency, or independent instrumentality to assist in carrying out the duties of the Secretary under this joint resolution.

GOVERNMENT ADVISORY COMMITTEE

SEC. 4. The President shall appoint a Governmental Advisory Committee on the Impact of Motor Vehicle Size consisting of the Secretary who shall be Chairman and one representative each of the Departments of Commerce, Treasury, Justice, Housing and Urban Development, Interior, and Health, Education, and Welfare, the Federal Trade Commission, the Environmental Protection Agency, the Office of Emergency Preparedness, and such other Federal agencies as are designated by the President. Such members shall, to the extent possible, be persons knowledgeable in the fields of environmental pollution, natural resources, highway safety, and other competencies relevant to the subject matter of the study. The Advisory Committee shall advise the Secretary on the preparation for and the conduct of the study authorized by this joint resolution.

HEARING AND PRODUCTION OF DOCUMENTARY EVIDENCE

SEC. 5. (a) For the purpose of carrying out the provisions of this joint resolution the Secretary, or on the authorization of the Secretary any officer or employee of the Department of Transportation, may hold such hearings, take such testimony, sit and act at such times and places, administer such oaths, and require, by subpoena or otherwise, the attendance and testimony of such witnesses and the production of such books, papers, correspondence, memorandums, contracts, agreements, or other records as the Secretary, or such officer or employee, deems advisable.

(b) In order to carry out the provisions of this joint resolution, the Secretary or his duly authorized agent shall at all reasonable times have access to, and for the purposes of examination the right to copy, any documentary evidence of any corporation, business firm, institution, or individual having materials or information relevant to the study authorized by this joint resolution.

(c) The Secretary is authorized to require, by general or special orders, any corporation, business firm, or individual or any class of such corporation, firms, or individuals to file, in such form as the Secretary may prescribe, reports or answers in writing to specific questions relating to the study authorized by this joint resolution. Such reports and answers shall be made under oath or otherwise and shall be filed with the Secretary within such reasonable period as the Secretary may prescribe.

(d) Any of the district courts of the United States within the jurisdiction of which an inquiry is carried on may, in case of contumacy or refusal to obey a subpoena or order of the Secretary or such officer or employee issued under subsection (a) or subsection (c) of this section, issue an order requiring compliance therewith; and any failure to obey such order of the court may

be punished by such court as a contempt thereof.

(e) Witnesses summoned pursuant to this section shall be paid the same fees and mileage that are paid witnesses in the courts of the United States.

(f) Any information which is reported to or otherwise obtained by the Secretary or such officer or employee under this section and which contains or relates to a trade secret or other matter referred to in section 1905 of title 18 of the United States Code shall not be disclosed except to other officers or employees of the Federal Government for their use in carrying out this joint resolution. Nothing in the preceding sentence shall authorize the withholding of information by the Secretary (or any officer or employee under his control) from the duly authorized committees of the Congress.

TERMINATION

SEC. 6. The authority of the Secretary under this joint resolution shall terminate ninety days after the submission of his final report under subsection (b) of section 1.

APPROPRIATIONS

SEC. 7. There is authorized to be appropriated, without fiscal year limitation, such sums, not to exceed \$2,000,000, as may be necessary to carry out the provisions of this joint resolution.

DISCRIMINATION AT INSTITUTIONS OF HIGHER EDUCATION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Massachusetts (Mrs. HECKLER) is recognized for 10 minutes.

Mrs. HECKLER of Massachusetts. Mr. Speaker, for too long women and members of racial minorities have been discriminated against as employees and faculty members at institutions of higher education.

Fortunately, that is now changing. Under the Executive order directing all contractors not only not to discriminate but to take affirmative action in redressing the grievances of women and minorities, the Department of Health, Education, and Welfare issued guidelines for colleges and universities last October.

Recently, Wellesley College, in my congressional district, and its fine new president, Barbara W. Newell, joined with 18 other institutions of learning in expressing their support of the HEW guidelines.

I commend the President, HEW, and the educators for their joint recognition of an inequity in the life of this Nation and their cooperative efforts in putting an end to it.

I include a press release issued by Wellesley College announcing the educators' support of the policy.

A total of 19 college and university presidents from as many institutions in various parts of the country have telegraphed to President Richard M. Nixon and Secretary Casper Weinberger their support of the affirmative action guidelines on the hiring and promotion of women and minority members at institutions of higher education issued by the Department of Health, Education, and Welfare.

The telegraphed statement reads:

We the undersigned college educators wish to reaffirm our belief in the principle of affirmative action as a means of eliminating systematic discrimination in hiring and pro-

motion, and state our support of the HEW guidelines on affirmative action issued October 1, 1972.

Both the east and west coast are represented on the list of signers.

These are: John W. Ward, Amherst College; Martha Peterson, Barnard College; Harris Wofford, Bryn Mawr; Glenn Ferguson, Clark University; Louis C. Vaccaro, Colby Junior College; Warren Hill, Connecticut Commission on Higher Education; John J. Kemeny, Dartmouth College; Charles R. Longworth, Hampshire College; H. R. Branson, Lincoln University.

Jerome Wiesner, Massachusetts Institute of Technology; King V. Cheek, Jr., Morgan State College; David B. Truman, Mount Holyoke; Robert H. Atwell, Pitzer College; Yvette Fallandy, Sonoma College; T. C. Mendenhall, Smith College; Thomas A. Smith, Trinity College; Burton C. Hallowell, Tufts University; Wesley V. Posvar, University of Pittsburgh; Barbara W. Newell, Wellesley College.

When the statement was issued, Barbara W. Newell, economist and president of Wellesley explained that the communications grew out of the necessity to maintain a national focus on the needs of minority groups and women.

I, myself, feel this is not altruism,

She said:

In our complex society we need all the talent we can muster. I do not assume that members of ethnic minorities and women are by nature inferior.

The communications were coordinated by Gail Shea, assistant provost at the University of Connecticut and a member of an ad hoc group of New England women administrators who have a special concern with upgrading the status of women in higher education.

A number of other educators indicated support of the statement or sent letters and telegrams directly to Nixon and Weinberger. Among these were people from Brown, Connecticut College, University of Connecticut, Jackson, Keuka, University of Maine at Portland, Princeton, Trinity, Yale, Wesleyan, and Williams.

A NATIONAL LOTTERY—A SENSIBLE SOURCE OF NEEDED REVENUE TO STATE AND FEDERAL GOVERNMENTS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Hampshire (Mr. WYMAN) is recognized for 15 minutes.

Mr. WYMAN. Mr. Speaker, this country is operating at a deficit that increases every year. There are not enough revenues to finance the public's need for additional governmental programs and services. The requirement of additional revenue is urgent at this hour lest the fires of inflation be further fed by more and more short-term borrowing.

To have new programs and to meet these deficits we must find new sources of revenue. One source that people would contribute to with a smile would be a national numbers drawing; and I am today introducing a bill to establish a national commission to conduct such

national drawings at least every 30 days, or more frequently, as this becomes possible through electronic equipment and technology.

No longer can it be said with even a scintilla of credibility that national numbers drawing is immoral or offends the public conscience. Honestly and efficiently conducted it can contribute millions to fighting crime and helping social programs.

People are playing the numbers in the United States to the tune of billions of dollars each year. Most of this is illicit traffic contributing to and financing organized crime.

If we can operate an honest number drawing system in such a way as to be tamper-proof, which can be done, the proceeds from which give citizens a better pay than an illicit numbers bet, the public will bet national and not with the underworld. This country should have the benefits that can flow from the added revenues available in this way.

Under my bill, 40 percent of the take of each pool must be paid out in prize money. This prize money is exempt from Federal, State, or local tax. What an attraction such a prize will be.

Talk about revenue sharing—my bill provides that all States shall share 10 percent of the net take from each drawing on a basis of population. It also provides that States electing to participate by allowing the sale of drawing stamps in post offices within their borders will take an additional 15 percent of the net on a weighted sales basis. This will mean much more money for participating States-operated lotteries.

This means millions of dollars of additional revenue to the several States with virtually no administrative cost whatsoever. In time, when computers can be hooked into the line, I would expect that anyone wanting to bet a number in a Federal drawing will be able to do so merely by calling a national lottery commission number identifying himself and ordering a number.

Mr. Speaker, I can think of no more efficient, effective, and also pleasant way to fight inflation through increasing national revenue. The proceeds of my bill are required to go in part to fight crime and in part to finance programs in health, education, and welfare.

Many, many other countries in the world—perhaps even a majority—derive a portion of their revenues from national lotteries. Why should not we do the same, particularly when we are short of revenues.

Amounts received by the Government from this source may vary from month to month or year to year. They will not be stable for obvious reasons, but so what? There will be millions, probably even billions, coming to the Government, and the States helping to pay your taxes and my taxes and the crushing financial burden of this country instead of fattening the pockets of the Mafia, the Cosa Nostra, or the local gambling czars.

Mr. Speaker, I urge prompt and favorable consideration of this legislation in the public interest. The text of my bill is as follows:

H.R. 4140

A bill establishing a National Lottery Commission providing for national drawings and a sharing of proceeds with participating States

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That chapter 95 of title 18 of the United States Code (relating to racketeering) is amended by adding at the end thereof the following new section:

"§ 1955. Engaging in numbers games

"(a) Whoever in the United States conducts, assists in conducting, places a wager in or receives a wager placed in, or otherwise engages in any numbers, policy, bolita, or similar game shall be fined not more than \$5,000 or imprisoned for not more than one year, or both.

"(b) This section and section 1953 shall not apply to any national lottery conducted by the National Lottery Commission."

SEC. 2. (a) There is hereby established a National Lottery Commission (hereinafter in this Act referred to as the "Commission") to be composed of three members to be appointed by the President, by and with the advice and consent of the Senate. For administrative purposes, the Commission shall be treated as part of the Alcohol, Tobacco, and Firearms Division of the Internal Revenue Service.

(b) Each member of the Commission shall receive compensation at the annual rate of \$40,000.

(c) The term of office of members shall be five years. A member shall be eligible for reappointment once but not a second time.

(d) Any vacancy in the Commission shall be filled in the same manner as the original appointments to the Commission. Vacancies in the Commission, so long as there are two members in office, shall not impair the powers of the Commission to execute its functions under this Act, and two of the members in office shall constitute a quorum.

(e) Members of the Commission shall have had prior experience and training in law enforcement and demonstrated exemplary records in positions of public trust and responsibility either State or Federal.

(f) Not more than two members of the Commission in office at any time shall be members of the same political party.

(g) The Commission shall prescribe such rules and regulations, and employ such personnel, as may be necessary in the exercise of its functions under this Act.

SEC. 3. The National Lottery Commission shall conduct a national lottery at least once each month. It shall conduct a national lottery more frequently if it deems fit, and daily, in its discretion, when and as electronic equipment and technology renders daily drawings feasible, it being the intention and authorization of this act that the Commission to persons the opportunity to wager a number upon more favorable terms and in a more reliable manner than is presently available to them through the underworld.

SEC. 4. (a) The Bureau of Engraving and Printing in the Department of the Treasury shall print numbers on stamps in sheets of one hundred. The Bureau shall use the latest means to prevent the ability to counterfeit such stamps.

(b) The Commission shall distribute these sheets to the post offices located throughout the United States either in participating States or in exclusively Federal areas. While such post offices shall be the primary outlets for each distribution of stamps, the Commission may from time to time provide for additional outlets for such distributions.

(c) The price of each numbered stamp shall be established by the Commission but shall not be less than 25 cents.

(d) Stamps may be sold, for cash only, by the post offices (or other outlets) to any adult applying therefor, either singly or in quantity and may be resold by original and subsequent purchasers. Stamps purchased in any multiple of one hundred shall be sold by post offices at a discount of 10 per centum. No official identification or other form of accreditation may be required of any person purchasing or reselling such stamps.

(e) The stamps shall be bearer stamps and shall be honored for prize money by presentation by the bearer thereof.

(f) The Commission shall reimburse the Post Office Department for such additional administrative expenses as it may incur by reason of the enactment of this Act.

SEC. 5. (a) In the case of any lottery the pay-out for the winning numbers shall not be less than 40 per centum of the net proceeds of that lottery less the amounts payable under section 6. Such pay-out shall be distributed as follows:

(1) one winning number shall receive one-half of 1 per centum of the net proceeds; and
(2) other winning numbers shall share equally in 39½ per centum of the net proceeds.

(b) Illustrative example: If the net proceeds (that is, the gross receipts less administrative expenses authorized by this Act) of any drawing (whether monthly or more frequently) are \$100,000,000, the payout to individual winners will be \$40,000,000 distributed as follows:

(1) one individual winner will receive \$500,000, and
(2) seven thousand nine hundred individual winners will receive \$5,000 each.

(c) Any amount received by an individual by reason of holding a winning number in a national lottery conducted under this Act shall be exempt from all taxation, Federal, State, or local.

(d) Any individual holding a winning number may establish his entitlement by presenting the winning number to any post office at which stamps for such lottery were available for sale. Upon presentation, the postmaster or other persons in charge of such outlet shall certify that the individual has presented that number; and, after certification by the National Lottery Commission that it is a winning number and the amount of the winnings, the number shall be transmitted to the Commission for issuance of its draft in payment therefor.

(e) Prize money remaining unclaimed thirty days following the drawing shall be held by the Commission in escrow account for one year thereafter. Prize money unclaimed on the four hundredth day following the drawing shall escheat to the general funds of the United States Treasury.

SEC. 6. (a) Any of the several States may elect not to participate in such national lotteries by so certifying to the Commission on or before the ninetieth day after the date of the enactment of this Act. Any State which does not so elect and certify shall be a participating State.

(b) On or before the tenth day after the close of each calendar month the Commission shall distribute among the several participating States 10 per centum of the net proceeds of any national lottery for which the drawing was held during such month. The share of each participating State in any such distribution shall be determined on the relation of its population to the population of all participating States.

(c) On or before the tenth day after the close of each lottery, participating States shall each receive an additional distribution in an amount equal to 15 per centum of the proceeds to any national lottery from the sale of such stamps within the borders of that State.

(d) For purposes of this Act, the term "State" includes the District of Columbia

and any Territory or Trust Government of the United States.

SEC. 7. The net proceeds of national lotteries in excess of amounts needed for the pay-outs to holders of winning numbers provided by section 5 and for the distributions to participating States provided by section 6 shall be deposited in the Treasury of the United States and shall be credited as follows:

(1) the first \$100,000,000 so deposited in each calendar year shall be credited to the account of the Law Enforcement Assistance Administration for use by that Administration cooperatively with the several States (whether or not such States are participating States within the meaning of section 6) in fighting crime, and

(2) the remaining amount so deposited in each calendar year shall be credited to the account of the Department of Health, Education, and Welfare for use by that Department to assist in the financing of such programs concerned with health, education, and welfare as may be entrusted to its administrative responsibility by the Congress from time to time.

SEC. 8. (a) Chapter 61 of title 18 of the United States Code (relating to lotteries) is amended by adding at the end thereof the following new sections:

"§ 1307. National lotteries

"Sections 1301 to 1304, inclusive, of this chapter shall not apply with respect to any national lottery conducted by the National Lottery Commission.

"Whoever forges or counterfeits any stamp made for purposes of a national lottery conducted by the National Lottery Commission; or

"Whoever alters any number on such a stamp; or

"Whoever robs, purloins, or steals such a stamp; or

"Whoever offers for sale or sells any such forged, counterfeited, altered, or stolen stamp, knowing it to be such; or

"Whoever presents any such forged, counterfeited, altered, or stolen stamp to any person engaged in carrying out a national lottery with intent to defraud the United States or any participant in any such lottery—

"Shall be fined not more than \$50,000 or imprisoned for not more than ten years, or both.

"§ 1308. Sale of national lottery stamps at outlets in nonparticipating States prohibited

"(a) Whoever offers for sale or sells any national lottery stamp within the borders of a State which has elected not to participate in national lotteries and has certified such election within the time prescribed by law shall be fined not more than \$5,000 or imprisoned for not more than one year, or both."

(b) Section 4005 of title 39 of the United States Code is amended by adding at the end thereof the following new subsection:

"(d) This section shall not apply to any stamp made for purposes of a national lottery conducted by the National Lottery Commission or to any other matter related to such a national lottery; and nothing in this section, section 4001, or any other provision of law shall be construed to make such matter non-mailable."

SEC. 9. (a) This Act and the amendments made thereby shall apply notwithstanding any other provision of law.

(b) Any law of the United States which is inconsistent with this Act or any amendment made thereby is, to the extent of such inconsistency, hereby repealed.

(c) This Act and the amendments made thereby preempt any law of any State in conflict therewith, and no law of any State shall authorize any similar drawing: *Provided, however, That nothing in this Act or the*

amendments made thereby shall be construed to invalidate existing State laws permitting the conduct and operation of sweepstakes related to parimutuel racing.

(d) If any provision of this Act (including any amendment made thereby), or the application of any such provision to any person or circumstances, is held invalid, the remaining such provisions, or the application of such remaining provisions to other persons or circumstances, shall not be affected thereby.

Sec. 10. This Act shall take effect on the day on which this Act is enacted. The first three members of the National Lottery Commission shall take office not later than sixty days after such date of enactment.

A SALUTE TO THE INTREPID SOUTH KOREANS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan (Mr. GERALD R. FORD) is recognized for 5 minutes.

Mr. GERALD R. FORD. Mr. Speaker, I take this occasion to pay tribute to the South Koreans, a gallant people who stuck by us to the very end in the Vietnam conflict.

Although we had other allies, they phased out their participation in the Vietnam fighting before we achieved a cease-fire and a peace agreement. The courageous South Koreans kept two divisions in the field right up to cease-fire time.

Mr. Speaker, we owe a debt of gratitude to the South Koreans who fought in Vietnam. They played a role which would have been very difficult for the South Vietnamese to fill. I salute the intrepid South Koreans for a job well done. No nation could have had a more capable and willing ally.

LIMITS ON THE DISTRIBUTION OF MAILING LISTS BY FEDERAL AGENCIES

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

Mr. HORTON. Mr. Speaker, today I have introduced legislation to limit the sale or distribution of mailing lists by Federal agencies. This proposal is one that I have pursued for several years and it has received wide support in the Congress.

Briefly, my bill would amend the Freedom of Information Act to prohibit the Government from selling mailing lists for commercial or other solicitations or for any illegal purpose. It would prohibit the sale or distribution of any list of names of Federal employees, past or present members of the Armed Forces, or persons who are licensed or required to register with any Federal agency unless there is certification that such a list will not be used for solicitation or unlawful purposes.

If enacted, this legislation would in no way prevent legitimate access to agency information. It would, however, protect the privacy and safety of individuals whose names and addresses appear on Federal mailing lists.

Last year, the Foreign Operations and Government Information Subcommittee

of the House Committee on Government Operations held extensive hearings on the administration of the Freedom of Information Act. My mailing list bill, as it has been called, was reviewed in the course of these hearings and I am very hopeful that further committee action will be taken on this proposal.

At this point, Mr. Speaker, I will include my testimony of June 13, 1972, in support of my proposed legislation. It should be noted that my bill was designated H.R. 8903 in the 92d Congress but, of course, will bear a new number, H.R. 3995 in the current Congress. I invite my colleagues to review this information and to support this much-needed legislation.

STATEMENT OF CONGRESSMAN FRANK HORTON ON LEGISLATION TO LIMIT THE DISTRIBUTION OF MAILING LISTS BY FEDERAL AGENCIES

Mr. Chairman, I welcome the opportunity to testify in behalf of H.R. 8903—legislation which I introduced in June 1971 to limit the sale or distribution of mailing lists by Federal agencies. At the present date, I am pleased to announce that 68 members have co-sponsored the bill.

Beyond question, the single most important safeguard of an open, democratic society is freedom of information. No nation will long remain free without this safeguard.

Recognition of this fundamental fact can best affirm the importance that attaches to the freedom of information hearings that our Subcommittee has been holding during this past year under your able leadership. These hearings represent, in my judgment, the most comprehensive review on this subject that has ever been conducted. It is to be hoped that they will stimulate wide study and debate throughout society on the measures that must be taken to keep the channels of information open in order to preserve liberty. It is also to be hoped that our hearings will encourage and induce the Congress to consider such additional legislation as may be necessary in this area.

It is necessary and important to preserve the free flow of information in our society, and I want to assure you that H.R. 8903 will safeguard the public's right to know.

My interest in the subject covered by H.R. 8903 was stimulated by a letter from one of my constituents, Dr. Wendell Ames, who is here to testify this morning.

This is one example where the concern of a private citizen, expressed in a letter to his representatives in Congress, has led to a considerable degree of interest in a legislative solution to his problem.

Very briefly, Dr. Ames is a gun collector. As such, he was required to register with the Alcohol, Tobacco and Firearms Division of the Internal Revenue Service. He, together with 143,000 other gun collectors, were placed on a computer mailing list by the IRS, in order to facilitate that agency's mailing of current regulations and other information to registrants. Unfortunately, however, IRS did not confine its use of this huge and valuable mailing list to agency purposes. Instead, in at least 60 separate instances, the IRS "sold" this computer address tape for about one tenth of a cent per name. One of the buyers of this list sent a circular in the mail to Dr. Ames, and presumably to other gun collectors, seeking to advertise firearms it had for sale. Dr. Ames was sharp-eyed enough to notice that the commercial circular he received bore a mailing label identical in every respect to that which he received on mailings from the IRS.

Deeply concerned that his status as a gun collector was being improperly disseminated by the IRS, Dr. Ames wrote me a letter inquiring whether in fact the IRS had made his name and address available, and whether, if they had, this was a legal practice.

My office followed up the Doctor's letter by querying IRS, only to learn that they were in fact selling these lists to both commercial and political organizations, in fact to anyone who was willing to pay a tenth of a cent per name for the labels.

This was back in the spring of 1970. I argued with the IRS that making these wholesale lists of gun collectors available was tantamount to publishing a "National Guide for Gun Thieves", since the list could be used to pinpoint in thousands of towns across the country those private homes likely to contain large numbers of firearms. The IRS backed off somewhat and agreed to cease the sale of lists of gun collectors, although they persisted in making lists of gun dealers available, arguing that dealers advertise their locations in order to sell their wares.

Subsequently, I questioned over fifty federal agencies to determine their policies on distribution of mailing lists. The results of this survey were contained in a statement I made in June, 1970, when I introduced the first version of this bill. The upshot of the survey was that there was no pattern, no rhyme nor reason to federal agency policy on the subject of mailing lists. Some agencies made lists available on a regular basis—citing the Freedom of Information Act as authority. Others denied any access at all to such lists—again citing the Freedom of Information Act as authority to do this. In brief, the policy of the federal government is no policy at all. The Act is ambiguous and the situation is chaotic. This, Mr. Chairman, is the motivation for my bill—simply to clarify this situation by setting out a reasonable government-wide policy, which protects individual privacy at the same time it adequately safeguards the public's right to know.

H.R. 8903 is limited to prohibiting a Federal agency from distributing lists of names and address of individuals—either employees or those having business with an agency—where such lists are to be used for purposes (1) of commercial or other solicitation, or (2) prohibited by law.

Individual freedom has both positive and negative attributes. Freedom involves the right to say and do what you wish so long as such does not unconscionably interfere with the rights of others. It also consists of the right to be left alone.

Liberty involves both freedom of information and the right of privacy. You can no more have one without the other than you can have water without the correct proportions of both hydrogen and oxygen.

Up to now these hearings have concentrated on the issue of freedom of information. Now it is time to consider the individual right of privacy.

Over the past century there has been a growing recognition of the need of society to protect privacy. Among advances that have been taken in this direction are:

1. protections against physical assault and loss of property rights;
2. restrictions against nuisance (smoke, gases, noise, etc.);
3. safeguarding reputations by recognizing actions against libel and slander;
4. protecting works of the mind—patents and copyrights;
5. expanding prohibitions against unreasonable searches and seizures;
6. enhancing the right of freedom of speech and freedom to remain silent;
7. restraining public and private snooping such as are found in wiretapping, eavesdropping, lie detectors, psychological testing, mail covers, and industrial spying.

As significant as these advances have been, however, they may not have kept pace with those forces mobilized to undermine individual privacy. The advancing technological civilization in which we find ourselves captive—willingly or unwillingly—places man increasingly under the pressure of public ex-

posure and subjects him increasingly to the erosion of privacy. It seems reasonable to conclude that modern enterprise and invention have provided the technological means to invade privacy to such a degree that man, at least potentially, can be found to suffer more intensely from mental pressure and stress than from the infliction of bodily injury.

In spite of limitations attempted or imposed in recent years, the fear and trauma induced by the threat of public and private snooping may now be greater than ever. The narrowing of the privilege against self-incrimination, use of blacklists by government agencies, infiltration of legitimate organizations, and spying upon innocent individuals because of their political and social beliefs must be added to the list of our concerns. Perhaps, potentially, the most insidious of all is the growing development of public and private computer data banks and related informational storehouses which make possible convenient access and disclosure of the most intimate and personal information on individuals.

In line with this latter condition, over twenty federal agencies administer significant programs, including the Census Bureau, the Bureau of Labor Statistics, and the Economic Research Service and Statistical Reporting Service of the Agriculture Department.

Hoards of other records and files are also maintained—almost or all theoretically in a state of confidentiality. Yet, in many cases, the degree of such confidential protection must be open to question. While 17 per cent of such are not to be disclosed beyond the collecting office and 18 per cent are limited to the encompassing department, 25 per cent are only restricted to the boundaries of the government as a whole and 39 per cent lack any distribution restraints at all.

According to recent testimony by Senator Mathias, as of 1967, federal files included more than 3.1 billion records on individuals, involving 27 billion names; 2.5 billion addresses; 250 million police histories; nearly 1 billion files on alcoholism and drug abuse; and over 1 billion personal income files. Of the above, at that time, approximately half of this information could be retrieved by computer. This level has certainly grown since then.

Among the categories of personally, sensitive information that is processed and stored, subject to retrieval, are:

1. Selective Service System records containing information on individual police records, security or investigative reports, involvement in civil and criminal court actions, and religious and financial data.

2. Federal employment and personnel files containing information on income and health.

3. Applications for federal grants and fellowships requiring the inclusion of police records, security and investigative reports, and involvement in civil or criminal court actions.

4. Civil Service Commission "security files" involving over 2 million index cards relating to loyalty and security activities.

5. Seven computerized data banks maintained by the Justice Department pertaining to the (a) FBI's National Crime Information Center, (b) Bureau of Narcotics and Dangerous Drugs' files on narcotics users, (c) FBI's Known Professional Check Passers' file, (d) Organized Crime Intelligence System's records, (e) Civil Disturbance Unit's files, (f) offenders' files based on federal prison records, and (g) records of the Immigration and Naturalization Service.

6. National Driver Register of poor drivers.
7. Department of Housing and Urban Development's Adverse Information file.

8. National Science Foundation's data bank on scientists.

9. Custom Bureau's computerized data bank on "suspects".

10. Internal Revenue Service's computerized files on all taxpayers containing the most detailed financial and personal information.

11. Census Bureau's computerized files involving the most personal information on each citizen.

12. Secret Service's dossiers on "activists" and "malcontents".

13. Army Surveillance files.

14. FBI, CIA, and Military Intelligence and security files.

15. Military medical and personnel files.

16. Department of Health, Education and Welfare's "blacklist" on scientists and other potential advisers.

17. Department of Justice's Internal Security Division's intelligence data bank relating to civil disturbances.

Until recent years, information privacy was comparatively easier to preserve because it was more difficult to collect information; data gathering was on a decentralized basis; individuals in a highly mobile society were more difficult to keep track of; and it was prohibitively costly, if not impossible, to retrieve, tabulate and interpret the data that was available. That, of course, has changed completely with the advent of the computer. The threat to individual privacy is no longer a potential. The reality is now upon us.

Even if the above cited types of the most sensitive and personal information is shielded in confidence from public disclosure—much of which is not adequately protected—large additional reservoirs of data on individual citizens are not only not secure but actually available for public disclosure for purposes of commercial or other types of solicitation.

Those categories of information being made available for solicitation purposes present or in the immediate past include:

1. Federal Communication Commission's name and address list of 265,000 amateur radio operators.

2. Federal Aviation Administration's list of 680,000 licensed pilots.

3. Internal Revenue Service's list of 143,000 gun dealers and collectors.

4. Coast Guard's list of registered boat owners.

5. General Service Administration's lists of subcontractors.

6. Commerce Department's list of potential U.S. exporters.

7. Veterans Administration's list of discharged veterans.

8. TVA's list of retired employees.

9. Immigration and Naturalization Service's list of naturalized citizens.

Added to the above, moreover, must be the following categories of individual names which under existing law would seem potentially available for distribution for solicitation purposes:

1. Department of Agriculture's list of hundreds of thousands of farmers engaged in unpaid crop reporting services.

2. Peace Corps' names of all volunteers and returned volunteers.

3. Patent Office and copyright Office lists of all patent and copyright holders or applicants.

4. Civil Service Commission's listings of all Federal employees, retirees, and applicants for employment.

5. State Department's lists of all issued or applied for passports.

6. Customs Bureau compilation of all persons passing through or declaring at Customs.

7. Department of Defense's names of all military personnel, honorably discharged personnel, and retirees.

8. Labor Department's lists of all individuals engaged in job training, apprenticeship programs, and vocational programs.

9. Small Business Administration's lists of small businessmen.

10. All government applicants and recipients of grants, contracts, fellowships and scholarships.

11. Mailing lists of all government agencies.

After reflecting upon these vast sources of information, can there remain any doubt that the use of such by private persons for commercial gain has the potential for causing an overwhelming invasion of individual privacy and erosion of individual liberty.

From that which I have outlined above, the failure of the Government to prescribe reasonable, fair and coherent policies governing the use of released public information places the privacy—the individuality—of each human being in jeopardy.

My purpose in introducing H.R. 8903 has not been to deny information to the public. Far from it, I believe freedom of information is the bedrock of a free society. Nothing in my proposed legislation interferes with the mandate of the Freedom of Information Act or any other appropriate legislation to assure the free flow of information within our society. In the same vein, nothing in H.R. 8903 prohibits or impedes Government agencies from distributing information, including directories and other lists of named individuals, under appropriate circumstances, so long as such is not intended for solicitation purposes. For example, nothing in my bill would impede access to such data by the news media.

My sole purpose is to lay down reasonable rules governing the use of such information so that it may not be employed to undermine the equally precious right of all citizens in our open society—the right to have individuality and privacy protected. In an open society, it is essential to balance the rights of each individual to regulate his own life to as great an extent as possible with the need to prevent such freedom from impeding unreasonably upon or injuring the rights and freedoms of others. That is the sole intent and purpose of my legislative proposal.

PRIME MINISTER EDWARD HEATH'S REMARKS BEFORE THE NATIONAL PRESS CLUB

THE SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Mr. WHALEN) is recognized for 10 minutes.

Mr. WHALEN. Mr. Speaker, the Honorable Edward Heath, Prime Minister of the United Kingdom addressed the National Press Club on Thursday, February 1, 1973, here in Washington.

I was privileged to be among those who heard him speak. The thrust of his observations is important, Mr. Speaker, both in terms of the content and because the speaker is the head of state of our closest ally, Great Britain.

Prime Minister Heath was both courteous and forthright in talking about trade matters as they affect both countries, with particular emphasis on Britain's new membership in the Common Market. I, therefore, request permission to insert at this point in the RECORD, extracts of Prime Minister Heath's speech and the excellent introduction delivered by the president of the National Press Club, Lon Larrabee. I hope to have a corrected copy of the transcript of the question and answer period which followed the speech to insert at the next session of the House.

INTRODUCTION AND REMARKS BY PRESIDENT DONALD R. LARRABEE AT THE NATIONAL PRESS CLUB LUNCHEON, FEBRUARY 1, 1973, FOR PRIME MINISTER EDWARD HEATH

Good afternoon. I am Don Larrabee, president of the National Press Club. Before introducing our distinguished speaker, I would like to present some of those at our head table. (Introductions)

Seated directly in front of me are the Ambassador of Belgium, the Ambassador of the Netherlands and the Ambassador of Singapore. I suspect there may be others in the diplomatic corps who have escaped my notice but, may I say, we are honored by your presence, one and all.

On May 26, 1969, at a luncheon in this room, the Rt. Hon. Edward (Ted) Heath predicted that his Conservative Party would beat Prime Minister Harold Wilson's Labor Party in the next election. He assured us he wasn't after Mr. Wilson's blood, just his cottage at 10 Downing Street.

Roughly one year later, Mr. Heath and his underdog Conservatives pulled off one of the great electoral upsets in modern British history, winning a 43-seat margin over the greatly favored Labor Party. The "Guardian" said, of the victory: Heath has done a Truman, and I think the comment needs no explanation before this audience.

Today, this distinguished son of a master carpenter, this organ scholar at Bayliol College, Oxford: this working-class type who turned himself into the perfect Tory gentleman, has achieved enough "firsts" to satisfy even a Richard Nixon.

He is the only Prime Minister to have conducted an orchestra—the London symphony: The only Prime Minister to have won an ocean yacht race—from Sydney to Hobart: And the first and only Prime Minister to have led Britain in a decisive march toward full membership in the European community—the Common Market.

To carry on in the Nixon-Heath idiom, it is especially appropriate that the Prime Minister should be the first chief of a foreign government to see the President in the second Nixon term and that the Prime Minister should come here in the first hopeful days of the Vietnam cease fire.

Britain's full membership in the enlarged European economic community is a vital new element in American-British diplomacy. The Prime Minister, no doubt, is aware that Mr. Nixon intends to emphasize relations with Europe this year—and that boils down to a couple of matters that were probably touched on at the White House this morning—money and trade. Perhaps we will hear more of this from the Prime Minister.

One of our colleagues says Mr. Heath has difficulty in establishing warm and easy human relationships. Even his closest friends acknowledge that he is a distant man. Perhaps that is why Mr. Nixon is inviting Mr. Heath to Camp David on Friday. These two self-made men like to get away from it all—and don't be surprised if they tell it from the mountain.

The President and the Prime Minister have much in common. They are regarded by their enemies as chilly and calculating political animals, by their friends, as men driven by a single dream. Neither really likes crowds or small talk and both have been known to seek solace in private prayer. They find something to admire in Disraeli. And they like to win.

Both are team men. The Prime Minister, in 1971, was Captain of Britain's team of three yachts which won the Admiral's Cup races. Mr. Nixon, in 1972, steered the course for both the Republicans and the Redskins.

These two administrators are success stories in their own time and their own countries. They are also giants in the boardroom and the councils of state.

And so, what we are seeing is a sort of celebration of what Mr. Heath calls the

"natural Anglo-American relationship". And we are seeing a coming together of men who, in their own ways, favor a return to old fashioned self-reliance, in the battle against inflation and economic pressures.

The Prime Minister, like the President, has begun a melting of the freeze on wages and prices. And some believe he has also begun a melting of the parliamentary system in which he is—like American Presidents we have known—taking his case directly to the people.

But what seems most obvious as we begin the month of February, 1973, is that the United States is in good communication with the United Kingdom.

There is perhaps no better expression of this relationship than Sir Winston Churchill's memorable remarks in a radio broadcast some 32 years ago: "The British Empire and the United States, said Churchill, will have to be somewhat mixed up together in some of their affairs for mutual and general advantage. For my own part, looking out upon the future, I do not view the process with any misgivings. I could not stop it, if I wished. No one can stop it. Like the Mississippi, it just keeps rolling along. Let it roll, said Churchill, let it roll on full flood: inexorable, irresistible, benign-ant . . . to broader lands and better days."

The Prime Minister of Great Britain, the Right Honorable Edward Heath.

EXTRACTS FROM SPEECH BY THE RIGHT HONORABLE EDWARD HEATH, BRITISH PRIME MINISTER

Last October the Leaders of the 9 Community countries met in Paris. We were not concerned to exchange smiles and platitudes. We were aiming to draw up an ambitious and imaginative programme for the future of the Community. That is what we aimed at, and that is what we achieved. The significance of that programme has not yet been fully realized.

We were not content with general principles. We set deadlines for work, decision and action in many fields. We will encourage the development of industry on a European scale. We will work out European policies to protect our energy resources, to spread prosperity through the various regions, and promote improved conditions of work and employment. We aim to transform the whole complex of relations between European countries into a European union before the end of the present decade.

This will be a new type of union. That is why I myself have never used the phrase "United States of Europe". That phrase gives the impression that we shall simply be following in the footsteps of your own remarkable achievement in creating a nation. We are dealing with an entirely different situation. We are dealing with ancient European nations, each with its own traditions and background, each determined to retain its identity. Our intention is not to destroy that identity but to build on to it a new European dimension which will enable us to secure, by common action, benefits which would be beyond our reach as separate nations. That is what we mean by a European Community.

I am confident that the will exists to carry through the whole of this existing programme. In my own country we have come to the end of 20 years of discussion about our relationship with Europe. As you may know this discussion has cut right across Party lines. Now that the decision is taken and we are members of the Community I find that forward-looking people of all political persuasions are moving in to take advantage of the opportunities open to them in the Community.

In the foreign field we are also moving towards unity. At the Summit we agreed that the aim should be to work out common medium and long-term positions on foreign policy matters. We already have a common

commercial policy and speak with one voice in international trade negotiations. More and more I hope that the European countries will act as one. This is essential now that the Community is the largest unit in world trade.

So once again Europe is on the move. Successive United States Administrations can take a big share of the credit for this. Over the years you have accepted the creation of a friendly, stable and prosperous Western Europe as a major interest of the United States. You have accepted that this will mean greater competition for your industries. It will mean an independent European voice in the world which will not always share exactly the same views which you hold. But you have thought, rightly I am sure, that this was a price well worth paying in return for the larger goal. I would like to pay tribute to the foresightedness and consistency with which the United States has helped Europe forward along this path.

The effect of these changes in Europe will be far-reaching. Just as the growth of the population and the increased industrial prosperity of the United States has led to the consolidation of her world power, so we can expect the new union in Western Europe to alter fundamentally the authority of individual Western European states in world affairs.

This position will not be used irresponsibly by the members of the Community. We made a public statement of our view in the Communiqué issued at the end of the Paris Summit meeting. We said then that the Nine had decided to maintain a "constructive dialogue" with the United States, Japan, Canada and their other industrialised trade partners. By this we mean that we are ready to talk about the whole field of our relations. There are two areas in which there are serious and urgent problems—monetary reform and questions of international commercial policy. The Community and the United States have agreed to hold negotiations for the further liberalisation of international trade. Discussions on the international monetary system have already begun.

Success in these two different sets of discussions is to be desired for both the United States and Europe. Of course it is not possible to think of these issues entirely in isolation. This means the establishment of good communications between those who sit in the Committee of Twenty and the GATT. But equally the problems are complex and the time-scales are different. So we must ensure that progress in one does not need to wait on detailed decisions in another.

I take trade first. Having myself taken part in a number of important trade negotiations. I know how difficult it is to be fair to everyone involved in them. Obviously the American worker does not want to see his job exported. But neither does his counterpart in Britain. The fact is that protectionism is a sin of which no trading country is free, even if each of us tends to believe that he is more sinned against than sinning. You have your complaints about some of our European trade practices. We for our part have very real grievances about U.S. trade barriers.

There are many American measures that effectively discriminate against overseas suppliers.

Wherever possible, we believe, as do you, that the problems between the United States and the Community should be argued out between themselves, or through the international machinery which exists. But we have to recognise that problems of the kind I have mentioned—the so-called "non-tariff barriers", are especially difficult to deal with. I believe that the right way to tackle them is by international discussion and negotiation. This is the only way in which we can find a solution which is visibly fair to everyone, and which will lead to balanced liberalisation of international trade which all can support. We want to work with the United

States to achieve a new freedom of world trade.

Do not forget that we in Europe are used to American goods, and that you have in Europe an enormous market place which will grow substantially in importance as our prosperity develops. The opportunities for the United States in Europe are very great if we can keep up the impetus for freer trade.

In the monetary field, we have come closer together over the last year. The speeches of President Nixon and Secretary Schultz at the IMF Annual Meeting helped to pave the way for the constructive discussions now taking place in the Committee of Twenty. The European Community is pledged to work for an equitable and durable reform of the system. I do not under-estimate the differences that remain, but I am convinced that it is in the interests of us all to reach an early solution.

Of course, defence is still an essential part of the relationship between the United States and Europe. We are rightly pursuing detente in discussions with the Russians and other Eastern Europeans in a number of different contexts. I hope that these discussions can achieve real progress. But until real detente has been achieved it would be foolish for the Western powers to weaken the solidarity or military power of our alliance. I think that this is common ground on both sides of the Atlantic. It is perfectly natural that you in the United States should from time to time re-examine the reasons for which you station forces in Europe. I believe that each such examination is bound to lead to the same conclusion. American forces are in Europe, not to do us a favour, but to preserve an essential American interest and to take part in the common defence of the Atlantic partnership.

It is equally natural that the American effort should be compared with the effort of your European partners. We certainly recognize that as the relative economic strength of Europe increases, so too should the share of the common defence burden which Europe bears. Already we have shown that we intend to improve our defence effort. In 1970 we carried through a billion dollar European defence improvement programme. In 1971 and 1972 there have been co-ordinated national force improvements of one billion and 1.5 billion dollars. The European allies now provide 90 per cent of NATO's ground forces in Europe, 75 per cent of her air forces and 80 per cent of her naval forces. There are 10 Western Europeans under arms for every American serviceman in Europe.

I have tried to show you how we in Britain and we in France see our own future and our relationship with the United States. We want to fortify the present relationship. We want to make it strong and durable, to take account of the shifts and changes of the past few years, the effect of which should not be overlooked; and to find common solutions which meet your needs and interests as well as our own. I am sure that this is the next major task we have to tackle together, and that is the main reason why I am here.

REAP

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

Mr. RAILSBACK. Mr. Speaker, I was particularly distressed when the administration announced in December the termination of the rural environmental assistance program—REAP—as I know how important it is to many individuals and groups in my congressional district in Illinois.

REAP was initiated back in the 1930's

to provide cost-sharing incentives to farmers to install soil and water conserving practices on their lands. In view of the numerous subsidies which place a burden upon the average taxpayer, a program to which both the individual and the Government contribute is especially refreshing and encouraging. The REAP program has also been exceptionally successful in demonstrating the value of conservation as good farming practice. Since its conception, REAP has been responsible for some 2 million storage ponds and the terracing of 31 million acres of farmland. REAP has been popular with the farmers and conservationists and the Congress, and is certainly in harmony with our environmental goals.

Unfortunately, the President decided last month that REAP was of a low priority status which could be eliminated without serious economic consequences. His action to impound money approved by the Congress was justified as a means to ward off a tax increase or inflationary deficit—to hold 1973 fiscal budget outlays to about \$250 billion.

I am fully cognizant of the administration's reasons for this termination. I would be the first to admit that Congress needs to thoroughly reevaluate and reform its system of appropriations if this Government is to ever realize a balanced budget. However, I am convinced that the termination of REAP is not the best means in curtailing such spending activity.

Over the past few weekends while I have been in Illinois, I have had the opportunity to meet with members from three county soil and water conservation districts. Understandably enough, these men were most distressed by the Agriculture Department's recent announcement. I found it difficult to explain how an administration which has long been a good friend of the farmer could justify the termination of REAP. They and I were particularly concerned that a decision was made at a time when most farmers had already planned for assistance in 1973.

One member of the Henry County Soil and Water Conservation District showed me an outline of their 1972 REAP cost-sharing program, which I must add, was most impressive. Included were such environmental improvements as: Establishment of permanent vegetative covers; planting trees or shrubs; water impoundment reservoirs; and improving stands of forest areas.

I cannot understand why funds for such beneficial programs as REAP which seeks to protect and improve our environment can be terminated when loud protests are being made over the deplorable state of our Nation's lands. It seems to me there are several less effective programs which could be eliminated.

Also, while I was back in Illinois, talking to the many farmers and farm leaders in my district, I became convinced that most farmers want to do their share in holding spending down. While they do not want the valuable conservation programs under REAP terminated, they would like to have the production-oriented programs elimin-

ated. Liming materials are strictly production-oriented. They are profitable for the farmer to use, so why should the Government have to spend money for materials farmers would purchase anyway? It seems to me—as it does to the people with whom I have spoken—that the Federal Government would be better advised to direct its money toward conservation projects within the REAP program.

THE PRESIDENT'S BUDGET MESSAGE

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

Mr. McFALL. Mr. Speaker, for the past two days I have been participating as a member of the House Committee on Appropriations in the overview hearings on the 1974 budget with Secretary of the Treasury George Shultz, Director of the Office of Management and Budget Roy L. Ash, and Chairman of the Council of Economic Advisers Herbert Stein. The purpose of these discussions was to review the broad budget policies and related economic assumptions that characterize this budget.

Today, I feel I must speak out.

BUDGET CONTROL SHELL GAME

The extraordinary shell game on budget control the administration is attempting to foist upon the public will eventually fall of its own weight and inconsistencies.

Careful review of the budget in great detail over the coming months will document the case. In the meantime, our colleagues in the House should be alerted to what is going on.

It all began last October on the way to the election. During the debate on the \$250 billion rigid spending ceiling proposal, Congress was summoned to take full responsibility for the inept handling of economic policy by the Nixon administration over the last 4 years. It was charged that emergency fiscal conditions required immediate attention. It was said that Congress was entirely at fault and there was little hope or time for reform, that the only responsible course was for Congress to abdicate the heart of its authority to the President. He would make things right.

An overriding conclusion that can be drawn from the budget discussions over the past two days is that the budget control shell game continues. Witnesses would not concede that even a particle of responsibility for fiscal conditions rests with the administration. A brief recitation of the record will expose the absurdity of this ridiculous posture.

THE BALANCED BUDGET PLEDGE

May I remind you of President Nixon's first budget message to the Congress in which he said:

I have pledged to the American people that I would submit a balanced budget. The budget I send to you today fulfills that pledge.

That pledge was translated in actual reality to a unified budget deficit of \$23 billion in fiscal 1971, followed by con-

secutive deficits of \$23.2 billion in fiscal 1972, \$24.8 billion currently estimated for fiscal 1973 and \$12.7 billion currently estimated for fiscal 1974. And I would point out that after 1971, the President requested enactment of deficits when he submitted his budgets.

In the 4 years of the Nixon administration, we have accumulated about one-fourth of the national debt, and in the budget before us, the President is proposing to increase the debt subject to limit by another \$30 billion.

Last year, how many times did we hear George Shultz say that \$250 billion was a "lot of money." That comment came every time Congress proposed a program that it considered to be important to the American people. Well, this year George has a new line—" \$269 billion is a lot of money." It is the President, not the Congress, who is now asking for a budget of \$23 billion larger than the one he requested last year.

At the same time, the President was asking for \$23 billion more than he requested last year and proposing an increase of \$30 billion in Federal borrowing, he told the American people in a nationwide radio address:

It is time to get big government off your back and out of your pocket.

As a matter of fact, Congress and the executive branch have acted together since 1962 to reduce revenues available to the general fund in calendar 1973 by about \$50 billion. That is the figure Treasury came up with last year in connection with our overview hearing on the 1973 budget.

CONGRESSIONAL ENDORSEMENT

At this point, I will quote from a table prepared by the Joint Committee on Reduction of Federal Expenditures reflecting the impact of congressional actions on the budget estimates. The table includes the impact of congressional actions and inactions since 1969, the first year this joint committee began its work on the now familiar scorekeeping report. The table shows that for the years 1969-73, the effect of congressional actions on the new budget authority through the appropriations process has been a net reduction of \$30 billion. Congressional action on budget authority through legislative bills have added \$30 billion—a standoff. Congressional inaction on other budget authority requests have resulted in a further net reduction of \$9 billion. All of those budget authority reductions would, at some time, of course, result in outlay reductions.

My point here is simply that Congress has not created a fiscal crisis through its actions on new budget authority—which is really the critical limiting factor that sets the ultimate size of Government spending programs.

The budget figures of the past 4 years represent essentially the President's program. The Congress, of course, made some changes in allocation on individual items. But in terms of broad aggregate budget policy, these were Nixon proposals for increased spending, Nixon proposals for increased borrowing, Nixon proposals for increased deficits.

The deficit situation was exacerbated if anything—not so much by Congress

as by the shortfall in revenues that resulted from the administration's unfortunate mismanagement of the economy during the first term.

IMPACT OF CONGRESSIONAL ACTION OF 1973 SPENDING

Congressional action on the spending side of the budget for fiscal year 1973 did result in additions to the President's original request. But let us look at the details to see what the real story is. The spending effect in fiscal 1973 of actions on appropriations bills was to reduce defense and foreign aid and to increase education and health for a net reduction of about \$1.5 billion in outlays. In spending that resulted from actions on non-appropriations bills, Congress added about \$7.5 billion—for a net add-on of about \$5 billion.

The largest part of the add-on, however, came in social security, revenue sharing, and black lung programs. The social security benefits increase was \$2.8 billion, revenue sharing total was \$3.25 billion, and the black lung appropriation was \$969 million.

What was the President's response to Congress increase in social security? Not a whisper of a veto, gentlemen. The President at that time seemed quite willing to put his hands in the pockets of the American people. In fact, he actually sent a letter over his signature into the homes of millions of Americans with those increased social security checks, in which he proudly took credit for the added benefits. But that, of course, was before the election.

And revenue sharing? That is the one area the President has announced that is so important that he has placed it above consideration for impoundment.

As far as black lung was concerned, this was a most necessary and humanitarian program enacted by the Congress with the complete support of the President.

So Congress did not do so badly in terms of the President's priorities before the election.

As this full story of the administration's shell game on budget control unfolds in the coming months, I am certain that the American public will call this attempted slight of hand for what it is—an attempt to obscure the fiscal truth.

CONGRESS PART IN SETTING PRIORITIES

Careful questioning in our hearings also revealed that the authority of the Congress to set priorities will continue to be questioned. Witnesses claimed not only that the \$269 billion total for fiscal 1974 was a magic number, not to be tampered with by Congress. They also made it quite clear that even if Congress were to stay within that limit, the administration would accept recommended reductions—but would subject compensating congressional increases to further review by the executive branch. Congress' role in setting priorities becomes all the more important in the light of the program proposals set forth by the Executive in this budget.

This budget proposes severe retrenchment in critical areas. It goes much further than to caution against further new initiatives. It recommends reductions

and terminations of programs amounting to \$17 billion in fiscal 1974. It makes it very clear that these reductions and terminations are not negotiable.

On page 7 of the budget message, we read:

Should the Congress cause the total budgeted outlays to be exceeded, it would inescapably face the alternatives of higher taxes, higher interest rates, renewed inflation or all three. I oppose these alternatives; with a firm rein on spending, none of them is necessary.

Mr. Speaker, the Budget is replete with this language that in effect tells Congress to take what is recommended or be damned with the onus of a "congressional" tax increase.

What I do not see in this budget is how the administration proposes to address itself to the needs of the American people.

We are told that some social programs did not perform effectively and they were scuttled. Is not the next step of responsible leaders to ask how we can better do the job?

The Nixon administration answer is found in its recommendations in this budget. The only increases in new budget authority recommended for "people programs" in this budget are in the areas of health and income security—and we all know that virtually all of those increases have already been enacted into law by previous Congresses. They are simply becoming available this year. But look at the other areas. What is the President planning to do this year?

Agriculture and rural development—down from \$7.4 billion to \$6.7 billion.

Natural resources and environment—down from \$6.9 billion to \$1.3 billion.

Commerce and transportation—down from \$17.1 billion to \$12.7 billion.

Community development and housing—down from \$5.9 billion to \$3.9 billion.

Education and manpower—down from \$10.9 billion to \$9.9 billion.

Mr. Speaker, Congress is concerned, as everybody knows, that programs it authorized and funded are being terminated or shifted to the States and the cities to finance. And for good reason. Congress has a concern for the problems of the people of this country.

It deserves better treatment than to be threatened with the blame for a tax increase if it disputes the administration's recommended program reductions.

It deserves some discussion of how this administration expects these needs to be met. And it deserves a respectful role in making the final decisions.

ROLE OF THE PRESS

Mr. Speaker, as an example of the type of public enlightenment that we can expect from the press, I include in the CONGRESSIONAL RECORD an article published by Clayton Fritchey in the Washington Post on Tuesday, February 6, 1973:

THE BUDGET: A QUESTION OF PRIORITIES (By Clayton Fritchey)

What is left out of federal budgets is often as significant as what is put in, and the Nixon budget for fiscal 1974 is no exception.

On Oct. 7 last year, just a few weeks before the presidential election, Mr. Nixon called

the high property taxes paid by elderly retired Americans a "national disgrace." He pledged that "relief for these Americans is going to be a first order of business in our next federal budget." Nevertheless, there isn't a whisper of this promise in the new budget. On the contrary, the administration intends to make the elderly pay an extra \$1 billion a year for Medicare benefits they are now getting free. Fortunately for the aged, this has to have the approval of Congress.

In his budget message last year, the President said, "Welfare reform, with training and work incentives, with a new fairness toward the working poor and a minimum income for every dependent family, is a good idea whose time has come. . . . It is ripe for action now." Further delay in enactment, he said, would be both "unwise" and "cruel." Yet, there is no mention of it in the new budget. Instead Mr. Nixon in a special broadcast preceding the formal presentation of the 1974 budget, favored the public with a sermon against government spending, no doubt hoping this would divert attention from the record-breaking expenditures he is planning for next year and the year after.

Despite Mr. Nixon's warning about the spending habits of Congress, it is the President—not Congress—who is now asking for a budget of \$269 billion, or \$23 billion more than he requested last year. That's a leap of almost 10 per cent. In four years under Mr. Nixon, the budget has climbed from \$195 billion to \$269 billion—a record jump of \$74 billion, or almost 40 per cent. And it might have been worse except for Congress. At the end of the 92nd Congress last fall, Sen. Mike Mansfield, the majority leader, reported that Congress had cut Mr. Nixon's new-appropriation budgets by \$22.2 billion.

Under Mr. Nixon's stupendous spending, the national debt has climbed to almost half-a-trillion dollars, an increase of around \$100 billion in four years. His deficits have exceeded anything in U.S. history except at the height of World War II. Yet in his radio broadcast on his latest budget the President said with a straight face, "It is time to get big government off your back, and out of your pocket."

Actually, there is little or no disagreement between the President and Congress over the \$269 billion total for the new budget. The conflict centers on priorities. Although the United States is now out of the Vietnam war, Mr. Nixon still wants to spend more on defense, while cutting or eliminating domestic programs for, among other things, health, education, poverty, pollution, day care and Medicare. Congress wants to do the reverse.

The President says his "search for waste" has led him "into every nook and cranny of the bureaucracy." But it hasn't led him to the Pentagon where the documented waste runs into the billions.

The President warns Congress that if it gives social programs more than he has allowed it will have to take the responsibility for a tax increase. Not necessarily. Congress can offset these increases with military reductions. Also, it can provide more revenue by eliminating tax loopholes for vested interests.

After being subjected to four Nixon budgets, Congress has become a little skeptical of the President's arithmetic. It still remembers his first budget message, in which he said, "I have pledged to the American people that I would submit a balanced budget. The budget I send to you today fulfills that pledge." Instead, it ended with a deficit of \$23.4 billion, and that was just a start.

OBSCENE RADIO BROADCASTING— III

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

man from Ohio (Mr. JAMES V. STANTON) is recognized for 5 minutes.

Mr. JAMES V. STANTON. Mr. Speaker, I rise today to include a letter I have written to the Office of Legislative Counsel, dealing with offensive language on the air waves in the RECORD. I am certain the proposals made in this letter will be of interest to Members of the House, so many of whom have been receiving complaints about perhaps obscene radio talk shows in their own cities. Yesterday and the day before, I entered in the RECORD letters I had written to the U.S. attorney in Cleveland, Ohio, and to the Federal Communications Commission dealing with other aspects of this issue. Tomorrow, I will include a fourth letter, to the Justice Department, in the RECORD. The letter to the Legislative Counsel follows:

HOUSE OF REPRESENTATIVES,
Washington, D.C., February 5, 1973.

WARD HUSSEY,
Legislative Counsel, Office of the Legislative
Counsel, Cannon House Office Building,
Washington, D.C.

DEAR MR. CRAFT: I would appreciate your assistance in drafting legislation to amend Title 18, United States Code, Section 1464, which reads: "Whoever utters any obscene, indecent or profane language by means of radio communication shall be fined not more than \$10,000 or imprisoned not more than two years or both."

My tentative proposals, which I would like to discuss with you, are as follows:

1. It seems to me that this statute would be invoked more frequently, and prove more effective as a deterrent, if the term "obscenity" were defined in it. With this in mind, it might be helpful to add a few sentences saying that for the purpose of this statute, "obscenity" means what the Supreme Court said it meant in the *Roth* and *Memoirs* cases.

You will no doubt recall that, in *Roth*, the Court held the test of obscenity to be "whether to the average person, applying contemporary community standards, the dominant theme of the material taken as a whole appeals to the prurient interest."

This definition was elaborated on in *Memoirs*, in which the Court decreed that material could not be regarded as obscene unless three elements coalesced: ". . . (a) the dominant theme of the material taken as a whole appeals to a prurient interest in sex; (b) the material is patently offensive because it affronts contemporary community standards relating to the description or representation of sexual matters; and (c) the material is utterly without redeeming social value."

2. I am considering, also, adding language to the statute which would say that the local United States Attorney, in contemplating action under Section 1464, would first consult with an advisory board consisting of leading citizens in the community. The members of this board will have been appointed by him. Among the members (we could get more specific at the time we are drafting this bill) would be persons representing the schools, churches, synagogues, the medical profession (including clinical or other psychologists), organizations concerned with the protection of civil liberties and other individuals chosen at large from the community and reflecting, hopefully, a cross-section of the community. This board would consider complaints received by the United States Attorney and recommend to him steps that might be taken to abate such complaints. The Board could also assist the United States Attorney in helping to conciliate complaints, as an alternative to the prosecution process.

3. My primary interest at this time is in

commercial radio stations that are broadcasting questionable programs. Because commercialism is a factor, I would like your opinion on whether the "pandering" principle, as enunciated by the Supreme Court in the *Ginzburg* case, might be applicable here and perhaps serve to strengthen Section 1464.

4. I would like to know, too, whether the Court's ruling in the *Redrup* case might be adaptable to Section 1464. This held that a determination of obscenity would be more readily made where explicit sexual material has been thrust upon persons who do not wish to see or hear it—which is what happens, obviously in so many radio broadcasts. The Court suggested in *Redrup* that it would sanction prohibitions applied to prevent "an assault upon individual privacy . . . in a manner so obtrusive as to make it impossible for an unwilling individual to avoid exposure to it." While it is said frequently that those objecting to radio programs need merely turn them off, I am certain you would agree with me that this is too glib an answer—and hardly a remedy, if the injury is to the public-at-large, rather than to the sensibilities of a few complaining individuals.

In addition to these amendments to Section 1464, I would appreciate your drafting a second piece of legislation for me. On Page 68 of the Report of the Commission on Obscenity and Pornography (September, 1970) you will find a suggested statute which would permit authorities to go to court and obtain declaratory judgments and/or injunctions in their efforts to cope with obscenity. Under such a statute, a United States Attorney could obtain a court determination of whether material is obscene before going forward with a *civil action*, in which the goal would be obtaining a cease-and-desist order against distribution of the material, violation of which would be punishment through contempt-of-court proceedings.

You will note that the Commission's suggested statute contains the following language, which I would like to see incorporated in the bill you prepare for me:

"No restraining order or injunction of any kind shall be issued restraining the dissemination of any work on the ground of its obscenity prior to the completion of the adversary hearing required by this subsection. Any defendant may assert a right to the trial of the issue of obscenity by jury in actions brought pursuant to this section."

I would appreciate hearing from you soon, and I am looking forward to members of our respective staffs getting together to draft these two bills.

Sincerely,

JAMES V. STANTON,
Member of Congress.

THE GREAT MILITARY RIP-OFF

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

Ms. ASZUG. Mr. Speaker, today's edition of the Washington Star-News carries an excellent column by Frank Getlein entitled, "War-We-Win, Peace-You-Lose." Mr. Getlein poses a question which to me is one of the central issues presented by Mr. Nixon's 1974 budget: if Richard Nixon is such an outstanding man of peace, why is he proposing a \$4 billion increase in the military budget while slashing expenditures for nearly every decent social program ever enacted in this country?

That is the question, and without further adieu, I insert the text of Mr. Getlein's column:

WAR-WE-WIN, PEACE-YOU-LOSE

(By Frank Getlein)

Sooner or later President Nixon is going to have to put up or shut up about being the biggest boon to peace since the Creation of the World, or whatever the current formulation says.

According to the new budget, it isn't going to be sooner.

The President never tires of telling us, and his flunkies, valets-de-chambre and plugola-watchers tire even less of telling us that he is the Man of Peace, he has gone on Journeys for Peace, and he has brought about a Generation of Peace.

As a result of all this activity for Peace, the military budget for the new year has to go up some four billion bucks.

In their innocence the American people and their elected Congress had the vague notion that when a war stopped, military expenses went down.

It now appears that practically all other expenses will go down, but military expenses will go up as a result of the Blessed Peace he hath wrought in Vietnam, it says here.

Clearly, in times of peace, the country can afford to spend less money on education, less money on feeding the hungry and healing the sick, less money on practically everything that makes the good life possible. The only thing we can afford to spend more money on in time of peace is war.

According to the budget, the old folks, retired from working by law at one remove or another, will now spend themselves swiftly into bankruptcy should serious illness—such as the illness of being old—strike them. The money that used to help them through Medicare and Medicaid must now be used to pay for the continuing cost overruns of industrial geniuses like the new manager of the budget, Roy L. Ash, whose fangs are already closing into the Treasury flanks for a healthy overrun rung up when he was the boss of Litton, one of the great overrun military industries of our time.

The circumstances were wildly different, to be sure, but that last time the world was treated to the same combination of triumphant peace on the one hand and desolation on the other, and military super-budgets maintaining both, was at the hands of the first Roman Emperor, Augustus, of whom it was written. He has made a desert and called it Peace.

The theory of inflated military expenditures in honor of Peace is simple and even superficially plausible until you think for a moment of the inevitable results.

It goes like this: In time of actual, shooting war, military budgets are strained to the breaking point to support the war. The Christmas bombings of Hanoi alone cost us untold millions—and we are not talking about the cost in the good opinion of the Swedish premier and the Pope of Rome, those Comsymps, we're talking about hard, so to speak, cash.

Since those funds, belonging to the military by right of congressional seniority, big expenditures in key congressional districts and commissions as general officers for key senators, have been squandered on plain old fighting, they must now be made up for out of the peacetime budget.

Since all money in the budget has to come from somewhere, this can only come out of the heads of would-be students, out of the mouths of the hungry and out of the health of the aged.

Plausible enough in pure mathematics, perhaps, of the kind practiced by Mr. Ash. But the theory is appalling when you start thinking of what it really means.

What it means is that no matter what, in peace or war, the only way the military budget can go is up. Anything else can go down or cease to exist altogether, as is the intended fate of any budgetary compassion left

over from Lyndon Johnson. But the cost of war, in peace as in war, can only go up and up and up—forever.

This is by far the most serious budgetary and social problem facing this country and the country is hardly aware of it. It is more serious than whether a welfare mother stays home to take care of her children instead of getting a job. It is far more serious than the dread socialistic possibility of some old-timer somewhere getting a free set of chop-pers or specs.

In the meantime, the military fiscal theory of war-we-win, peace-you-lose, raises the question of whether this country can afford peace in Vietnam. The military costs are too high.

ANNOUNCING HEARINGS ON THE LAW ENFORCEMENT ASSISTANCE ADMINISTRATION

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

Mr. RODINO. Mr. Speaker, I would like to announce that Subcommittee No. 5 of the Committee on the Judiciary has scheduled public hearings on legislative proposals relating to the Law Enforcement Assistance Administration.

These hearings will begin on February 28, 1973, at 10 a.m., room 2141, Rayburn House Office Building.

Those wishing to testify or to submit statements for the record should address their request to the Counsel to the Chairman, Committee on the Judiciary, U.S. House of Representatives, room 2137, Rayburn House Office Building, telephone (202) 225-7709.

MONTANA STATE SENATE URGES RESTORATION OF RURAL PROGRAMS

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

Mr. MELCHER. Mr. Speaker, the administration's actions in dismantling some of our most important agricultural programs must be overturned by the Congress. The Agriculture Committee has passed a bill to make it mandatory to reinstate REAP, the basic conservation program for the country. This week new legislation to restore emergency FHA loans is being considered by our Agriculture Committee and Chairman POAGE has set hearing dates later this month for consideration of REA loans.

The Montana State Senate, on January 26, adopted a significant resolution urging the restoration of these programs. I feel that this action should be called to the attention of my colleagues who soon, I trust, will be confronted with legislation to reverse the administration decisions. This clearly shows the feeling in Montana.

The resolution follows:

SENATE RESOLUTION NO. 4

A Resolution of the Senate of the State of Montana urging the President of the United States to restore funding of Federal Rural Development Programs vital to the economy of Montana

Whereas, providing for greater development of rural America remains one of the most

crucial domestic needs facing our Nation, and

Whereas, action by President Nixon would terminate various federal rural development programs such as United States Department of Agriculture's Farmers Home Administration Disaster Loan Program, the Rural Environmental Assistance Program, the Water Bank Program, wheat and feed grain reseal programs, loans for grain storage, and Rural Electric Administration Two Percent (2%) Loan Program for rural electric and telephone cooperatives, and

Whereas, the very rural nature of Montana makes all of these programs of the utmost importance to the economic strength of our state, recognizing that practically every citizen has either directly or indirectly benefited from these programs, and

Whereas, these are social as well as economic programs, designed to assist rural America in providing the food and fiber which is the real economic strength of this or any nation, and

Whereas, this action subverts the intent of public policy declared by Congress, now, therefore, be it

Resolved by the Senate of the State of Montana: That the 43rd legislative assembly respectfully urges President Richard M. Nixon to restore funding of all the aforementioned rural development programs, and

Be it further resolved, that in addition to President Nixon, copies of this resolution be forwarded to Senators Mike Mansfield, Lee Metcalf, Herman E. Talmadge, George Alken, Milton Young; Congressmen Richard Shoup, John Melcher, Mark Andrews; and Secretary of Agriculture, Earl Butz.

TRUE FREEDOM OF THE PRESS ESSENTIAL TO OUR WAY OF LIFE

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

Mr. MITCHELL of New York. Mr. Speaker, the public interest in the free flow of information in an open society is of such great and overriding consequence as to demand our continuing attention to make certain it is safeguarded. When necessary, and I believe that the events of the past months involving court decisions and the jailing of newsmen make it abundantly clear that the time is now, we must take action to reconfirm what has always been one of the strongest cornerstones in our society—the right of those engaged in bringing information to the public to operate in a free and unfettered atmosphere.

That right has been jeopardized and it is now clearly the responsibility of the Congress to take the action necessary to eliminate that jeopardy.

As one who has an abiding faith in the American people and their ability and propensity to make sound judgments when the facts are at hand, I feel strongly about the many advantages of promoting the free flow of information to the public. I am convinced that true freedom of the press is essential to the preservation of our way of life.

Today, I am joining in the sponsorship of legislation to assure the free flow of information to the public. I do so committed to the proposition that we must continue to have a government of, by and for the people, not only in theory, but in fact.

The measure that I am today introducing is precise in its language. It says

that a person connected with or employed by the news media or press, or who is independently engaged in gathering information for publication or broadcast, shall not be required to disclose before the Congress or any Federal or State court, grand jury or administrative entity any information or written, oral or pictorial material or the source of that information or material procured for publication or broadcast.

We must protect the right and respect the determination of newsmen to protect their sources. If we fail to do so, many of these sources will soon disappear and the ultimate effect will be felt by a people who will be forced to operate with less information.

I recognize that there are differences of opinion with respect to what should constitute an effective and realistic free flow of information statute. The question is do we provide absolute immunity for our newsmen or do we attach certain qualifications to that immunity. I believe that in the best interest of all—the newsmen and the society we are seeking to preserve and strengthen—that some qualifications are in order. Once again, the measure that I am introducing is precise in its language. It says that the protection guaranteed in the measure can be divested when it is proven conclusively “by clear and convincing evidence that, first, there is probable cause to believe that the person from whom the information is sought has information which is clearly relevant to a specific probable violation of the law; second, has demonstrated that the information sought cannot be obtained by alternative means; and third, has demonstrated a compelling and overriding national interest in the information.”

Mr. Speaker, this is a matter of great importance. It involves a problem national in scope and long-range in implication. If we, in the Congress, are to be responsible, we must be responsive. I am encouraged by the apparent determination of the Committee on the Judiciary to give this matter the very careful and analytical attention it deserves and I am optimistic about the chances of an enlightened body approving a measure that will serve the best interests of all the people.

RULES OF EVIDENCE FOR FEDERAL COURTS

(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, today the House Judiciary Committee began hearings on new rules of evidence for Federal courts submitted to the Congress by the Supreme Court on November 20, 1972. In the past the Congress has casually allowed such promulgations of the Court to go into effect without dissent. This time the proposals are too far reaching to allow us this luxury. Close examination of these rules, followed by appropriate congressional action is necessary.

We constantly hear that our prerogatives are being threatened by the expansion of Executive power. The encroach-

ment of the judiciary upon the Congress is equally dangerous. Therefore I am introducing now two bills to insure that congressional rights are maintained in legislative matters. We must not abdicate our responsibility.

This morning I appeared as a witness at public hearings before the Committee on the Judiciary. The following is the text of my testimony at that public hearing:

TESTIMONY

(Representative BERTRAM L. PODELL before Committee on the Judiciary, U.S. House of Representatives, Feb. 7, 1973)

Mr. Chairman, the Advisory Committee on Rules of Evidence, appointed by Mr. Chief Justice Warren in March, 1965 under the auspices of the Judicial Conference of the United States, has submitted to Congress its Proposed Uniform Rules of Evidence for all United States Courts and Magistrates. The rules go into effect in 90 days and become binding on the courts unless they are rejected by Congress.

That all-or-nothing-at-all proviso in the legislation enabling the Court to set rules is a legislative oversight. I do not believe, nor do I think that Congress intended when the enabling legislation was adopted, that this body be given only 90 days in which to accept or reject a voluminous set of far-reaching changes that took over seven years to draft.

A reading of the proposed rules changes lends even more credence to that argument. This proposal sent to Congress by the Supreme Court is a lengthy document entitled “Rules of Evidence,” along with changes in the rules of civil and criminal procedure. Neither the enabling statute, nor its legislative history, suggests that the Judicial Conference has the right to promulgate new rules of evidence.

Mr. Chairman, I suggest that Congress alone has the right to set rules of evidence or to delegate that authority by specific acts of Congress. Congress first asserted its authority to prescribe the law to be followed by the Federal courts in the Rules of Decision Act of 1789. I do not believe that this attempt to usurp that power should go unchallenged.

There has been great debate among the legal fraternity as to whether the Supreme Court even has the authority to promulgate such rules. In its various Enabling Acts, this Congress has given to the Supreme Court the right to promulgate rules of practice and procedure for our Federal courts. Many distinguished members of the Bar, including Associate Supreme Court Justice William O. Douglas, question whether rules of evidence are by their very nature procedural, in the sense of determining the conduct of trials, or whether they are instead substantive, in that they go to the very right that is being litigated in the courts. Substantive rights are clearly beyond the purview of the Supreme Court's rule-making power; this the enabling statutes make clear.

The effects of these new rules upon our system of justice could be disastrous. Rules of evidence determine whether a case is won or lost. They determine what testimony or documents a litigant can present in support of his case or defense. These rules will replace the common law evidentiary rules which are currently employed by our courts, rules which were developed over a period of centuries of application and constant refinement. The far-reaching consequences of these rules make it incumbent upon us to subject them to a detailed, searching inquiry. We cannot allow them to go into effect without first determining what the consequences of them will be on our courts and on our people. Although the new rules are the work of

eminent jurists, scholars, and lawyers, most members of the Bar and other affected groups are unfamiliar with them, as are most members of Congress.

Mr. Chairman, let me highlight just a few of the far-reaching changes proposed in the document before us, and what it will mean if the changes are not rejected.

1. The right to know: The proposed rules establish a new “official information” privilege. In light of the controversy surrounding the Pentagon Papers, Congress must decide whether it wants to allow the government to have an increased power to classify documents. This proposed privilege could be claimed by any executive department or any of its inferior officers on the grounds of “national interest.” There need be no showing that the national security would be damaged if the privilege was disallowed. This seems to me to be in direct conflict with the Freedom of Information Act, because it enables the government to keep from the public anything it considers to be not in the “national interest.” The ramifications of a privilege covering this ill-defined term must be closely studied, or 1984 will be that much closer.

2. The elimination of the doctor-patient privilege: This ancient privilege protects the confidence of statements made by a patient to his doctor in the course of medical diagnosis or treatment. The privilege is essential if citizens are to receive the best medical treatment available, for often people will reveal certain facts about themselves, facts which may be vital to diagnosis or cure, only if they know their confidences will be protected. That means that the most intimate and private conversations between a patient and his physician could be forcibly revealed in court. This specific rule is opposed by the American Medical Association on the grounds that it would detract from the quality of medical care available to patients and thus limit the kinds of service a doctor could make available. It could open doctors to harassment and their records to public view. Patients may be reluctant to discuss such problems as sex, venereal disease, adoption, bastardy, epilepsy and so forth. In addition, forcing a doctor to reveal the confidences of his patients would be in violation of the Hippocratic Oath.

3. Admission of hearsay evidence: This rule change would deny us the Constitutional right to confront our accusers. Third party testimony damaging to a defendant could be admitted into evidence, thereby denying the defendant the right to cross-examine. Simply put, the new rule would give common gossip standing before the courts in place of hard evidence and hard testimony. This change is revolutionary.

4. Husband-wife privilege: The new rules eliminate this bastion of privacy in all civil cases and in criminal cases under the Mann Act (procuring for prostitution across state lines). Again the principle of a confidential relationship is attacked. When is a confidence not a confidence?

5. Newsmen's privilege: The proposal now before us has no rule giving privilege to newsmen. Taken with other suggested changes here, it could have a gross effect on a newsmen's freedom. For example, in the case of a reporter charged in a state where he is protected by a “shield” law, the outcome of his case may well be decided by whether he is tried in state or federal court.

6. Impeachment of witnesses: New rules concerning the impeachment of witnesses, which could revolutionize the conduct of testimony in our courts, and the apparent effect which these rules will have on the evidentiary rules of the states, must be considered.

Under the present Rule 43 of the Federal Rules of Civil Procedure, Federal courts must look to state as well as Federal rules in de-

termining whether evidence is admissible. Under the proposed rules, only the Federal evidentiary rules will determine admissibility. This will have a profound effect on the outcome of litigation under diversity jurisdiction. Residents of different states with more than \$10,000 in controversy between them may bring suit in a Federal court. The litigants also have the option of suing in a state court. As presently constituted, the rules are designed to provide the same result in most situations, whether the case is heard in Federal or state court. If these rules go into effect, the results will be different, for the courts will be applying different rules of evidence. This will encourage forum-shopping. Litigants will race to the courthouse to file suit first in the court with the evidence rules which they feel most favor their case.

Our courts are already faced with serious delays in hearing suits. Further delays almost surely will result if litigants try to have suits transferred from state to Federal court or Federal to state court, because they feel the rules in one court will guarantee more favorable evidentiary treatment. Situations such as this could cause great confusion and a further breakdown of our judicial system.

One of the problems which will result if Congress does not determine the limits of the Supreme Court's rule-making power is that a challenge to the authority of the Supreme Court to issue such rules could only be made in the courts. The problem with this, of course, is that the Supreme Court has already determined that it has the authority. The Court will, therefore, be required to decide the limits of its own authority. In addition, it is circular for the Court, which has already decided it has the power, to once again have to decide whether it has the power, when that power is challenged in the courts. It amounts to a determination that, because the Supreme Court has issued the rules, it therefore had the power to issue the rules. Thus, a person convicted under the new rules who appealed to the Supreme Court that he was convicted on inadmissible evidence, might find the Court sitting in judgment of itself, deciding without legislative recourse that the rules it had sanctioned were in fact legal.

What does all this mean? It means that if these rules—set under this procedure—are allowed to stand, the Supreme Court will have established the right to make whatever changes in our court system it sees fit.

I contend that the changes proposed in this document are so profound and so far-reaching that many of them would never be approved by Congress in the form of a law. They are changes which neither Congress would accept, nor the President sign into law, if their full implication were understood.

It means that if these basic changes in the law are allowed to stand on the recommendation of the Judicial Conference, with the imprimatur of the Supreme Court, then our next message from them could be an announcement of the suspension of habeas corpus, or worse.

The enabling statute, as presently written, does not prescribe the procedures to be followed by Congress in order for it to reject these rules, and it does not even say that Congress can reject the rules. If these proposals are allowed to go into effect, with Congress not having the authority to challenge them, they will constitute out-and-out judicial legislation, in violation of the Constitution. The Constitution gives Congress the sole authority to pass laws. For Congress to allow another branch of Government to take over its prime function would amount to a total abdication of authority, and the violation of its sacred trust. In that light, the present Enabling Act may well be unconstitutional, for it delegates the authority to enact legislation, with no provision for Congressional rejection of the enactments of the Court.

This document, on the heels of the current assault on Congress' power of the purse, contains what is perhaps the most open and most concerted attack on the powers of Congress in history.

If, through inaction, indifference, or lack of understanding, we allow our authority to be further eroded, and our powers further diminished, we will be desecrating a holy public trust, and we will have no one to blame but ourselves.

In view of that, I will today introduce two bills designed to correct the situation. The first will extend the time given Congress to consider the matter, from the 90 days set in the current statute, until such time as the rules may be specifically approved by Congress.

The second bill amends the Civil enabling statute, section 2072 of title 28 of the U.S. Code, and the other enabling statutes, to eliminate the negative aspects contained in the Code. As amended, the enabling legislation would require that such basic changes as those we are considering here today be approved by both Houses of Congress and signed by the President before they can become operative. Presently, the rules become binding automatically in a specific period of time if Congress fails to act.

Mr. Chairman, that is the conclusion of my statement. Thank you for your consideration and for your interest.

LEGISLATION TO EXTEND FRANKING PRIVILEGES TO SURVIVING WIVES OF FORMER U.S. PRESIDENTS

(Mr. PICKLE asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. PICKLE. Mr. Speaker, today I am introducing a bill to extend franking privileges to the surviving wives of former Presidents.

On the first day of the 93d Congress, the distinguished chairman of the Post Office and Civil Service Committee, Mr. THADDEUS DULSKI, of New York, and the distinguished second-ranking minority member of that committee, Mr. EDWARD DERWINSKI, introduced this same bill.

This bill would apply to Mrs. Bess Truman, Mrs. Mamie Eisenhower, Mrs. Jacqueline Kennedy Onassis, and Mrs. Lady Bird Johnson.

I think that it is fitting that after the recent passing of two of our beloved Presidents, President Truman and President Johnson, that we extend this expression of gratitude to those gallant women who also served in the White House.

No one would disagree that each First Lady did much for the country during her stay in the White House.

We could spend hours and hours discussing how each First Lady added to the quality of American life.

Mr. Speaker, I ask that the Members give their support to the bill that I introduce today.

JUDICIAL LEADER RETIRES

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

Mr. PICKLE. Mr. Speaker, recently a judicial great in the State of Texas stepped down from the bench in retirement.

The Honorable Robert W. Calvert,

chief justice of the Texas State Supreme Court for the past decade, was a rare and truly self-made man.

Born to a tenant farm family, he spent almost 10 years of his young life at a State orphanage, then went on to work his way through college and law school, finally to be elected to the highest judicial seat in the State.

In between, he entered law practice, served as a State legislator, was elected speaker of the Texas House, and served as a county attorney and as chairman of the State Democratic Executive Committee.

I have known Judge Calvert for many years. Seldom has any State been so fortunate in its choice of a chief justice. The compassionate wisdom by which Judge Calvert was known will be long remembered and much missed.

I join many Texans in wishing him well in his retirement.

An article from the Austin American-Statesman tells about Judge Calvert, and I should like to reprint it here as follows:

CALVERT PLANNING RETIREMENT

Chief Justice Robert W. Calvert announced he would retire upon or before the last day of his present term Dec. 31, 1972.

"This day ends 21 years of service for me as an Associate Justice and Chief Justice of the Supreme Court of our State, and it seems an appropriate time to announce that I will not be a candidate in 1972 for re-election as chief justice," Calvert said.

"At the end of my present term on Dec. 31, 1972, I will be 67—nearly 68 years of age, and according to standards I have set for myself, it will be time to retire.

"I make no commitment to remain in my present office until the end of my term. I may decide to retire at an earlier time."

He spent his childhood in the State Orphans Home at Corsicana, where he got up, dressed, ate, studied and played by the ringing of the bell.

Calvert said in an interview some years ago the biggest lesson he ever learned was to do things when a bell didn't tell him he had to. Out of the orphanage, Calvert suddenly found himself in the University of Texas as an 18-year-old freshman on his own.

Calvert was elected to the state's top judicial post in 1961 after serving as an associate justice since 1950.

"I thought, oh, boy, this is for me," Calvert said in the interview. "No bells, nobody telling me what to do. Fortunately it took just about one term to knock that out of my head. I buckled down and got to work when I realized every person is subject to discipline one way or another."

Calvert entered the Corsicana Home when he was eight years old, and remained until he graduated from its high school in May, 1923. Born in Giles County, Tenn., Feb. 22, 1905, he was the son of a tenant farm couple, Porter and Maude Calvert. After his father's death he lived with his maternal grandparents until he came to Texas with his mother in the summer of 1913.

Between 1923 and 1931, when he graduated from the UT Law School, Calvert ran an elevator in the Capitol, did clerical work and was a night watchman in the State Land Office.

Calvert entered law practice in Hillsboro and later served six years as a state legislator from Hill and Navarro counties, being re-elected twice without opposition. He was elected speaker of the House in 1937 and presided over the House during an important period in Texas state government, when numerous changes and developments were under way.

He was elected county attorney of Hill

County in 1942 and was re-elected in 1944 without an opponent. He was elected chairman of the State Democratic Executive Committee in the September state convention in San Antonio in 1946, and served one term, retiring voluntarily from that office in 1948.

TRANSPORTATION STRIKE LEGISLATION

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

Mr. PICKLE. Mr. Speaker, once again I am introducing a bill to help solve the serious problem of crippling strikes in the rail and air industries. I hope this is the last time I do. I hope we see passage of some kind of remedial legislation in the 93d Congress. As we all know, we face a possible strike on the Penn Central by tomorrow.

For over 6 years, I have authored legislation that offered new approaches for settlement of transportation strikes.

Mr. Speaker, we are all resolved that the Railway Labor Act must be made to work better. There is a growing consensus that it needs an overhaul. I have to agree with a former Department of Labor official who calls the present Railway Labor Act "an incredibly convoluted procedure." He went on to compare this act with a Rube Goldberg device. The only difference is a Rube Goldberg machine always worked in the end. Unfortunately, the Railway Act keeps on breaking down.

This 1926 act has been invoked 100 times since World War II, nine times since 1963. Congress has had to step in after the cooling off machinery of the act has expired and failed to produce a settlement.

In 1966, Congress was in the process of ordering striking machinists back to work in a dispute with the union and five major airlines when the parties reached a settlement ending a 42-day old strike. In 1967, Congress acted three times to deal with a nationwide rail strike, the first strike in 20 years. Two actions postponed the strike, the third ended the strike after a 2-day walkout. This problem involved the shopcraft unions versus the railroads.

In the spring of 1970, Congress headed off a rail strike first by postponing the strike for a month or so, and later, by enacting legislation that imposed a 17-month dispute between the management and four shopcraft unions. In December 1970, Congress was beat to the crossing. We tried to avoid another strike by enacting an 81-day moratorium, but action came too late to stop a brief walkout. This dispute also involved the shopcraft unions and the railroads.

In May of 1971, a short strike prompted Congress to approve emergency legislation that sent 13,500 signalmen back to work and ordered the railroads to give the workers an interim 13.5-percent wage increase. In November of 1971, this dispute was settled.

Of course, we all remember the west coast dock strike of 1971-72.

My point is, and I want labor people and management people to note this, that this country now has a 535-man

arbitration board; 435 Congressmen and 100 Senators. Believe me, a 535-man arbitration board is no way to run a railroad.

The Railway Labor Act is old and rusty. It has lost much of its muscle. As a result, collective bargaining has broken down. The Railway Labor Act does little if anything to encourage management or labor to settle their differences because, as a matter of practice, neither side begins to bargain until a Presidential Emergency Board is appointed. Even then, the bargaining is suspect because each side makes extreme demands because they expect the board to strike a compromise.

In my opinion, a legislative overhaul of the Railway Labor Act is the only solution.

Mr. Speaker, for the last 7 years, I have felt like a man crying "wolf." I have introduced and reintroduced the "arsenal of weapons" approach to legislation and I have complained that a strike was coming, and nobody was listening.

We need legislation for several obvious reasons:

First, collective bargaining is not working.

Second, the Nation's economy is so shaky that we simply cannot afford another nationwide tie-up.

And third, the Railway Labor Act is as antiquated as a 1929 Dusenbergs and not nearly as classic.

In candor, I must say that the only bill which could ever pass the Congress would have to be a bill which would have provisions which are distasteful to both labor and management.

Also, if we are to be completely realistic, we must consider all the factors which have and will contribute to delay in getting legislation passed: the disagreement between labor and management over compulsory arbitration, the calm which always follows the passage of emergency legislation, and the consequences of the final court decision on selective strikes. All these things add to the delay. All these things take the heat off for action.

Mr. Speaker, I want to point out that I have discussed my bill with members of the labor committee of the American Bar Association. This labor committee has drafted strike legislation in the transportation field and the ABA has approved the proposal. The ABA proposal and my bill are not too far apart.

The bill amends section 10 of the Railway Labor Act—that section which authorizes the National Mediation Board to notify the President when a dispute of certain seriousness occurs. The President, then, may create an Emergency Board—which, in effect, is another mediation board—to consider the dispute and try to effect a settlement.

If the Emergency Board, under present law, fails then the parties are free to strike.

After these procedures are exhausted, there is no remedy available, other than congressional intervention. The parties are free to strike or lockout.

Under my bill, when the President is notified by the National Mediation Board of a dispute, he immediately may proceed under either of two broad alterna-

tives: First, if he determines that the dispute is not one of immediate urgency, he may proceed through another mediation board, termed an Emergency Board. On the other hand, second, if he determines that the national defense, health, or safety is imperiled, he may immediately proceed under remedies involving a special board—arbitration; limited seizure of the concerned carriers; or a congressional remedy in which the President specifically recommends a settlement, or any combination of these three items.

The bill provides that if the Emergency Board route is completed, then the dispute may proceed through the remedies of arbitration, seizure of congressional relief, simply on the standard that the dispute threatens to interrupt essential transportation service in a given area. It is not necessary that a "national emergency" be found in order to reach the final three alternatives, and this provision assures that the flow of procedures will not become logjammed as they have done in the past.

The approach of my bill, in broadest terms, is to lengthen the process for reaching a voluntary settlement, and give the President the widest possible range of alternatives for dealing with a serious dispute. It is called an "arsenal of weapons" procedure.

It gives him authority to take any of several alternatives at each step along the way, and it generally allows him to pick and choose between the alternatives, or to select a procedure incorporating several aspects of the choices involved.

It even allows him to take no action, if he so desires, leaving the dispute open to normal bargaining and strike remedies.

To respond to any kind of situation, the bill gives the President alternatives which are or might be highly onerous to both sides.

If it is deemed that the parties have not bargained in good faith, the President might ultimately select a remedy involving a limited form of Government seizure of the carrier involved.

In this way, the parties will remain uncertain of the method of any final Government intervention, and with distasteful alternatives resting in the discretion of the President, neither labor nor management would want to appear to be the unreasonable bargaining party.

This is the one way to restore true collective bargaining and this is the way to promote voluntary settlements between the parties. This may be the best way to save collective bargaining.

I would like to say a word at this point about my including a provision for seizure in the bill. First, I realize that it is a very extreme measure, and that in our system of government, its place is found, if ever, only in the narrowest of instances.

As you know, seizure was not included in the bill I first introduced in 1967. As you also know, we saw absolutely no action on that 1967 measure. It did not budge an inch—even though it did serve as the ad hoc remedy for the 1967 rail strike.

The House Interstate and Foreign

Commerce Committee for several years new has had bills which take either of two approaches for solving rail and airline disputes. Either they proceed only with some form of compulsory arbitration, or they utilize only a form of seizure.

It is clear now that this is a lopsided approach and one which does not have a chance to run the legislative gauntlet. There must be a balance built in the law, and unfortunately, it seems that balance in a choice of procedures approach, calls for alternatives which are truly repugnant to each side.

This is the method by which the public makes its voice heard. And this is the means for assuring that neither party makes unreasonable demands or fails to bargain.

Some critics have said the multiple choice of procedures gives the President too much of a burden and too much authority. Frankly, I think one of the greatest attractions is the varied choice of procedures. The President is not bound to take extreme steps when the dispute does not warrant it, and throughout the negotiations, both parties are left in the dark as to whether there will be any intervention at all—and this I believe is conducive to good faith bargaining—and finally, if intervention is needed, the President may tailor the remedy to fit the need.

Mr. Speaker, there were several bills introduced in the 92d Congress proposing solutions for crippling transportation labor work stoppages. My bill is just one such approach. And I am willing to consider amendments to my legislation which would incorporate most or all of the features of the other bills.

For example, an alternative is missing from the arsenal I propose. This is the selective strike. The courts have ruled that a selective strike is legal in the railroad industry where bargaining is done on a national basis. However, a lot of questions were left unanswered by the Supreme Court's decision which upheld the court of appeals in allowing selective strikes.

A big question is: What percentage of our railroad system can we allow to be inactivated by a dispute and still protect the public interest of the Nation? In looking for the legal test, should the question be limited to the effect on a particular region or should we consider the effect, in the entire Nation?

Also, should the selective strike be allowed to swing into play before one of the other alternatives in the arsenal of weapons approach is utilized? If we make selective strike procedure required first, then we may never see a settlement of any strike.

Actually, a selective strike does not lead to settlement of the central dispute between labor and management. It does allow labor and management to slash at each others' pocketbook while forcing the Government to stand by powerless. Powerless, that is, until a national emergency is declared. Selective strike is a weapon; it should not have priority or legal sanction above all other choices.

Mr. Speaker, strikes in the transportation industry, particularly the railroad

industry, are different from other national strikes. A large segment of our society depends on the railroads to haul the stuff that commerce is all about—everything from food to building materials to machinery and so on. During a rail strike, raw materials and finished products alike sit idle. Eventually, so do the consumers.

The point is, Mr. Speaker, a decision ultimate must be reached: How long can a selective strike be allowed to continue? I think there is obviously a point in time when the President must say, "That's enough," to both labor and management. At this point, the President must look for another alternative in his arsenal of weapons.

Another alternative, which is not in my bill, is the "last offer" approach. A bill embodying this alternative was introduced by one friend and colleague, the Honorable JAMES HARVEY, in the 92d and 93d Congress.

One alternative could be binding arbitration or the last offer approach. This approach is covered in the legislation offered by our friend and colleague, Honorable JAMES HARVEY. His bill allows the President flexibility to move from a selective strike to the last offer alternative.

As we range through the possible legislative solutions presented we must consider the last offer alternative. I have no real objections to the last offer approach other than to say I would prefer some other approaches—like the mediation to finality suggestion over this particular solution. Here again, in the arsenal of weapons approach, you could include both approaches. Under either system, a third party is, in effect, writing a contract for the disputing parties. For the last offer approach, a board makes the final decision. In effect, the last offer approach is binding arbitration. Under mediation to finality or binding arbitration, a board again is charged with the responsibility of working out a compromise.

Regardless of the final form of permanent legislation, I think the main point is that something should be on the books to handle these disputes. Too often, Congress is called on to select a means to settle disputes, and it invariably works out that one side or the other feels they have been wronged. That type of action hardly encompasses the goals we seek—to avert strikes while at all times preserving collective bargaining.

Mr. Speaker, legislation to resolve strikes in transportation cannot be enacted soon enough.

Reading the newspapers, I note that many are predicting a strike on the Penn Central tomorrow.

A strike on the Penn Central would cripple the east coast. A strike on the Penn Central might also be the straw that breaks that railroad's back.

As it is, we are now faced with a situation that in past years we have had to pass legislation to order trainmen back to work. The outlook for similar legislation this time again faces us—and it merely treats the symptoms since it does not cure the disease.

Earlier enactment of my legislation, Mr. Speaker, could have possibly avoided these catastrophes.

Thus, I urge my colleagues to aid me in getting strike legislation passed this year.

THE WHITE HOUSE LISTENS

(Mr. MITCHELL of Maryland asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. MITCHELL of Maryland. Mr. Speaker, one of the great strengths of this democracy has been that every citizen can contact elected officials, even the President of the United States. The administration has often stated that it wants to hear from the people. Is this really true?

Read the experiences of two of my constituents, Mr. and Mrs. Henry E. Niles. They sought to record their opinions on the Vietnam war some several weeks ago. The following is what they experienced:

SIR: This morning about 9:15 I called the White House and asked for the office which takes public opinions. I had already prepared the following remarks:

I have called to register shock over the renewed bombing of cities in North Vietnam.

The position of the United States that South Vietnam is an independent country is, to say the least, very questionable under international law. To bomb North Vietnam back into the Stone Age is no credit to the United States.

This savage attack at the Christmas season, killing hundreds of civilians, is a barbarity unequalled since the days of Hitler and is unworthy of this great nation.

Once again the United States is defying much of world opinion.

As a loyal citizen committed to American ideals, I am ashamed of my country for violating its own principles of justice and humanity.

As a Quaker, I am ashamed especially that the President has not resigned from the Quaker group.

The President will be judged before the bar of history but the American people is losing the respect of millions in almost every portion of the world.

I phoned the White House, (202) 456-1414, and was given an extension which was answered by a man. The following conversation occurred:

MCN. Is this the office which registers public opinion?

W.H. (White House). Your own or somebody else's?

MCN. My own.

W.H. What is your name? Where are you calling from?

(I gave my name and the City of Baltimore.)

MCN. I am calling to register shock over the renewed bombing of cities of North Vietnam. The position of the U . . .

W.H. Wait a minute, I cannot take that.

MCN. You said you registered public opinion. I am calling to state my opinion.

W.H. But you will have to put that in writing.

MCN. I understand the purpose of your office is to hear at first hand from citizens. I am a loyal citizen and I want to express my opinion.

W.H. You will have to write.

MCN. I understand this office has been taking public opinion for some time.

W.H. Yes, but as a public employee I am entitled to courtesy. I am a human being, too.

MCN. I am not discourteous to you as an individual. I am insisting upon my right as a citizen to inform the President that the United States is defying much of world opinion. This savage attack at the Christmas season . . .

W.H. Wait a minute you will have to write this so it is documented.

MCN. I am calling because this is urgent and a letter won't reach the White House for two days. This is a barbarity unequalled since the days of Hitler. . . .

W.H. If you don't stop, I will hang up on you.

MCN. I am ashamed of my country and as a Quaker I am ashamed that the President. . . .

(He hung up.)

MARY-CUSHING NILES.

SIR: About ten to twenty minutes after my wife's call I telephoned the White House and was connected with a man in the Message Center, possibly the same man. I said, "Would you be willing to record that I support the President in what he is doing in Vietnam?"

"Yes, sir," was the enthusiastic response, "May I have your name and address?"

"No," I replied. "And don't record that I support the President. I emphatically do not. I was merely testing as to whether you were accepting favorable messages and refusing critical ones. You are recording a damned false report of public opinion."

And I hung up.

As I reflect on these incidents I wonder whether the President is given each day a long list of the persons who called in with favorable comment and a short list, or none, of unfavorable calls. And what statistics may be given to the press? I wonder whether the White House personnel and advisers realize that millions of citizens are revolted by the inhuman bombing of North Vietnam, that million feel duped by the "peace is at hand" message of the weeks before the election, and that millions feel that in their eyes and in the eyes of many people throughout the world, President Nixon is ordering this country to act in as terrible and immoral way as Nazi Germany did.

HENRY E. NILES, of Baltimore.

BASIC OPPORTUNITY GRANTS

(Mr. O'HARA asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. O'HARA. Mr. Speaker, section 131 of the Education Amendments of 1972—Public Law 92-318—creates a program known as the "basic educational opportunity grant program." Put very simply, this program visualizes that each student attending an institution of higher education will be able to qualify for a basic educational opportunity grant, in an amount up to \$1,400, less whatever contribution can reasonably be expected to come from the student and his family.

The Commissioner of Education is empowered to work out a formula, consistent with the act, for deciding what the student's family contribution should reasonably be expected to be. But, lest the Commissioner succumb to an all-too-frequent bureaucratic temptation and draft regulations wholly out of keeping with the act, he was directed to submit them to the Congress no later than February 1 of each year, and the law further provides that either House may, by passing a resolution of disapproval, prevent that formula from going into effect

until the Commissioner has reworked it, taking into account the objections voiced in passing such a resolution.

Mr. Speaker, as chairman of the Special Subcommittee on Education, I have today introduced such a resolution of disapproval, and we have today scheduled hearings on the proposed formula at which Acting Commissioner of Education Ottina will explain his proposed formula.

I owe it to the Commissioner and to the higher education community which is very interested in these regulations to make one thing unmistakably clear.

I am not introducing this resolution because I now believe the proposed formula should, indeed, be disapproved.

I may well vote to table this resolution when the committee takes it up after the hearing record has been thoroughly digested.

But I do believe that when the law gives the House the duty to examine a regulation and gives it the authority to disapprove it, the committee of jurisdiction has an obligation to the legislative process to make the consideration of those regulations a very meaningful thing. It is not my intention to treat this oversight function as an empty formality. I believe that a resolution of disapproval ought to be introduced, that public hearings should be held, and that the subcommittee should act—promptly, to be sure, but positively. The resolution should be voted up or down on the basis of the record, and that the matter should not be left to speculation until the regulations become effective in the absence of congressional action.

Let me reiterate. I have looked at the proposed formula, and I am not aware of any flaw in it which makes it obviously in conflict with the will of the Congress. There are flaws, which have been pointed out to the Commissioner, and I hope they will be corrected. I hope, too, that we will be able to decide one way or another what will be done with these regulations prior to the end of February. It is for that reason only that I have introduced today's resolution.

TOO CIVILIZED FOR CAPITAL PUNISHMENT?

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

Mr. WYMAN. Mr. Speaker, the High Court's 5-to-4 decision basically holding that in virtually all cases the imposition of the death penalty is unconstitutional as "cruel and unusual," flies in the teeth of society's need for the protection of the death penalty in horrible cases. What about Manson, for example, who deliberately slew by knife in her own home an 8-months pregnant woman whose pleas for the life of her living but yet unborn child were brutally denied? What about the person whose planted bomb in an auditorium kills 5,000 innocent citizens? What about planned assassination of a President of the United States? Or calculated poisoning over a period of months murdering a wife or husband?

There are situations that merit the death penalty in all but the minds of those who are opposed to it in principle and under any circumstances and for any crime, even the slaying of their own family. Happily, this is not the view of the great majority of Americans. I say, happily, because most of us want to be darn sure that anyone who deliberately plans such horrible criminal acts knows that, if he does so, he will pay for it with his life.

The Court's holding is all the more confusing because the Constitution itself in the fifth amendment explicitly refers to "capital cases," thus recognizing in its own words that there are cases for which the death penalty may be imposed. The word "capital" means subject to a penalty of "off with one's head."

And it does not help to argue that what the Court has held is that capital punishment may be imposed by mandatory sentence but not by jury recommendation. The misunderstandings and consequent opportunity for misconstruction persists and should be clarified by express constitutional amendment.

The realities of this unfortunate decision are that what members of the Supreme Court seem to be saying is that in this day and time we have become so "civilized" that capital punishment is barbaric. Justice Marshall makes this clear in his opinion referring to the decision as a "major milestone in the long road up from barbarism."

What about Manson's deliberate, brutal disemboweling of pregnant Sharon Tate?

What about the guards at prisons across the land who must be constantly exposed to inmates sentenced to life plus 99 years? What protection are these men to have, lacking any further penalty?

What about the fact that capital punishment for kidnaping plus death ended this terrible offense for the most part after Hauptmann?

What about the indisputable fact that society is entitled to the deterrent of the prospect of capital punishment for certain terrible crimes? Let it not be claimed that it is not a deterrent, because whether it is or it is not it is impossible to know. Statistics are virtually meaningless. It is a good guesstimate that the Lord knows how many individuals have hesitated before planning murder, or kidnaping, or bombing from awareness that if they are caught they will be hanged, or electrocuted, or gassed.

Not a pretty prospect, not even a pleasant subject. On this we are all agreed.

But neither are the crimes against humanity and society that might have been committed but were not because of the prospect of the death penalty. Who knows how many, but we do know that crime is rising, especially crimes of violence. We need the death penalty in this country for a limited number of terrible crimes.

Congress should propose a simple constitutional amendment to the States for ratification providing that State legislatures may impose the death penalty, if they see fit, at the very least for cases involving the deliberate taking of human life.

And Congress should also be authorized to impose the death penalty for conviction of treason. Even this may be denied under the recent unfortunate and unnecessary judicial legislation by members of the one court of last resort in the United States from which there is no appeal.

It is too late now to argue about whether the decision is right or wrong for there is no appeal from the Supreme Court. The only answer to this needed public protection is a constitutional amendment. Congress should propose one without delay.

The amendment follows:

H.J. RES. 329

Joint resolution proposing an amendment to the Constitution to permit the imposition and carrying out of the death penalty in certain cases

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution only if ratified by the legislatures of three-fourths of the several States within seven years from the date of its submission by the Congress:

"ARTICLE —

"SECTION 1. In the case of any crime involving the deliberate and willful taking of human life, the power of a State or of the Congress to declare the punishment thereof shall include the power to impose and provide for the carrying out of the death penalty.

"SEC. 2. In the case of treason against the United States, the power of the Congress to declare the punishment thereof shall include the power to impose and provide for the carrying out of the death penalty."

LEAVES OF ABSENCE

By unanimous consent, leaves of absence were granted as follows:

To Mr. PRICE of Texas (at the request of Mr. GERALD R. FORD), for today, on account of illness.

To Mr. PETTIS (at the request of Mr. GERALD R. FORD), for today and the balance of the week, on account of official business.

SPECIAL ORDERS GRANTED

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

Mr. HOLIFIELD, for 40 minutes, on February 8, 1973.

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

Mrs. HECKLER of Massachusetts, for 10 minutes today.

Mr. WYMAN, for 15 minutes, today.

Mr. MADIGAN, for 10 minutes, today.

Mr. GERALD R. FORD, for 5 minutes, today.

Mr. HORTON, for 5 minutes, today.

Mr. WHALEN, for 10 minutes, today.

Mr. RAILSBACK, for 5 minutes, today.

Mr. WYMAN, for 15 minutes, Thursday, February 8.

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

(The following Members (at the re-

quest of Miss JORDAN) to revise and extend their remarks and include extraneous matter:)

Mr. MCFALL, for 10 minutes, today.

Mr. GONZALEZ, for 5 minutes, today.

Mr. JAMES V. STANTON, for 5 minutes, today.

Mrs. ABZUG, for 10 minutes, today.

Mr. RODINO, for 5 minutes, today.

Mr. DANIELSON, for 10 minutes, today.

Mr. MELCHER, for 10 minutes, today.

Mr. ANNUNZIO, for 15 minutes, today.

EXTENSION OF REMARKS

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

Mr. CULVER to extend his remarks immediately prior to the vote on passage of H.R. 2107, today.

Mr. ROUSH in two instances and to include extraneous matter.

Mr. MADDEN and to include extraneous matter.

Mr. GROSS and to include extraneous matter.

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

Mr. FINDLEY in two instances.

Mr. McCLOSKEY.

Mr. PEYSER in five instances.

Mr. WHALEN.

Mr. DERWINSKI in two instances.

Mr. VEYSEY in three instances.

Mr. ZWACH.

Mr. GERALD R. FORD in two instances.

Mr. WYMAN in two instances.

Mr. BROTZMAN.

Mr. SHOUP in two instances.

Mr. LANDGREBE in two instances.

Mr. GILMAN.

Mr. GOODLING.

Mr. MITCHELL of New York.

Mr. HUDNUT.

Mr. BRAY in two instances.

Mr. COUGHLIN.

Mr. BROYHILL of Virginia in two instances.

Mr. HORTON.

Mr. HOSMER in two instances.

Mr. ROUSSELOT.

Mr. MALLARY.

Mr. ARMSTRONG.

Mr. RAILSBACK.

Mr. SYMMS.

(The following Members (at the request of Miss JORDAN) and to include extraneous matter:)

Miss HOLTZMAN.

Mr. GONZALEZ in three instances.

Mr. RARICK in four instances.

Mr. PEPPER.

Mr. NEDZI.

Mr. KLUCZYNSKI.

Mr. PIKE.

Mr. LEHMAN in two instances.

Mr. YOUNG of Georgia in five instances.

Mr. REID in two instances.

Mr. ADDABBO.

Mr. BRASCO in two instances.

Mr. CARNEY of Ohio.

Mr. BIAGGI in five instances.

Mr. BRECKINRIDGE.

Mr. WALDIE in three instances.

Mr. SLACK.

Mr. ANNUNZIO in 10 instances.

Mr. ANDERSON of California in three instances.

Mr. MURPHY of New York.

Mr. O'HARA.

Mr. ROYBAL.

Mr. DANIELSON.

Mr. LEGGETT in two instances.

Mr. DE LUCA.

ADJOURNMENT

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

The motion was agreed to; accordingly (at 5 o'clock and 8 minutes p.m.), the House adjourned until tomorrow, Thursday, February 8, 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:

383. A letter from the Director, Office of Management and Budget, Executive Office of the President, transmitting a report on the impoundment of funds as of January 29, 1973, pursuant to title IV of Public Law 92-599; to the Committee on Government Operations.

384. A communication from the President of the United States, transmitting a draft of proposed legislation to amend the Foreign Assistance Act of 1961, and for other purposes; to the Committee on Foreign Affairs.

385. A letter from the Secretary of the Army, transmitting a report on Department of the Army aviation personnel above the grade of major, covering the period July 1 through December 31, 1972, pursuant to 37 U.S.C. 301(g); to the Committee on Armed Services.

386. A letter from the Chairman, Indian Claims Commission, transmitting the final determination of the Commission in docket No. 175-B, *the Nez Perce Tribe of Indians, Plaintiff, v. the United States of America, Defendant*, pursuant to 25 U.S.C. 70t; to the Committee on Interior and Insular Affairs.

387. A letter from the Administrator, National Aeronautics and Space Administration, transmitting a draft of proposed legislation to amend title 5, United States Code, to provide for a change in the titles of the NASA Associate Administrator positions listed under level V of the Executive Schedule, and to add three more such positions to such Schedule; to the Committee on Post Office and Civil Service.

388. A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting a report on positions in the Immigration and Naturalization Service during 1972 in grade GS-17, pursuant to 5 U.S.C. 5114(a); to the Committee on Post Office and Civil Service.

389. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated May 9, 1972, submitting a report, together with accompanying papers and an illustration, on Bachman and Joe's Creek, Dallas, Tex., requested by a resolution of the Committee on Public Works, House of Representatives, adopted October 5, 1966; to the Committee on Public Works.

390. A letter from the Administrator, National Aeronautics and Space Administration, transmitting a draft of proposed legislation to authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and research and program management, and for other purposes; to the Committee on Science and Astronautics.

391. A letter from the Administrator of Veterans' Affairs, transmitting a draft of proposed legislation to amend title 38, United States Code, to include the income of a spouse in determining entitlement of a veteran to pension; to the Committee on Veterans' Affairs.

REPORTS OF COMMITTEE 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. MADDEN: Committee on Rules. House Resolution 197. Resolution providing for the consideration of H.R. 3577. A bill to provide an extension of the interest equalization tax, and for other purposes. (Rept. No. 93-12). Referred to the House Calendar.

Messrs. WHITTEN and ULLMAN: Joint Study Committee on Budget Control. Improving congressional control over budgetary outlay and receipt totals (Rept. No. 93-13). Referred to the Committee of the Whole House on the State of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HAYS: Committee on House Administration. House Resolution 195. Resolution providing funds for salaries for the staff of the Select Committee on Crime through February 28, 1973 (Rept. No. 93-14). Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

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

By Mr. ABDNOR:

H.R. 3904. A bill to improve and implement procedures for fiscal controls in the U.S. Government, and for other purposes; to the Committee on Rules.

By Mr. ANDERSON of California (for himself, Mr. ROYBAL, Mr. CONYERS, Miss HOLTZMAN, Mrs. CHISHOLM, Mr. SYMINGTON, Mr. BRASCO, Mr. KOCH, Mr. REES, Mr. CRONIN, Mr. DANIELSON, Mr. RANGEL, Mrs. ABZUG, Mr. HAWKINS, Mr. MAILLIARD, and Mr. WOLFF):

H.R. 3905. A bill to allow use of highway funds for any transportation improvements necessary to avoid air pollution dangerous to public health, and to prohibit highway projects which may create air pollution dangerous to public health; to the Committee on Public Works.

By Mr. ANDREWS of North Dakota:

H.R. 3906. A bill to provide price support for milk at not less than 85 percent of the parity price therefor; to the Committee on Agriculture.

H.R. 3907. A bill to provide for annual authorization of appropriations to the U.S. Postal Service; to the Committee on Post Office and Civil Service.

By Mr. ASHBROOK:

H.R. 3908. A bill to provide for annual authorization of appropriations to the U.S. Postal Service; to the Committee on Post Office and Civil Service.

By Mr. BURKE of Massachusetts:

H.R. 3909. A bill to amend the Tariff Schedules of the United States in order to change the customs treatment of certain woven fabrics of wool if products of an insular possession of the United States but imported into such possession as fabric for further processing; to the Committee on Ways and Means.

By Mr. MILLS of Arkansas (for himself, Mr. VANIK, Mr. ARCHER, Mr. BROYHILL of Virginia, Mr. BURKE of Massachusetts, Mr. CAREY of New York, Mr. CLANCY, Mr. CONTE, Mr. CORMAN, Mr. ECKHARDT, Mr. FULTON,

Mr. GIBBONS, Mr. GREEN of Pennsylvania, Mrs. GRIFFITHS, Mr. KARTH, Mr. KOCH, Mr. McFALL, Mr. MADDEN, Mr. MORGAN, Mr. O'NEILL, Mr. PEYSER, Mr. PODELL, Mr. ROSTENKOWSKI, Mr. STOKES, and Mr. WAGGONER):

H.R. 3910. A bill to prohibit most-favored-nation treatment and commercial and guarantee agreements with respect to any nonmarket economy country which denies to its citizens the right to emigrate or which imposes more than nominal fees upon its citizens as a condition to emigration; to the Committee on Ways and Means.

By Mr. MILLS of Arkansas (for himself, Mr. VANIK, Ms. ABZUG, Mr. ADAMS, Mr. ADDABRO, Mr. ANDERSON of California, Mr. ANNUNZIO, Mr. ASPIN, Mr. BADILLO, Mr. BARRETT, Mr. BELL, Mr. BENNETT, Mr. BERGLAND, Mr. BEVILL, Mr. BIAGGI, Mr. BINGHAM, Mr. BLATNIK, Mr. BOLAND, Mr. BOLING, Mr. BRADENAS, Mr. BRASCO, Mr. BRINKLEY, Mr. BROOMFIELD, Mr. BUCHANAN, and Mr. BURKE of Florida):

H.R. 3911. A bill to prohibit most-favored-nation treatment and commercial and guarantee agreements with respect to any nonmarket economy country which denies to its citizens the right to emigrate or which imposes more than nominal fees upon its citizens as a condition to emigration; to the Committee on Ways and Means.

By Mr. MILLS of Arkansas (for himself, Mr. VANIK, Mrs. BURKE of California, Mr. BURTON, Mr. BYRON, Mr. CARNEY of Ohio, Mr. CASEY of Texas, Mr. CHAPPELL, Mrs. CHISHOLM, Mr. CLARK, Mr. CLAY, Mr. COHEN, Mr. COLLINS, Mr. CONYERS, Mr. COTTER, Mr. COUGHLIN, Mr. CRANE, Mr. CRONIN, Mr. DAN DANIEL, Mr. DOMINICK V. DANIELS, Mr. DANIELSON, Mr. DAVIS of Georgia, Mr. DAVIS of South Carolina, Mr. DELANEY, and Mr. DELLUMS):

H.R. 3912. A bill to prohibit most-favored-nation treatment and commercial and guarantee agreements with respect to any nonmarket economy country which denies to its citizens the right to emigrate or which imposes more than nominal fees upon its citizens as a condition to emigration; to the Committee on Ways and Means.

By Mr. MILLS of Arkansas (for himself, Mr. VANIK, Mr. DENHOLM, Mr. DENT, Mr. DRINAN, Mr. DONOHUE, Mr. DOWNING, Mr. DULSKI, Mr. EDWARDS of California, Mr. EILBERG, Mr. EVANS of Colorado, Mr. FASCELL, Mr. FAUNTROY, Mr. FISH, Mr. FISHER, Mr. FLOOD, Mr. FORSYTHE, Mr. FRASER, Mr. FRENZEL, Mr. FREY, Mr. FROELICH, Mr. FUQUA, Mr. GAYDOS, Mr. GIALMO, and Mr. GILMAN):

H.R. 3913. A bill to prohibit most-favored-nation treatment and commercial and guarantee agreements with respect to any nonmarket economy country which denies to its citizens the right to emigrate or which imposes more than nominal fees upon its citizens as a condition to emigration; to the Committee on Ways and Means.

By Mr. MILLS of Arkansas (for himself, Mr. VANIK, Mr. GOLDWATER, Mr. GONZALEZ, Mrs. GRASSO, Mr. GRAY, Mrs. GREEN of Oregon, Mr. GUBSER, Mr. GUDE, Mr. GUNTER, Mr. HANLEY, Mr. HARRINGTON, Mr. HAWKINS, Mr. HECHLER of West Virginia, Mrs. HECKLER of Massachusetts, Mr. HEINZ, Mr. HELSTOSKI, Mr. HICKS, Mr. HILLIS, Mr. HOGAN, Mr. HOLIFIELD, Miss HOLTZMAN, Mr. HORTON, Mr. HOWARD, and Mr. HUBNUT):

H.R. 3914. A bill to prohibit most-favored-nation treatment and commercial and guarantee agreements with respect to any nonmarket economy country which denies to its citizens the right to emigrate or which im-

poses more than nominal fees upon its citizens as a condition to emigration; to the Committee on Ways and Means.

By Mr. MILLS of Arkansas (for himself, Mr. VANIK, Mr. ICHORD, Miss JORDAN, Mr. KEATING, Mr. KEMP, Mr. KLUCZYNSKI, Mr. KUYKENDALL, Mr. KYROS, Mr. LEGGETT, Mr. LEHMAN, Mr. LENT, Mr. LONG of Maryland, Mr. LONG of Louisiana, Mr. LUJAN, Mr. McCLOSKEY, Mr. MCCORMACK, Mr. MCDADE, Mr. MCKINNEY, Mr. MACDONALD, Mr. MADIGAN, Mr. MATSUNAGA, Mr. MEEDS, Mr. METCALFE, and Mr. MEZVINSKY):

H.R. 3915. A bill to prohibit most-favored-nation treatment and commercial and guarantee agreements with respect to any nonmarket economy country which denies to its citizens the right to emigrate or which imposes more than nominal fees upon its citizens as a condition to emigration; to the Committee on Ways and Means.

By Mr. MILLS of Arkansas (for himself, Mr. VANIK, Mr. MINISH, Mr. MINSHALL of Ohio, Mr. MITCHELL of Maryland, Mr. MOAKLEY, Mr. MOLLOHAN, Mr. MOORHEAD of Pennsylvania, Mr. MOSS, Mr. MURPHY of New York, Mr. MURPHY of Illinois, Mr. MYERS, Mr. NIX, Mr. O'BRIEN, Mr. O'HARA, Mr. OWENS, Mr. PARRIS, Mr. PATTEN, Mr. PEPPER, Mr. PIKE, Mr. PRICE of Illinois, Mr. QUIE, Mr. RAILSBACK, Mr. RANGEL, and Mr. RARICK):

H.R. 3916. A bill to prohibit most-favored-nation treatment and commercial and guarantee agreements with respect to any nonmarket economy country which denies to its citizens the right to emigrate or which imposes more than nominal fees upon its citizens as a condition to emigration; to the Committee on Ways and Means.

By Mr. MILLS of Arkansas (for himself, Mr. VANIK, Mr. REES, Mr. REID, Mr. REUSS, Mr. RHODES, Mr. RIEGLE, Mr. RINALDO, Mr. ROBINSON of Virginia, Mr. RODINO, Mr. ROE, Mr. RONCALIO of Wyoming, Mr. RONCALIO of New York, Mr. ROONEY of Pennsylvania, Mr. ROSE, Mr. ROSENTHAL, Mr. ROUSH, Mr. ROY, Mr. ROYBAL, Mr. RYAN, Mr. ST GERMAIN, Mr. SARASIN, Mr. SARBANES, Mr. SAYLOR, and Mr. SCHERLE):

H.R. 3917. A bill to prohibit most-favored-nation treatment and commercial and guarantee agreements with respect to any nonmarket economy country which denies to its citizens the right to emigrate or which imposes more than nominal fees upon its citizens as a condition to emigration; to the Committee on Ways and Means.

By Mr. MILLS of Arkansas (for himself, Mr. VANIK, Mrs. SCHROEDER, Mr. SEIBERLING, Mr. SHRIVER, Mr. SISK, Mr. SMITH of New York, Mr. JAMES V. STANTON, Mr. STARK, Mr. STEELE, Mr. STEELMAN, Mr. STEIGER of Arizona, Mr. STEPHENS, Mr. STRATTON, Mr. STUCKEY, Mr. STUDDS, Mrs. SULLIVAN, Mr. SYMINGTON, Mr. TAYLOR of North Carolina, Mr. THOMPSON of New Jersey, Mr. TIERNAN, Mr. UDALL, Mr. VAN DEERLIN, Mr. VIGORITO, and Mr. WALDIE):

H.R. 3918. A bill to prohibit most-favored-nation treatment and commercial and guarantee agreements with respect to any nonmarket economy country which denies to its citizens the right to emigrate or which imposes more than nominal fees upon its citizens as condition to emigration; to the Committee on Ways and Means.

By Mr. MILLS of Arkansas (for himself, Mr. VANIK, Mr. WHITEHURST, Mr. WIDNALL, Mr. WILLIAMS, Mr. BOB WILSON, Mr. CHARLES WILSON of Texas, Mr. CHARLES H. WILSON of California, Mr. WINN, Mr. WOLFF, Mr. YOUNG of Illinois, Mr. WON PAT, Mr. WYATT, Mr. WYDLER, Mr. YATES, Mr.

YOUNG of Georgia, Mr. YOUNG of Florida, Mr. REGULA, Mr. YOUNG of South Carolina, Mr. CONLAN, Mr. PICKLE, Mr. BRECKINRIDGE, Mr. HUNGATE, Mr. DE LUGO, and Mr. PRITCHARD):

H.R. 3919. A bill to prohibit most-favored-nation treatment and commercial and guarantee agreements with respect to any non-market economy country which denies to its citizens the right to emigrate or which imposes more than nominal fees upon its citizens as a condition to emigration; to the Committee on Ways and Means.

By Mr. MILLS of Arkansas (for himself, Mr. VANIK, Mr. WALSH, Mr. HAYS, Mrs. HOLT, Mr. ROGERS, Mr. BROWN of California, Mr. GROVER, Mr. J. WILLIAM STANTON, Mr. HENDERSON, Mr. GETTYS, Mr. HUBER, Mr. JONES of Oklahoma, Mr. MITCHELL of New York, Mr. SPENCE, Mr. NELSEN, Mr. FLOWERS, Mr. BAFALIS, Mr. HALEY, Mr. WYMAN, Mr. ROBERT W. DANIEL, Jr., Mr. YATRON, Mr. ZWACH, Mr. DIGGS, and Mr. GINN):

H.R. 3920. A bill to prohibit most-favored-nation treatment and commercial and guarantee agreements with respect to any non-market economy country which denies to its citizens the right to emigrate or which imposes more than nominal fees upon its citizens as a condition to emigration; to the Committee on Ways and Means.

By Mr. MILLS of Arkansas (for himself, Mr. VANIK, Mr. PETTIS, Mr. JOHNSON of California, Mr. TOWELL of Nevada, and Mr. VEYSEY):

H.R. 3921. A bill to prohibit most-favored-nation treatment and commercial and guarantee agreements with respect to any non-market economy country which denies to its citizens the right to emigrate or which imposes more than nominal fees upon its citizens as a condition to emigration; to the Committee on Ways and Means.

By Mr. BIAGGI (for himself, Ms. ABZUG, Mr. BADILLO, Mr. BELL, Mr. BINGHAM, Mr. BOLAND, Mr. BRASCO, Mr. CORMAN, Mr. DELANEY, Mr. DULSKI, Mr. FISH, Mr. FORSYTHE, Mr. FRENZEL, Mr. HARRINGTON, Mr. HELSTOSKI, Mr. HINSHAW, Mr. HOSMER, Mr. HUBER, Mr. HUNGATE, Mr. KEMP, Mr. KOCH, Mr. KYROS, Mr. LENT, Mr. LEGGETT, and Mr. MAILLIARD):

H.R. 3922. A bill to amend the Maritime Academy Act of 1958 in order to authorize the Secretary of the Navy to appoint students at State maritime academies and colleges as Reserve midshipmen in the U.S. Navy, and for other purposes; to the Committee on Armed Services.

By Mr. BIAGGI (for himself, Mr. MOAKLEY, Mr. MOSS, Mr. MURPHY of New York, Mr. McEWEN, Mr. NIX, Mr. PIKE, Mr. POBELL, Mr. POWELL of Ohio, Mr. PRICE of Illinois, Mr. ROSENTHAL, Mr. STUDDS, Mr. TEAGUE of Texas, Mr. THOMPSON of New Jersey, Mr. WILLIAMS, Mr. WOLFF, Mr. WON PAT, Mr. BROOKS, and Mr. McKINNEY):

H.R. 3923. A bill to amend the Maritime Academy Act of 1958 in order to authorize the Secretary of the Navy to appoint students at State maritime academies and colleges as Reserve midshipmen in the U.S. Navy, and for other purposes; to the Committee on Armed Services.

By Mr. BINGHAM:

H.R. 3924. A bill to provide Federal citizen anticrime patrol assistance grants to residents' organizations; to the Committee on the Judiciary.

H.R. 3925. A bill to make requirements with respect to the disclosure of marital status the same for men and women in matters relating to voting qualifications in Federal elections; to the Committee on House Administration.

By Mr. BRADEMAs (for himself, Mr. THOMPSON of New Jersey, Mr. PERKINS, Mr. QUIE, Mrs. MINK, Mr. ESHLEMAN, Mrs. CHISHOLM, Mr. HANSEN of Idaho, Mrs. GRASSO, Mr. MAZZOLI, Mr. PEYSER, Mr. LEHMAN, Mr. MEEDS, and Mr. BADILLO):

H.R. 3926. A bill to extend the National Foundation on the Arts and the Humanities Act; to the Committee on Education and Labor.

By Mr. BRADEMAs (for himself, Mr. HANSEN of Idaho, Mrs. MINK, and Mr. PEYSER):

H.R. 3927. A bill to extend the Environmental Education Act for 3 years; to the Committee on Education and Labor.

By Mr. BRASCO:

H.R. 3928. A bill to provide for computation of pay of members of the armed services retired for permanent disability sustained in line of duty, or for years of service; to the Committee on Armed Services.

H.R. 3929. A bill to amend section 312 of the Immigration and Nationality Act; to the Committee on the Judiciary.

H.R. 3930. A bill to amend subchapter III of chapter 83 of title 5, United States Code, relating to civil service retirement, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 3931. A bill to permit officers and employees of the Federal Government to elect coverage under the old-age, survivors, and disability insurance system; to the Committee on Ways and Means.

By Mr. BROOKS (for himself, Mr. HOLIFIELD, Mr. FOUNTAIN, Mr. JONES of Alabama, Mr. MOSS, Mr. FASCCELL, Mr. REUSS, Mr. MACDONALD, Mr. MOORHEAD of Pennsylvania, Mr. RANDALL, Mr. ROSENTHAL, Mr. WRIGHT, Mr. ST GERMAIN, Mr. CULVER, Mr. FUQUA, Mr. CONYERS, Mr. ALEXANDER, Ms. ABZUG, Mr. DONOHUE, Mr. JAMES V. STANTON, and Mr. RYAN):

H.R. 3932. A bill to provide that appointments to the Offices of Director and Deputy Director of the Office of Management and Budget shall be subject to confirmation by the Senate, and for other purposes; to the Committee on Government Operations.

By Mr. BROTZMAN (for himself, and Mr. ARMSTRONG):

H. R. 3933. A bill to modify the project for flood control below Chatfield Dam on the South Platte River, Colo., authorized by the Flood Control Act of 1950; to the Committee on Public Works.

By Mr. BROYHILL of Virginia:

H.R. 3934. A bill to amend section 165 of the Internal Revenue Code of 1954; to the Committee on Ways and Means.

H.R. 3935. A bill to amend the Internal Revenue Code of 1954 to provide an election by certain foreign corporations to treat interest income as income connected with U.S. business; to the Committee on Ways and Means.

By Mr. CARNEY of Ohio:

H.R. 3936. A bill to provide for annual authorization of appropriations to the U.S. Postal Service; to the Committee on Post Office and Civil Service.

By Mr. DON H. CLAUSEN:

H.R. 3937. A bill to amend title 10, United States Code, to equalize the retirement pay of members of the uniformed services of equal rank and years of service, and for other purposes; to the Committee on Armed Services.

H.R. 3938. A bill to authorize grants to the Deganawidah-Quetzalcoatl University; to the Committee on Education and Labor.

By Mr. DEL CLAWSON:

H.R. 3939. A bill to provide for annual authorization of appropriations to the U.S. Postal Service; to the Committee on Post Office and Civil Service.

By Mr. CLEVELAND:

H.R. 3940. A bill to amend the Internal Revenue Code of 1954 with respect to certain charitable contributions; to the Committee on Ways and Means.

H.R. 3941. A bill to amend section 4940 of the Internal Revenue Code of 1954 to change the name of the amount imposed thereby on certain investment income from "excise tax" to "service charge"; and to reduce such amount from 4 to 1½ percent; to the Committee on Ways and Means.

By Mr. CONTE (for himself, Mr. CORMAN, Mr. GUDE, Mr. METCALFE, Mr. ROSENTHAL, Mr. ROYBAL, and Mr. CHARLES H. WILSON of California):

H.R. 3942. A bill to amend the State Technical Services Act of 1965 to make municipal governments eligible for technical services under the act, to extend the act through fiscal year 1976, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. CONTE (for himself, Mr. FLOOD, and Mr. CHARLES H. WILSON of California):

H.R. 3943. A bill to prohibit the President from impounding any funds, or approving the impounding of funds without the consent of the Congress, and to provide a procedure under which the House of Representatives and the Senate may approve the President's proposed impoundment; to the Committee on Rules.

By Mr. CONYERS (for himself, Mr. FOLEY, Mr. MATSUNAGA, Mrs. MINK, and Mr. ROUSH):

H.R. 3944. A bill to designate the birthday of Martin Luther King, Jr., as a legal public holiday; to the Committee on the Judiciary.

By Mr. CORMAN (for himself, Mr. SISK, Mr. CAREY of New York, and Mr. PETTIS):

H.R. 3945. A bill to amend section 5041 (a) of the Internal Revenue Code of 1954 to provide for an increase in the amount of carbon dioxide that may be contained in still wines; to the Committee on Ways and Means.

By Mr. CRONIN:

H.R. 3946. A bill to provide for annual authorizations of appropriations to the U.S. Postal Service; to the Committee on Post Office and Civil Service.

By Mr. CULVER:

H.R. 3947. A bill to provide price support for milk at not less than 85 percent of the parity price therefor; to the Committee on Agriculture.

By Mr. DENT:

H.R. 3948. A bill to amend the Occupational Safety and Health Act of 1970 to extend its protection to firefighters; to the Committee on Education and Labor.

By Mr. DEVINE:

H.R. 3949. A bill to provide for annual authorization of appropriations to the U.S. Postal Service; to the Committee on Post Office and Civil Service.

By Mr. DINGELL:

H.R. 3950. A bill to amend the Small Business Act to encourage the development and utilization of new and improved methods of waste disposal and pollution control; to assist small business concerns to effect conversions required to meet Federal or State pollution control standards; and for other purposes; to the Committee on Banking and Currency.

H.R. 3951. A bill to authorize and direct the Secretary of Defense and the Administrator of the General Services Administration to insure the procurement and use by the Federal Government of products manufactured from recycled materials; to the Committee on Government Operations.

H.R. 3952. A bill to authorize and direct the Administrator of the General Services Administration to prescribe regulations with respect to the amount of recycled material contained in paper procured or used by the

Federal Government or the District of Columbia; to the Committee on Government Operations.

H.R. 3953. A bill to amend the Federal Aviation Act of 1958 to implement the Convention for the Suppression of Unlawful Seizure of Aircraft; to authorize the President and the Secretary of Transportation to deal more effectively with the problem of unlawful seizure of aircraft; to impose more severe statutory penalties for the crime of aircraft piracy; and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 3954. A bill to amend the Solid Waste Disposal Act to require an investigation and study of the decomposability and destructibility of materials; to the Committee on Interstate and Foreign Commerce.

H.R. 3955. A bill to amend title II of the Social Security Act to permit the payment of benefits to a married couple on their combined earnings record; to the Committee on Ways and Means.

H.R. 3956. A bill to deny percentage depletion in the case of oil which is exported from or imported into the United States, and to provide that intangible drilling and development deductions shall be recaptured where oil is so exported or imported; to the Committee on Ways and Means.

H.R. 3957. A bill to amend the Trade Expansion Act of 1962 in order to prohibit the sale, transfer of interest in, or exchange of allocations of imported petroleum; to the Committee on Ways and Means.

H.R. 3958. A bill to amend the Internal Revenue Code of 1954 to provide that percentage depletion shall not be allowed in the case of mines, wells, and other natural deposits located in foreign territory; to the Committee on Ways and Means.

H.R. 3959. A bill to amend the Internal Revenue Code of 1954 to require that the containers in which distilled spirits, wine, and beer are sold shall be reusable containers; to the Committee on Ways and Means.

By Mr. DINGELL (for himself and Mr. HARVEY):

H.R. 3960. A bill to authorize the Secretary of Transportation to issue regulations to assure the security and safety of property in transportation, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. DINGELL (for himself, Mr. SAYLOR, Mr. WILLIAM D. FORD, Mr. HECHLER of West Virginia, Mr. McCLOSKEY, Mr. NEDZI, and Mr. REUSS):

H.R. 3961. A bill to provide for comprehensive management of the Nation's forest lands through the application of sound forest practices, and for other purposes; to the Committee on Agriculture.

By Mr. DULSKI:

H.R. 3962. A bill to provide for annual authorization of appropriations to the U.S. Postal Service; to the Committee on Post Office and Civil Service.

By Mr. ESHLEMAN:

H.R. 3963. A bill to provide for annual authorization of appropriations to the U.S. Postal Service; to the Committee on Post Office and Civil Service.

By Mr. FINDLEY:

H.R. 3964. A bill to assure the free flow of information to the public; to the Committee on the Judiciary.

By Mr. FLYNT:

H.R. 3965. A bill to provide price support for milk at not less than 85 percent of the parity price therefore; to the Committee on Agriculture.

By Mr. GERALD R. FORD:

H.R. 3966. A bill authorizing the construction, repair, and preservation of certain public works on rivers and harbors for navigation, flood control, and for other purposes; to the Committee on Public Works.

By Mr. GERALD R. FORD (for himself and Mr. HUTCHINSON):

H.R. 3967. A bill to establish the American Revolution Bicentennial Administration and for other purposes; to the Committee on the Judiciary.

By Mr. FORSYTHE:

H.R. 3968. A bill to establish a contiguous fishery zone (200-mile limit) beyond the territorial sea of the United States; to the Committee on Merchant Marine and Fisheries.

H.R. 3969. A bill to provide for annual authorization of appropriations to the U.S. Postal Service; to the Committee on Post Office and Civil Service.

By Mr. FROELICH:

H.R. 3970. A bill to provide for the enforcement of support orders in certain State and Federal courts, and to make it a crime to move or travel in interstate and foreign commerce to avoid compliance with such orders; to the Committee on the Judiciary.

By Mr. FUQUA:

H.R. 3971. A bill to provide price support for milk at not less than 85 percent of the parity price therefore; to the Committee on Agriculture.

By Mr. GAYDOS:

H.R. 3972. A bill to abolish the quadrennial Commission on Executive, Legislative, and Judicial Salaries established by section 225 of the Federal Salary Act of 1967, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 3973. A bill to amend the Internal Revenue Code of 1954 to allow a deduction for expenses incurred by a taxpayer in making repairs and improvements to his residence; to the Committee on Ways and Means.

By Mr. GIAIMO:

H.R. 3974. A bill to amend sections 101 and 902 of the Federal Aviation Act of 1958, as amended, to implement the Convention for the Suppression of Unlawful Seizure of Aircraft; to amend title XI of such act to authorize the President to suspend air service to any foreign nation which he determines is encouraging aircraft hijacking by acting in a manner inconsistent with the Convention for the Suppression of Unlawful Seizure of Aircraft; and to authorize the Secretary of Transportation to suspend the operating authority of foreign air carriers under certain circumstances; to the Committee on Interstate and Foreign Commerce.

H.R. 3975. A bill to safeguard the professional news media's responsibility to gather information, and therefore to safeguard the public's right to receive such information, while preserving the integrity of judicial processes; to the Committee on Judiciary.

H.R. 3976. A bill to amend title 38 of the United States Code to make certain that recipients of veterans' pension will not have the amount of such pension reduced because of certain increases in monthly social security benefits; to the Committee on Veterans' Affairs.

H.R. 3977. A bill to amend the Social Security Act to assure that whenever there is a general increase in social security benefits there will be a corresponding increase in the standard of need used to determine eligibility for aid or assistance under State plans approved under titles I, X, XIV, XVI and XIX of such act; to the Committee on Ways and Means.

By Mr. GIBBONS:

H.R. 3978. A bill to amend sections 101 and 902 of the Federal Aviation Act of 1958, as amended to implement the Convention for the Suppression of Unlawful Seizure of Aircraft and to amend title XI of such act to authorize the President to suspend air service to any foreign nation which he determines is encouraging aircraft hijacking by acting in a manner inconsistent with the Convention for the Suppression of Unlawful Seizure of Aircraft and to authorize the Secretary of Transportation to revoke the operating authority of foreign air carriers under circumstances, and for other purposes;

to the Committee on Interstate and Foreign Commerce.

H.R. 3979. A bill to amend title II of the Social Security Act to provide under the retirement test a substantial increase in the amount of outside income permitted without loss of benefits, but with a requirement that income or all types and from all sources be included in determining the amount of an individual's income for purposes of such test; to the Committee on Ways and Means.

By Mrs. GRASSO:

H.R. 3980. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968, as amended, to provide benefits to survivors of certain public safety officers who die in the performance of duty; to the Committee on the Judiciary.

By Mr. GRAY:

H.R. 3981. A bill to amend title II of the act of March 3, 1933, commonly referred to as the "Buy American Act", with respect to determining when the cost of certain articles, materials, or supplies is unreasonable; to define when articles, materials, and supplies have been mined, produced or manufactured in the United States; to make clear the right of any State to give preference to domestically produced goods in purchasing for public use, and for other purposes; to the Committee on Public Works.

H.R. 3982. A bill to amend title 38 of the United States Code to make certain that recipients of veterans' pension and compensation will not have the amount of such pension or compensation reduced because of increases in monthly social security benefits; to the Committee on Veterans' Affairs.

By Mr. GUNTER:

H.R. 3983. A bill to provide price support for milk at not less than 85 percent of the parity price therefore; to the Committee on Agriculture.

By Mr. HAWKINS (for himself, Mr. HECHLER of West Virginia, Mr. HELSTOSKI, Mr. HOLFIELD, Mr. JOHNSON of California, Mr. LEGGETT, Mr. MADSEN, Mr. METCALFE, Mrs. MINK, Mr. MITCHELL of Maryland, Mr. MOAKLEY, Mr. MOORHEAD of Pennsylvania, Mr. MOSS, Mr. MURPHY of New York, Mr. NIX, Mr. OWENS, Mr. PERKINS, Mr. POEHL, Mr. PRICE of Illinois, Mr. RANGEL, Mr. REES, Mr. RODINO, Mr. ROSENTHAL, and Mr. ROYAL):

H.R. 3984. A bill to provide public service employment opportunities for unemployed and underemployed persons, to assist States and local communities in providing needed public services, and for other purposes; to the Committee on Education and Labor.

By Mr. HAWKINS (for himself, Mr. ROSTENKOWSKI, Mr. DANIELSON, Mr. DELLUMS, Mr. EILBERG, Mr. METCALFE, Mrs. MINK, Mr. MURPHY of Illinois, Mr. NIX, Mr. ROE, Mr. STOKES, and Mr. WOLFF):

H.R. 3985. A bill to authorize the Secretary of Labor to provide for the development and implementation of programs of units of local government to provide comprehensive year-round recreational opportunities for the Nation's underprivileged youth, and for other purposes; to the Committee on Education and Labor.

By Mr. HAWKINS (for himself, Ms. ABZUG, Mr. ANDERSON of California, Mr. BADILLO, Mr. BINGHAM, Mr. BOLING, Mrs. BURKE of California, Mr. BURTON, Mrs. CHISHOLM, Mr. CLARK, Mr. CLAY, Mr. CONTE, Mr. CONYERS, Mr. CORMAN, Mr. DANIELSON, Mr. DELLUMS, Mr. DENT, Mr. DIGGS, Mr. EDWARDS of California, Mr. FAUNTROY, Mr. WILLIAM D. FORD, Mr. FRASER, Mr. GONZALEZ, and Mr. HANNA):

H.R. 3986. A bill to provide public service employment opportunities for unemployed and underemployed persons, to assist States and local communities in providing needed

public services, and for other purposes; to the Committee on Education and Labor.

By Mr. HAWKINS (for himself, Mr. SEIBERLING, Mr. STOKES, Mr. TIERNAN, Mr. VAN DEERLIN, Mr. WALDIE, Mr. CHARLES H. WILSON of California, Mr. WON PAT, Mr. YOUNG of Georgia, and Miss HOLTZMAN):

H.R. 3987. A bill to provide public service employment opportunities for unemployed and underemployed persons, to assist States and local communities in providing needed public services, and for other purposes; to the Committee on Education and Labor.

By Mr. HECKLER of Massachusetts:

H.R. 3988. A bill to provide for annual authorization of appropriations to the U.S. Postal Service; to the Committee on Post Office and Civil Service.

By Mr. HELSTOSKI:

H.R. 3989. A bill to provide for annual authorization of appropriations to the U.S. Postal Service; to the Committee on Post Office and Civil Service.

By Mr. HENDERSON:

H.R. 3990. A bill to provide for annual authorization of appropriations to the U.S. Postal Service; to the Committee on Post Office and Civil Service.

By Mr. HICKS (for himself, Mr. JOHNSON of California, Mr. DONOHUE, Mr. SIKES, Mr. EVINS of Tennessee, Mr. WON PAT, Mr. TIERNAN, Mr. MOLLOHAN, Mr. BRASCO, Mr. WYATT, Mr. PODELL, Mr. O'HARA, Mr. PEPPER, Mr. MOSS, and Mr. DANIELSON):

H.R. 3991. A bill to amend title II of the Social Security Act to provide that all benefits based upon the attainment of age will be payable at age 60, subject to actuarial reduction; to the Committee on Ways and Means.

By Mr. HICKS (for himself, Mr. YATRON, Mr. ROE, Mr. BOLAND, Mrs. MINK, Mr. PRICE of Illinois, Mr. HARRINGTON, Mrs. HANSEN of Washington, Mr. FRASER, Mr. BUCHANAN, Mr. WOLFF, Mr. EILBERG, Mr. NICHOLS, Mr. SARABANES, and Mr. MOAKLEY):

H.R. 3992. A bill to amend title II of the Social Security Act to provide that all benefits based upon the attainment of age will be payable at age 60, subject to actuarial reduction; to the Committee on Ways and Means.

By Mr. HILLIS:

H.R. 3993. A bill to prohibit the export of veneer quality walnut hardwood until Congress approves such exportation; to the Committee on Banking and Currency.

By Mr. HILLIS (for himself and Mr. ROUSH):

H.R. 3994. A bill to provide for annual authorization of appropriations to the U.S. Postal Service; to the Committee on Post Office and Civil Service.

By Mr. HORTON:

H.R. 3995. A bill to limit the sale or distribution of mailing lists by Federal agencies; to the Committee on Government Operations.

By Mr. HUBER:

H.R. 3996. A bill to provide for annual authorization of appropriations to the U.S. Postal Service; to the Committee on Post Office and Civil Service.

By Mr. HUNGATE:

H.R. 3997. A bill to amend title 38 of the United States Code to make certain that recipients of veterans' pension and compensation will not have the amount of such pension or compensation reduced because of increases in monthly social security benefits; to the Committee on Veterans' Affairs.

By Mr. HUNT:

H.R. 3998. A bill to provide for annual authorization of appropriations to the U.S. Postal Service; to the Committee on Post Office and Civil Service.

By Mr. ICHORD (for himself and Mr. HENDERSON):

H.R. 3999. A bill to amend section 4 of the Internal Security Act of 1950; to the Committee on Internal Security.

By Mr. ICHORD (for himself, Mr. LOTT, Mr. MARTIN of North Carolina, and Mr. LITTON):

H.R. 4000. A bill to amend the Judiciary and Judicial Procedure Act of 1948; to the Committee on the Judiciary.

By Mr. ICHORD (for himself, Mr. BRASCO, Mr. HUDNUT, Mr. ROSE, Mr. CRONIN, Mr. HUBER, Mr. McSPADEN, Mr. CHAPPELL, Mr. MURPHY of New York, Mr. WAGGONER, Mr. BROOMFIELD, and Mr. SANDMAN):

H.R. 4001. A bill to make it a Federal crime to kill or assault a fireman or law enforcement officer engaged in the performance of his duties when the offender travels in interstate commerce or uses any facility of interstate commerce for such purposes; to the Committee on the Judiciary.

By Mr. JONES of Alabama:

H.R. 4002. A bill to amend title 38 of the United States Code to provide that certain social security benefit increases provided for by Public Laws 92-336 and 92-603 be disregarded for the purposes of determining eligibility for pension or compensation under such title; to the Committee on Veterans' Affairs.

By Mr. JONES of North Carolina:

H.R. 4003. A bill to provide price support for milk at not less than 85 percent of the parity price therefor; to the Committee on Agriculture.

By Mr. KOCH:

H.R. 4004. A bill to make certain that recipients of aid or assistance under the various Federal-State public assistance and other aid programs will not have the amount of such aid or assistance reduced because of increases in monthly social security benefits; to the Committee on Ways and Means.

By Mr. LANDGREBE:

H.R. 4005. A bill to provide for annual authorization of appropriations to the U.S. Postal Service; to the Committee on Post Office and Civil Service.

By Mr. LEGGETT:

H.R. 4006. A bill to provide Civilian Conservation Corps enrollees who are suffering from paraplegia incurred during service in such corps with benefits substantially comparable to those provided veterans who are similarly disabled; to the Committee on Education and Labor.

H.R. 4007. A bill to amend the National Labor Relations Act, as amended, to amend the definition of "employee" to include certain agricultural employees, and to permit certain provisions in agreements between agricultural employers and employees; to the Committee on Education and Labor.

H.R. 4008. A bill to prohibit the aiding and abetting of the commission of the crime of aircraft piracy, and certain other crimes against aircraft and motor vehicles, by prohibiting the making of certain extortion payments in connection with the commission of such crimes, and for other purposes; to the Committee on the Judiciary.

H.R. 4009. A bill to confer exclusive jurisdiction on the Federal Maritime Commission over certain movements of merchandise by barge in foreign commerce; to the Committee on Merchant Marine and Fisheries.

H.R. 4010. A bill to amend the Internal Revenue Code of 1954 to provide a tax credit for employers who employ members of the hard-core unemployed; to the Committee on Ways and Means.

By Mr. LEGGETT (for himself, Mr. QUITE, Mr. ULLMAN, and Mr. TEAGUE of California):

H.R. 4011. A bill to provide for the establishment of an Agricultural Labor Relations Board for the purpose of regulating the agricultural industry and agricultural labor, and for other purposes; to the Committee on Education and Labor.

By Mr. LEGGETT (for himself, Mr. MOSS, Mr. PETTIS, Mr. EDWARDS of California, Mr. DENNIS, Mrs. HANSEN of Washington, Mr. CORMAN, Mr. DANIELSON, Mr. WALDIE, Mr. McCLOSKEY, Mr. DELLUMS, Mr. DINGELL, and Mr. REES):

H.R. 4012. A bill to designate certain lands in the Mendocino National Forest, Calif., as the Snow Mountain Wilderness for inclusion in the national wilderness preservation system; to the Committee on Interior and Insular Affairs.

By Mr. LEHMAN (for himself, Mrs. ABZUG, Mr. BAFALIS, Mr. BINGHAM, Mr. DANIELSON, Mr. DENHOLM, Mr. FASCELL, Mr. FISH, Mr. FORSYTHE, Mr. GUDE, Mr. GUNTER, Mr. HARRINGTON, Mr. HECHLER of West Virginia, Mr. HINSHAW, Mr. KETCHUM, Mr. O'HARA, Mr. PERKINS, Mr. PICKLE, Mr. PODELL, Mr. ROE, Mrs. SCHROEDER, Mr. VIGORITO, Mr. WON PAT, and Mr. FRASER):

H.R. 4013. A bill to authorize and direct the Secretary of Defense and the Administrator of the General Services Administration to insure the procurement and use by the Federal Government of products manufactured from recycled materials; to the Committee on Government Operations.

H.R. 4014. A bill to authorize and direct the Administrator of the General Services Administration to prescribe regulations with respect to the amount of recycled material contained in paper procured or used by the Federal Government or the District of Columbia; to the Committee on Government Operations.

By Mr. LEHMAN (for himself, Mrs. ABZUG, Mr. BAFALIS, Mr. BINGHAM, Mr. DANIELSON, Mr. DENHOLM, Mr. FASCELL, Mr. FISH, Mr. FORSYTHE, Mr. GUDE, Mr. GUNTER, Mr. HARRINGTON, Mr. HECHLER of West Virginia, Mr. HINSHAW, Mr. KETCHUM, Mr. O'HARA, Mr. PERKINS, Mr. PODELL, Mrs. SCHROEDER, Mr. VIGORITO, Mr. WON PAT, and Mr. FRASER):

H.R. 4015. A bill to amend chapter 9 of title 44, United States Code, to require the use of recycled paper in the printing of the Congressional Record; to the Committee on House Administration.

By Mr. LOTT:

H.R. 4016. A bill to amend the Federal Trade Commission Act (15 U.S.C. 41) to provide that under certain circumstances exclusive territorial arrangements shall not be deemed unlawful; to the Committee on Interstate and Foreign Commerce.

By Mr. McFALL:

H.R. 4017. A bill to provide for annual authorization of appropriations to the U.S. Postal Service; to the Committee on Post Office and Civil Service.

H.R. 4018. A bill to amend title II of the Social Security Act to permit retirement of all persons in the United States at the age of 60 years with benefits sufficient, in the absence of any other resource, to assure elderly persons freedom from poverty and also to assure elderly persons generally full participation in prevailing national standards of living, to provide like benefits for physically, mentally, or vocationally disabled persons aged 18 and over, and to provide benefits for certain full-time students aged 18 to 25, and to provide benefits for certain female heads of families and for certain children, and provide for the establishment and operation of this system of social security by an equitable gross income tax, and for other purposes; to the Committee on Ways and Means.

By Mr. McSPADEN:

H.R. 4019. A bill to amend title XVIII of the Social Security Act to provide that the amount of the benefits to which an individual is entitled under the supplementary medical insurance program shall be subject

to the same provisions relating to hearing and judicial review as the amount of an individual's benefits under the hospital insurance program; to the Committee on Ways and Means.

By Mr. MATHIS of Georgia:

H.R. 4020. A bill to assure the free flow of information to the public; to the Committee on the Judiciary.

H.R. 4021. A bill to amend the Internal Revenue Code of 1954 to provide for a credit or refund of manufacturers excise tax on parts and accessories installed on light-duty trucks; to the Committee on Ways and Means.

By Mr. MATHIS of Georgia (for himself, Mr. LANDRUM, Mr. DAVIS of South Carolina, and Mr. MEZVINSKY):

H.R. 4022. A bill to provide price support for milk at not less than 85 percent of the parity price therefor; to the Committee on Agriculture.

By Mr. MATSUNAGA:

H.R. 4023. A bill to promote and regulate interstate commerce by requiring no-fault motor vehicle insurance as a condition precedent to using any public roadway in any State or the District of Columbia; to the Committee on Interstate and Foreign Commerce.

H.R. 4024. A bill to amend title 5, United States Code, with respect to the determination of the basic pay of employees moving from prevailing rate pay systems to the General Schedule pay system, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. MILLS of Maryland:

H.R. 4025. A bill to provide for annual authorization of appropriations to the U.S. Postal Service; to the Committee on Post Office and Civil Service.

By Mr. MINISH:

H.R. 4026. A bill to provide for annual authorization of appropriations to the U.S. Postal Service; to the Committee on Post Office and Civil Service.

By Mrs. MINK:

H.R. 4027. A bill to provide a comprehensive child development program in the Department of Health, Education, and Welfare; to the Committee on Education and Labor.

H.R. 4028. A bill to amend title II of the Social Security Act so as to liberalize the conditions governing eligibility of blind persons to receive disability insurance benefits thereunder; to the Committee on Ways and Means.

H.R. 4029. A bill to amend title II of the Social Security Act to provide that any individual age 55 or over shall be considered disabled for purposes of entitlement to disability insurance benefits and the disability freeze if he meets the more liberal definition of "disability" presently applicable only to blind individuals at that age; to the Committee on Ways and Means.

H.R. 4030. A bill to amend title II of the Social Security Act to provide that where a person in good faith went through a marriage ceremony with an insured individual, but (because of a legal impediment) such marriage was invalid, such persons (if living with such individual at the time of his death or of application for benefits) shall be considered the wife, husband, widow, or widower of such insured individual for benefit purposes notwithstanding the existence of another person who is the legal wife, husband, widow, or widower of such individual; to the Committee on Ways and Means.

H.R. 4031. A bill to amend title II of the Social Security Act to provide in certain cases for an exchange of credits between the old-age, survivors, and disability insurance system and the civil service retirement system so as to enable individuals who have some coverage under both systems to obtain maxi-

mum benefits based on their combined service; to the Committee on Ways and Means.

H.R. 4032. A bill to amend title XVIII of the Social Security Act to remove the present limit on the number of days for which benefits may be paid thereunder to an individual on account of posthospital extended care services; to the Committee on Ways and Means.

H.R. 4033. A bill to amend title XVIII of the Social Security Act to include inhalation therapy provided to patients of a skilled nursing facility among the extended care services for which payment may be made under the hospital insurance benefits program; to the Committee on Ways and Means.

H.R. 4034. A bill to carry out the recommendations of the Presidential Task Force on Women's Rights and Responsibilities, and for other purposes; to the Committee on Ways and Means.

By Mr. MITCHELL of New York:

H.R. 4035. A bill to assure the free flow of information to the public; to the Committee on the Judiciary.

By Mr. MOSS (for himself, Mr. DINGELL, and Mr. ECKHARDT):

H.R. 4036. A bill to restore the independence of the Civil Aeronautics Board, the Federal Communications Commission, the Federal Power Commission, the Federal Trade Commission, the Interstate Commerce Commission, the Securities and Exchange Commission, and the Consumer Product Safety Commission, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. NATCHER:

H.R. 4037. A bill to extend veterans benefits to persons serving in the Armed Forces between November 12, 1918, and July 2, 1921; to the Committee on Veterans' Affairs.

By Mr. NIX:

H.R. 4038. A bill governing the use of the Armed Forces of the United States in the absence of a declaration of war by the Congress; to the Committee on Foreign Affairs.

H.R. 4039. A bill to amend the Elementary and Secondary Education Act of 1965 to assist school districts to carry out locally approved school security plans to reduce crime against children, employees, and facilities of their schools; to the Committee on Education and Labor.

By Mr. O'NEILL:

H.R. 4040. A bill to provide Small Business Administration disaster assistance for individuals who are self-employed in the fishing industry; to the Committee on Banking and Currency.

H.R. 4041. A bill to provide certain essential assistance to the U.S. fishing industry; to the Committee on Merchant Marine and Fisheries.

H.R. 4042. A bill to amend the provisions of law establishing a fund to promote the free flow of domestically produced fishing products in order to increase the amounts in such fund; to the Committee on Merchant Marine and Fisheries.

H.R. 4043. A bill to establish a comprehensive program of insurance and reimbursement with respect to losses sustained by the fisheries trades as a result of environmental and natural disasters; to the Committee on Merchant Marine and Fisheries.

H.R. 4044. A bill to authorize the Secretary of Commerce to increase the availability of insurance coverage for U.S. fishing vessels, and for other purposes; to the Committee on Merchant Marine and Fisheries.

H.R. 4045. A bill to apply certain provisions of the Fishermen's Protective Act of 1967 to situations in which vessels of the United States or their gear are damaged by actions of foreign countries; to the Committee on Merchant Marine and Fisheries.

By Mr. PASSMAN:

H.R. 4046. A bill to amend the tariff and trade laws of the United States to encourage

the growth of international trade on a fair and equitable basis; to the Committee on Ways and Means.

By Mr. PEPPER:

H.R. 4047. A bill to amend chapter 44 of title 18 of the United States Code to limit the availability of guns not suitable for lawful sporting purposes; to the Committee on the Judiciary.

H.R. 4048. A bill to provide for the issuance of a commemorative postage stamp in honor of the veterans of the Spanish-American War; to the Committee on Post Office and Civil Service.

By Mr. PICKLE:

H.R. 4049. A bill to amend section 10 of the Railway Labor Act to settle emergency transportation labor disputes; to the Committee on Interstate and Foreign Commerce.

H.R. 4050. A bill to amend title 39 of the U.S. Code to extend certain mail service to the surviving spouse of a former President; to the Committee on Post Office and Civil Service.

By Mr. PODELL:

H.R. 4051. A bill to provide adequate time for the Congress to consider the rules of evidence ordered by the Supreme Court on November 20, 1972, and to require the approval of Congress of those rules; to the Committee on the Judiciary.

H.R. 4052. A bill to amend the laws enabling the Supreme Court to promulgate Rules of Procedure to require the approval of Congress; to the Committee on the Judiciary.

By Mr. RAILSBACK:

H.R. 4053. A bill to provide for an overall limit on appropriations for a fiscal year, legislative control over impoundment of Federal funds, and modification of the fiscal year so that it coincides with the calendar year, and for other purposes; to the Committee on Government Operations.

By Mr. RABICK (for himself, Mr. HECHLER of West Virginia, Mr. COLLINS, Mr. HUNT, Mr. LEHMAN, Mr. HORTON, Mr. BREAUX, Mr. PODELL, Mr. BAKER, Mr. CLEVELAND, Mr. WILLIAMS, Mr. LONG of Louisiana, Mr. BELL, Mr. PIKE, Mr. HUBER, Mr. HUDNUT, Mr. FLOOD, Mr. DRINAN, Mr. GUYER, and Mr. ROBINSON of Virginia):

H.R. 4054. A bill to amend the Internal Revenue Code of 1954 to allow a deduction from gross income for social agency, legal, and related expenses incurred in connection with the adoption of a child by the taxpayer; to the Committee on Ways and Means.

By Mr. REID (for himself, Mr. HELSTOSKI, Miss HOLTZMAN, Mr. HOWARD, Mr. KASTENMEIER, Mr. KOCH, Mr. LEGGETT, Mr. LEHMAN, Mr. MCCLOSKEY, Mr. MEEDS, Mr. METCALFE, Mrs. MINK, Mr. MITCHELL of Maryland, Mr. MOAKLEY, Mr. MURPHY of Illinois, Mr. MURPHY of New York, Mr. NIX, Mr. PEPPER, Mr. PODELL, Mr. RANGEL, Mr. REES, Mr. RIEGLE, Mr. RODINO, Mr. ROSENTHAL, and Mrs. SCHROEDER):

H.R. 4055. A bill to strengthen and expand the Headstart program, with priority to the economically disadvantaged, to amend the Economic Opportunity Act of 1964, and for other purposes; to the Committee on Education and Labor.

By Mr. REID (for himself, Ms. ABZUG, Mr. ADAMS, Mr. ADABBO, Mr. ASHLEY, Mr. BADELO, Mr. BINGHAM, Mr. BROWN of California, Mrs. BURKE of California, Mrs. CHISHOLM, Mr. CLAY, Mr. CONYERS, Mr. DOMINICK V. DANIELS, Mr. DE LUGO, Mr. DIGGS, Mr. DRINAN, Mr. EDWARDS of California, Mr. EILBERG, Mr. FAUNTROY, Mr. FRASER, Mr. FULTON, Mr. GREEN of Pennsylvania, Mr. HARRINGTON, Mr. HAWKINS, and Mr. HECHLER of West Virginia):

H.R. 4056. A bill to strengthen and expand the Headstart program, with priority to the economically disadvantaged, to amend the Economic Opportunity Act of 1964, and for other purposes; to the Committee on Education and Labor.

By Mr. REID (for himself, Mr. CORMAN, Mr. SARBANES, Mr. SEIBERLING, Mr. STARK, Mr. STOKES, Mr. SYMINGTON, Mr. THOMPSON of New Jersey, Mr. TIERNAN, Mr. WOLFF, and Mr. YOUNG of Georgia):

H.R. 4057. A bill to strengthen and expand the Headstart program, with priority to the economically disadvantaged, to amend the Economic Opportunity Act of 1964, and for other purposes; to the Committee on Education and Labor.

By Mr. RINALDO:

H.R. 4058. A bill to amend the Urban Mass Transportation Act of 1964 to provide a substantial increase in the total amount authorized for assistance thereunder, to increase the portion of project cost which will be covered by a Federal grant, to authorize assistance for operating expenses and other purposes; to the Committee on Banking and Currency.

By Mr. RODINO:

H.R. 4059. A bill to amend title 18, United States Code, to provide for the punishment of serious crimes against foreign officials committed outside the United States, and for other purposes; to the Committee on the Judiciary.

By Mr. ROE:

H.R. 4060. A bill to provide for annual authorization of appropriations to the U.S. Postal Service; to the Committee on Post Office and Civil Service.

H.R. 4061. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968, as amended, to provide benefits to survivors of certain public safety officers including policemen, firemen, volunteer firemen, and members of volunteer ambulance teams or rescue squads who die in the performance of duty; to the Committee on the Judiciary.

By Mr. RONCALLO of New York:

H.R. 4062. A bill to amend the Communications Act of 1934 with respect to broadcast license renewals; to the Committee on Interstate and Foreign Commerce.

By Mr. ROSTENKOWSKI (for himself, Mr. HAWKINS, Mr. ALEXANDER, Mr. BRASCO, Mrs. BURKE of California, Mr. BURTON, Mrs. CHISHOLM, Mr. CLARK, Mr. CLAY, Mr. CONYERS, Mr. DIGGS, Mr. DUNCAN, Mr. EDWARDS of California, and Mrs. HANSEN of Washington):

H.R. 4063. A bill to authorize the Secretary of Labor to provide for the development and implementation of programs of units of local government to provide comprehensive year-round recreational opportunities for the Nation's underprivileged youth, and for other purposes; to the Committee on Education and Labor.

By Mr. ROSTENKOWSKI (for himself, Mr. HAWKINS, Mr. HARRINGTON, Mr. HELSTOSKI, Mr. KLUCZYNSKI, Mr. LEHMAN, Mr. MOSS, Mr. PEPPER, Mr. PODELL, Mr. PRICE of Illinois, Mr. RANGEL, Mr. ROSENTHAL, Mr. ROYBAL, Mrs. SCHROEDER, Mr. SEIBERLING, Mr. SYMINGTON, and Mr. WON PAT):

H.R. 4064. A bill to authorize the Secretary of Labor to provide for the development and implementation of programs of units of local government to provide comprehensive year-round recreational opportunities for the Nation's underprivileged youth, and for other purposes; to the Committee on Education and Labor.

By Mr. ROSENTHAL (for himself, Mr. ROE, and Mrs. SCHROEDER):

H.R. 4065. A bill to establish an Office of Consumer Affairs in the Executive Office of the President and a Consumer Protection Agency in order to secure within the Federal

Government effective protection and representation of the interests of consumers, and for other purposes; to the Committee on Government Operations.

By Mr. ROUSSELOT:

H.R. 4066. A bill to provide for annual authorization of appropriations to the U.S. Postal Service; to the Committee on Post Office and Civil Service.

By Mr. ROYBAL (for himself, Mr. ANDERSON of California, Mr. BADILLO, Mr. BELL, Mrs. BURKE of California, Mr. BURTON, Mrs. CHISHOLM, Mr. CONYERS, Mr. CORMAN, Mr. EDWARDS of California, Mr. HANNA, Mr. HAWKINS, Mr. HELSTOSKI, Mr. JOHNSON of California, Mr. LEGGETT, Mr. LEHMAN, Mr. LUJAN, Mr. McFALL, Mr. MITCHELL of Maryland, Mr. MOAKLEY, Mr. MURPHY of New York, Mr. PODELL, Mr. REES, Mr. RIEGLE, and Mr. WALDIE):

H.R. 4067. A bill to authorize grants to the Deganawidah-Quetzalcoatl University, to the Committee on Education and Labor.

By Mr. ROYBAL (for himself, Mr. BRASCO, Mrs. BURKE of California, Mrs. CHISHOLM, Mr. CONYERS, Mr. CORMAN, Mr. DANIELSON, Mr. EDWARDS of California, Mr. FUQUA, Mr. HARRINGTON, Mr. HAWKINS, Mr. HECHLER of West Virginia, Mr. HELSTOSKI, Mr. PRICE of Illinois, Mr. ROSENTHAL, Mr. CHARLES H. WILSON of California, and Mr. WOLFF):

H.R. 4068. A bill to establish a program to replace, through the cooperative efforts of Federal, State, and local governments, elementary and secondary schools which are in dangerous location or unsafe condition or otherwise deficient; to the Committee on Education and Labor.

By Mr. ROYBAL (for himself, Mr. BENNETT, Mrs. BURKE of California, Mr. BURTON, Mrs. CHISHOLM, Mr. DANIELSON, Mr. DERWINSKI, Mr. HARRINGTON, Mr. McFALL, Mrs. MINK, Mr. MURPHY of New York, Mr. PRICE of Illinois, Mr. REES, Mr. SISK, Mr. TALCOTT, Mr. VAN DEERLIN, Mr. VEYSEY, Mr. WALDIE, and Mr. WON PAT):

H.R. 4069. A bill to amend the Internal Revenue Code of 1954 to provide that any resident of the Republic of the Philippines may be a dependent for purposes of the income tax deduction for personal exemptions; to the Committee on Ways and Means.

By Mr. ST GERMAIN:

H.R. 4070. A bill to extend certain laws relating to the payment of interest on time and saving deposits, to prohibit depository institutions from permitting negotiable orders of withdrawal to be made with respect to any deposit or account on which any interest or dividends is paid, and for other purposes; to the Committee on Banking and Currency.

By Mr. SANDMAN:

H.R. 4071. A bill to extend benefits under section 8191 of title 5, United States Code, to law enforcement officers and firemen not employed by the United States who are killed or totally disabled in the line of duty; to the Committee on the Judiciary.

H.R. 4072. A bill to amend title 38 of the United States Code to make certain that recipients of veterans' pension and compensation will not have the amount of such pension or compensation reduced because of increases in monthly social security benefits; to the Committee on Veterans' Affairs.

By Mr. SAYLOR:

H.R. 4073. A bill to provide for annual authorization of appropriations to the U.S. Postal Service; to the Committee on Post Office and Civil Service.

By Mr. SCHERLE:

H.R. 4074. A bill to provide for annual authorization of appropriations to the U.S. Postal Service; to the Committee on Post Office and Civil Service.

By Mrs. SCHROEDER:

H.R. 4075. A bill to provide financial assistance to the States for improved educational services for handicapped children; to the Committee on Education and Labor.

H.R. 4076. A bill to prohibit travel at Government expense outside the United States by Members of Congress who have been defeated, or who have resigned, or retired; to the Committee on House Administration.

By Mr. SHIPLEY:

H.R. 4077. A bill to provide price support for milk at not less than 85 percent of the parity price therefor; to the Committee on Agriculture.

By Mr. SHOUP:

H.R. 4078. A bill to provide for annual authorization of appropriations to the U.S. Postal Service; to the Committee on Post Office and Civil Service.

By Mr. SHRIVER:

H.R. 4079. A bill to amend the Vocational Rehabilitation Act to extend and revise the authorization of grants to States for vocational rehabilitation services, to authorize grants for rehabilitation services to those with severe disabilities, and for other purposes; to the Committee on Education and Labor.

H.R. 4080. A bill to strengthen and improve the Older Americans Act of 1965, and for other purposes; to the Committee on Education and Labor.

By Mr. SKUBITZ:

H.R. 4081. A bill to provide for annual authorization of appropriations to the U.S. Postal Service; to the Committee on Post Office and Civil Service.

By Mr. STAGGERS:

H.R. 4082. A bill to amend the Airport and Airway Development Act of 1970 to increase the U.S. share of allowable project costs under such act; to amend the Federal Aviation Act of 1958 to prohibit certain State taxation of persons in air commerce; and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. STUCKEY:

H.R. 4083. A bill to improve the laws relating to the regulation of insurance in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

By Mr. STEELE:

H.R. 4084. A bill to provide for annual authorization of appropriations to the U.S. Postal Service; to the Committee on Post Office and Civil Service.

By Mr. STEELE (for himself, Mr. ALEXANDER, Mr. ASPIN, Mr. BELL, Mr. BIESTER, Mr. BINGHAM, Mr. BOLAND, Mr. BRASCO, Mr. BURKE of Florida, Mr. BURKE of Massachusetts, Mr. CLEVELAND, Mr. CRONIN, Mr. DANIELSON, Mr. DAVIS of South Carolina, Mr. EDWARDS of California, Mr. EDWARDS of Alabama, Mr. ESHLEMAN, Mr. FISH, Mr. FORSYTHE, Mr. FREELINGHUYSEN, Mr. FREY, Mr. GILMAN, Mr. GONZALEZ, Mrs. GRASSO, and Mr. GUDE):

H.R. 4085. A bill to provide for the creation of the National Fire Academy, and for other purposes; to the Committee on Science and Astronautics.

By Mr. STEELE (for himself, Mr. ALEXANDER, Mr. ASPIN, Mr. BELL, Mr. BIESTER, Mr. BINGHAM, Mr. BOLAND, Mr. BRASCO, Mr. BURKE of Florida, Mr. BURKE of Massachusetts, Mr. CLEVELAND, Mr. CRONIN, Mr. DANIELSON, Mr. DAVIS of South Carolina, Mr. EDWARDS of California, Mr. ESHLEMAN, Mr. FISH, Mr. FORSYTHE, Mr. FRASER, Mr. FREELINGHUYSEN, Mr. FREY, Mr. GILMAN, Mr. GONZALEZ, Mrs. GRASSO, and Mr. GUDE):

H.R. 4086. A bill to provide the Secretary of Commerce with the authority to make grants to States, counties, and local communities to pay for up to one-half of the

costs of training programs for firemen; to the Committee on Science and Astronautics.

H.R. 4087. A bill to provide the Secretary of Commerce with the authority to make grants to accredited institutions of higher education to pay for up to one-half of the costs of fire science programs; to the Committee on Science and Astronautics.

H.R. 4088. A bill to provide financial aid to local fire departments in the purchase of advanced firefighting equipment; to the Committee on Science and Astronautics.

H.R. 4089. A bill to provide financial aid to local fire departments in the purchase of firefighting units and self-contained breathing apparatus; to the Committee on Science and Astronautics.

By Mr. STEELE (for himself, Mr. ALEXANDER, Mr. ASPIN, Mr. BELL, Mr. BISTER, Mr. BINGHAM, Mr. BOLAND, Mr. BRASCO, Mr. BURKE of Florida, Mr. BURKE of Massachusetts, Mr. CLEVELAND, Mr. CRONIN, Mr. DANIELSON, Mr. DAVIS of South Carolina, Mr. EDWARDS of California, Mr. ESHLEMAN, Mr. FISH, Mr. FORSYTHE, Mr. FRELINGHUYSEN, Mr. FREY, Mr. GILMAN, Mr. GONZALEZ, Mrs. GRASSO, and Mr. GUDE):

H.R. 4090. A bill to extend for 3 years the authority of the Secretary of Commerce to carry out fire research and safety programs; to the Committee on Science and Astronautics.

H.R. 4091. A bill to establish a National Fire Data and Information Clearing House, and for other purposes; to the Committee on Science and Astronautics.

By Mr. STEELE (for himself, Mr. ALEXANDER, Mr. ASPIN, Mr. BELL, Mr. BISTER, Mr. BINGHAM, Mr. BOLAND, Mr. BRASCO, Mr. BURKE of Florida, Mr. BURKE of Massachusetts, Mr. CLEVELAND, Mr. CRONIN, Mr. DANIELSON, Mr. DAVIS of South Carolina, Mr. EDWARDS of California, Mr. ESHLEMAN, Mr. FISH, Mr. FORSYTHE, Mr. FRASER, Mr. FRELINGHUYSEN, Mr. FREY, Mr. GILMAN, Mr. GONZALEZ, Mrs. GRASSO, and Mr. GUDE):

H.R. 4092. A bill to amend the Flammable Fabrics Act to extend the provisions of that act to construction materials used in the interiors of homes, offices, and other places of assembly or accommodation, and to authorize the establishment of toxicity standards; to the Committee on Interstate and Foreign Commerce.

H.R. 4093. A bill to amend the Hazardous Materials Transportation Control Act of 1970 to require the Secretary of Transportation to issue regulations providing for the placarding of certain vehicles transporting hazardous materials in interstate and foreign commerce, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. STEELE (for himself, Mr. HANSEN of Washington, Mr. HARRINGTON, Mr. HASTINGS, Mr. HECHLER of West Virginia, Mr. HICKS, Mr. HOWARD, Mr. JOHNSON of Pennsylvania, Mr. JONES of North Carolina, Mr. KEMP, Mr. KYROS, Mr. LENT, Mr. McDADE, Mr. MCKINNEY, Mr. MAILLIARD, Mr. MARAZITI, Mr. MAYNE, Mr. MITCHELL of Maryland, Mr. MOSHER, Mr. MURPHY of New York, Mr. MURPHY of Illinois, Mr. NICHOLS, Mr. PEYSER, Mr. PIKE, and Mr. PODELL):

H.R. 4094. A bill to provide for the creation of the National Fire Academy, and for other purposes; to the Committee on Science and Astronautics.

By Mr. STEELE (for himself, Mr. HANSEN of Washington, Mr. HARRINGTON, Mr. HASTINGS, Mr. HECHLER of West Virginia, Mr. HICKS, Mr. HOWARD, Mr. JOHNSON of Pennsylvania, Mr. JONES of North Carolina, Mr. KEMP, Mr. KYROS, Mr. LENT, Mr. McDADE, Mr. MCKINNEY, Mr. MAIL-

LIARD, Mr. MARAZITI, Mr. MITCHELL of Maryland, Mr. MOLLOHAN, Mr. MOSHER, Mr. MURPHY of New York, Mr. MURPHY of Illinois, Mr. NICHOLS, Mr. PEYSER, Mr. PIKE, and Mr. PODELL):

H.R. 4095. A bill to provide the Secretary of Commerce with the authority to make grants to States, counties, and local communities to pay for up to one-half of the costs of training programs for firemen; to the Committee on Science and Astronautics.

By Mr. STEELE (for himself, Mr. HANSEN of Washington, Mr. HARRINGTON, Mr. HASTINGS, Mr. HECHLER of West Virginia, Mr. HICKS, Mr. HOWARD, Mr. JOHNSON of Pennsylvania, Mr. JONES of North Carolina, Mr. KEMP, Mr. KYROS, Mr. LENT, Mr. McDADE, Mr. MCKINNEY, Mr. MAILLIARD, Mr. MARAZITI, Mr. MITCHELL of Maryland, Mr. MOSHER, Mr. MURPHY of New York, Mr. MURPHY of Illinois, Mr. NICHOLS, Mr. PEYSER, Mr. PICKLE, Mr. PIKE, and Mr. PODELL):

H.R. 4096. A bill to provide the Secretary of Commerce with the authority to make grants to accredited institutions of higher education to pay for up to one-half of the costs of fire science programs; to the Committee on Science and Astronautics.

By Mr. STEELE (for himself, Mr. HANSEN of Washington, Mr. HARRINGTON, Mr. HASTINGS, Mr. HECHLER of West Virginia, Mr. HICKS, Miss HOLTZMAN, Mr. HOWARD, Mr. JOHNSON of Pennsylvania, Mr. JONES of North Carolina, Mr. KEMP, Mr. KYROS, Mr. LENT, Mr. McDADE, Mr. MCKINNEY, Mr. MAILLIARD, Mr. MARAZITI, Mr. MITCHELL of Maryland, Mr. MOSHER, Mr. MURPHY of New York, Mr. MURPHY of Illinois, Mr. NICHOLS, Mr. PEYSER, Mr. PIKE, and Mr. PODELL):

H.R. 4097. A bill to provide financial aid to local fire departments in the purchase of advanced firefighting equipment; to the Committee on Science and Astronautics.

H.R. 4098. A bill to provide financial aid for local fire departments in the purchase of firefighting suits and self-contained breathing apparatus; to the Committee on Science and Astronautics.

By Mr. STEELE (for himself, Mr. HANSEN of Washington, Mr. HARRINGTON, Mr. HASTINGS, Mr. HECHLER of West Virginia, Mr. HICKS, Mr. HOWARD, Mr. JOHNSON of Pennsylvania, Mr. JONES of North Carolina, Mr. KEMP, Mr. KYROS, Mr. LENT, Mr. McDADE, Mr. MCKINNEY, Mr. MAILLIARD, Mr. MARAZITI, Mr. MITCHELL of Maryland, Mr. MOLLOHAN, Mr. MOSHER, Mr. MURPHY of New York, Mr. MURPHY of Illinois, Mr. NICHOLS, Mr. PEYSER, Mr. PIKE, and Mr. PODELL):

H.R. 4099. A bill to extend for 3 years the authority of the Secretary of Commerce to carry out fire research and safety programs; to the Committee on Science and Astronautics.

By Mr. STEELE (for himself, Mr. HANSEN of Washington, Mr. HARRINGTON, Mr. HASTINGS, Mr. HECHLER of West Virginia, Mr. HICKS, Mr. HOWARD, Mr. JOHNSON of Pennsylvania, Mr. JONES of North Carolina, Mr. KEMP, Mr. KYROS, Mr. LENT, Mr. McDADE, Mr. MCKINNEY, Mr. MAILLIARD, Mr. MARAZITI, Mr. MAYNE, Mr. MITCHELL of Maryland, Mr. MOSHER, Mr. MURPHY of New York, Mr. MURPHY of Illinois, Mr. NICHOLS, Mr. PEYSER, Mr. PIKE, and Mr. PODELL):

H.R. 4100. A bill to establish a National Fire Data and Information Clearinghouse, and for other purposes; to the Committee on Science and Astronautics.

By Mr. STEELE (for himself, Mr. HANSEN of Washington, Mr. HAR-

RINGTON, Mr. HASTINGS, Mr. HECHLER of West Virginia, Mr. HICKS, Miss HOLTZMAN, Mr. HOWARD, Mr. JOHNSON of Pennsylvania, Mr. JONES of North Carolina, Mr. KEMP, Mr. KYROS, Mr. LENT, Mr. McDADE, Mr. MCKINNEY, Mr. MAILLIARD, Mr. MARAZITI, Mr. MITCHELL of Maryland, Mr. MOSHER, Mr. MURPHY of New York, Mr. MURPHY of Illinois, Mr. NICHOLS, Mr. PEYSER, Mr. PIKE, and Mr. PODELL):

H.R. 4101. A bill to amend the Flammable Fabrics Act to extend the provisions of that act to construction materials used in the interiors of homes, offices, and other places of assembly or accommodation, and to authorize the establishment of toxicity standards; to the Committee on Interstate and Foreign Commerce.

H.R. 4102. A bill to amend the Hazardous Materials Transportation Control Act of 1970 to require the Secretary of Transportation to issue regulations providing for the placarding of certain vehicles transporting hazardous materials in interstate and foreign commerce, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. STEELE (for himself, Mr. PRICE of Illinois, Mr. RINALDO, Mr. RODINO, Mr. ROE, Mr. ROSENTHAL, Mr. SARASIN, Mr. SARBANES, Mr. THONE, Mr. WARE, Mr. CHARLES H. WILSON of California, Mr. YATRON, and Mr. ZWACH):

H.R. 4103. A bill to provide for the creation of the National Fire Academy, and for other purposes; to the Committee on Science and Astronautics.

By Mr. STEELE (for himself, Mr. MAYNE, Mr. PRICE of Illinois, Mr. RINALDO, Mr. RODINO, Mr. ROE, Mr. ROSENTHAL, Mr. SARASIN, Mr. SARBANES, Mr. THONE, Mr. WARE, Mr. CHARLES H. WILSON of California, Mr. WOLFF, Mr. YATRON, and Mr. ZWACH):

H.R. 4104. A bill to provide the Secretary of Commerce with the authority to make grants to States, counties, and local communities to pay for up to one-half of the cost of training programs for firemen; to the Committee on Science and Astronautics.

By Mr. STEELE (for himself, Mr. MAYNE, Mr. MOLLOHAN, Mr. PRICE of Illinois, Mr. RINALDO, Mr. RODINO, Mr. ROE, Mr. ROSENTHAL, Mr. SARASIN, Mr. SARBANES, Mr. THONE, Mr. WARE, Mr. CHARLES H. WILSON of California, Mr. YATRON, and Mr. ZWACH):

H.R. 4105. A bill to provide the Secretary of Commerce with the authority to make grants to accredited institutions of higher education to pay for up to one-half of the costs of fire science programs; to the Committee on Science and Astronautics.

By Mr. STEELE (for himself, Mr. MOLLOHAN, Mr. PRICE of Illinois, Mr. RINALDO, Mr. RODINO, Mr. ROE, Mr. ROSENTHAL, Mr. SARASIN, Mr. SARBANES, Mr. THONE, Mr. WARE, Mr. CHARLES H. WILSON of California, Mr. WOLFF, Mr. YATRON, and Mr. ZWACH):

H.R. 4106. A bill to provide financial aid to local fire departments in the purchase of advanced firefighting equipment; to the Committee on Science and Astronautics.

H.R. 4107. A bill to provide financial aid for local fire departments in the purchase of firefighting suits and self-contained breathing apparatus; to the Committee on Science and Astronautics.

By Mr. STEELE (for himself, Mr. MAYNE, Mr. PRICE of Illinois, Mr. RINALDO, Mr. RODINO, Mr. ROE, Mr. ROSENTHAL, Mr. SARASIN, Mr. SARBANES, Mr. THONE, Mr. WARE, Mr. CHARLES H. WILSON of California, Mr. YATRON, and Mr. ZWACH):

H.R. 4108. A bill to extend for 3 years the authority of the Secretary of Commerce to carry out fire research and safety programs; to the Committee on Science and Astronautics.

By Mr. STEELE (for himself, Mr. PRICE of Illinois, Mr. RINALDO, Mr. RODINO, Mr. ROE, Mr. ROSENTHAL, Mr. SARASIN, Mr. SARBANES, Mr. THONE, Mr. WARE, Mr. CHARLES H. WILSON of California, Mr. YATRON, and Mr. ZWACH):

H.R. 4109. A bill to establish a National Fire Data and Information Clearinghouse, and for other purposes; to the Committee on Science and Astronautics.

By Mr. STEELE (for himself, Mr. MAYNE, Mr. MOLLOHAN, Mr. PRICE of Illinois, Mr. RINALDO, Mr. RODINO, Mr. ROE, Mr. ROSENTHAL, Mr. SARASIN, Mr. SARBANES, Mr. THONE, Mr. WARE, Mr. CHARLES H. WILSON of California, Mr. WOLFF, Mr. YATRON, and Mr. ZWACH):

H.R. 4110. A bill to amend the Flammable Fabrics Act to extend the provisions of that act to construction materials used in the interiors of homes, offices, and other places of assembly or accommodation, and to authorize the establishment of toxicity standards; to the Committee on Interstate and Foreign Commerce.

By Mr. STEELE (of himself, Mr. MAYNE, Mr. PRICE of Illinois, Mr. RINALDO, Mr. RODINO, Mr. ROE, Mr. ROSENTHAL, Mr. SARASIN, Mr. SARBANES, Mr. THONE, Mr. WARE, Mr. CHARLES H. WILSON of California, Mr. YATRON, and Mr. ZWACH):

H.R. 4111. A bill to amend the Hazardous Materials Transportation Control Act of 1970 to require the Secretary of Transportation to issue regulations providing for the placarding of certain vehicles transporting hazardous materials in interstate and foreign commerce, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. STUDDS:

H.R. 4112. A bill to amend title 38 of the United States Code to make certain that recipients of veterans' pension and compensation will not have the amount of such pension or compensation reduced because of increases in monthly social security benefits; to the Committee on Veterans' Affairs.

By Mr. TEAGUE of Texas:

H.R. 4113. A bill to authorize the payment of fees for civilian counsel and other expenses connected with the defense of members of the Armed Forces charged with certain crimes committed while engaged in combat; to the Committee on Armed Services.

H.R. 4114. A bill to authorize the coinage of 50-cent pieces to commemorate the life of Hon. Sam Rayburn and to assist in the support of the Sam Rayburn Library; to the Committee on Banking and Currency.

H.R. 4115. A bill to authorize the coinage of 50-cent pieces to commemorate the Apollo 11 lunar landing and to establish the Apollo Lunar Landing Commemorative Trust Fund, and for other purposes; to the Committee on Banking and Currency.

H.R. 4116. A bill to further the achievement of equal educational opportunities; to the Committee on Education and Labor.

H.R. 4117. A bill to impose a moratorium on new and additional student transportation; to the Committee on the Judiciary.

H.R. 4118. A bill to provide penalties for assaulting a member of the National Guard while he is engaged in carrying out official duties; to the Committee on the Judiciary.

H.R. 4119. A bill to amend the National Aeronautics and Space Act of 1958 to provide for certain additional reports to the Congress, and for other purposes; to the Committee on Science and Astronautics.

H.R. 4120. A bill to authorize the Administrator of the National Aeronautics and Space Administration to convey certain lands in Brevard County, Fla.; to the Committee on Science and Astronautics.

H.R. 4121. A bill to provide for disclosures designed to inform Congress and the public of the identity of persons who for pay or with funds contributed to them seek to influence the legislative process, the sources of their funds, and their areas of legislative activity, and for other purposes; to the Committee on Standards of Official Conduct.

H.R. 4122. A bill to authorize the American Battle Monuments Commission to assume control of overseas war memorials erected by private persons and non-Federal agencies and to demolish such war memorials in certain instances; to the Committee on Veterans' Affairs.

H.R. 4123. A bill to amend title 38, United States Code, to eliminate the withholding of compensation and retirement pay for certain veterans being furnished hospital treatment or domiciliary care by the Veterans' Administration; to the Committee on Veterans' Affairs.

H.R. 4124. A bill to provide direct aid to States and territories for educational purposes only; to the Committee on Ways and Means.

By Mr. TEAGUE of Texas (by request):

H.R. 4125. A bill to raise the Veterans' Administration to the status of an executive department of the Government to be known as the Department of Veterans' Affairs; to the Committee on Government Operations.

H.R. 4126. A bill to provide that Interstate Route No. 70 shall be known as the Disabled American Veterans Memorial Highway; to the Committee on Public Works.

By Mr. THOMPSON of New Jersey:

H.R. 4127. A bill to provide for annual authorization of appropriations to the U.S. Postal Service; to the Committee on Post Office and Civil Service.

By Mr. UDALL (for himself, Mr. ADAMS,

Mr. ANDERSON of Illinois, Mr. BERGLAND, Mr. BINGHAM, Mr. BOWEN, Mr. BRASCO, Mr. BURTON, Mr. COEMAN, Mr. DANIELSON, Mr. DEINMAN, Mr. EILBERG, Mr. GONZALEZ, Mrs. GRASSO, Mr. GREEN of Pennsylvania, Mr. HARRINGTON, Mr. JOHNSON of Pennsylvania, Mr. JOHNSON of California, Mr. KOCH, Mr. LEGGETT, and Mr. LEHMAN):

H.R. 4128. A bill to amend title 39, United States Code, with respect to the financing of the cost of mailing certain matter free of postage or at reduced rates of postage, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. UDALL (for himself, Mr. Mc-

KINNEY, Mr. MELCHER, Mr. MITCHELL of Maryland, Mr. MOAKLEY, Mr. MOORHEAD of Pennsylvania, Mr. MOSS, Mr. OWENS, Mr. PODELL, Mr. PREYER, Mr. PRICE of Illinois, Mr. SEIBERLING, Mr. STOKES, Mr. THOMPSON of New Jersey, Mr. WALDIE, Mr. WOLFF, Mr. WON PAT, and Mr. YATRON):

H.R. 4129. A bill to amend title 39, United States Code, with respect to the financing of the cost of mailing certain matter free of postage or at reduced rates of postage, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. VANIK:

H.R. 4130. A bill to provide for annual authorization of appropriations to the U.S. Postal Service; to the Committee on Post Office and Civil Service.

By Mr. WAGGONER:

H.R. 4131. A bill to make it a Federal crime to kill or assault a fireman or law enforcement officer engaged in the performance of his duties when the offender travels in interstate commerce or uses any facility or inter-

state commerce for such purposes; to the Committee on the Judiciary.

H.R. 4132. A bill to increase the penalty with respect to certain offenses involving the commission of a felony while armed with a firearm; to the Committee on the Judiciary.

By Mr. WAMPLER:

H.R. 4133. A bill to provide for annual authorization of appropriations to the U.S. Postal Service; to the Committee on Post Office and Civil Service.

By Mr. WARE:

H.R. 4134. A bill to provide for annual authorization of appropriations to the U.S. Postal Service; to the Committee on Post Office and Civil Service.

By Mr. WHALEN (for himself, Mr. AS-

PIN, Miss JORDAN, Mr. KETCHUM, Mr. RINALDO, and Mr. YOUNG of Georgia):

H.R. 4135. A bill to assure the free flow of information to the public; to the Committee on the Judiciary.

By Mr. WHITEHURST:

H.R. 4136. A bill to authorize the Secretary of the Navy to acquire certain interests in land at Sewells Point, Norfolk, Va., and for other purposes; to the Committee on Armed Services.

H.R. 4137. A bill to provide for annual authorization of appropriations to the U.S. Postal Service; to the Committee on Post Office and Civil Service.

H.R. 4138. A bill to amend title 38, United States Code, to provide that remarriage of the widow of a veteran after age 60 shall not result in termination of dependency and indemnity compensation; to the Committee on Veterans' Affairs.

By Mr. WIDNALL:

H.R. 4139. A bill to provide for annual authorization of appropriations to the U.S. Postal Service; to the Committee on Post Office and Civil Service.

By Mr. WYMAN:

H.R. 4140. A bill establishing a National Lottery Commission, providing for national drawings and a sharing of proceeds with participating States; to the Committee on the Judiciary.

By Mr. YATRON:

H.R. 4141. A bill to amend the Federal Meat Inspection Act to provide that State-inspected facilities after meeting the inspection requirements shall be eligible for distribution in establishment on the same basis as plants inspected under title I; to the Committee on Agriculture.

H.R. 4142. A bill to amend title 10 of the United States Code to provide that members of the Armed Forces be assigned to duty stations near their homes after serving in combat zones; to the Committee on Armed Services.

H.R. 4143. A bill to amend title 32, United States Code, to provide that Army and Air Force National Guard technicians shall not be required to wear the military uniform while performing their duties in a civilian status; to the Committee on Armed Services.

H.R. 4144. A bill to amend chapter 5 of title 37, United States Code, to revise the special pay structure relating to members of the uniformed services, and for other purposes; to the Committee on Armed Services.

H.R. 4145. A bill to amend the Older Americans Act of 1965 to provide grants to States for the establishment, maintenance, operation, and expansion of low-cost meal programs, nutrition training and education programs, opportunity for social contacts, and for other purposes; to the Committee on Education and Labor.

H.R. 4146. A bill to provide benefits for sufferers from byssinosis; to the Committee on Education and Labor.

H.R. 4147. A bill to amend section 620 of the Foreign Assistance Act of 1961 to suspend, in whole or in part, economic and military assistance and certain sales to any

country which falls to take appropriate steps to prevent narcotic drugs, produced or processed, in whole or in part, in such country from entering the United States unlawfully, and for other purposes; to the Committee on Foreign Affairs.

H.R. 4148. A bill to amend the Communications Act of 1934 to establish orderly procedures for the consideration of applications for renewal of broadcast licenses; to the Committee on Interstate and Foreign Commerce.

H.R. 4149. A bill to amend the Federal Trade Commission Act to provide that under certain circumstances exclusive territorial arrangements shall not be deemed unlawful, to the Committee on Interstate and Foreign Commerce.

H.R. 4150. A bill to amend the Communications Act of 1934 to provide grants to States for the establishment, equipping, and operation of emergency communications centers to make the national emergency telephone number 911 available throughout the United States; to the Committee on Interstate and Foreign Commerce.

H.R. 4151. A bill to amend the Federal Aviation Act of 1958 in order to require the screening by weapons-detecting devices of all passengers in regularly scheduled air transportation; to the Committee on Interstate and Foreign Commerce.

H.R. 4152. A bill to amend the Federal Aviation Act of 1958 in order to authorize free or reduced rate transportation to handicapped persons and persons who are 65 years of age or older, and to amend the Interstate Commerce Act to authorize free or reduced rate transportation for persons who are 65 years of age or older; to the Committee on Interstate and Foreign Commerce.

H.R. 4153. A bill to amend the Interstate Commerce Act to provide increased fines for violation of the motor carrier safety regulations, to extend the application of civil penalties to all violations of the motor carrier safety regulations, to permit suspension or revocation of operating rights for violation of safety regulations, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 4154. A bill to amend title II of the Interstate Commerce Act with respect to the issuance of brokerage licenses to certain persons authorizing them to arrange for the transportation by motor vehicle of groups of passengers and their baggage; to the Committee on Interstate and Foreign Commerce.

H.R. 4155. A bill to prohibit assaults on State law enforcement officers, firemen, and judicial officers; to the Committee on the Judiciary.

By Mr. YOUNG of Florida:

H.R. 4156. A bill to provide for annual authorization of appropriations to the U.S. Postal Service; to the Committee on Post Office and Civil Service.

By Mr. YATRON:

H.R. 4157. A bill to authorize the National Science Foundation to conduct research, educational, and assistance programs to prepare the country for conversion from defense to civilian, socially oriented research and development activities, and for other purposes; to the Committee on Science and Astronautics.

H.R. 4158. A bill to amend chapter 15 of title 38, United States Code, to provide for the payment of pension of \$125 per month to World War I veterans, subject to a \$2,400 and \$3,600 annual-income limitation; to provide that retirement income such as social security shall not be counted as income; to provide that such pension shall be increased by 10 per centum where the veterans served overseas during World War I; and for other purposes; to the Committee on Veterans' Affairs.

H.R. 4159. A bill to amend the Internal Revenue Code of 1954 and the Social Security Act to provide a comprehensive program of health care for the 1970's by strengthening

the organization and delivery of health care nationwide and by making comprehensive health care insurance available to all Americans, and for other purposes; to the Committee on Ways and Means.

H.R. 4160. A bill to amend the Internal Revenue Code of 1954 to allow a deduction for expenses incurred by a taxpayer in making repairs and improvements to his residence; to the Committee on Ways and Means.

H.R. 4161. A bill to amend the Internal Revenue Code of 1954 to permit an exemption of the first \$5,000 of retirement income received by a taxpayer under a public retirement system or any other system if the taxpayer is at least 65 years of age; to the Committee on Ways and Means.

H.R. 4162. A bill to amend the Internal Revenue Code of 1954 to provide that the first \$5,000 of compensation paid to law enforcement officers shall not be subject to the income tax; to the Committee on Ways and Means.

H.R. 4163. A bill to allow a credit against Federal income taxes or a payment from the U.S. Treasury for State and local real property taxes or an equivalent portion of rent paid on their residences by individuals who have attained age 65; to the Committee on Ways and Means.

H.R. 4164. A bill to provide for orderly trade in iron and steel products; to the Committee on Ways and Means.

By Mr. ZABLOCKI:

H.R. 4165. A bill to provide for annual authorization of appropriations to the U.S. Postal Service; to the Committee on Post Office and Civil Service.

By Mr. ZWACH:

H.R. 4166. A bill to amend the Water Bank Act; to the Committee on Merchant Marine and Fisheries.

H.R. 4167. A bill to provide for annual authorization of appropriations to the U.S. Postal Service; to the Committee on Post Office and Civil Service.

By Mr. ADDABBO:

H.J. Res. 311. Joint resolution creating a Joint Committee on Classified Information; to the Committee on Rules.

By Mr. BRADEMAS (for himself, Mr. PERKINS, Mr. QUIE, Mrs. MINK, and Mr. HANSEN of Idaho):

H.J. Res. 312. Joint resolution to clarify certain provisions of the Supplemental Appropriations Act, 1973; to the Committee on Appropriations.

By Mr. DULSKI (for himself and Mr. KEMP):

H.J. Res. 313. Joint resolution designating the first Sunday of October in every year as National Choir Recognition Day; to the Committee on the Judiciary.

By Mr. GERALD R. FORD:

H.J. Res. 314. Joint resolution proposing an amendment to the Constitution of the United States relating to the election of the President and Vice President; to the Committee on the Judiciary.

By Mr. LEGGETT:

H.J. Res. 315. Joint resolution relating to the power of Congress to declare war; to the Committee on Foreign Affairs.

By Mr. LUJAN:

H.J. Res. 316. Joint resolution authorizing the President to proclaim the second week of February in each year as "National Vocational Education Week"; to the Committee on the Judiciary.

By Mr. NIX:

H.J. Res. 317. Joint resolution expressing the sense of the Congress with respect to the foreign economic policy of the United States in connection with its relations with the Soviet Union and any other country which uses arbitrary and discriminatory methods to limit the right of emigration, and for other purposes; to the Committee on Foreign Affairs.

By Mr. SHOUP:

H.J. Res. 318. Joint resolution to mandate consideration of comprehensive legislation reforming, recodifying, and simplifying the Federal income, estate, and gift tax laws; to the Committee on Rules.

By Mr. SIKES (for himself, Mr. FULTON, Mr. SEBELIUS, Mr. JOHNSON of California, Mr. WALSH, Mrs. HANSEN of Washington, Mr. CARNEY of Ohio, Mr. DONOHUE, Mr. BROYBILL of North Carolina, Mr. BEVILL, Mr. HECHLER of West Virginia, Mr. PARRIS, Mr. SCHERLE, Mr. FLOWERS, Mr. GIBBONS, Mr. BREAUX, Mr. EILBERG, Mr. GAYDOS, Mr. FISHER, Mr. ADDABBO, Mr. KEMP, Mr. PERKINS, Mr. DAVIS of South Carolina, Mr. WAGGONER, and Mr. BAFALIS):

H.J. Res. 319. Joint resolution asking the President of the United States to declare the fourth Saturday of each September "National Hunting and Fishing Day"; to the Committee on the Judiciary.

By Mr. SIKES (for himself, Mr. MILFORD, Mr. HUBER, Mr. DORN, Mr. DINGELL, Mr. PREYER, Mr. WILLIAM D. FORD, Mrs. GRASSO, Mr. YOUNG of Florida, Mr. MINSHALL of Ohio, Mr. LEGGETT, Mr. LATTI, Mr. CAMP, Mr. WON PAT, Mr. CORMAN, Mr. MOSS, Mr. YATRON, Mr. PIKE, Mr. RARICK, Mr. TREEN, Mr. ALEXANDER, Mr. MOOREHEAD of California, Mr. DELLENBACK, Mr. HORTON, and Mr. ROE):

H.J. Res. 320. Joint resolution asking the President of the United States to declare the fourth Saturday of each September "National Hunting and Fishing Day"; to the Committee on the Judiciary.

By Mr. SIKES (for himself, Mr. LENT, Mr. CHAPPELL, Mr. PRICE of Illinois, Mr. GUNTER, Mr. ROBINSON of Virginia, Mr. CLEVELAND, Mr. KETCHUM, Mr. MITCHELL of New York, and Mr. FISH):

H.J. Res. 321. Joint resolution asking the President of the United States to declare the fourth Saturday of each September "National Hunting and Fishing Day"; to the Committee on the Judiciary.

By Mr. TEAGUE of Texas:

H.J. Res. 322. Joint resolution designating November 11 of each year as Armistice Day; to the Committee on the Judiciary.

H.J. Res. 323. Joint resolution proposing an amendment to the Constitution of the United States to require the concurrence of not less than two-thirds of the Supreme Court for the purpose of deciding whether an act of Congress or an act of a State legislature is unconstitutional; to the Committee on the Judiciary.

H.J. Res. 324. Joint resolution proposing an amendment to the Constitution of the United States to modify the method of appointment and terms of office of the Federal judiciary; to the Committee on the Judiciary.

H.J. Res. 325. Joint resolution proposing an amendment to the Constitution of the United States relating to the qualifications and tenure in office of Federal judges; to the Committee on the Judiciary.

H.J. Res. 326. Joint resolution proposing an amendment to the Constitution of the United States providing for the reconfirmation by popular vote of certain Federal judges; to the Committee on the Judiciary.

H.J. Res. 327. Joint resolution proposing an amendment to the Constitution of the United States providing for the reconfirmation by popular vote of certain Federal judges; to the Committee on the Judiciary.

By Mr. TEAGUE of Texas (for himself and Mr. GRAY):

H.J. Res. 328. Joint resolution to designate the Manned Spacecraft Center in Houston, Tex., as the Lyndon B. Johnson Space Center in honor of the late President; to the Committee on Science and Astronautics.

By Mr. WYMAN (for himself, Mr. NICHOLS, Mr. ARCHER, Mr. YOUNG

of Florida, Mr. McCOLLISTER, Mr. SEBELIUS, Mr. SCHERLE, Mr. GROSS, Mr. SANDMAN, Mr. CRANE, Mr. ROUSSELOT, Mr. EDWARDS of Alabama, and Mr. CLEVELAND):

H.J. Res. 329. Joint resolution proposing an amendment to the Constitution to permit the imposition and carrying out of the death penalty in certain cases; to the Committee on the Judiciary.

By Mr. ZWACH:

H.J. Res. 330. Joint resolution to provide for the designation of the week of February 11 to 17, 1973, as National Vocational Education Week; to the Committee on the Judiciary.

By Mr. NIX:

H. Con. Res. 111. Concurrent resolution expressing the sense of the Congress that the Soviet Union should be condemned for its policy of demanding a ransom from educated Jews who want to emigrate to Israel; to the Committee on Foreign Affairs.

H. Con. Res. 112. Concurrent resolution requesting the President of the United States to take affirmative action to persuade the Soviet Union to revise its official policies concerning the rights of Soviet Jewry; to the Committee on Foreign Affairs.

By Mr. O'NEILL:

H. Con. Res. 113. Concurrent resolution to express a national policy of support for the New England fishing industry, and the domestic coastal fishing industry in all parts of the United States; to the Committee on Merchant Marine and Fisheries.

By Mr. WOLFF (for himself, Mr. ADAMBO, Mr. CAREY of New York, Mr. RONCALLO of New York, Mr. BIAGGI, Mr. PIKE, Mr. BUCHANAN, Mr. DAVIS of South Carolina, Mr. HELSTOSKI, Mr. EILBERG, Mr. BRASCO, Mr. STEPHENS, Mr. PEYSER, Mr. FASCELL, Mr. ROE, Mr. MAZZOLI, Mr. RODINO, Mr. MOAKLEY, Mr. RINALDO, Mr. LEGGETT, Mr. CORMAN, and Mr. DANIELSON):

H. Con. Res. 114. Concurrent resolution providing recognition for Columbus; to the Committee on House Administration.

By Mr. BIESTER (for himself and Mr. STEELMAN):

H. Res. 198. Resolution for the creation of congressional senior citizen internships; to the Committee on House Administration.

By Mr. CLEVELAND:

H. Res. 199. Resolution to amend rule XI of the Rules of the House of Representatives; to the Committee on Rules.

By Mr. DIGGS:

H. Res. 200. Resolution to provide funds for the expenses of the investigations and studies authorized by House Resolution 162; to the Committee on House Administration.

By Mr. FLOOD (for himself, Mr. ADAMBO, Mr. BROYHILL of Virginia, Mr. BURLESON of Texas, Mr. DEL CLAWSON, Mr. CLARK, Mr. GAYDOS, Mr. HENDERSON, Mr. JOHNSON of Pennsylvania, Mr. MATHIS of Georgia, Mr. MCCOLLISTER, Mr. ROBINSON of Virginia, Mr. RUNNELS, Mr. SATTERFIELD, and Mr. WAGGONER):

H. Res. 201. Resolution to declare U.S. sovereignty and jurisdiction over the Panama Canal Zone; to the Committee on Foreign Affairs.

By Mr. KLUCZYNSKI:

H. Res. 202. Resolution to provide funds for expenses incurred by the Select Committee on the House Restaurant; to the Committee on House Administration.

By Mr. NIX:

H. Res. 203. Resolution concerning the continued injustices suffered by Jewish citizens of the Soviet Union; to the Committee on Foreign Affairs.

By Mr. O'HARA:

H. Res. 204. Resolution to disapprove certain regulations submitted to the House by the Commissioner of Education in accordance with section 411 of the Higher Education Act of 1965, as amended, relating to the family contribution schedule under the basic educational opportunity grant program; to the Committee on Education and Labor.

By Mr. PEPPER (for himself, Mr. WALDIE, Mr. BRASCO, Mr. MANN, Mr. MURPHY of Illinois, Mr. RANGEL, Mr. WINN, and Mr. SANDMAN):

H. Res. 205. Resolution creating a select committee to investigate all aspects of crime affecting the United States; to the Committee on Rules.

By Mr. TEAGUE of Texas:

H. Res. 206. Resolution maintaining U.S. sovereignty, Panama Canal Zone; to the Committee on Foreign Affairs.

H. Res. 207. Resolution to instruct the Judiciary Committee to make a continuing study of the fitness of Federal judges for their offices; to the Committee on Rules.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

27. By the SPEAKER: A memorial of the Legislature of the State of Idaho, relative to allowing private citizens of the United States to own gold; to the Committee on Banking and Currency.

28. Also, a memorial of the Legislature of the State of Maine, relative to the proposed closing of the National Marine Fisheries Services facility at Boothbay Harbor, Maine; to the Committee on Merchant Marine and Fisheries.

PRIVATE BILLS AND RESOLUTIONS

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

By Mr. BURTON:

H.R. 4168. A bill for the relief of Poo Mun Lee; to the Committee on the Judiciary.

H.R. 4169. A bill for the relief of Mamerta Musngi Pennington; to the Committee on the Judiciary.

H.R. 4170. A bill for the relief of Florencia T. Santos; to the Committee on the Judiciary.

H.R. 4171. A bill for the relief of Kwong Lam Yuen; to the Committee on the Judiciary.

H.R. 4172. A bill for the relief of Romeo Lancin; to the Committee on the Judiciary.

By Mr. BRASCO:

H.R. 4173. A bill for the relief of Alfredo Giuliani; to the Committee on the Judiciary.

By Mrs. CHISHOLM:

H.R. 4174. A bill for the relief of Ronald V. Johnson; to the Committee on the Judiciary.

By Mr. CLEVELAND:

H.R. 4175. A bill for the relief of Manuel H. Silva; to the Committee on the Judiciary.

By Mrs. GREEN of Oregon:

H.R. 4176. A bill to incorporate in the District of Columbia the American Ex-Prisoners of War; to the Committee on the District of Columbia.

By Mr. GROVER:

H.R. 4177. A bill for the relief of Sp5. Gary Hegel; to the Committee on the Judiciary.

By Mr. KOCH:

H.R. 4178. A bill for the relief of Concetta Fruscella; to the Committee on the Judiciary.

By Mr. MOSS:

H.R. 4179. A bill for the relief of Louis M. Lamothe; to the Committee on the Judiciary.

H.R. 4180. A bill for the relief of Milton E. Nix; to the Committee on the Judiciary.

By Mr. NIX:

H.R. 4181. A bill for the relief of Francesco Sita; to the Committee on the Judiciary.

SENATE—Wednesday, February 7, 1973

The Senate met at 12 o'clock meridian and was called to order by Hon. HARRY F. BYRD, JR., a Senator from the State of Virginia.

PRAYER

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

O God, our Father, in whom we live and move and have our being, help us through this day so to live that we may bring help to others, credit to ourselves, and honor to the Nation and to Thy name.

Enable us, by Thy spirit, to be helpful to those in difficulty, kind to those in need, sympathetic to those whose hearts are sad. Grant that we may be cheerful when things go wrong, persevering when things are difficult, serene when things

are irritating. Make us to be at peace with ourselves, with others, and with Thee.

Grant us Thy grace to live under the inspiration and strength of the Master of Life, in whose name we pray. Amen.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. EASTLAND):

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., February 7, 1973.
To the Senate:

Being temporarily absent from the Senate on official duties, I appoint Hon. HARRY F. BYRD, JR., a Senator from the State of Vir-

ginia, to perform the duties of the Chair during my absence.

JAMES O. EASTLAND,
President pro tempore.

Mr. HARRY F. BYRD, JR. thereupon took the chair as Acting President pro tempore.

MESSAGES FROM THE PRESIDENT—APPROVAL OF A JOINT RESOLUTION

Messages in writing from the President of the United States were communicated to the Senate by Mr. Marks, one of his secretaries, and he announced that on February 2, 1973, the President had approved and signed the joint resolution (S.J. Res. 26) to amend section 1319 of the Housing and Urban Development Act of 1968 to increase the limitation on the face amount of flood insurance coverage authorized to be outstanding.