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Congressional Record

PROCEEDINGS AND DEBATES OF THE 93d CONGRESS, FIRST SESSION

HOUSE OF REPRESENTATIVES—*Wednesday, March 7, 1973*

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

The Lord is my strength and my song and He has become my salvation.—Exodus 15: 2.

Praise be to Thee, O Lord our God, and God of our fathers. Thou art our refuge and strength, our help in time of trouble and in all of life. Spur us to respond to the leading of Thy Spirit that we may walk with Thee along the paths to peace, justice, and good will.

Prosper our Nation in all her good works that there be no hunger within our borders and that everyone may live and labor for the good of our people.

Hasten the day when the threat of war will cease and when men and women shall realize their oneness with Thee and with one another.

"Lift up our hearts, O King of kings,
To brighten hopes and kindlier things,
To visions of a larger good
And higher dreams of brotherhood."

In the spirit of Him who said, "Let us love one another," 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 bills and a concurrent resolution of the following titles, in which the concurrence of the House is requested:

S. 49. An act to amend title 38 of the United States Code in order to establish a National Cemetery System within the Veterans' Administration, and for other purposes;

S. 284. An act to amend chapter 17 of title 38, United States Code, to require the availability of comprehensive treatment and rehabilitative services and programs for certain disabled veterans suffering from alcoholism, drug dependence, or alcohol or drug abuse disabilities, and for other purposes;

S. 721. An act to authorize appropriations for the Indian Claims Commission for fiscal year 1974, and for other purposes; and

S. Con. Res. 6. Concurrent resolution making apportionment of funds for the National System of Interstate and Defense Highways.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair would like to make an announcement.

The Chair has been advised that the electronic voting system is at the present time not operable.

Until further notice, therefore, all votes and quorum calls will be taken by the standby procedures which are provided in the rules.

CALL OF THE HOUSE

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

The SPEAKER. Evidently a quorum is not present.

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

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 35]

Ashley	Giaimo	Murphy, Ill.
Badillo	Gray	Price, Tex.
Biaggi	Hanna	Rooney, N.Y.
Blatnik	Harvey	Rosenthal
Brown, Calif.	Hastings	Rostenkowski
Broyhill, Va.	Hébert	Sisk
Carey, N.Y.	Hinshaw	Stark
Chisholm	Hosmer	Steed
Clark	King	Steiger, Ariz.
Clay	Koch	Sullivan
Collier	Long, La.	Teague, Calif.
Conyers	Martin, N.C.	Teague, Tex.
Corman	Milford	Udall
Dickinson	Mills, Ark.	Waldie
Diggs	Mollohan	Wampler
Edwards, Ala.	Moorhead, Calif.	Whitten
Evans, Colo.	Moorhead, Pa.	Wright
Fraser		

The SPEAKER. On this rollcall 379 Members have answered to their names, a quorum.

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

AUTHORIZING SPEAKER TO DECLARE A RECESS ON THURSDAY, MAY 24, 1973

Mr. O'NEILL. Mr. Speaker, I ask unanimous consent that it be in order for the Speaker to declare a recess on Thursday, May 24, 1973, subject to the call of the Chair, for the purpose of receiving in this Chamber former Members of the House of Representatives.

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

There was no objection.

ANNOUNCEMENT OF BREAKDOWN OF WHIP ROLLCALL SYSTEMS

Mr. O'NEILL. Mr. Speaker, I would like to announce that the whip rollcall systems on both sides are experiencing difficulty and are not operating, so we will not be able today to call Members in their offices and urge them to be on the floor.

PERSONAL EXPLANATION

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

Mr. O'BRIEN. Mr. Speaker, on rollcall No. 34 yesterday, a quorum call, I was detained in my office on business concerning my district. I entered the Chamber after the completion of the call. I make this statement in order that the RECORD may show that I was in attendance yesterday.

GOVERNMENT IGNORES ENERGY CRISIS

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

Mr. SIKES. Mr. Speaker, the U.S. News & World Report for March 5 quoted a visitor to Washington as saying:

I wonder if officials in charge of government buildings are aware of the energy crisis. At midnight, most of those monumental structures are ablaze with light. Surely, there aren't really that many bureaucrats working overtime.

The visitor is not the only one who wonders about these things. I have called attention to this situation on more than one occasion and I invariably received excuses, not corrections. It does not make sense to me that the Government's light bill does not go up when all the lights are on. Mine does. If it costs me more to burn lights unnecessarily, I must assume the Government has the same problem. The question remains, How do we get anything done about it?

THE POW'S COME HOME

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

Mr. ADDABBO. Mr. Speaker, while all Americans should be thankful and joyful over the return of our prisoners of war from North Vietnam, we should also reflect on the problems faced by these fine young men. Their future depends in large part on the willingness of Americans to recognize those problems and join together in a national program to help these men meet the daily problems they are now beginning to encounter.

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

A recent editorial aired on radio station WINS in New York describes the situation briefly and clearly. I insert the text of that editorial at this point in the RECORD for the information of my colleagues:

THE POW'S COME HOME

The first prisoners of war from Vietnam, including 16 men from this area, are coming home, and we share the joy of their families in their safe return. Apparently no effort has been spared in making their homecoming smooth and problem-free, and they soon will be reunited with their loved ones. But, in this hour of happiness, we should remember that this is only the start of a period of readjustment to a way of life that many POW's have not known for years.

Along with thousands of other Vietnam veterans, they will find that life in America has become more complicated and expensive than it was when they went away . . . that problems of crime, drug addiction, environmental pollution and urban decay have increased, as have taxes and the cost of living. They may also discover that many veterans still are having trouble finding civilian jobs. The veterans administration currently is weighing changes in disability benefits which could have a serious effect on this new generation of disabled vets. Let's hope that any cuts made in the name of economy eliminate waste and inefficiency, without hurting veterans who genuinely need help. Congress should make certain that the red carpet which has just been rolled out for our returning POW's is not a hollow promise.

THE LATE CLEO A. NOEL, JR., AND THE LATE GEORGE C. MOORE

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

Mr. CULVER. Mr. Speaker, I sadly rise today to comment upon a national tragedy.

I share the shock of the coldblooded murder of Cleo A. Noel, Jr., our newly arrived U.S. Ambassador to the Sudan, and George C. Moore, the departing charge d'affaires, by Palestinian guerrillas in Khartoum. It is appalling that American diplomats, or diplomats from any country, are being subjected to such acts of terrorism while they faithfully and courageously represent their governments in the many troubled areas of our world.

In speaking to a senior colleague of Ambassador Noel over the past weekend, the Ambassador was described to me as a most dedicated and gifted Foreign Service officer, as well as a "truly outstanding human being." He was greatly respected and admired by those with whom he served.

We were fortunate to have individuals like Ambassador Noel and Mr. Moore representing our country. They had extensive expertise and background in the affairs of that area of the world. In addition, they had a long and distinguished career in the Foreign Service. They, in short, are America's finest Ambassadors. I share, with the rest of the Nation, a sincere sense of loss over their death, and the loss of their invaluable service to the Nation.

I would like to comment further, Mr. Speaker, that I consider it important if an appropriate perspective on the Middle East is to be maintained that all Arab nations disassociate themselves from such irrational, unconscionable, and despicable acts of terrorism. Official acceptance or even silence will only encourage more such tragedies.

Mr. Speaker, I extend my profound sympathy to the families of these two fine Americans who gave their dedicated lives while in the service of our country.

PERSONAL ANNOUNCEMENT

Mr. DULSKI. Mr. Speaker, I was unavoidably detained in my district yesterday, and therefore missed the votes on passage of H.R. 4278, child nutrition programs, rollcall No. 32; and House Joint Resolution 393, extending the authorization of the National Commission on the Financing of Postsecondary Education, rollcall No. 33.

Had I been present, I would have voted "yea" on both measures.

JAWBONING MEAT PRICES WITH "BOSSY"

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

Mr. MELCHER. Mr. Speaker, the results of yesterday's meeting of the Food Advisory Committee to discuss ways of stabilizing meat prices were discussed with me today. They have agreed on a two-step plan which they hope will bring stability to the livestock markets and therefore the retail meat prices.

The first of these is to increase the slaughter of cows this year by encouraging farmers and ranchers to voluntarily send more of them to market. I believe this will be ineffective because Government jawboning by USDA officials will not cause livestock owners to part with cows that are productive. Causing a movement to bovine genocide for this year will only result in reducing the number of next year's calves and the beef supply in years ahead. The imminent need now is a gradual expansion of cattle numbers to meet the increased demand while the Food Advisory Committee staff points out that USDA figures show cow numbers increasing by 6 percent as compared to a year ago. These are only estimates and could be higher than actual numbers.

Everyone in the meat production chain from farmers and ranchers through the various steps to the final package of meat on the retail counters are hopeful of meat price stabilization. But to expect Bossy's owner to sign her death warrant by sending her to slaughter when she is still pert and productive is expecting too much.

The Food Advisory Committee also agreed to promote a voluntary plan to tighten price controls for meatpackers. The final details have not been worked out, but meatpackers and the American Meat Institute have been working with the staff of the Committee and they have reached a tentative agreement. It will be passed on to the Food Committee of the Cost of Living Council for further action at a meeting in the near future. I encourage Chairman Shultz and the Food Committee to hold public hearings before any final action is taken to permit other parts of the livestock and meat industry as well as the public to have an opportunity to understand what is being proposed and how it will affect meat prices. There is a broad public interest and this proposal should not be one only known to the meatpackers and the American Meat Institute.

Government interference in the livestock industry has had many notable failures and few, if any, successes. Some of the members of the Food Advisory Committee are well aware of this and I would hope will use prudent caution in the proposals they pass on to the Food Committee and Cost of Living Council.

PERSONAL EXPLANATION

Mr. LEHMAN. Mr. Speaker, on March 6, at the time of quorum call No. 34, I was fulfilling my duties as a member of the Select Subcommittee on Education. The subcommittee was meeting jointly with the Senate Education Subcommittee in the New Senate Office Building to hear testimony regarding the National Foundation for the Arts and Humanities.

Since House quorum bells do not ring on the Senate side, I was unaware of this quorum call.

I would hope that arrangements could be made whereby Members of the House who are meeting in official business on the Senate side are promptly notified of House quorum calls or votes.

OPEN COMMITTEE MEETINGS

Mr. PEPPER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 272 and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 272

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the resolution (H. Res. 259) to amend the Rules of the House of Representatives to strengthen the requirement that committee proceedings be held in open session. After general debate, which shall be confined to the resolution 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 Rules, the resolution shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the resolution for amendment, the Committee shall rise and report the resolution to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the resolution and amendments thereto to final passage without intervening motion except one motion to recommit.

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

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

Mr. Speaker, House Resolution 272 provides an open rule with 1 hour of general debate on House Resolution 259, which is a resolution to amend the Rules of the House of Representatives to

strengthen the requirement that committee proceedings be held in open session.

House Resolution 259 provides that each meeting for the transaction of business, including the markup of legislation, of each standing committee or subcommittee thereof shall be open to the public except when the committee or subcommittee, in open session with a quorum present, determines by rollcall vote that all or part of the remainder of the meeting on that day shall be closed to the public: *Provided, however,* That no person other than members of the committee and such congressional staff as they may authorize shall be present at any business or markup session which has been closed to the public. This paragraph does not apply to open committee hearings which are provided for by paragraphs (f)(2) and (g)(3) of clause 27 of this rule; or to any meeting that relates solely to internal budget or personnel matters.

Each hearing conducted by each committee or subcommittee thereof shall be open to the public except when the committee or subcommittee in open session and with a quorum present, determines by rollcall vote that all or part of the remainder of that hearing on that day shall be closed to the public because disclosure of testimony evidence, or other matters to be considered would endanger the national security or would violate any law or rule of the House of Representatives.

Hearings pursuant to subparagraph (1) of this paragraph, or any part thereof, shall be held in open session except when the committee, in open session and with a quorum present, determines by rollcall vote that the testimony to be taken at that hearing may be related to a matter of national security.

The Rules Committee granted an open rule on House Resolution 259 so that the Members might have ample time to debate the issue and to offer amendments.

Mr. Speaker, I urge the adoption of House Resolution 272 in order that House Resolution 259 may be considered.

Mr. ANDERSON of Illinois. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I should like to make it clear at the outset that I am going to ask for a "nay" vote on ordering the previous question on House Resolution 272.

I shall do that not because I am opposed to the substantive provisions of House Resolution 259, which has been authored by the gentleman from Florida (Mr. FASCELL), the gentleman from Texas (Mr. ECKHARDT), and the gentleman from Washington (Mr. FOLEY).

In fact, on the 23d of January of this year I introduced an even stronger version of the so-called sunshine bill in the hopper in this House. The legislation that I introduced at that time would have prohibited closed meetings, even markup sessions, unless matters of national security or matters that tended to degrade or to defame or to incriminate an individual were involved.

But I do appreciate the political realities that are at work here today. Therefore, I believe the resolution as it was reported out of the Democratic caucus and as we have it in House Resolution 259 is a reasonable and an acceptable compromise of the position which I originally offered.

Let me also say that we are acting on this resolution today under an open rule. When the gentleman from Missouri, my friend and colleague on the committee (Mr. BOLLING), moved to send the resolution to the floor under an open rule I was delighted, because that was, Members may remember—those who were here a week ago—exactly the procedure I had sought to employ in the consideration of the investigatory and travel resolutions that we considered at that time. But my motion for an open rule was defeated by a party-line vote in the Rules Committee on that occasion, and we were unsuccessful in the effort we then subsequently made to defeat the ordering of the previous question here on the floor of the House.

It was my understanding on yesterday that by the granting of an open rule, as we did, this resolution, which amends clauses 26 and 27 of rule XI, would be open to amendment, and amendments would be in order to other parts of rule XI as well. So I had, therefore, in mind to offer an amendment to clause 32(c) of rule XI which would restore the one-third investigatory minority staffing provision which was contained in the 1970 Legislative Reorganization Act but which was later deleted in the adoption of the rules of the 92d Congress.

Since I have been informed that there is a possibility that even under an open rule such an amendment, an amendment to section 32(c) of rule XI, might be held to be nongermane to this resolution, therefore I have no alternative, I feel, other than to call for a "no" vote on ordering the previous question, when that is up for a vote, so that if we defeat the ordering of the previous question we will then be in a position to offer a substitute rule which would clearly make in order this amendment to section 32(c) and make provision for adequate minority staffing.

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

Mr. ANDERSON of Illinois. I yield to the gentleman from New Hampshire.

Mr. CLEVELAND. In other words, the rule under which we are going to consider this so-called sunshine resolution, introduced, sponsored, I suppose, aptly, by a gentleman from Florida among others, is going to be an open rule. However, the rule is not open enough so that we could consider a minority staffing amendment, although it is to the same rule XI. This germaneness business in the House seems to be so strict one has to get right down to the very section involved. Is that the situation?

Mr. ANDERSON of Illinois. The gentleman is correct. I am afraid that this might be the situation if we simply went ahead under the resolution and I tried to offer the resolution in regular course. I am afraid that ruling might come from the Chair, and, therefore, to obviate that I am asking for a "no" vote on the previous question.

Mr. CLEVELAND. And then if we vote down the previous question, the gentleman is going then to offer an amendment to the rule which will permit the House to again address itself to the issue of minority staffing; right?

Mr. ANDERSON of Illinois. The gentleman is correct.

Mr. CLEVELAND. Mr. Speaker, let us make it clear, however.

Is it not also the gentleman's intention to introduce an amendment that will be different from the amendment which was defeated by 13 votes last week?

Mr. ANDERSON of Illinois. Mr. Speaker, I was about to come to that in my remarks.

In answer to the gentleman's question, I have endeavored to draft new compromise language that would meet the objections that were stated here on the floor last week by the gentleman from Missouri (Mr. BOLLING); yes.

Mr. CLEVELAND. Mr. Speaker, I thank the gentleman.

I want to say that we have got to make that point very clear. I was interested to read in the RECORD of either yesterday or the day before that at least one Member of the Democratic Party stated in the RECORD or stated for the record that he had dashed in here from a meeting—I believe it was with the League of Women's Voters—that he had dashed in here and received rather a wrong impression about what he was voting on.

So I wanted to make it crystal clear in my interrogation of the distinguished gentleman from Illinois (Mr. ANDERSON) that the parliamentary procedure is not only that we are going to have another opportunity to vote on minority staffing. Thus those people on the other side of the aisle will now know the situation if they did not mean to vote the way they did, Even more important is the proposition is going to be one that in express, explicit language meets the objections of the gentleman from Missouri (Mr. BOLLING) that were raised in the RECORD just a week ago.

Mr. ANDERSON of Illinois. The gentleman is correct.

Mr. Speaker, let me very quickly address myself to the point the gentleman raises, the point on which we have redrafted the amendment that I would have offered last week. We have redrafted that in such a way as to make minority committee staff appointments subject to the approval of the majority of the committee to take care of the argument that somehow the minority might elect to appoint irresponsible people to the staff of a committee and thus totally frustrate the work of the committee.

So in an effort to meet that argument we have redrafted the amendment. We have included new language that would specifically say that the qualifications and the ethics of the persons we seek to appoint to the committee are subject to the approval of a majority of the committee.

Mr. CLEVELAND. Mr. Speaker, will the gentleman yield further?

Mr. ANDERSON of Illinois. Yes, I will yield further to the gentleman from New Hampshire.

Mr. CLEVELAND. In effect, is the language of the gentleman's amendment which is to be offered today the exact language that the gentleman from Missouri (Mr. BOLLING) stated in the RECORD a week ago, that he was proud to have helped put in the Legislative Reorganization Act which is now part of our rules.

Mr. ANDERSON of Illinois. The gentleman is correct.

Mr. Speaker, I think it is worth perhaps at this point quoting the language, and I have it here before me, the language that the gentleman from Missouri (Mr. BOLLING) used, and I include it here:

> I am for the minority having up to one-third of the committee staff. I helped construct the provision of the Reorganization Act which provided that the minority would get one-third of the professional staff. It had some key language in it which is the crux of the situation. When it gives to the minority an absolute right to select one-third, it reserves to the majority of the committee the right not to retain in its employ people who are of a certain kind.

Mr. Speaker, that is what we did. We went to the rules as they pertain to those so-called professional staff employees, and we included that language in the amendment that I would now propose to offer, so that it refers to the so-called investigatory employees as well.

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

Mr. ANDERSON of Illinois. I yield to the distinguished minority leader.

Mr. GERALD R. FORD. Mr. Speaker, it seems somewhat inconsistent to me that we have so-called sunshine proposals in substance prospectively before the House, and yet the rule that is coming before us does not have that "sunshine" aspect.

It is a rule that is very restrictive. It seems to me if we are going to move in the direction of the so-called sunshine resolution, we ought to open up the rule which would permit the House to work its will on the resolution itself.

Mr. ANDERSON of Illinois. I thank the gentleman.

I agree, and I think it serves to make the point I would like to make, which is that there may be some who would be critical of my taking the floor this afternoon for the second time in 2 weeks to urge action on this question of minority staffing. Some would say that I am even kicking a dead horse, when actually, ladies and gentlemen, all I am trying to do is to spur on a very live burro, and that live burro I hope is the spirit of reform on the Democratic side of the aisle.

They have inserted in their caucus that they want to reform the procedures of this House, and I thank them for that very commendable suggestion. Here today an opportunity to do that exact thing exists.

And we had occasion to say last week, we have been joined by Common Cause. I think you all got a letter from Mr. Gardner under date of February 26, where he specifically endorsed the proposal that the gentleman from New Hampshire (Mr. CLEVELAND) and I are making. So you are in good company.

Let me encourage you to take the opportunity here and carry out the true spirit of reform on the floor of the House this afternoon.

I am now pleased to yield to the gentleman from Pennsylvania (Mr. DENT).

Mr. DENT. I was going to get up and give you a great big hearty support, but you brought in a name. However, I want it to be clearly known I do want to support minority staffing. I guess you learn best by experience on what is proper in a legislative body. It is idiotic to believe that a minority can function without proper staffing in this particular day and age, because of the multiplicity of problems that come before us. However, the only problem I have in my mind is this: If we adopt your position, staffs have already been named and many of them are continuing staff members. If we are then asked to cut back an approximate 35 percent, I do not think it is a very healthy position or even an equitable position to be in to have to tell your staff that now 35 percent of you must go.

If this is proper—and I believe it to be proper—then it ought not to be a matter of the moment; it ought to be a matter of continuing responsibility on the part of the majority, whoever that majority may be, to staff minorities, and it will take an additional amount of appropriation properly acted upon by the Subcommittee on Accounts of the Committee on House Administration to staff whatever it must be.

Mr. ANDERSON of Illinois. Before the gentleman from Pennsylvania consumes all my time, let me say that I appreciate the very fine statement he has just made in support of the principle of minority staffing, although when I look over roll-call No. 27 for the 28th of February I find his name missing, unfortunately.

Mr. DENT. It was missing because you did not——

Mr. ANDERSON of Illinois. And he did not support the proposition. But be that as it may, I want to commend the committee on which the gentleman serves, the Committee on Education and Labor. They have been one of the committees of this House who have been, I think, very fair and very generous in their apportionment of funds and staff to the minority. If every one of the standing committees of this House had done likewise, we would not have had to be here week after week urging this proposition upon you.

On the specific point that the gentleman raised, perhaps he was not on the floor when I had a colloquy on this subject with the gentleman from Ohio (Mr. HAYS) last week, and he raised almost the identical point then. I said that does not worry me. If to carry out the provisions of this minority staffing resolution we have to, as we would, hire more staff for the committees of Congress, I see nothing wrong with that. Those of us who are interested in improving our performance as one of the three coequal branches of the Government ought not to be afraid to stand for the principle of more adequate staffing for both the majority and minority in this House. That does not worry me a bit.

How much time do I have remaining, Mr. Speaker?

The SPEAKER. The gentleman has consumed 14 minutes.

Mr. ANDERSON of Illinois. I would say to the gentleman from Texas (Mr. ECKHARDT) I would prefer not to yield at this time. I will be glad to yield time later if necessary. I have some requests for time on my side of the aisle that I must honor.

I simply want to close here by urging the Members of this House on both sides of the aisle who want to be fair, who want to be consistent on the proposition of congressional reform, to vote down the previous question.

I am going to support the resolution offered by the gentleman from Florida (Mr. FASCELL). I am totally in agreement with the efforts the gentleman has made, and I commend the gentleman on his initiative. But I think we have made a pretty good case not only this afternoon, but last week, and on other occasions, for the idea that the minority is entitled to some fair treatment with respect to the staffing of our committees.

Mr. PEPPER. Mr. Speaker, I would inquire if the gentleman from Illinois has further requests for time.

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

I now yield 3 minutes to the gentleman from California (Mr. MCCLOSKEY).

Mr. MCCLOSKEY. Mr. Speaker, I would like in my remarks to address my Democratic colleagues. I read in the paper where some of us are under pressure to change parties; that the ex-Secretary of the Treasury may consider becoming a Republican, for example. There are those on both sides of the aisle, I might say, who have suggested that I should become a Democrat. I would like to say that any consideration a Republican might give to changing parties is inhibited when we look at the recent vote on minority staffing.

I do not believe any of us feel that our committee efforts and our work on committees should be partisan. I do not believe that either the Democrats or the Republicans on any of our committees do a better job by virtue of staffing, but both sides of the aisle are competent to do a better job if they do have adequate staffing.

I serve on a committee which has seven major subcommittees engaged in the legislative oversight of every branch of the Federal Government. We presently have only four minority staff members to serve those seven subcommittees.

I would like to suggest to the Democrats who voted against increased minority staffing a few days ago that this is the only partisan vote since we elected the Speaker, I would like to suggest to my Democratic colleagues that in the interest of fairness minority staffing should be increased as the gentleman from Illinois (Mr. ANDERSON) pointed out. This is not a matter of firing any members on the Democratic staffs; it is a matter of supplementing the minority staffs so that we in the minority can do a better job on the many issues that we will face during the balance of these 2 years. These are not going to be partisan issues for the most part.

If I were to give any consideration to becoming a Democrat, I would have to

abandon that thought if we have another partisan vote on this kind of issue.

Mr. ANDERSON of Illinois. Mr. Speaker, I yield 4 minutes to the gentleman from New Hampshire (Mr. CLEVELAND).

Mr. CLEVELAND. Mr. Speaker, I want to remind the Members that last week when we voted on this same issue there were 14 Members of the Democratic Party who voted with us on this issue. I want to thank those Members from the other side of the aisle who voted with us. I want to remind the Members on the other side of the aisle that there are many others who have stated support for the cause of minority staffing.

There were some who sponsored the original legislative proposal that went into the Legislative Reorganization Act, but since have voted the other way.

I now want to address my remarks at this time in the debate, and I want to speak to those Members of the Democratic Party who feel that the case for minority staffing is sound, but who did not vote with us the last time.

Now I want to make it very clear in the RECORD—and a letter was sent to every single Member of the Democratic Party and the Republican Party—setting this forth explicitly, that we would be voting on a new proposal for minority staffing.

It is a new proposal. To those of you who felt you could not vote with us the last time, you should know that all objections that were raised during the debate last—any objections that were raised during that debate—have been met by the newly drafted proposal.

There are not many people on the floor here today. It is too bad. This is an issue of congressional reform. When we are discussing congressional reform, it always seems to me unfortunate that so few Members attend the debates.

But I want to make the RECORD clear at least that this proposal we will be shortly voting on is a different proposal than the one we voted on last week. We have taken the very language that Mr. BOLLING said with some pride he had helped write into the Legislative Reform Act of 1970—we have taken that language explicitly as he wrote that language—to meet the chief objection that he raised to minority staffing 1 week ago. So we have walked across the aisle. We have embraced the language of the man who led the fight against the resolution, the Minority Staffing Resolution.

In the name of fairness and congressional reform, what more could we do? What more can you ask?

Let me give you here Mr. BOLLING'S words:

FLOOR DEBATE ON HOUSE RESOLUTION 18, FEBRUARY 28, 1973, CONGRESSIONAL RECORD, PAGE 5926

I am for the minority having up to one-third of the committee staff. I helped construct the provision of the Reorganization Act, which provided that the minority would get one-third of the professional staff.

It had some key language in it which is the crux of the situation. When it gives to the minority an absolute right to select one-third, it reserves to the majority of the committee the right not to retain in its employ people who are of a certain kind. Now, it is understood that people of this particular kind would never be employed by those in the minority, but since the majority is responsible for the orderly management of committees, when it organizes committees it has to retain the responsibility across the board.

Please note that the Anderson-Cleveland amendment contains safeguards identical in language to the provisions of the Legislative Reorganization Act of 1970 to which Mr. Bolling referred.

The amendment follows:

32(c) The minority party on any such standing committee is entitled, upon request of a majority of such minority, to up to one-third of the funds provided for the appointment of committee staff pursuant to each primary or additional expense resolution. The committee shall appoint any person so selected whose character and qualifications are acceptable to a majority of the committee. If the committee determines that the character and qualifications of any person so selected are unacceptable to the committee, a majority of the minority party members may select other persons for appointment by the committee to the staff until such appointment is made. Each staff member appointed under this subparagraph shall be assigned to such committee business as the minority party members of the committee consider advisable.

This vote today should be carefully watched, I hope not only by the press, but by those people who have expressed interest in congressional reform for many years.

To the 14 Members of the Democratic Party who voted with us the last time I want to say thank you. I hope that there will be 10 or 15 more of you. That is all this particular cause needs, and it is a good cause; it is a fair cause. I will not bother you with all of the details. As I told you last week, I have written an essay on it. It is the first chapter in the book "We Propose—A Modern Congress."

There are distinguished political scientists; there are distinguished Members of the Democratic Party; there are distinguished commentators; there is hardly a voice, a logical voice which can be raised against the proposition that if the minority party is to do its proper job of constructive criticism of majority proposals.

The SPEAKER. The time of the gentleman has expired.

Mr. ANDERSON of Illinois. Mr. Speaker, I yield the gentleman from New Hampshire 1 additional minute.

Will the gentleman yield?

Mr. CLEVELAND. I yield to the gentleman from Illinois.

Mr. ANDERSON of Illinois. I wonder if, for the benefit of the new Members of this body on the Democratic side, it might not be also helpful to point out that the original sponsor of this minority staffing amendment when it was offered on the floor of this House in 1970 to the Legislative Reorganization Act was a Democrat, the distinguished gentleman from New Jersey (Mr. THOMPSON); and it was adopted at that time by a bipartisan majority. I think the vote was 102 to 68.

Mr. CLEVELAND. The gentleman is correct, and it grieved me deeply that Mr. THOMPSON, for some reason or another, deserted the cause the other day and that is why I hope he will be back with us today. In fact, he has no logical reason not to be back with us today, because we have changed the minority staff resolution to meet the only objection that was raised to it last week.

In conclusion, let me point out one other thing particularly, to meet the objections of Mr. DENT, who used to be with us, but was not with us last week, but will be with us again this afternoon, I am sure. This is a permissive resolution. It does not mandate one-third of the minority staff. It says we can have it if we ask for it and need it.

Mr. Speaker, the letter to all Members to which I referred follows:

CONGRESS OF THE UNITED STATES,
Washington, D.C., March 7, 1973.

DEAR COLLEAGUE: Last week all colleagues received letters calling attention to the minority staffing vote as an invitation to demonstrate "commitment to Congressional reform and to give expression to the bipartisan majority will, originally embodied in the Legislative Reorganization Act of 1970."

Since that time, it has come to our attention that several members of the majority party had not read that letter and voted on the issue without full realization that they were voting against a principle for which they had publicly or privately expressed support.

The same opportunity may arise again today, Wednesday, March 7 in connection with consideration of H. Res. 259. For your information, the amendment which we have prepared was drafted precisely to meet the explicit objections raised by our colleague Mr. Bolling in our floor debate on February 28. An ample supply of copies of his remarks and of the text of our amendment will be available to members at the Majority and Minority desks on the House floor today.

Mr. Bolling has read this language in draft and has assured us that it meets the objections he previously raised. In the same statement, however, he made it clear that at the time of that conversation he was not in a position to support the amendment we would offer.

Members also should be aware that the new language to be offered is identical to House Rule XI, Clause 29(a)(2), governing professional Minority staff members which Mr. Bolling—as he stated during the February 28 debate—personally took a hand in drafting.

We appreciate the action of those majority party members who joined us in the previous vote, express our thanks to others who have indicated inclination to join us now, and invite the remainder to join in enacting this truly bipartisan reform measure.

Sincerely yours,

JOHN B. ANDERSON.
JAMES C. CLEVELAND.

Mr. ANDERSON of Illinois. Mr. Speaker, I yield 3 minutes to the gentleman from Minnesota (Mr. FRENZEL).

Mr. FRENZEL. Mr. Speaker, today we are again faced with the same kind of situation that we have faced here previously. Each of us probably has had a chance to meet the same kind of question in our individual committees. Each time when we in the minority request not half the staff, but a third of the staff, we are beaten down by a majority, which then consistently tells us that it is interested in reform.

The Democrat caucus beats its breast, and it talks to the press, and it campaigns on the basis of reform. But reform to the majority only means an abil-

ity to control beyond its proportionate strength in Congress.

Yesterday in my committee, the great Committee on Banking and Currency—which finally organized itself after more than 60 days of this congressional session—we had the same kind of amendment. We took the language of the Legislative Reorganization Act of 1970 and submitted it as an amendment to the rules.

That amendment was defeated by a straight party line vote, with all the Democrats voting against the amendment and all the Republicans voing for it.

It is getting to be a kind of tiresome thing to try to ask for equity. How indeed can the people of this country expect equity from a majority which will not even grant equity to the elected Representatives of the people who happen to come from districts where a majority of the people support the Republican candidate?

I certainly hope that the majority group, the Democrats here, will have a change of heart, and following the suggestion of the gentleman from New Hampshire (Mr. CLEVELAND), finally give us a chance to get the one-third staffing we need. We need this staff to carry out our legislative duties and to represent the people of our constituency, for which duties I think we have just as high an obligation as the Members of the majority.

It is surely ironic—and still perhaps appropriate—to encounter all this Democratic opposition to minority staff in connection with a so-called "sunshine bill." The majority group may be basking in the artificial warmth of this resolution, but it is pretty cold and damp for the minority.

The Democrats have denied us adequate staff, and then denied us the opportunity to amend this resolution. The sun is allowed to shine only on the Democratic elite.

It is doubly ironical to deny adequate staff at a time when the same Democratic majority is crying about erosion of powers. Adequate staff assistance is essential to the congressional ability to exercise its own powers.

Reform has indeed become a sick and twisted concept in this Congress. The more things change, the less they change. Who will be comforted by "sunshine" when "gag rule" is still used to deny reasonable staff to a group of elected Representatives in this body.

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

Mr. PEPPER. Mr. Speaker, I yield 2 minutes to the able gentleman from Texas (Mr. ECKHARDT).

Mr. ECKHARDT. Mr. Speaker, I speak in favor of the rule and in favor of the motion to order the previous question.

I should like to point out to the body that one of the normal ways in which this resolution could have come before the body would have been without a rule. This is a privileged resolution which could have come out of the Rules Committee directly as it is without opportunity to amend. I am a coauthor of the resolution, and that was rather unusual, but I asked the Rules Committee to come out with an open rule, because I believe in open rules.

The Rules Committee could have just as normally brought the resolution out as a privileged resolution, which would have been in effect a closed rule. The authors, at least one of them, specifically asked the committee to make a rule and to make an open rule, so what has been done is the usual thing.

What is being asked is that the rule be amended to make it unusual, that is to permit a nongermane amendment. I argued for an open rule, but I think we ought to deal with the question of whether or not committees should be open and not with the question of whether or not staffs should be assigned in one or another way. These are two different points. There is a real good reason for the germaneness rule. This is not in anywise a closed rule. It is an open rule in exactly the same light that every other open rule is written: "The resolution shall be read for amendment under the 5-minute rule."

Mr. ANDERSON of Illinois. Mr. Speaker, will the gentleman yield?

Mr. ECKHARDT. I yield to the gentleman from Illinois.

Mr. ANDERSON of Illinois. Mr. Speaker, I could appreciate the gentleman's argument completely if we attempted with this amendment to invade the jurisdiction of some other committee, but this is within the jurisdiction of the Committee on Rules to consider any and all amendments to rule XI of the House and I would call the attention of the gentleman to the fact that the words, "committee staff" appear in the resolution.

Mr. ECKHARDT. In reply to the gentleman from Illinois, of course, if we should write a special rule permitting us to go into other matters than the question of opening or closing meetings, we could deal with any matter whatsoever under the amended rule. All I am arguing for is that we follow the ordinary procedures of the House, that we accept the resolution with an open rule in it, that we not waive germaneness, in order that we may deal with the matter now before the House.

Mr. ANDERSON of Illinois. Mr. Speaker, will the gentleman from Florida withhold the moving of the previous question for 1 minute?

Mr. PEPPER. Mr. Speaker, I have another speaker so I will not move to order the previous question just now.

Mr. ANDERSON of Illinois. Mr. Speaker, if the gentleman will yield, I want to reassure the gentleman from Texas (Mr. ECKHARDT) that in the substitute rule, the amended rule which I have drafted, I have specifically provided that this amendment which I seek to offer, an amendment to section 32(c) of rule XI, shall not be subject to amendment.

I am not going to try to open up all of rule XI and go into matters substantially beyond the question of staffing. I have specifically provided appropriate language, so I think the gentleman ought to be reassured, if he is in favor of voting down the previous question and offering a substitute rule, that we are not going to make it an open field day to go into anything and everything, but will limit it to that specific issue.

Mr. ECKHARDT. Mr. Speaker, I simply object to writing any such rule which establishes a certain particular subject matter as germane. It seems to me that we should simply follow the open rule in the ordinary processes of germaneness of the House.

Mr. PEPPER. Mr. Speaker, I yield 3 minutes to the distinguished majority leader, the gentleman from Massachusetts.

Mr. O'NEILL. Mr. Speaker, I hope the previous question is adopted. With the majority in this House goes the responsibility of staffing, whether in 1952 when the Republican Party won the Congress, or when the Democratic Party won the Congress.

This is the only legislative body in the world that acts in this manner. We gave to the opposition party an Assistant Doorkeeper, an Assistant Postmaster, an Assistant Sergeant at Arms with no obligations and no duties. The country has reelected a Democratic Congress at the present time. The Democratic congressional committee has headquarters in the building here of some 2,700 square feet. The Republicans get 7,300 square feet and have 65 employees over there. Most of them are not doing anything except working on the election.

At the present time, we have the problems as the chairmen of the committees, as to staffs.

What does the gentleman want? Does he want to think he runs this Congress?

The Democrats were elected as the majority party. The Republicans do not use the staff they have at the present time. They use it with their eyes on the next election. That is not the way it should be. We are the majority.

Mr. ANDERSON of Illinois. Mr. Speaker, will the gentleman yield?

Mr. O'NEILL. The gentleman does not yield. We are the majority party over here, and my earnest opinion is that we give the Republican Party far too much as it is at the present time.

Mr. ANDERSON of Illinois. Mr. Speaker, I believe I still have some time remaining.

I am surprised; I am deeply shocked and surprised that my friend and former colleague on the Committee on Rules, the distinguished majority leader of this body, would take that kind of partisan view of the situation: "We are in the majority; we have the right to lord it over you with respect to staff; if you were in the majority, you would do the same to us."

I can assure the gentleman that if I were in the majority party of this House, I would be in the well fighting for his rights to have fully one-third of staff on every committee.

Mr. O'NEILL. Mr. Speaker, this is phase II of the Anderson program for working himself into the Republican leadership. I say we should go on.

Mr. PEPPER. Mr. Speaker, I yield 2 minutes to the able gentleman from West Virginia (Mr. STAGGERS).

Mr. STAGGERS. Mr. Speaker, I had not intended to speak on this subject at all, but I thought perhaps, since it has engendered as much fire as it has, that I should say a word or two.

I have been, by the good fortune of be-

ing elected long enough, chairman of the Committee on Interstate and Foreign Commerce, now, for 7 years. I have had the privilege of hiring most of the staff that we now have. I have not once asked a man what his politics was when I hired him. All of them have been at the call of both parties. I do not think we can legislate if we do this on a partisan basis, "We are going to have so many on this side, so many on that side," and do a good job. This is impossible.

The Committee on Interstate and Foreign Commerce has worked pretty closely together without politics being brought into it and for the good of the Nation, I dare say. I was hoping that the ranking minority member of the committee would be here, because I am sure that he would say that enough people have been assigned to him so that his party can do a competent job.

We are getting too far afield when we say that we are going to have so many Democrats and so many Republicans serving each committee.

I just do not like to think of saying, "So many Democrats and so many Republicans are needed on the staff," to serve the best interests of America. I do not believe we can operate that may.

Mr. PEPPER. Mr. Speaker, I yield such time as he may consume to the able gentleman from California (Mr. HOLIFIELD).

Mr. HOLIFIELD. Mr. Speaker, I was amused by my friend from Illinois (Mr. ANDERSON) admitting that he was "in bed with" Ralph Nader and the gentleman from "Common Curse", as the gentleman from Ohio (Mr. HAYES) call it, Mr. Gardner.

I assure the Members it is only a temporary alliance that the he will not be "in bed" often with those people. This is an expeditious arrangement, an alliance which I think is more temporary than anything else.

Now let us see about the facts of this matter.

The facts of the matter are that the Democratic Party has been chosen and has the responsibility for the legislative program of this House, and for forming its committees and for electing its Speaker, because the Democrats are the majority party.

Let us just look at how ridiculous this is.

Mr. Nixon was chosen to be the President. He has several thousand appointments. Has he offered one-third of them to the Democrats, in the executive branch? Has he offered one-third of them to the Democratic Party, in the executive branch? I doubt very much that he has offered over five or six to Democrats, and they were of his persuasion, ideologically, or he would not have offered them jobs. So here our Republican colleagues come in and say, "Although you are the majority party, selected by the people by a tremendous vote, in the Congress"—I am talking about the Congress now—"give us one-third of the employees of your committees, without any responsibility for the handling of the studies and for doing the routine work for which the majority party is responsible."

I assure the Members that 40 to 50 percent of the work of my committee is routine work. The minority would not have any of that to do. They would have a free-floating one-third to do what they want them to do, which is, of course, to obstruct and delay the legislative program of the Democratic Party.

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

Mr. HOLIFIELD. I yield to the distinguished majority leader.

Mr. O'NEILL. Does that not mean the gentleman would have to lay off members of his own staff, competent people who have been with him for years?

Mr. HOLIFIELD. Of course we would have to lay off one-third of the staff, or add another one-third to the staff, which would still make it out of line so far as the control of the committee is concerned.

Let us not be persuaded by the fervent oratory on the other side. We are the majority party. We are in charge of the legislative program of this Congress, not the Republicans.

They have got other ideas. Once in awhile they go along with us, when they cannot get a substitute bill accepted. But we have the responsibility, and we are going to discharge it.

Whenever Mr. Nixon says, "I will give one-third of my appointments in the executive branch," to the Democratic Party, then I will say, "I will give one-third of our committee staff appointments to the Republicans on the other side of the aisle."

Mr. PEPPER. Mr. Speaker, I have just a word to add.

The able gentleman from Illinois has made it clear that he wants to defeat the ordering of the previous question, in order that an amendment having to do with minority staffing for all committees of the House may be considered. That indicates, Mr. Speaker, that the able gentleman is aware or feels that his amendment might not be germane or relevant to the resolution that would follow adoption of this rule, House Resolution 259.

The Committee on Rules tried to be fair to the House in reporting this rule. We did not report a closed rule; we reported an open rule so that the House might work its will upon this resolution. We reported a resolution having to do with the overall character of conduct of committees in open sessions of the committees of the House of Representatives.

Mr. Speaker, the able gentleman from Illinois (Mr. ANDERSON) now says he should have a right to bring up this amendment because it is within the jurisdiction of the Committee on Rules. Surely the gentleman would not contend that, every time a resolution comes out of the Committee on Rules under its original jurisdiction, any subject within the power of the Committee on Rules would be a relevant amendment or a proper amendment?

Mr. ANDERSON of Illinois. Mr. Speaker, will the gentleman yield?

Mr. PEPPER. I yield to the gentleman from Illinois.

Mr. ANDERSON of Illinois. Mr. Speaker, in answer to the gentleman's question, no, I do not make that contention at all, but I do suggest that, since the resolution does not deal with rule XI, it is perfectly proper to seek to offer an amendment to that particular rule of the House.

Mr. Speaker, I am not trying to open up all of the rules. If the gentleman from Florida (Mr. PEPPER) will consult the text of the Fascell resolution, he will find the words: "congressional staff."

That is what we are talking about.

Mr. PEPPER. The resolution only speaks of staff members being permitted to attend committee sessions after they have been closed.

Mr. Speaker, the issue, therefore, is very clear. Any relevant amendment may be offered to the resolution when the rule is adopted.

Mr. Speaker, I have no further requests for time.

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

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

Mr. ANDERSON of Illinois. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 197, nays 196, answered "present" 1, not voting 38, as follows:

[Roll No. 36]

YEAS—197

Abzug	Gettys	Mitchell, Md.
Adams	Giaimo	Moakley
Addabbo	Ginn	Mollohan
Anderson, Calif.	Gonzalez	Moorhead, Pa.
Andrews, N.C.	Grasso	Morgan
Annunzio	Gray	Moss
Aspin	Green, Oreg.	Murphy, Ill.
Barrett	Green, Pa.	Murphy, N.Y.
Bergland	Griffiths	Natcher
Bevill	Gunter	Nedzi
Bingham	Hamilton	Nichols
Boland	Hanley	Nix
Bolling	Hanna	Obey
Bowen	Hansen, Wash.	O'Hara
Brademas	Harrington	O'Neill
Brasco	Hawkins	Owens
Breaux	Hays	Passman
Brinkley	Hébert	Patman
Brooks	Helstoski	Patten
Burke, Calif.	Henderson	Pepper
Burke, Mass.	Hicks	Perkins
Burleson, Tex.	Holifield	Pickle
Burlison, Mo.	Holtzman	Pike
Burton	Howard	Poage
Byron	Hungate	Podell
Carney, Ohio	Ichord	Preyer
Casey, Tex.	Johnson, Calif.	Price, Ill.
Cotter	Jones, Ala.	Randall
Daniels, Dominick V.	Jones, N.C.	Rangel
Danielson	Jones, Okla.	Rarick
Davis, Ga.	Jones, Tenn.	Reid
Davis, S.C.	Jordan	Reuss
de la Garza	Karth	Roberts
Delaney	Kastenmeier	Rodino
Dellums	Kazen	Roe
Denholm	Kluczynski	Rogers
Diggs	Kyros	Roncalio, Wyo.
Dingell	Landrum	Rooney, Pa.
Donohue	Lehman	Rose
Dorn	Litton	Rosenthal
Drinan	Long, La.	Roush
Dulski	Long, Md.	Roy
Eckhardt	McCormack	Roybal
Edwards, Calif.	McFall	Runnels
Eilberg	McKay	Ryan
Evins, Tenn.	McSpadden	St Germain
Fascell	Macdonald	Sarbanes
Fisher	Madden	Schroeder
Flood	Mahon	Seiberling
Flowers	Mann	Shipley
Flynt	Mathis, Ga.	Sisk
Ford, William D.	Matsunaga	Slack
Fountain	Mazzoli	Smith, Iowa
Fulton	Meeds	Staggers
Fuqua	Melcher	Stanton, James V.
Gaydos	Metcalfe	Steed
	Mezvinsky	Stephens
	Minish	Stokes
	Mink	

Stratton	Van Deerlin	Wilson,
Stuckey	Vanik	Charles, Tex.
Symington	Vigorito	Wolff
Taylor, N.C.	Waggonner	Wright
Teague, Tex.	White	Yates
Thompson, N.J.	Whitten	Yatron
Thornton	Wilson,	Young, Ga.
Tiernan	Charles H.,	Young, Tex.
Ullman	Calif.	Zablocki

NAYS—196

Abdnor	Frelinghuysen	Parris
Anderson, Ill.	Frenzel	Pettis
Andrews,	Frey	Peyser
N. Dak.	Froehlich	Powell, Ohio
Archer	Gibbons	Pritchard
Arends	Gilman	Quie
Armstrong	Goldwater	Quillen
Ashbrook	Goodling	Railsback
Bafalis	Gross	Regula
Baker	Grover	Rhodes
Beard	Gubser	Riegle
Bell	Gude	Rinaldo
Bennett	Guyer	Robinson, Va.
Biester	Haley	Robison, N.Y.
Blackburn	Hammer-	Roncallo, N.Y.
Bray	schmidt	Rousselot
Breckinridge	Hanrahan	Ruppe
Broomfield	Hansen, Idaho	Ruth
Brotzman	Harsha	Sandman
Brown, Mich.	Hechler, W. Va.	Sarasin
Brown, Ohio	Heckler, Mass.	Satterfield
Broyhill, N.C.	Heinz	Saylor
Buchanan	Hillis	Scherle
Burgener	Hogan	Schneebeli
Burke, Fla.	Holt	Sebelius
Butler	Horton	Shoup
Camp	Huber	Shriver
Carter	Hudnut	Shuster
Cederberg	Hunt	Sikes
Chamberlain	Hutchinson	Skubitz
Chappell	Jarman	Smith, N.Y.
Clancy	Johnson, Colo.	Snyder
Clausen,	Johnson, Pa.	Spence
Don H.	Keating	Stanton,
Clawson, Del	Kemp	J. William
Cleveland	Ketchum	Steele
Cochran	Kuykendall	Steelman
Cohen	Landgrebe	Steiger, Wis.
Collins	Latta	Studds
Conable	Lent	Symms
Conlan	Lott	Talcott
Conte	Lujan	Taylor, Mo.
Coughlin	McClory	Teague, Calif.
Crane	McCloskey	Thomson, Wis.
Cronin	McCollister	Thone
Daniel, Dan	McDade	Towell, Nev.
Daniel, Robert	McEwen	Treen
W., Jr.	McKinney	Vander Jagt
Davis, Wis.	Madigan	Veysey
Dellenback	Mailliard	Walsh
Dennis	Mallary	Ware
Dent	Maraziti	Whalen
Derwinski	Martin, Nebr.	Whitehurst
Devine	Martin, N.C.	Widnall
Downing	Mathias, Calif.	Wiggins
Duncan	Mayne	Williams
du Pont	Michel	Wilson, Bob
Edwards, Ala.	Miller	Winn
Erlenborn	Mills, Md.	Wyatt
Esch	Minshall, Ohio	Wydler
Eshleman	Mitchell, N.Y.	Wylie
Findley	Mizell	Wyman
Fish	Montgomery	Young, Fla.
Foley	Mosher	Young, Ill.
Ford, Gerald R.	Myers	Young, S.C.
Forsythe	Nelsen	Zion
Fraser	O'Brien	Zwach

ANSWERED "PRESENT"—1

Culver

NOT VOTING—38

Alexander	Dickinson	Rees
Ashley	Evans, Colo.	Rooney, N.Y.
Badillo	Harvey	Rostenkowski
Biaggi	Hastings	Stark
Blatnik	Hinshaw	Steiger, Ariz.
Brown, Calif.	Hosmer	Stubblefield
Broyhill, Va.	King	Sullivan
Carey, N.Y.	Koch	Udall
Chisholm	Leggett	Waldie
Clark	Milford	Wampler
Clay	Mills, Ark.	
Collier	Moorhead,	
Conyers	Calif.	
Corman	Price, Tex.	

So the previous question was ordered.

The Clerk announced the following pairs:

On this vote:

Mr. Rooney of New York for, with Mr. Price of Texas against.

Mr. Waldie for, with Mr. Broyhill of Virginia against.

Mr. Rostenkowski for, with Mr. Steiger of Wisconsin against.

Mr. Stark for, with Mr. Dickinson against.

Mr. Blatnik for, with Mr. King against.

Mr. Koch for, with Mr. Hosmer against.

Mr. Carey of New York for, with Mr. Collier against.

Mr. Biaggi for, with Mr. Hinshaw against.

Mrs. Sullivan for, with Mr. Moorhead of California against.

Mr. Ashley for, with Mr. Hastings against.

Mr. Clark for, with Mr. Wampler against.

Mrs. Chisholm for, with Mr. Harvey against.

Until further notice:

Mr. Alexander with Mr. Udall.

Mr. Leggett with Mr. Conyers.

Mr. Brown of California with Mr. Clay.

Mr. Mills of Arkansas with Mr. Evans of Colorado.

Mr. Badillo with Mr. Stubblefield.

Mr. FISHER, Mr. ECKHARDT, and Mrs. GRASSO changed their votes from "nay" to "yea."

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. PEPPER. 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 resolution (H. Res. 259) to amend the Rules of the House of Representatives to strengthen the requirement that committee proceedings be held in open session.

The SPEAKER. The question is on the motion offered by the gentleman from Florida (Mr. PEPPER).

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 resolution, House Resolution 259, with Mr. WAGGONNER in the chair.

The Clerk read the title of the resolution.

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

The CHAIRMAN. Under the rule, the gentleman from Florida (Mr. PEPPER) will be recognized for 30 minutes, and the gentleman from Illinois (Mr. ANDERSON) will be recognized for 30 minutes.

The Chair recognizes the gentleman from Florida (Mr. PEPPER).

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

Mr. Chairman, I wish to commend my able colleague, the gentleman from Florida (Mr. FASCELL), and the able gentleman from Texas (Mr. ECKHARDT), and all those who have been associated with them in the introduction of this resolution. It is another step forward in the modernization and, I think, the perfection of the rules of this House, to give a greater opportunity for the public, the people whom we serve, to know what we are doing in the legislative process.

I introduced a resolution to the same effect, House Resolution 71, on January 3 of this year.

Mr. Chairman, this resolution would require all committees of the House of Representatives to hold open sessions and open hearings except in such limited categories which relate to national security and the defamation of the character of any citizen, unless the committee in open session, with a quorum present, by a record vote, resolves to close the committee hearing or the committee discussion and consideration.

It does not take away from the committee the authority to determine whether a hearing or a session of the committee to transact business shall be open or closed, but it establishes a very definite presumption, as it were, that all committees shall be open and all hearings shall be open unless, as I have said, under the circumstances I have defined the committee by a majority of recorded votes a quorum being present shall determine the contrary.

Mr. LANDRUM. Will the gentleman yield?

Mr. PEPPER. I yield to the able gentleman from Georgia.

Mr. LANDRUM. I have listened carefully to the explanation given here by the distinguished Member and the members of the Rules Committee, and I would like his opinion on this proviso at the bottom of the first page.

Let us assume that the Committee on Ways and Means, for example, should decide to close its session during a markup of a social security bill. It is quite necessary to have present oftentimes in the markup sessions people with the expertise of actuaries from the Social Security Administration to provide us with information. If we had closed the hearing and decided we wanted to bring in one of those actuaries, then the whole committee structure would have to be opened up to the public and the press. Is that correct?

Mr. PEPPER. I will say to the able gentleman from Georgia it would be more appropriate, I believe, for one of the able authors of this resolution to respond. Therefore, I yield to the gentleman from Texas (Mr. ECKHARDT).

Mr. ECKHARDT. We have exactly that situation in the Subcommittee on Commerce and Finance in many instances because the committee deals——

Mr. LANDRUM. I did not ask the gentleman for the situation, but I want to know if that is the case.

Mr. ECKHARDT. No.

Mr. LANDRUM. If we decided to close the committee and did so by vote in executive session to mark it up and the committee should later decide we needed an actuary who was not a member of the committee staff from the Social Security Administration and brought the actuary in, it would then be necessary to open up that part of the markup session to the public. Is that correct?

Mr. ECKHARDT. No.

Mr. LANDRUM. Your proviso says so.

Mr. ECKHARDT. The committee could at that time recess. It could hear the expert, but it could not mark up the bill at a time when other than committee members are present.

Mrs. GRIFFITHS. Will the gentleman yield?

Mr. PEPPER. I yield to the distinguished gentlewoman.

Mrs. GRIFFITHS. In my judgment, that is ridiculous. We spent 3 weeks in the Committee on Ways and Means going over the revenue-sharing formulas. One formula after another was suggested, and one time after another the Treasury Department operated its computers. Do you mean to tell me you are sitting here suggesting that we hold a session in which for 5 minutes it is executive and then the next 10 minutes it is open, and then we want to ask another question? How are we going to do that? I think it is ridiculous.

I can vote for an open committee meeting with no problem at all. It is no problem. But you cannot have a situation where no member of the executive department can be present. If you are going to do that, you will have to build another building as large as the Rayburn Building to house the staff.

Mr. ECKHARDT. Will the gentleman yield?

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

Mr. ECKHARDT. The authors of the bill are fully cognizant of the problem of bringing in experts to advise a subcommittee or a committee. Indeed, as I was attempting to explain, we have been confronted with that on the Subcommittee on Commerce and Finance very sharply on the very technical question of controlling the stock market. It has been necessary on many occasions to call in counsel for the SEC after the bill has been heard. On those occasions we have in the past and we can in the future simply call in the lawyer for the SEC and discuss it with the whole group present, but after recessing the markup session. We control the room and we control the building, and we do not have to invite everybody in. However, we do not mark up the bill in the presence of the executive department, and I think it is bad policy to do that. If we should have the head of the SEC or one of its counsel sitting there at the time we mark up the bill, we would have pressures on the Democrats or the Republicans on that committee, which is entirely inappropriate to a markup session.

So this change does not in any way restrict the legitimate practices we have engaged in before.

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

Mr. PEPPER. I yield to the gentleman from Georgia.

Mr. LANDRUM. I understand the basis presented and as stated by the distinguished gentleman from Texas (Mr. ECKHARDT) and I have great respect for the gentleman from Texas and his legal ability—I think he is one of the ablest lawyers in this House—but let me read the precise proviso on which I base my inquiry:

Provided, however, That no person other than members of the committee and such congressional staff as they may authorize shall be present at any business or markup session which has been closed to the public.

Now, look at the Committee on Ways and Means, for example, again. You close a meeting to the public and then decide during the markup of a section of the social security bill that we need the expertise and the information that an actuary from the Social Security Administration can give us, and we bring him in; under this proviso there is no way to get by except to open it up to the public. And I would say to my distinguished friend, the gentleman from Texas, that we would not have another social security bill in the next 40 years on that committee.

Mr. ECKHARDT. Mr. Chairman, if the gentleman will yield further, I believe that my distinguished friend, the gentleman from Georgia (Mr. LANDRUM) has looked at some of the language, but not at all of the language in the resolution. At the very beginning of section (f), in lines 3 and 4, it says:

Each meeting for the transaction of business, including the markup of legislation,—

It is not a meeting for the transaction of business if the markup session has recessed. Clearly, of course, the chairman of the subcommittee could talk to the attorney for the SEC without any restriction under this resolution, and any member of the committee can talk to the attorney for the SEC, say, without any restriction under this resolution. Every member of the committee can talk to experts as long as they are not in a meeting for the transaction of business. All in the world this says is that you may not transact the business of the House or of the committee in the presence of a witness.

Now, the reason we have to put that in there is because if we did not have it in there we would have a wide-open loophole to the hearing section, which requires that the meeting be open. So all we do is simply say you cannot hold what is called a markup session, which is in effect a hearing session.

Mrs. GRIFFITHS. Mr. Chairman, will the gentleman yield?

Mr. PEPPER. I yield to the gentlewoman from Michigan.

Mrs. GRIFFITHS. That is not the problem; when we were running the various formulas for the distribution of Federal revenue we had the Treasury there with computers. We would talk maybe 10 minutes and someone would make a suggestion for a change in the formula, and at that point you had to have the Treasury there to help you. I would presume from what you are saying that we have to open it all up, talk to him for 10 minutes and figure it out, and then we have to throw him out and go back into private session, talk a while longer, and decide whether we will do it that way. Then somebody says, "Well, that does not take care of my suburb," or "that does not take care of my State," or in a few minutes somebody suggests another formula—so what do we do in that case? Get the Treasury back in and then close the meeting? I do not believe you understand the situation.

Mr. FASCELL. We do understand.

Mrs. GRIFFITHS. No, I do not believe the gentleman does, because we have worked in situations where we would have to have these people about every 10 or 15 minutes, and then by the very answers that were given they have suggested new questions or new formulas.

In my opinion we could not operate. I do not mind an open session. I stated that when I came to the Congress, and I do not care if you know every vote that I cast. But do you mean to say that we cannot have an expert from the Treasury Department or HEW sitting there? If so, we will waste years trying to figure these things out.

Mr. PEPPER. I yield to the gentleman from Texas (Mr. ECKHARDT) for a response.

Mr. ECKHARDT. I thank the gentleman for yielding to me.

As I understand the problem, I think, though, that all of our committees have able staffs, and it is surprising to me to think you may not consult with the executive department, and after consulting excuse them, and do the work of the committee.

Now, certainly, if we are to invite the executive department to sit in on the markup sessions, leaning over our shoulders and writing figures into a bill, this restricts the committee, not aids it. Every one of our committees are well staffed. Every one of our committees, in particular the committee on which the able gentlewoman from Michigan (Mrs. GRIFFITHS) sits, is highly versed in the matters that they are working with. And surely after advice by the experts, in the presence of their staff who may remain after the experts leave, they would not be hampered but actually be aided by being permitted to deal with this matter without the experts and executives looking over their shoulders, I would think.

Mrs. GRIFFITHS. If the gentleman will yield further, I have one further comment.

Mr. PEPPER. I yield to the gentlewoman from Michigan.

Mrs. GRIFFITHS. What kind of weak-kneed people do we have on these committees who in the presence of the executives would not choose to vote the way they think they should vote? I do not know of any who would not so vote.

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

Mr. PEPPER. I yield to the gentleman from Indiana.

Mr. DENNIS. I would like to get the reaction of my friend, the gentleman from Texas, on this. Cannot this difficulty which has been raised here be largely obviated by having those who are present at the business session be persons who would be authorized by the committee, but why should it be confined to staff if the committee wants to authorize it? We could still have a vote. Could not we solve the thing and avoid this recessing business by writing in something like this:

Provided, however, That no person other than members of the committee and such congressional staff or other persons with technical expertise as they may authorize shall be present.

Would that not take care of this?

Mr. ECKHARDT. It depends on whether or not we want to write a rule of this House that prevents the committee from making the determination that, for instance, a member of a lobby or some person who comes before the committee and is a highly expert person but who, let us say, represents railroads or represents labor unions shall be present. We want to write a bill that prohibits anyone from being in at the time when the real gut work is done in drafting a bill in that committee except members of the committee and the staff. We are not trying to prevent the committee from holding open hearings with respect to all experts that may come in or even from getting private advice, but they simply may not sit as a committee marking up a bill at a time when other than the committee and its staff are present.

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

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

Mr. STRATTON. Mr. Chairman, I think the point which has been raised by the distinguished gentlewoman from Michigan (Mrs. GRIFFITHS) and the gentleman from Georgia (Mr. LANDRUM) is a very appropriate one, and I have planned to offer an amendment to this resolution at the appropriate time which I think will take care of it very simply, which is to insert on line 11, after the words "such congressional staff", the words "and such departmental representatives."

In other words, it will then be up to the committee to decide which members of the staff and which departmental representatives should be admitted during the session. I think this shows the difficulty, Mr. Chairman, of trying to write a general rule with only one or two particular committees in mind. I understand there are some committees—not the Committee on Armed Services, I will say to the distinguished gentleman who is offering the resolution—which are apparently afflicted with the problem of having lobbyists running around during their markup sessions. That may be a proper concern and that certainly ought to be prevented; but there are other committees where the help of certain departmental representatives is required, as the members of the Committee on Ways and Means have just indicated; the same thing is true of the Committee on Armed Services. When we have a reprograming action before us we have to have a representative of the department to explain the effect of the reprograming and to answer questions. Then the committee decides whether to approve the reprograming, and we go on to another one. To suggest that we ought to recess momentarily between these actions and then come back again into session is, of course, idiotic.

My amendment, I think, would take care of the very situation that the Committee on Ways and Means is faced with—as well as one that our committee is faced with—and I intend to offer it at the appropriate time.

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

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

Mr. RANDALL. I thank the gentleman for yielding.

I would say to my colleague on the Armed Services Committee that the only way some of us on that committee could support this resolution is that it specifically provides for a rollcall vote in open session before testimony related to a matter of national security. I am sure the gentleman from New York recalls sometime in the past when Secretary McNamara and as well as some of the Joint Chiefs have said, in effect:

This is not a matter we can discuss in an open meeting. We have to discuss it in the executive session. If they wish an answer, you will have to clear the room.

Also what is wrong with some clarification on line 11 as to what is meant by "they". We say they "may authorize." Why cannot we insert the words "the committee" for the word "they"?

Mr. PEPPER. Mr. Chairman, I yield now to my distinguished colleague, the gentleman from Florida.

Mr. FASCELL. I thank the gentleman for yielding.

Mr. Chairman, I think the matter is quite clear. It does seem complicated a little in the prepared print. That only follows the rules as they now exist with respect to open committee meetings. If one looks at the prepared print, one will know that what we followed is clause 26 (f) of rule XI, clause 27(f)(2), clause 27 (g)(3), which applies to the Committee on Appropriations. The importance of the pending resolution is, as a matter of substance and style, to make clear that the emphasis is on openness in the Congress; and to change or shift the burden—to closing committee meetings and place the presumption fully on open committee meetings. This is what we are trying to do. It is consistent with the attitude that exists in the country today that Congress must assert itself, to assure our people and to assist in restoring confidence in the Congress. I think we ought to take whatever action we can take in resolving the doubt that might exist in favor of openness rather than the other way around. It seems to me we have enough question, distrust, and frustration in the country today with Congress as an institution without trying to add to it. One of the efforts to change the public attitude to a more favorable tone is the effort which is presented to the Members here today in an amendment of the rules.

The most important and cardinal point in the proposed change is that a committee meeting shall be open unless, by rollcall vote in open session with a quorum present, a majority votes to close the meeting. In a markup, a meeting is presumed open unless, pursuant to the conditions outlined, the Members vote to close the meeting. The same applies to hearings except that closure is limited to specific exceptions enumerated.

This is the thrust. Many committees have already accepted the thrust and revised their rules accordingly.

Mr. STRATTON. Will the gentleman yield?

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

Mr. STRATTON. I should like to ask the distinguished gentleman from Florida (Mr. FASCELL) whether in view of his explanation he would have any objection to the amendment that I propose to offer since, obviously, it relates to specialized situations that exist in some committees—as we have already heard this afternoon, especially the Committee on Ways and Means.

Mr. FASCELL. I will address myself to the amendment when we have more time to do it, but I will answer the gentleman's question. Again, it is a question of attitude. The gentleman can make it hard; the gentleman can make it easy. The gentleman has chosen to make it hard. I do not think there is anything that difficult about the Committee on Ways and Means or the Committee on Armed Services, in terms of expert testimony, any more than the Committee on Banking and Currency or the Committee on Foreign Affairs or the Committee on Appropriations, or any other committee of the House. The answer is, obviously, I feel personally that I think it is wrong to have executive witnesses sit in on a markup session on a bill, just as if they were Members of Congress, offering their opinions, knocking down ideas, and getting their expertise in the minds of the committee members while the whole long course of the writing of the bill is underway.

I do not think that is right. I think that the judgment of our Members is something I would rather trust myself, once they have heard the experts.

Mr. STRATTON. The gentleman just does not understand the situation that exists in our committee. Certainly, there is nothing which would approximate some of the points he has referred to.

The departmental representatives before our committee are there to answer specific questions; they are not there to influence or to lean on members of the committee in the slightest. As a matter of fact, I think from the way they usually sit in the witness chair, they look to me as though they are a little terrorized by members of the committee.

Mr. FASCELL. I think I would be terrorized too.

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

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

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

I would like to say in reply to the gentleman from Florida (Mr. FASCELL) and to Mr. ECKHARDT, to thank them for their leadership in this matter with regard to the matter of departmental staffs. I do not see what the problem is with the procedure which has been followed in the Committee on Foreign Affairs.

The departmental staff sits in the adjoining room when there is a markup going on. If there is a question which needs answering, the committee staff walks out to the adjoining room, finds out what the answer is.

I cannot see why that is a complicated procedure. It works perfectly well for the Committee on Foreign Affairs and other

committees. If you open the door to having noncongressional staff come into closed committee meetings, I do not know where we are going to go.

The appeal was made that perhaps the committee should be authorized to invite anyone it chooses. It gets us into all kinds of trouble. The people we do not want, if you once opened the door, come in and cause trouble.

I would like to know the gentleman's objection to the procedure of asking to have a departmental staff held in the adjoining room. It is a perfectly practical procedure.

Mr. FASCELL. I would say to the gentleman from New York, if my colleague will yield——

Mr. PEPPER. I yield to the gentleman from Florida.

Mr. FASCELL. I am sure the combined intelligence of the chairmen of the committees and all of the members who sit thereon will work sufficiently so that they are not denied the expert testimony they need in order to answer their questions and mark up a bill, if you pass this resolution just as it is, and defeat all amendments.

Mr. ANDERSON of Illinois. Mr. Chairman, I yield 5 minutes to the distinguished minority leader (Mr. GERALD R. FORD).

Mr. GERALD R. FORD. Mr. Chairman, I have not had the privilege of serving on the Committee on Foreign Affairs. My experience was limited to two committees: one term on the Committee on Public Works and 14 years on the Committee on Appropriations; 12 of those 14 years on the Committee on Appropriations I have served on the Defense Subcommittee on Appropriations under the distinguished leadership of the gentleman from Texas (Mr. MAHON). I served 12 years on the Foreign Aid Subcommittee under the leadership of the gentleman from Louisiana (Mr. PASSMAN).

So, I can only ask questions and raise an issue or two from those experiences. On the Defense Subcommittee on Appropriations, we used to meet from 10 to 12 and 2 to 4, for at least 4 months every year, 5 days a week. On the Foreign Aid Subcommittee, we used to meet for a month or two, usually from 10 in the morning until 12 noon, and from 2 until late on into the day.

I would like to ask the distinguished gentleman from Florida, with that factual statement, does this mean that either one of those two subcommittees, when they meet at 10 o'clock in the morning 5 days a week, 4 months a year; and when they meet again at 2, 5 days a week, 4 months a year, do they have to start their hearings with a quorum, open, and then vote each time to close the meeting if that is the will of the subcommittee?

Mr. FASCELL. Each meeting would have to be closed by vote.

Mr. GERALD R. FORD. So in the morning when they began the subcommittee meeting and in the afternoon when they began, there would have to be a quorum present? It would have to be an open meeting and the vote would have to be taken with a majority of the members of that subcommittee present?

Mr. FASCELL. A quorum, if they are going to close the meeting, yes.

Mr. GERALD R. FORD. I am glad I am not on that subcommittee anymore, or either one of them.

I will be interested in hearing the wise observations of the gentleman from Texas (Mr. MAHON), who has 13 or 14 subcommittees which operate pretty much under the same circumstances.

Mr. FASCELL. The Appropriations Committee has already adopted that rule.

Mr. GERALD R. FORD. I should like to ask the gentleman from Texas: Is every subcommittee of the Committee on Appropriations now following the procedure the gentleman from Florida outlines?

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

Mr. GERALD R. FORD. I yield to the gentleman from Texas.

Mr. MAHON. The Committee on Appropriations, aware of the prevailing sentiment, in the House, voted to conduct its hearings in open session unless there is a vote to the contrary.

It is anticipated, even though we do not have adequate hearing rooms at this time, that these hearings will be open. We do not anticipate we will have many visitors, and we do not have room for many visitors, but we will have open hearings. We would not have to vote every day on whether or not the hearings would be open. They would automatically be open unless we felt there was some reason, security-wise or otherwise, that they should be closed.

It would be a little awkward always to have a quorum there when each hearing begins.

In view of the fact that we are trying to change our procedures, we are willing to go through the procedure and do this.

Mr. GERALD R. FORD. Let me make a comment on the observation by my distinguished former chairman. The gentleman from Texas is very persuasive. He has convinced me that we ought to do this. If they get enough rope they will end up perhaps changing it the next time. Experience is the best teacher. But, I think in this Congress we ought to go along with it. I hope it works but I have many reservations.

Mr. ANDERSON of Illinois. Mr. Chairman, I yield 3 minutes to the gentleman from Michigan (Mr. CEDERBERG).

Mr. CEDERBERG. Mr. Chairman, I agree with my chairman that our meetings should be open, and they are open.

However, I did not realize that if we are going to close a meeting we have to do it on the very day that meeting is going to take place. That is something I did not understand.

As a matter of fact, let me give an example. Our Subcommittee on State-Justice is going to hold a hearing Monday morning, and we are going to meet with the Secretary of State at 10:30 a.m. I believe it is a convenience to the Secretary of State and to the public to know before Monday morning whether that meeting is going to be open or closed.

I cannot see why there should be any objection to taking action ahead of time, which we have done, stating that that meeting with the Secretary of State will be closed, and properly so.

If we are going to have to wait until 10:30 a.m. on Monday morning, we will have everybody there, and we will have the public who may want to come to hear the Secretary of State there. All of a sudden, we are going to have a vote and close the meeting, and say, "Everybody has to leave now except the Secretary of State and his backup witnesses."

In the first place, that is probably going to waste a half hour of the Secretary's time, and we are also going to delude some people who will think that the hearing is open, who would like to come to listen to the Secretary of State.

For security reasons we do not think it is in our best interests or in the best interest of the public to have those meetings open.

What is wrong with our announcing today, for instance, that our meeting with the Secretary of State, and his appearance before our subcommittee, is going to be closed, and will be closed by agreement with the subcommittee?

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

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

Mr. ECKHARDT. They can do that under this measure, and the only thing is that when they do hold a meeting they must follow upon the announcement, and be certain to close the meeting.

Mr. CEDERBERG. This is what I want to understand. Can we state that the meeting with the Secretary of State on Monday morning will be closed?

Mr. ECKHARDT. Then when you meet that point, you vote it closed because of security reasons, and that is permissible.

Mr. CEDERBERG. No, we are voting on it now. They are voting it closed because of security reasons. Why do we have to wait until Monday morning to vote it closed? Why can we not announce now as a matter of good policy that this subcommittee is going to be closed at 10:30 Monday morning so when it appears in the Post, as you know it does, and in every other newspaper, everyone will know whether it is open or closed.

Mr. ECKHARDT. Mr. Chairman, in answer to the gentleman's question, surely you can do that.

Mr. CEDERBERG. So you do not need a vote on Monday morning then?

Mr. ECKHARDT. Yes, you would, under this resolution.

But may I ask, Mr. Chairman, what is the problem? The thing is that is the only time you are going to get together with the committee.

Mr. CEDERBERG. That particular committee.

Mr. ECKHARDT. Right.

The CHAIRMAN. The time of the gentleman has expired.

Mr. ANDERSON of Illinois. Mr. Chairman, I yield 1 additional minute to the gentleman from Michigan (Mr. CEDERBERG).

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

Mr. CEDERBERG. I yield to the gentleman from Florida.

Mr. FASCELL. Mr. Chairman, the matter of closing committee meetings for security reasons is already provided for.

Mr. CEDERBERG. Well, Mr. Chairman, our point is that the subcommittee has already met, and we may have a meeting with the Director of the Federal Bureau of Investigation, and some of those have to be closed, and we announce it ahead of time. In that situation we do not have to take another vote.

Mr. FASCELL. It could just be announced ahead of time, but on the day of the meeting it is supposed to be closed, and you have to vote on that.

Mr. CEDERBERG. May I ask the gentleman, why is it necessary to do it on the day of the meeting?

Mr. FASCELL. I might ask the gentleman, why is it necessary to do it on the Friday before?

Mr. CEDERBERG. Because it is convenient to do it in advance.

Mr. FASCELL. Mr. Chairman, will the gentleman yield further?

Mr. CEDERBERG. I yield to the gentleman.

Mr. FASCELL. Mr. Chairman, it is more convenient, it seems to me, to have the vote on the day of the called meeting.

Mr. CEDERBERG. What is the difference, may I ask the gentleman, whether you do it before or on the day of the meeting? It seems to me it is much more convenient for use and for the public and for the Secretary of State to know before that time.

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

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

Mr. SLACK. Mr. Chairman, it states specifically it has to be voted on that same morning.

Mr. CEDERBERG. That is just a complete waste of time.

Mr. SLACK. It is not a waste of time, any more than the other procedure is.

The CHAIRMAN. The time of the gentleman has expired.

Mr. ANDERSON of Illinois. Mr. Chairman, I yield 2 additional minutes to the gentleman from Michigan (Mr. CEDERBERG).

Mr. GERALD R. FORD. Mr. Chairman, will the gentleman from Michigan (Mr. CEDERBERG) yield?

Mr. CEDERBERG. Yes, I will yield to the distinguished minority leader.

Mr. GERALD R. FORD. Mr. Chairman, I intended to make a comment about the observations made by our colleague, the distinguished gentlewoman from Michigan (Mrs. GRIFFITHS). She outlined a practical situation that I understand exists in the Committee on Ways and Means where, for highly technical reasons, experts from the Social Security Administration sit in to answer questions, not on policy, but questions involving actuarial figures and the like.

Mr. Chairman, after listening to the answers that the distinguished gentlewoman from Michigan (Mrs. GRIFFITHS) got, I would make this simple suggestion to the chairman of that Committee on Ways and Means:

They do not have swinging doors now between the outside of that committee room and where the committee room is itself. What you could do—and I think this would be very practicable and would help solve the problem—the committee could install swinging doors between the rooms and they could have these experts sitting outside, and as one of these highly technical questions comes up, they could just swing the door out and ask the expert to come in. This might save time and it would make it a lot easier.

I would like to ask the gentlewoman from Michigan, do you not think that is a good suggestion?

Mrs. GRIFFITHS. Mr. Chairman, will the gentleman yield?

Mr. CEDERBERG. I yield to the gentlewoman from Michigan.

Mrs. GRIFFITHS. Mr. Chairman, I do think that would be a good suggestion. I think also we would have to have stools or seats or something outside the committee room.

Mr. CEDERBERG. How about roller skates?

Mrs. GRIFFITHS. Yes. In addition to that, we are going to have to vote whether we will let them in or exclude them.

If the gentleman will yield, I should like to ask the gentleman from Texas (Mr. ECKHARDT) a question.

Mr. ECKHARDT. Yes, if the gentleman from Michigan will yield.

Mr. CEDERBERG. I will be glad to yield to the gentleman from Texas (Mr. ECKHARDT).

Mrs. GRIFFITHS. If we follow the gentleman's suggestion and ask the Executive to come in so we can ask the question, do we have to have a vote first to close the meeting so he can come in and answer the question, or which procedure do we follow?

Mr. ECKHARDT. No, ma'am.

Mrs. GRIFFITHS. Do we open the meeting, or close the doors, or which?

Mr. ECKHARDT. No. There are two things that can be done.

You can be in closed markup session and you can recess without any vote and consider what the experts have to say at that time and then come in the meeting without another vote, or else you could hold the whole thing open and you would not have to have any votes and you could proceed as a committee.

Mrs. GRIFFITHS. I would like to thank the gentleman from Michigan. I will not object to open meetings.

Mr. ANDERSON of Illinois. Mr. Chairman, I yield 2 additional minutes to the gentleman from Michigan (Mr. CEDERBERG).

Mr. CEDERBERG. Mr. Chairman, I only wanted to raise this point to tell you that this is a matter of great inconvenience to us on the Committee on Appropriations to have to do this every day. It is a real convenience to the public and the witnesses to know in advance whether the meeting is going to be open or closed.

Mrs. GRIFFITHS. Will the gentleman yield?

Mr. CEDERBERG. I yield to the gentlewoman.

Mrs. GRIFFITHS. I do not understand this. We are going to close these meetings so the executive will not be there, but we will open them up for the lobbyists. Is that right? Are you going to have to announce ahead of time when you ask a question which lobbyist asked you to ask that question? Or does that have to appear in the record? You are worried about what the executive will do. Well, what about letting the lobbyists in? What about them?

Mr. CEDERBERG. I think this points out some of the problems that we will get into in this legislation.

Mrs. GRIFFITHS. I do not object to it if we are going to have them open.

Mr. CEDERBERG. If you are going to adopt this legislation, then some of these matters ought to be corrected for the convenience of orderly legislative procedure.

Mrs. GRIFFITHS. Under this system, though, we shut out the President of the United States or his employees and we let in the president of U.S. Steel and his employees. Is that right?

Mr. CEDERBERG. No.

Mr. BOLAND. Will the gentleman yield?

Mr. CEDERBERG. Yes. I yield to the gentleman.

Mr. BOLAND. It would seem to me—and I appreciate the gentleman's yielding—I think the gentleman from Michigan makes good sense. There is no question about it. He makes sense because, as the distinguished chairman of the Committee on Appropriation indicated, all of the Appropriation Committee meeting hearings are now open. If we want to close them, we have to in open session have a rollcall vote with a quorum being present to close a particular meeting. Is that true?

Mr. CEDERBERG. That is right.

The CHAIRMAN. The time of the gentleman has expired.

Mr. ANDERSON of Illinois. Mr. Chairman, how much time do I have remaining?

The CHAIRMAN. The gentleman has 17 minutes remaining.

Mr. ANDERSON of Illinois. I yield 2 minutes additionally to the gentleman from Michigan (Mr. CEDERBERG).

Mr. BOLAND. So if we want to have a closed session, we have to follow the rules as laid down here, but it seems to me it is absolutely unfair, unfair, to witnesses who have been called to Committee on Appropriations meetings or any committee meeting, for that matter. It is absolutely unfair to the public and to the press to finally come in on Monday morning after we have voted on Friday for a closed session on Monday and we have to come back on Monday and again vote for a closed session. Is that the way I understood the gentleman from Texas to interpret this law?

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

Mr. ECKHARDT. Any time on any day that you want to close a meeting you will have to vote to close it.

Mr. BOLAND. If the gentleman will yield, as far as I am concerned, this rule ought to be defeated. I can think of nothing worse than having a mob of people, whether it is witnesses or the press or the general public, coming to a particular committee meeting and finding out that it is closed after we voted two or three days before to close it. If you will

give the proper notice, why is that not a good way to run this business? It is the sensible way.

Mr. CEDERBERG. The gentleman makes my point exactly.

It is only a matter of convenience for everyone. It does not do any damage at all to the idea of open sessions.

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

Mr. CEDERBERG. I yield to the gentleman.

Mr. GERALD R. FORD. I would like to ask the gentleman from Florida and the gentleman from Texas a serious question.

Mr. FASCELL. That will be a welcome change. That is good.

Mr. GERALD R. FORD. Supposing a subcommittee or a committee meets and there is not a quorum present but they proceed to close the session.

In the course of that closed session they take certain action, for example, they vote on an appropriation bill or on a legislative proposal. The bill comes to the floor of the House. Is any action taken in that session subject to a point of order?

Mr. FASCELL. If the gentleman will yield, it was under the old rules, as I understand it.

Mr. GERALD R. FORD. I am sorry, I did not hear the gentleman.

Mr. FASCELL. I said it was subject to a point of order under the present rules.

Mr. GERALD R. FORD. So it is the interpretation of the gentleman from Florida that any action taken during that session of the subcommittee or of that full committee would be subject to a point of order when the legislation comes to the floor of the House.

Mr. FASCELL. If the gentleman would yield further, I am not sure about the interpretation on amendments. I have not examined the parliamentary law with respect to that.

These rules do not change any of that or, these proposals which are now pending before this body today do not change that rule one bit, whatever that rule was. If it was out of order under the present rules, and a point of order would be made, it would lie when these are adopted. It would not change that one way or another.

I would hate to come to the floor, I must add, under the circumstances the gentleman describes, with a bill, knowing that I would be vulnerable to that point of order. I would not do it. Personally, I believe that is a bad practice, and if it does not violate our rules it ought to violate the rules.

Mr. GERALD R. FORD. In other words, the gentleman believes that anything done in that session which is contrary to the rules of the House, any part of the bill in whole or in part, would be subject to the point of order?

Mr. FASCELL. If the gentleman will yield further, I did not say that. I said to the gentleman from Michigan that I am not sure about the parliamentary interpretation of an action of a committee or a subcommittee in a markup session taking votes on a bill without a quorum. It is my understanding that under the present rules that any such vote would make the legislation subject to a point of order when it got to the floor. I am saying that House Resolution 259 now pending before us does not change that situation one bit.

I further said that if that was not the present rule, that is, that it would make it subject to a point of order, then it ought to be, because I do not believe it is good procedure to vote on legislation without a quorum present in the committee, and then bringing it to the floor of the House with the stamp of approval of the full committee or the subcommittee.

The CHAIRMAN. The time of the gentleman from Michigan has again expired.

Mr. ANDERSON of Illinois. Mr. Chairman, I yield 1 additional minute to the gentleman from Michigan (Mr. CEDERBERG).

Mr. CEDERBERG. Mr. Chairman, let me raise just one possible problem on appropriations. We have 13 subcommittees working, and the gentleman from Texas is the chairman, and I am the ranking minority member, and we are both listed as members of every subcommittee, for quorum purposes. The point is that we do not really know which of the subcommittees are going to be open or closed. It may be that some are open—it so happens that ours is going to be closed next Monday. I do not know which other ones will be; it is possible they could all be closed.

So, if we have to go to every subcommittee that is going to be closed, then the gentleman from Texas and I are going to be spending a great deal of time moving back and forth between the subcommittees just to get a proper quorum to close them if they want them closed.

It would be more convenient if we know and if the subcommittees know whether they are going to be closed so that we could arrange to do it in advance, but this would be on the same morning, and possibly on every morning, and that means that we are going to have to cover that much more territory, but we will try to.

The CHAIRMAN. The time of the gentleman from Michigan has again expired.

Mr. ANDERSON of Illinois. Mr. Chairman, I yield 3 minutes to the gentleman from Iowa (Mr. GROSS).

Mr. GROSS. Mr. Chairman, I would iike to ask the gentleman from Texas a question.

A committee hearing would be closed only for testimony which would endanger the national security; is that correct?

Mr. ECKHARDT. Mr. Chairman, if the gentleman will yield, we have created two types of committees now, one created under the existing rules; the type in which witnesses are brought in and heard can only be closed for security reasons, or for other purposes described by the rule, there being included that rule about defamation of character.

With respect to markups, now, it may be closed for any purpose, but it must be closed by a vote of the majority of the quorum on a rollcall.

Mr. GROSS. We have House committees that do not engage in markup sessions. I have in mind one, the Committee on Ethics, which I understand may hold hearings with respect to some of the Members of the House in regard to certain matters.

Is the gentleman saying this committee ought to conduct open hearings?

Mr. ECKHARDT. Their action would not be in the nature of a hearing, and the first section under (f) of this bill does not deal with those meetings which are not hearings. It excludes that specifically under (f)(2).

Mr. GROSS. This would be a hearing.

Mr. ECKHARDT. If they brought in outside witnesses, I suppose so.

Mr. GROSS. The gentleman is providing then that this committee hold open hearings; is that correct?

Mr. ECKHARDT. There is another exception. That is with respect to any meeting which relates solely to the internal budget and personnel matters which might exclude the Ethics Committee. I think it would depend on the importance of the matter in the beginning.

Mr. GROSS. I will ask the gentleman this question. Was this resolution and the contents thereof subject to consideration by the Democrat caucus of the House?

Mr. ECKHARDT. Was this resolution subject to what?

Mr. GROSS. Were the contents of this resolution subject to discussion before the Democrat caucus in the House?

Mr. ECKHARDT. Yes, it has been discussed. Of course, now it is before the Whole House, and whatever is done here will be final.

Mr. GROSS. And those discussions held before the Democrat caucus are open to the public; I take it?

Mr. ECKHARDT. Oh, no. This only deals with Standing Committees of the House. Pardon me. I thought the gentleman asked if this resolution had been discussed in the Democratic caucus.

Mr. GROSS. Yes.

Mr. ECKHARDT. It has.

Mr. GROSS. It has been?

Mr. ECKHARDT. But, of course, this resolution does not control either the Republican or the Democratic caucus.

Mr. GROSS. Well, but the contents, the text, the objective of this resolution was discussed in the Democrat caucus? Is that what the gentleman is saying?

Mr. ECKHARDT. Yes; that is correct.

Mr. GROSS. All right. Was that an open session, open to the public?

Mr. ECKHARDT. No, sir.

Mr. GROSS. Why not?

Mr. ECKHARDT. Because it is not open.

Mr. GROSS. What is that?

Mr. ECKHARDT. As I understand it, the Republican caucus is not open.

Mr. GROSS. No, it is not, but the gentleman is here contending for this resolution and it apparently has the endorsement of a majority of the Democrats and that endorsement was made in a closed door session.

The CHAIRMAN. The time of the gentleman has expired.

Mr. ANDERSON of Illinois. Mr. Chairman, I yield to the gentleman from Iowa 2 additional minutes.

Mr. GROSS. I am not contending for this rule; the gentleman is and it seems to me the Democrat caucus ought to have been open to the public in the interest of consistency.

Mr. ECKHARDT. Perhaps the gentleman is correct. I am not willing to go that far at this time.

Mr. GROSS. Well, if the gentleman is not willing to go that far at this time how far will the gentleman go?

Mr. ECKHARDT. I will tell the gentleman from Iowa exactly how far I would go. I would go to the extent of requiring that the public be advised as to the factual matter brought before a committee by witnesses upon which the committee makes its decision. That is as far as I desire to go.

Mr. GROSS. Was there a rollcall in the caucus? And, if so, what was the vote?

Mr. ECKHARDT. I do not know. On this particular matter?

Mr. GROSS. Did the gentleman attend the caucus?

Mr. ECKHARDT. Yes, sir; I attended the caucus. The rollcall was in substantial support of the provision. I forget the exact number.

Mr. GROSS. I would assume that in the future, with the offering of this and other rules changes, the Democrats will open their caucuses to the public.

I wonder what would happen if I climbed into the House gallery and there was waiting for the Democrats to hold a caucus in the House chamber. Would I be thrown out of the gallery?

Mr. ECKHARDT. If the gentleman will yield to me, I see nothing wrong with either party engaging in a caucus which is not open to the public with respect to the discussions that occur there. In exactly the same way I see nothing wrong in closing any markup session of the committee. Personally I would vote to close nearly every markup session of the committee. This resolution would permit closing every markup session of a committee, regardless of the subject matter.

Mr. GROSS. In other words the gentleman is saying, do not do as I do but do as I say. The gentleman is saying he believes in open convenants secretly arrived at, is he not?

Mr. ECKHARDT. The gentleman simply misconceives my position. I am not arguing in favor of what Common Cause has brought on the floor and brought to us originally.

Mr. GROSS. Why provide rules for the conduct of committee business in a way that the Democrats decline to use for the conduct of their caucuses?

Mr. ANDERSON of Illinois. Mr. Chairman, I yield 3 minutes to the gentleman from Indiana (Mr. DENNIS).

Mr. DENNIS. Mr. Chairman, I think probably this resolution is one of those resolutions the time of which has come, as they say. I may vote for it because who wants to be against the "sunshine," and besides I could not care less personally about who is in or out of any committee meeting.

But, as a matter of philosophy I just want to consider things with the committee for a minute. Some of the practical difficulties of what we are doing here have already been considered, but the philosophical problems are in my judgment even more severe.

I just wonder whether we are really going to get good legislation out of this sort of resolution or whether it is really a forward-looking resolution or not. I understand we can close a business session and we can close a markup session if we want to. And my friend, the gentleman from Texas, with his usual sagacity, knows very well we had better close most of them if we want to do some business, and yet we are going to have the presumption the other way and somebody is going to have to have the nerve to get up and make this motion and be the friend of secrecy.

I wonder if the presumption for a working session should not be in favor of privacy as a matter of fact? I want to tell the Members why. We have got to have compromise. We all know this and I am not saying anything that everybody here does not know. It just is not popular to hear it. We have to have compromise in a working session. People have to take their hair down and they have to yield from these cement stands they may have taken for the headlines, for the press, and television cameras and they have to meet the other fellow part way or we do not get anywhere. Now we are going to have these business sessions with the television there, and the press there, and the lobbyist there, and the constituents there, and with everybody there, and most of the people, except the bold spirits, are going to get their positions set in cement and they will make their little speeches for the headlines. I just do not think we are going to get as reasonable and practical legislation as we would the other way around. I just throw that thought out for your consideration.

My committee decided to be open the other day, the Judiciary Committee, and after we had gotten through doing that—and my philosophy is we ought to be able to do our work, perhaps not in a goldfish bowl, but when we are through and when we have our product, when we have voted on it, I think we ought to go on record in the committee just as we do here on the floor. What we do in committee is more important many times. So after we had gotten through opening all the meetings in the Judiciary Committee, I proposed to amend the rules so as to provide that in the committee report which accompanies the bill, every time there has been a rollcall on the bill, or a rollcall on an amendment, we should show the rollcall in the report and show just exactly how everybody voted. I think that is right.

The compromising is over then and we have taken our positions, and why should we not have the guts to go on record and put in the committee report what we have done to the bill?

But do Members know what happened? That was voted down. There were a couple of honorable exceptions, but almost all the progressive, liberal, forward-looking, flag-waving members of my committee who voted for these open sessions and for the "sunshine," voted against the suggestion that we put the rollcalls in the committee report.

Life is ironic.

Mr. ANDERSON of Illinois. Mr. Chairman, I yield 2 minutes to the gentleman from Florida (Mr. GIBBONS).

Mr. GIBBONS. Mr. Chairman, I thank the gentleman from Illinois (Mr. ANDERSON) for yielding to me.

I rise to support this amendment. I think it is good, sound legislation. I have not been on the Committee on Ways and Means as long as many distinguished Members of this body, and I certainly would yield to their wisdom and insight into the operation of the committee.

However, in my 4 years of experience I believe I would feel much better had the evidence which we took in markup sessions, with the doors closed, and the large amounts of staff that attend from the executive branch, I would feel much better had the public also had access to the knowledge that was given to me.

I think that the public has a right to know when we take testimony in the committee, even dealing with the sensitive subjects that we deal with. It is with their taxes and their balance-of-payments problems and trade problems. I think the public ought to know what the administration is advising us.

I do not believe it is any particular burden upon us to do this. The rule which has been presented by Mr. FASCELL and Mr. ECKHARDT is carefully drafted. It is a very fine and workmanlike piece of business, and I think we ought to support it.

If it does not work, we can come back and change it. I do not think it is going to have any particular adverse effect upon the Committee on Ways and Means.

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

Mr. GIBBONS. I am glad to yield to the gentleman from Georgia.

Mr. LANDRUM. Let us have it understood now clearly by all that in regard to closing the meetings, certainly neither the distinguished gentlewoman from Michigan nor I, in the initial colloquy with the gentleman from Florida and the gentleman from Texas, had any such intention.

Our remarks were directed to the proviso at the bottom of the page which says that once you close that meeting, no one can be present in the meeting except members of the committee and committee staff.

Mr. GIBBONS. I agree.

Mr. Chairman, I want a little time for myself.

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

Mr. GIBBONS. May I have a half minute?

Mr. ANDERSON of Illinois. Mr. Chairman, I yield 1 additional minute to the gentleman from Florida.

Mr. GIBBONS. Mr. Chairman, it is going to make us work a little harder, and rely on our own staff more than we have, and develop a stronger staff. I think this would be healthy for the operation of the Committee on Ways and Means as all other committees, but I think we can work out the difficulties. I certainly resent——

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

Mr. GIBBONS. Mr. Chairman, the gentleman from Georgia has had more of my time than I have had.

I resent having to sit there, and sometimes there are more people there from the executive branch than there are members of the legislative branch, knowing that when we are marking up bills they are giving testimony, giving advice. I think the public ought to know what they are saying to us just as well as we do.

If it becomes really sensitive, we can close the meeting.

Mr. Chairman, I yield the balance of my time.

Mr. PEPPER. Mr. Chairman, I yield 1 minute to the gentleman from Georgia (Mr. LANDRUM).

Mr. LANDRUM. Mr. Chairman, again I wish to make it clear to my friend from Florida (Mr. GIBBONS) and to all the membership, that no one is trying to close these meetings or conceal from the public anything.

All I am saying, and surely my friend, Mr. GIBBONS, who sits on the committee with me, will verify the fact that under this proviso, if we have to close the meeting we are precluding any expert whatsoever from any department of the Government assisting us. The gentleman very well knows that we could not operate in the field of social security, we could not operate in the field of tariffs, neither could we operate in the field of internal revenue, without the expertise and computers which we have to rely upon.

Mr. GIBBONS. We can open the meeting if we need to do that.

Mr. LANDRUM. Open every 5 minutes and close them every 5 minutes. The gentleman from Michigan (Mr. GERALD R. FORD) said we ought to get revolving doors.

Mr. ANDERSON of Illinois. Mr. Chairman, I rise in support of House Resolution 259.

Mr. PEPPER. Mr. Chairman, I yield 1 minute to the gentleman from Missouri (Mr. HUNGATE).

Mr. HUNGATE. I thank the gentleman for yielding.

Mr. Chairman, I join, very generally, in the remarks of the gentleman from Indiana (Mr. DENNIS). I believe he precisely stated the problem. Certainly, open hearings we should all support.

As to the markup sessions, doing the public's business in public is not necessarily in the public interest.

Dr. Dunlop, former dean of arts and sciences at Harvard, now Director of the Cost of Living Council, remarked that it has been his experience that people do not always say the same things in public that they say in private.

On the Judiciary Committee we have voted in a lot of "sunshine." It is my understanding on the committee that one of the first rules adopted by two subcommittees was to have markup sessions in private, which they should have, because they consider bills and analyze their content and discuss the credibility of witnesses, and matters which might cause unnecessary embarrassment to individuals. The public interest requires public hearings but frequently private markup sessions.

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

Mr. PEPPER. Mr. Chairman, I yield 1 minute to the gentleman from Iowa (Mr. GROSS).

Mr. GROSS. The House of Representatives has been in session since January 3 of this year.

Are we going on through the rest of the year with this "horsing around" with the rules, or are we going to get down to the people's business?

Mr. PEPPER. Mr. Chairman, I yield 1 minute to the gentleman from Texas (Mr. WHITE).

Mr. WHITE. Mr. Chairman, if this amendment is passed in its present form I think this House can forget effective investigations. The rule as proposed provides for closed meetings only in matters of security or where it involves a violation of the rules of the House.

If the pending proposed rule is passed, we will find witnesses not appearing, or declining to come to testify before investigative committees. They will further make celebrated causes for the press. They will drive underground the culprits we are trying to investigate, or trying to find out about in certain investigative hearings. To deny closed meeting in such cases will cause damage to innocent persons.

Mr. PEPPER. Mr. Chairman, I yield my remaining time to the gentleman from West Virginia (Mr. STAGGERS).

Mr. STAGGERS. Mr. Chairman, since I have been the chairman of the Committee on Interstate and Foreign Commerce we have never held one session excluding anyone from the public, but if we open up our executive sessions to the public every lobbyist in America is going to be there.

I do not like that, and I do not believe America would like it. I do not believe the people want the lobbyists of this country and the special interests making the laws of the land, and that is exactly what would happen.

One cannot tell me different, that it would not happen in my committee or in every other committee.

It is important that the elected representatives of this land make its laws, not the special interests or the lobbyists. They will be there filling the halls.

I say the Nation's business ought to be discussed in open in every way, except for the time we come to mark up the bills, when we should exclude those who have special interests.

If we are going to do this we are going to kill democracy as we know it in this land. The very foundation upon which this Nation was founded was that we could get together as special representatives of the people and represent them freely to the best of our ability and conscience.

Mr. RINALDO. Mr. Chairman, I enthusiastically support House Resolution 259 because it has long been my belief that confidence in our Government can come about only when the people are able to observe and participate directly in the deliberative process.

It is abundantly clear that Government, if it is to be truly responsive to the wishes of the electorate, must provide a vehicle with which concerned citizens can better participate in legislative matters. As a State senator in New Jersey, one of the first actions I took after becoming chairman of the law and public safety committee was to make committee business as open as possible.

The bill before the House today amends the House rules so that the people can be absolutely certain that their Representatives are representing them and that when decisions are reached which affect them, they will know about it and have an opportunity to participate in that process.

I hope today's measure, which is part of a more comprehensive proposal I have cosponsored, will be one of many reforms which the Congress enacts so that every citizen knows that America is truly a Government of the people and by the people.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Resolved, That clause 26(f) of rule XI of the Rules of the House of Representatives is amended to read as follows:

"(f) Each meeting for the transaction of business, including the markup of legislation, of each standing committee or subcommittee thereof shall be open to the public except when the committee or subcommittee, in open session and with a quorum present, determines by rollcall vote that all or part of the remainder of the meeting on that day shall be closed to the public: *Provided, however*, That no person other than members of the committee and such congressional staff as they may authorize shall be present at any business or markup session which has been closed to the public. This paragraph does not apply to open committee hearings which are provided for by paragraphs (f)(2) and (g)(3) of clause 27 of this rule; or to any meeting that relates solely to internal budget or personnel matters."

SEC. 2. Clause 27(f)(2) of rule XI of the Rules of the House of Representatives is amended to read as follows:

"(2) Each hearing conducted by each committee or subcommittee thereof shall be open to the public except when the committee or subcommittee, in open session and with a quorum present, determines by rollcall vote that all or part of the remainder of that hearing on that day shall be closed to the public because disclosure of testimony, evidence, or other matters to be considered would endanger the national security or would violate any law or rule of the House of Representatives."

SEC. 3. The first sentence of clause 27(g)(3) of rule XI of the Rules of the House of Representatives is amended to read as follows: "Hearings pursuant to subparagraph (1) of this paragraph, or any part thereof, shall be held in open session, except when the committee, in open session and with a quorum present, determines by rollcall vote that the testimony to be taken at that hearing may be related to a matter of national security."

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

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

There was no objection.

AMENDMENT OFFERED BY MR. ANDERSON OF ILLIONOIS

Mr. ANDERSON of Illinois. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ANDERSON of Illinois: On page 2, line 24, add a new section 4, to read as follows:

Clause 32(c) of rule XI of the Rules of the House of Representatives is amended to read as follows:

"(c) The minority party on any such standing committee is entitled, upon request of a majority of such minority, to up to one-third of the funds provided for the appointment of committee staff pursuant to each primary or additional expense resolution. The committee shall appoint any persons so selected whose character and qualifications are acceptable to a majority of the committee. If the committee determines that the character and qualifications of any person so selected are unacceptable to the committee, a majority of the minority party members may select other persons for appointment by the committee to the staff until such appointment is made. Each staff member appointed under this subparagraph shall be assigned to such committee business as the minority party members of the committee consider advisable."

POINT OF ORDER

Mr. McFALL. Mr. Chairman, I rise to make a point of order against the amendment.

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

Mr. McFALL. Mr. Chairman, I make a point of order against the amendment on the ground that it is not germane to the matter that we are considering. The matter that we are considering has to do with access to committee meetings, and the amendment has to do with staff makeups, and they are entirely two different subject matters.

The CHAIRMAN. Does the gentleman from Illinois wish to be heard on the point of order?

Mr. ANDERSON of Illinois. Mr. Chairman, I would like to be heard on the point of order.

The CHAIRMAN. The Chair will hear the gentleman.

Mr. ANDERSON of Illinois. Mr. Chairman, House Resolution 259, the resolution we are considering today amends two clauses in rule XI of the Rules of the House of Representatives. I am proposing another amendment to rule XI, namely the provision dealing with minority staffing of committees.

I contend this amendment is germane and in order. Having only Cannon's Procedure of the 87th Congress available to me, I quote from page 201 of that volume dealing with germaneness:

But where the bill proposes to amend existing law in several particulars, no arbitrary rule can be laid down either admitting or excluding further amendments to the law not proposed in the pending bill, but the question of the germaneness of such additional amendments must be determined in each instance on the merits of the case presented (VIII, 2938).

This ruling was made by Chairman Sydney Anderson of Minnesota on June 10, 1921. I quote from volume VIII of the Precedents:

The Chair does not think that the general rule can be laid down that where several portions of a law are amended by a bill reported by a committee, it is not in any case in order to amend another section of the bill not included in the bill reported by the committee, nor does the Chair think that the opposite rule can be laid down and rigidly applied in every instance. The Chair thinks that a question of this kind must be determined in every instance in the light of the facts which are presented in the case. In the particular case under consideration it appears that the committee has reported a bill which amends several sections of Title IV of the bill in various particulars. The Chair does not feel that he can hold that no amendment to a section not dealt with by the committee is not in order.

Mr. Chairman, I feel my amendment would clearly be in order.

Mr. Chairman, the substitute rule would not make it possible for any other amendments to be made to rule XI.

It seems to me this further argues in favor of the germaneness of this particular amendment. I ask that the point of order be overruled.

The CHAIRMAN (Mr. WAGGONNER). The Chair is prepared to rule.

House Resolution 259, while it technically amends two different clauses of rule XI, relates solely to the single subject of public access to House committee meetings and hearings. Thus, amendments to other portions of rule XI pertaining to committee jurisdiction such as staffing, and procedures other than access to hearings and meetings would not be germane.

Under the precedents, the fact that a bill amends several sections of a law does not necessarily open the whole law to amendment. The purpose and scope of the bill must be considered. In the 89th Congress, the Committee of the Whole had under consideration a bill amending the National Labor Relations Act to repeal section 14(b) of that law. On that occasion, in several rulings by Chairman O'Brien of New York, the principle was reinterated that where a bill is amendatory of existing law in several particulars, but relates to a single subject affected thereby, amendments proposing to modify the law but not related to the bill are not germane (CONGRESSIONAL RECORD, volume 111, part 14, pages 18631–18645).

For this reason, the chair holds that the amendment is not germane and sustains the point of order.

AMENDMENT OFFERED BY MR. STRATTON

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

The Clerk read as follows:

Amendment offered by Mr. STRATTON; page 1, line 11, after "staff" insert "and such departmental representatives"

Mr. STRATTON. Mr. Chairman, this is the amendment that I referred to earlier in the discussion that took place between the gentlewoman from Michigan (Mrs. GRIFFITHS) and the gentleman from Georgia (Mr. LANDRUM) with respect to the particular situation which exists in the Committee on Ways and Means.

We have, as I stated previously, a similar situation in the Committee on Armed Services, where with reprograming request, it is the usual procedure to have a witness from the department explain the request and then have the Members vote on the request. Then we move on to the next request.

The idea that we should have some kind of revolving doors or should recess and then reconvene, as has been suggested, or perhaps even use roller skates to get witnesses in and out testifies I think to the ridiculousness of this kind of a proposal, which may be perfectly appropriate for some committees that apparently have been bothered by a proliferation of lobbyists at the time of markup sessions, but which has no relationship to other committees and which would actually impede the work of those committees.

I do not think our Armed Services Committee has any worry about being unduly influenced by members of the department when they are answering questions before us. And I am sure that is not the case in the Committee on Ways and Means either.

If this resolution is being offered genuinely in an effort to open up meetings and also to provide for a reasonable and efficient handling of markup sessions, then the addition of the words in line 11, following the words "congressional staff," "and such departmental representatives as they may authorize" would certainly expedite the basic purpose of this resolution.

I do not think there is any need to describe any amendment in greater detail. It seems to me to be a perfectly sensible one, and I hope it will be unanimously adopted.

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

Mr. Chairman, the gentleman from New York is very sincere. As accommodating as the amendment seems to be, what it really does is turn around and undo one of the major thrusts in the proposed rule change.

All committee meetings are open now under the present rule. What these changes do in the proposal before us, is simply to clarify the fact that a quorum would be necessary, and the vote to close be taken in an open session. The burden shifts to those who want to close meetings. The presumption is with those who want to keep them open. The thrust is there for open committee meetings. We are just shifting the burden.

It ought not be said that executive witnesses sit in markup sessions of congressional committees and write legislation for the committee, but it is. We can rationalize that we need expert testimony. And there does come a time when we do have to depend on the executive witnesses; you do have to call them in. I do not see anything that prohibits that under the rule. If you want to, or the committee needs to examine the expert witness in an effort to mark up the bill, while you are actually marking it up, then do like some of the other committees do and hold your markup sessions in the open, put that witness on the chair and interrogate him to your heart's con-

tent; if that is what your purpose is. Some committees do that right now.

My own personal experience with those kinds of practices is a very healthy one.

As a Member of this body it is ridiculous that I am not permitted to attend any committee session but nonmembers of committees have been excluded, but executive department witnesses permitted. I had by contrast, however, the great privilege recently of sitting in an open session while my colleagues on both sides of the aisle wrote a bill I had introduced. All of those who were for it and all those who were against it were there; the press was there; the executives witnesses and experts were there; the lobbyists were there; and I was there. There was no inhibition; not a single vote was changed. No one makes the allegation that any votes were changed whether it is an open meeting or a closed meeting.

But I do want to tell you that it was a great privilege to meet and see my colleagues as they marked up my bill, with no inhibitions on anyone whatsoever; going through the democratic process on a very controversial bill; they offered their amendments, and voted for me and voted against me. I had no doubts about what had happened. It was a great view of democracy in action.

I do not think that is a bad practice. I think it is a good practice.

It might be said that there are some things you cannot do in an open session, such as on appropriations; national security; defamation of character; and other sensitive matters. The proposed rules take care of that situation.

Now as to the executive witness, their expertise and their need to sit in markup session. All we are saying in the rule is do not let him sit there as a Member of Congress at the table while the markup is going on. That is all we are saying.

The amendment offered by the gentleman from New York (Mr. STRATTON) puts that man right back at the table again, where we have been trying to get him out. You can call him in if you need him, or you can send a staff member out to talk to him, or you can bring him back in. But do not let that expert be sought into that meeting so that he can sit at the table just as though he were a Member of Congress while you are marking up a bill for a whole day, or for 6 days, or for 6 weeks, or for 6 months. He did not get elected to the Congress.

The American people will depend on your judgments any time, and in any closed meeting, but do not tell me that I have to depend on an unelected expert who sits in while the markup is going on, and who is not a Member of the Congress.

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

The question was taken; and on a division (demanded by Mr. FASCELL) there were—ayes 73, noes 45.

So the amendment was agreed to.

AMENDMENT OFFERED BY MR. ICHORD

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

The Clerk read as follows:

Amendment offered by Mr. ICHORD: On amend House Resolution 259, page 1, lines 8 and 9 by striking the words "on that day".

To further amend House Resolution 259, page 2, line 12 by striking the words "on that day".

Mr. ICHORD. Mr. Chairman and members of the committee, this amendment is very simple. I concur in open meetings of the committee session, but I do not believe I can support the bill unless this amendment is adopted.

I concur with the gentleman from Michigan (Mr. CEDERBERG) and this amendment is offered for the convenience of the members of the press and for the convenience of the general public, because they are not going to know until the day of the meeting whether that meeting will be closed or whether it will be open. They may think that the meeting will be open. They will appear, and then by a vote of the committee the meeting will be closed. They may think that it will be a closed meeting. They will not show up, and then the meeting will turn out to be an open meeting.

I do not think we are going to have a workable rule at all unless we follow the recommendations of the gentleman from Michigan and adopt this very simple amendment.

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

Mr. ICHORD. I will yield to the gentleman from Michigan.

Mr. CEDERBERG. I congratulate the gentleman on his amendment. It is only a matter of convenience, as the gentleman has said, for the press, for the public and for the witnesses, and I certainly think it should be adopted without any objections whatsoever.

Mr. ICHORD. At the beginning of the hearings, if this amendment is adopted, the committee will still have to have its open recorded vote to determine whether or not the meeting should be closed.

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

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

Mr. MAHON. Will the gentleman explain just what the wording will be? When will the vote be taken?

Mr. ICHORD. This will make the resolution read as follows:

Each meeting for the transaction of business, including the markup of legislation, of each standing committee or subcommittee thereof shall be open to the public except when the committee or subcommittee, in open session and with a quorum present, determines by rollcall vote that all or part of the remainder of the meeting shall be closed to the public;

It merely removes the requirement that a separate vote be had on each separate day. The amendment strikes out the words "on that day." The members will have their meeting determine whether the meetings or hearings will be closed or open, and that will be on record. This will suit the convenience of the press and the public.

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

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

Mr. BINGHAM. I thank the gentleman for yielding.

Under his amendment could a committee vote that all meetings in an ensuing month or 2 months shall be closed?

Mr. ICHORD. No. The vote would have to refer to a particular hearing or a particular meeting, but we do have several meetings that extend longer than a period of 1 day.

Mr. BINGHAM. If the gentleman would yield further, if the gentleman specified the dates of the meetings that would be closed, would it refer to a large number of meetings?

Mr. ICHORD. As long as the members of the committee vote openly, I have no objection to their voting that a meeting on a certain day to cover a certain subject shall be closed, as long as it falls within the rules and the members are recorded as being in favor of a closed session.

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

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

Mr. ECKHARDT. I have been trying to understand what the gentleman is attempting to do by his amendment, but I think his amendment may do more. I understand the gentleman is trying to meet the Cederberg objection so that with respect to a precise meeting, a meeting may be closed not only on the precise day that meeting commences but it may be done on a previous day with respect to that precise meeting.

Mr. ICHORD. The gentleman stated there would have to be a vote on a closed meeting on each and every day. This is what I am trying to obviate the necessity of the committee doing, because the public and the press are not going to know whether this meeting will be open or closed, and they are between the devil and the deep blue sea.

Mr. ECKHARDT. If the gentleman will yield further, I understand that, I think that is what I said, and I think that is what the language says, but what I am trying to get at is the gentleman is only trying to cure the Cederberg objection that we ought to be able to notify the Members and vote on a Friday on a meeting to be held Monday as to whether that meeting Monday will be closed, instead of voting on this question after the notice of the meeting.

Mr. ICHORD. Yes. If we are going to have to do it every day we are going to have difficulty because we do not know if we are going to have a quorum or not. Some Members would vote for some part of the meeting to be closed and then at a different meeting others would vote that it be open.

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

Mr. Chairman, I can understand the concern that the gentleman from Texas has raised and I do not want in any way to have to have this indicate that our subcommittee can decide in one session that we are going to close meetings for a week or for 2 weeks. I think that is what the gentleman has in mind.

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

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

Mr. ECKHARDT. Mr. Chairman, that

is exactly what I had in mind, because unless we put on that day a vote to apply to a specific meeting, then we could have a single meeting extending throughout the whole term, and then we go right back to this.

Mr. CEDERBERG. I have been discussing some language with the gentleman from Massachusetts (Mr. BOLAND), which I think, from quickly looking at it, will take care of that particular problem. I notice the gentleman from Massachusetts is conferring with the gentleman from Missouri now, but I want to say I do agree with the gentleman that we do not want any misunderstanding on it. We want to be sure that this is a matter of convenience and not an attempt to close meetings, because we do not want that.

Mr. ECKHARDT. If the gentleman will yield further, do I understand what the gentleman wants to do, whichever language is ultimately written, is to permit with respect to a meeting dealing with a single subject matter or a single bill the closing of that meeting either on the day or at some previous time if some notice may be given in advance.

Mr. CEDERBERG. As I said in discussing this matter, I do not want my position to be misconstrued that I want to use this as authority to just close meetings as a blanket arrangement. It is strictly with me a matter of convenience for the public and for the press and for the scheduled witnesses, so that everyone will know a couple of days in advance what is going to happen. That is all we are talking about here.

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

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

Mr. MAHON. I wish to say I am heartily in favor of the procedure the gentleman from Michigan is seeking to provide. I think most of the committees have provided in their rules for open hearings generally. We will have generally open hearings. We are not looking for some excuse so as not to have open hearings. We propose to have open hearings as much as reasonably possible.

But without some amendment I do not see how the Members can support the resolution. I think it is clear we should not have the bill as it is now worded.

Mr. CEDERBERG. I want to make my position very clear on that, and, as far as I am concerned, I will support any language that will clarify this so that there will be an understanding, and I think probably the gentleman from Massachusetts will have something along that line.

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

Mr. CEDERBERG. I yield to the gentleman from Texas (Mr. ARCHER).

Mr. ARCHER. Does the gentleman have in mind, then, that, if the markup sessions are going to consume more than 1 day on one bill, that we would have to take a separate vote on each day in order to extend the closed session for the next succeeding day?

Mr. CEDERBERG. I would consider a markup session as one session until the markup session is completed. That would be my opinion.

Mr. ARCHER. That is not exactly the way the gentleman described it. I think this ought to be clear, as to what congressional intent is as to whether, if the markup session consumes more than 1 day, one vote would take care of closing that markup session.

Mr. CEDERBERG. If the majority of the committee votes that way, I would think that would be true. For instance, in the Committee on Ways and Means, seldom does it mark up a bill in 1 day.

Mr. ARCHER. Correct.

Mr. CEDERBERG. So, I would consider a markup of a tax bill or a tariff bill, which will take 2 or 3 days or perhaps a week or so, probably ought to be able to have enough leeway so that it could consider a markup as a session. That is my own personal thinking. Others may have other opinions.

Mr. ARCHER. Let me next ask this: Is it the intention, as the gentleman understands the amendment, to be able to close a markup session on a single bill by one vote, irrespective of the number of days it takes for that markup session?

Mr. CEDERBERG. I would consider a markup session one complete meeting until it is completed.

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

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

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

(By unanimous consent, at the request of Mr. ICHORD, Mr. CEDERBERG was allowed to proceed for 3 additional minutes.)

Mr. ICHORD. Mr. Chairman, I have discussed the amendment with the gentleman from Massachusetts, and I certainly have no objection to the amendment of the gentleman from Massachusetts, but I think it does not go far enough.

I think we have to distinguish meetings from hearings. We may have a certain Defense hearing that has to be closed because of national security. Those meetings may continue for 4 or 5 days, so I think we have got to have a vote as to whether that particular hearing will be closed or not, because otherwise if we put it on a designated day and the hearings continue for more than 2 days as anticipated, we have to have another vote to close the hearings.

Mr. CEDERBERG. I think there is some merit in what the gentleman mentions here. This does not happen to be a problem in my committee, but I could see that in others it would. We do not carry on sessions usually that long, but I can understand that the Committee on Ways and Means markup does go along a long time, or a particular witness or a particular subject for some time.

I am amenable to anything to clear it up. As we said, we only want to do one thing, to make it understood in advance to the witness, to the public, to the press, for their convenience and for no other reason.

Mr. Chairman, I yield back the balance of my time.

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

The CHAIRMAN. The gentleman from Florida is recognized for 5 minutes.

Mr. FASCELL. Mr. Chairman, some questions have been raised with respect to this language, but what the amendment does by striking the three words in each one of those paragraphs is simply to undo the pending proposal, at least to an important thrust. One of the things we have been trying to get away from is the continuous closed session concept simply by single vote of the committee.

The pending amendment certainly is not compatible with the thrust or intent of the rules changes which have been brought to this House. There may be other appropriate language which will do what has been objected to and clarify a point. But, by striking these three words we have many different opinions of what constitutes a single session. One view says that it means the whole subject matter. Another person says it means the time, even over a number of days, we are hearing a witness. Another says it means when we are considering a specific bill or an amendment, no matter how many days it takes.

That is why we have provided in this rules change and supported the concept that we would have to vote for each meeting of each day. To say that this is inconvenient to the press and to the witnesses may have some merits; but we have all been in meetings which started out as open meetings in which the press was present, the witnesses were there, who came from long distances, and then we closed the meeting and went into executive session.

Now, that is not unusual around here. It happens all the time.

It may be inconvenient. We would hope we would not have to do that. Frankly, I would rather have the inconvenience for the press and the inconvenience for the witnesses, as against amending the rules so that we go back to an old concept which simply says, in effect, it is really all right, under whatever reasons, to start at the beginning of a congressional session and have the committees adopt rules that all meetings can be closed unless the committee decides otherwise.

Mr. HUNGATE. Mr. Chairman, will the gentleman yield for a question?

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

Mr. HUNGATE. Would this mean if the committee were considering five separate bills on 1 day they would need five separate votes?

Mr. FASCELL. It refers to a meeting on that day. It does not say anything about subject matter.

Mr. HUNGATE. They could handle as many bills as they wanted?

Mr. FASCELL. The way the proposed rule reads, it is the transaction of business on that day. That is the way I would interpret it.

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

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

Mr. ICHORD. If the amendment is not adopted they would have to have a separate vote for a closed meeting on each particular day.

Mr. FASCELL. That was the intent of

the rule, and that is what most committees have already adopted as a rule.

If we strike out that language, to get at what the gentleman calls an inconvenience, what we do is turn the whole concept around.

The inconvenience allegedly affects committee operation, but committees are operating that way now and have the alleged inconvenience but I do not know nor have I heard that it has unduly hampered either the members or the committee.

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

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

Mr. ICHORD. The vote would have to be an open vote for a closed meeting for a particular hearing?

Mr. FASCELL. That is not what the amendment does. It would strike out the three words, "on that day."

Mr. ICHORD. On that particular day. The hearing might last 4 or 5 days, or even 3 weeks. I do not see the necessity of having a vote each and every day for a continuation of the same hearing or same meeting.

Mr. FASCELL. That is the whole idea.

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

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

Mr. HUNGATE. If the Ichord amendment is not adopted, and the committee wished to take up 10 bills in 1 day, which is not uncommon in the Claims Committee, would the committee have to vote on each session, or would they have to vote only once?

Mr. FASCELL. Each meeting, for the transaction of business is the way the rule change reads in the pending resolution, but I believe the amendment would take us a long way back on the road we have been trying to leave. It should be defeated.

AMENDMENT OFFERED IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. BINGHAM FOR THE AMENDMENT OFFERED BY MR. ICHORD

Mr. BINGHAM. Mr. Chairman, I offer an amendment as a substitute for the amendment offered by the gentleman from Missouri (Mr. ICHORD).

The Clerk read as follows:

Amendment in the nature of a substitute offered by Mr. BINGHAM for the amendment offered by Mr. ICHORD: Delete lines 8 and 9 of page 1 of the resolution and susbtitute the following: "vote that all or part of a particular meeting shall be closed to the public: *Provided, however,* such vote respecting such meeting may be taken only at the meeting to be so closed or at the next preceding meeting of the committee or subcommittee, and *Provided further,*"

Mr. BINGHAM. Mr. Chairman, I believe the gentleman from Michigan and the gentleman from Massachusetts earlier made a very good point about the desirability of being able to announce that the next succeeding meeting of a committee is going to be closed, rather than to have to wait for a quorum at the opening of that meeting to say that it is closed.

What my substitute would do to the Ichord amendment—and I certainly appreciate the purpose of the Ichord amendment—would be to provide that the vote be taken either at the meeting which is to be closed or at the next preceding meeting.

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

Mr. BINGHAM. I am glad to yield to the gentleman from Texas.

Mr. MAHON. If the committee should meet on Monday, and it is to have a meeting on Tuesday, if they are hearing the Secretary of State or the head of the CIA, or someone like that, and want to close the meeting, the members would have to vote to close it on Monday for the meeting on Tuesday, the next day, and that would not provide adequate notice, and people would be expecting the meeting to be open, perhaps.

Mr. BINGHAM. As the gentleman from Florida (Mr. FASCELL) pointed out earlier the chairman of the committee could announce that such and such a meeting would be closed. He could make that announcement a week before or two weeks before.

There is no problem about announcing that a certain meeting is to be closed, but the question was raised that it might be difficult to get a quorum at the meeting itself to close it.

So my substitute would simply provide that the vote would take place at the meeting itself or at the preceding meeting. The problem of notice would not be any problem; the chairman could announce the schedule and announce what meetings are going to be closed and what meetings are going to be open.

Mr. MAHON. Mr. Chairman, will the gentleman yield further?

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

Mr. MAHON. Mr. Chairman, it is not necessarily correct to assume that when the announcement is made, the meeting will actually be closed, because the vote will not be taken until the preceding day, so this would leave the situation in a very inconclusive state; maybe people would change their minds and we could get into all manner of complications.

Mr. BINGHAM. Mr. Chairman, the point is that the thrust of Mr. FASCELL's resolution is that there should not be single closing a whole series of meetings. This is what has happened in the past; this is what is intended to be avoided.

Unfortunately, Mr. Chairman, the Ichord amendment is not clear as to what its effect would be, whether you could close a dozen meetings at a time or a whole series of meetings, for instance, of the Committee on Ways and Means on a complicated bill.

Mr. Chairman, my substitute would make it clear that the vote to close a meeting should occur on that day or at the preceding meeting.

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

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

Mr. CEDERBERG. Mr. Chairman, I rise to point out a possible problem. I think we all want the same objective.

In our subcommittee, for instance, we are going to hear the Secretary of State Monday morning, and we decided and we think it is in the best interest of the subcommittee, in order to get information, and so forth, to have it closed.

Now, Mr. Chairman, following the Secretary's testimony we will probably go into testimony from other members of the State Department, including, for instance, Assistant Secretaries. We may have the Assistant Secretary for the Far East; we will have the Assistant Secretary for so and so. They will be coming in, some of them probably on Monday, following the Secretary of State, or later. There are some instances on that same day where it does not particularly make any difference whether the session with the particular Assistant Secretary would be open or closed; on others it might.

Is the gentleman saying that we have then on Monday to make a determination for Tuesday and we could not make that determination, as we did this week, that we want them closed for those particular people? How do we get some of those problems resolved?

Mr. BINGHAM. Mr. Chairman, as was stated in the earlier part of the gentleman's statement, the gentleman said they might want to have some other witnesses at the meeting on Monday and they might want to open it up at that time, and surely there would be nothing to prevent that, and there would be nothing to prevent them from going back into closed session if the committee so desired at that meeting. There would be nothing to prevent the announcement of a schedule that they intended to hold closed sessions.

Mr. CEDERBERG. Mr. Chairman, I will inform the gentleman that I certainly think it is an improvement over what we had before.

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

Mr. BINGHAM. I will be glad to yield to the gentleman from Missouri.

Mr. ICHORD. Mr. Chairman, there would be no problem in striking out the words, "on that day," as my amendment does. The Committee could open the meeting up at any time it desires.

Mr. BINGHAM. Mr. Chairman, with all due respect to the gentleman, I do have a problem, because as the preceding colloquy indicated, under his amendment, the vote could close one meeting, or a number of meetings.

The CHAIRMAN. The time of the gentleman has expired.

Mr. ECKHARDT. Mr. Chairman, I rise in support of the Bingham substitute.

The CHAIRMAN. The gentleman from Texas is recognized for 5 minutes.

Mr. ECKHARDT. Mr. Chairman, the Bingham substitute is not perfect, and in some ways it might open a loophole and in some ways it might not solve all the problems the distinguished chairman of the Committee on Appropriations envisions, but we are dealing with a very narrow point. We are dealing here primarily with the question of that kind of meeting which can be closed.

That kind of meeting which can be closed is a hearing which involves security matters. It seems to me he has reasonably guarded the purposes of the original resolution by his amendment. I would therefore support the amendment as I understand it.

I think the colloquy between Mr. CEDERBERG and myself indicates exactly what we are trying to do. I think the

amendment more closely addresses that question and more precisely addresses it than any other approach I have heard here today, that is, we are trying reasonably to permit the committee in the previous week to announce that there will be a closed meeting to hear material which is within the security excepton and to vote on it in the previous week so that it may be assured the meeting on the next Monday or Tuesday, or whenever it is, will be a closed meeting. That, as I understand it, is the purpose of the Cederberg proposal.

Mr. CEDERBERG. If the gentleman will yield, that is exactly the purpose.

Mr. ECKHARDT. And I am for it. I think this is a reasonable flexibility with respect to the rule, and I urge an "aye" vote on the substitute amendment.

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

Mr. Chairman, I should like to ask one of the experts on this resolution a question concerning the use of the two words "national security" with regard to hearings. Are those two words not new to clause 27(f)(2) of the rules of the House? I cannot find them in the current edition of the rule book as they are contained in this resolution.

Mr. FASCELL. Will the gentleman yield?

Mr. GROSS. I yield to the gentleman.

Mr. FASCELL. The proposed language in the pending resolution dealing with clause 27(f)(2), the words "national security" are not contained in the present rules. The gentleman is correct on that clause.

Mr. GROSS. What is meant by "national security"? It seems to me that can be construed in a good many ways. What is meant by "national security"?

Mr. FASCELL. It can be construed in a good many ways, like every other word in the rules can. If the gentleman from Iowa is a member of the committee on which that issue arises and on which you have to make a judgment, then I have to rely on his judgment.

Mr. GROSS. Suppose the Post Office and Civil Service Committee is entertaining a bill for an increase in congressional pay to $60,000 a year. Now, if you follow that through in all its ramifications, with the incentive to the unions and to other Federal employees to go for a pay raise commensurate with $60,000 a year for Members of Congress, is it not conceivable that this could endanger the national security? In other words, lead to financial collapse of this Government?

Mr. FASCELL. If the gentleman will yield further, I am sure if he wants to construe it that way, it is conceivable. I would hate to vote that way, and I would hate to think that there is anyone in the Congress who would construe it that way or vote that way.

Mr. GROSS. You would not think that would be a reasonable use of that new provision in the rules?

Mr. FASCELL. I do not think it is. I do not think our constituents would, and I do not think the gentleman from Iowa can get enough votes even to try, let alone to do it.

Mr. GROSS. The increase to $60,000 or the use of the rule?

Mr. FASCELL. Either one, I might say to the gentleman from Iowa, although I happen to be for the $60,000.

Mr. GROSS. You happen to be for it?

Mr. FASCELL. Yes, sir.

Mr. GROSS. But you would not think such an increase and its total effect would in any way endanger the security of this Nation?

Mr. FASCELL. I leave that to your judgment.

Mr. GROSS. Financially or otherwise?

Mr. FASCELL. You mean my getting the pay raise or you?

Mr. GROSS. Yes.

Mr. FASCELL. If I got the pay raise, I do not think it would endanger the national security; I am not sure what would happen if you got the money.

Mr. GROSS. I will say to the gentleman that as far as I am concerned, this resolution is totally unacceptable, for it makes fish of some committees and fowl of others, and I am sure the gentleman knows that.

Mr. FASCELL. I certainly hope, if the gentleman will yield, that it would be properly applied. I hope it would not make fish or fowl.

The CHAIRMAN. The question is on the amendment in the nature of a substitute offered by the gentleman from New York (Mr. BINGHAM) for the amendment offered by the gentleman from Missouri (Mr. ICHORD).

The question was taken; and on a division (demanded by Mr. BINGHAM) there were—ayes 38, noes 55.

Mr. ECKHARDT. Mr. Chairman, I demand tellers.

Tellers were refused.

So the amendment in the nature of a substitute was rejected.

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

Mr. Chairman, I would like to have the close attention of the Members to this inquiry. I am not quite sure what the amendment offered by the distinguished gentleman from Missouri (Mr. ICHORD) does. If the amendment offered by the gentleman from Missouri does nothing more than what has been suggested as a needed cure, and as we have described in the discussion on the floor here, I would not find the amendment undesirable if it was so clearly drawn as to make it absolutely certain that it is not intended that this amendment would permit a chairman to open up other than the specific subject matter noted for action in that committee.

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

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

Mr. ICHORD. Mr. Chairman, may I say to the gentleman that I am working with the language of the gentleman from Texas, and the gentleman from Florida. All I am doing is striking the language "on that day".

It is the intention of the gentleman from Missouri to permit these meetings to be closed only with an open vote, and for a particular hearing which will extend over more than a period of 1 day. That is the intention of the gentleman from Missouri in offering the amendment.

Mr. ECKHARDT. Therefore, as I understand, the amendment would be offered as a means by which notification could be given respecting a particular subject matter, and a particular meeting in advance, and a vote might be taken in advance applicable to that specific subject matter and that specific meeting?

Mr. ICHORD. The gentleman from Texas is correct. I offer this merely for the convenience of the public and the press because if we do not adopt this amendment they are not going to know whether the meetings will be closed or open. That is the intent of the gentleman from Missouri.

Mr. ECKHARDT. I understand what we are really meeting is solely the Cederberg suggestion?

Mr. ICHORD. That is quite true, I agree with the gentleman from Texas.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Missouri (Mr. ICHORD).

The amendment was agreed to.

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

Mr. Chairman, I am strongly in support of House Resolution 259. This legislation will go a long way to provide for an improved climate for legislative action.

In keeping with the spirit of this legislation, I hope we can take appropriate action in this Congress to place on the record the tremendous internal action which takes place in the conference committees.

The real inside manipulation in the Congress occurs secretly in the star chamber operation of a conference committee. Here the thrust of legislation can be diverted and new sections of special advantage to private interests may be inserted. The conference committee is the citadel of bargaining and dealing. In the conference committee session, decisions are usually made by Members with more than 10 years of service. The point of view of newer Members is seldom considered.

I, therefore, urge that the conference committee be made open to at least the members of the committees which constitute the conference, so that this larger group can at least observe the conference deliberations.

Furthermore, I urge that we legislate procedures which will place all decisions of the conference committee on the record, with recorded rollcall votes on every issue in controversy and on every provision added or deleted, to determine the extent to which the conference committee actions conform to the mandate of the legislative bodies out of which the conference was born.

I sometimes believe that the differences between the two Chambers are deliberately created in order to create a special opportunity for the conference insiders to work out some special kind of mischief.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, the Chairman of the Committee of the Whole House on the State of the Union (Mr. WAGGONNER), reported that that

Committee having had under consideration the resolution (H. Res. 259) to amend the Rules of the House of Representatives to strengthen the requirement that committee proceedings be held in open session, pursuant to House Resolution 272, he reported the resolution back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the Is a separate vote demanded on any previous question is ordered. amendment?

Mr. FASCELL. Mr. Speaker, I demand a separate vote on the so-called Stratton amendment.

The SPEAKER. Is a separate vote demanded on any other amendments? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER. The Clerk will report the amendment on which a separate vote has been demanded.

The Clerk read as follows:

Amendments page 1, line 11, after "staff" insert "and such departmental representatives".

The SPEAKER. The question is on the amendment.

Mr. WAGGONNER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 201, nays 198, not voting 32, as follows:

[Roll No. 37]

YEAS—201

Abdnor	Downing	Latta
Andrews, N.C.	Duncan	Lent
Andrews, N. Dak.	du Pont	Lott
Archer	Edwards, Ala.	McClory
Arends	Erlenborn	McCollister
Armstrong	Esch	McEwen
Baker	Eshleman	McFall
Beard	Findley	Madigan
Bell	Fish	Mahon
Bevill	Fisher	Mallary
Blackburn	Flynt	Mann
Boland	Ford, Gerald R.	Maraziti
Bowen	Forsythe	Martin, Nebr.
Bray	Frelinghuysen	Martin, N.C.
Breaux	Frey	Mathis, Ga.
Brinkley	Froehlich	Michel
Brotzman	Fulton	Milford
Brown, Mich.	Fuqua	Miller
Brown, Ohio	Gettys	Mills, Md.
Broyhill, N.C.	Gilman	Minshall, Ohio
Buchanan	Ginn	Mitchell, N.Y.
Burgener	Goldwater	Mizell
Burke, Mass.	Goodling	Mollohan
Burleson, Tex.	Griffiths	Montgomery
Butler	Grover	Mosher
Byron	Gubser	Myers
Camp	Guyer	Nelsen
Carey, N.Y.	Hammer-schmidt	Nichols
Carter	Hanley	O'Brien
Casey, Tex.	Hanrahan	Parris
Cederberg	Hansen, Idaho	Patten
Chamberlain	Harsha	Pettis
Chappell	Hastings	Peyser
Clancy	Hébert	Poage
Clausen, Don H.	Heinz	Powell, Ohio
Clawson, Del	Henderson	Quie
Collins	Hicks	Quillen
Conable	Hillis	Railsback
Conlan	Hogan	Randall
Cotter	Holt	Regula
Coughlin	Horton	Reid
Cronin	Huber	Rhodes
Daniel, Robert W., Jr.	Hudnut	Rinaldo
Daniel, Dan	Hunt	Roberts
Davis, S.C.	Hutchinson	Robinson, Va.
Davis, Wis.	Ichord	Robison, N.Y.
Dellenback	Jarman	Rogers
Devine	Jones, N.C.	Roncallo, N.Y.
Dickinson	Jones, Tenn.	Rose
Dingell	Keating	Runnels
Dorn	Kemp	Ruth
	Kuykendall	Sandman
	Landrum	Sarasin
		Satterfield
	Saylor	Steiger, Wis.
	Schneebeli	Stephens
	Sebelius	Stratton
	Shoup	Stubblefield
	Shriver	Stuckey
	Shuster	Sullivan
	Sikes	Talcott
	Skubitz	Taylor, Mo.
	Slack	Taylor, N.C.
	Smith, N.Y.	Teague, Calif.
	Spence	Teague, Tex.
	Staggers	Thornton
	Stanton, J. William	Treen
	Steele	Ullman
		Veysey
		Waggonner
		Walsh
		Ware
		White
		Whitehurst
		Widnall
		Wiggins
		Wilson, Bob
		Winn
		Wydler
		Wylie
		Young, S.C.
		Young, Tex.
		Zwach

NAYS—198

Abzug	Gude	Patman
Adams	Gunter	Pepper
Addabbo	Haley	Perkins
Alexander	Hamilton	Pickle
Anderson, Calif.	Hanna	Pike
Anderson, Ill.	Hansen, Wash.	Podell
Annunzio	Harrington	Preyer
Ashbrook	Hawkins	Price, Ill.
Aspin	Hays	Pritchard
Bafalis	Hechler, W. Va.	Rangel
Barrett	Heckler, Mass.	Rarick
Bennett	Helstoski	Rees
Bergland	Holifield	Reuss
Biester	Holtzman	Riegle
Bingham	Howard	Rodino
Bolling	Hungate	Roe
Brademas	Johnson, Calif.	Roncalio, Wyo.
Brasco	Johnson, Colo.	Rooney, Pa.
Breckinridge	Johnson, Pa.	Rosenthal
Brooks	Jones, Ala.	Roush
Broomfield	Jones, Okla.	Rousselot
Burke, Calif.	Jordan	Roy
Burke, Fla.	Karth	Roybal
Burlison, Mo.	Kastenmeier	Ruppe
Burton	Kazen	Ryan
Carney, Ohio	Ketchum	St Germain
Clark	Kluczynski	Sarbanes
Cleveland	Kyros	Scherle
Cochran	Landgrebe	Schroeder
Cohen	Leggett	Seiberling
Conte	Lehman	Shipley
Crane	Litton	Sisk
Culver	Long, La.	Smith, Iowa
Daniels, Dominick V.	Long, Md.	Snyder
Danielson	Lujan	Stanton, James V.
de la Garza	McCloskey	Steed
Delaney	McCormack	Steelman
Dellums	McDade	Stokes
Denholm	McKay	Studds
Dennis	McKinney	Symington
Dent	McSpadden	Symms
Derwinski	Macdonald	Thompson, N.J.
Donohue	Madden	Thomson, Wis.
Drinan	Mailliard	Thone
Dulski	Mathias, Calif.	Tiernan
Eckhardt	Matsunaga	Towell, Nev.
Edwards, Calif.	Mayne	Udall
Eilberg	Mazzoli	Van Deerlin
Evins, Tenn.	Meeds	Vander Jagt
Fascell	Melcher	Vanik
Flood	Metcalfe	Vigorito
Flowers	Mezvinsky	Whalen
Foley	Minish	Whitten
Ford, William D.	Mink	Williams
Fountain	Mitchell, Md.	Wilson, Charles H., Calif.
Fraser	Moakley	Wilson, Charles, Tex.
Frenzel	Moorhead, Pa.	Wolff
Gaydos	Morgan	Wyman
Giaimo	Moss	Yates
Gibbons	Murphy, Ill.	Yatron
Gonzalez	Murphy, N.Y.	Young, Fla.
Grasso	Natcher	Young, Ill.
Gray	Nedzi	Zablocki
Green, Oreg.	Nix	
Green, Pa.	Obey	
Gross	O'Hara	
	O'Neill	
	Owens	
	Passman	

NOT VOTING—32

Ashley	Davis, Ga.	Price, Tex.
Badillo	Diggs	Rooney, N.Y.
Biaggi	Evans, Colo.	Rostenkowski
Blatnik	Harvey	Stark
Brown, Calif.	Hinshaw	Steiger, Ariz.
Broyhill, Va.	Hosmer	Waldie
Chisholm	King	Wampler
Clay	Koch	Wright
Collier	Mills, Ark.	Wyatt
Conyers	Moorhead, Calif.	Young, Ga.
Corman		Zion

So the amendment was agreed to.

The Clerk announced the following pairs:

Mr. Rooney of New York with Mr. Steiger of Arizona.

Mr. Rostenkowski with Mr. Collier.

Mr. Stark with Mr. Hinshaw.

Mrs. Chisholm with Mr. Corman.

Mr. Koch with Mr. Hosmer.

Mr. Badillo with Mr. Clay.

Mr. Blatnik with Mr. Harvey.

Mr. Mills of Arkansas with Mr. Broyhill of Virginia.

Mr. Davis of Georgia with Mr. Moorhead of California.

Mr. Wright with Mr. Zion.

Mr. Biaggi with Mr. King.

Mr. Ashley with Mr. Diggs.

Mr. Evans of Colorado with Mr. Wyatt.

Mr. Brown of California with Mr. Young of Georgia.

Mr. Waldie with Mr. Conyers.

Mr. Price of Texas with Mr. Wampler.

Messrs. MICHEL, HARSHA and BUTLER changed their votes from "nay" to "yea."

The result of the vote was announced as above recorded.

The SPEAKER. The question is on the resolution.

Mr. GERALD R. FORD. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 371, nays 27, not voting 34, as follows:

[Roll No. 38]

YEAS—371

Abdnor	Clawson, Del	Fulton
Abzug	Cleveland	Fuqua
Adams	Cochran	Gaydos
Addabbo	Cohen	Gettys
Alexander	Collins	Giaimo
Anderson, Calif.	Conable	Gibbons
Anderson, Ill.	Conlan	Gilman
Andrews, N.C.	Conte	Ginn
Andrews, N. Dak.	Cotter	Goldwater
Annunzio	Coughlin	Gonzalez
Archer	Cronin	Grasso
Arends	Daniel, Robert W., Jr.	Gray
Armstrong	Daniels, Dominick V.	Green, Oreg.
Aspin	Danielson	Green, Pa.
Bafalis	Davis, Ga.	Griffiths
Baker	Davis, Wis.	Grover
Barrett	de la Garza	Gude
Beard	Delaney	Gunter
Bell	Dellenback	Guyer
Bennett	Dellums	Haley
Bergland	Denholm	Hamilton
Bevill	Dennis	Hammer-schmidt
Biester	Dent	Hanley
Bingham	Derwinski	Hanna
Blackburn	Devine	Hanrahan
Boland	Dingell	Hansen, Idaho
Bolling	Donohue	Hansen, Wash.
Bowen	Dorn	Harrington
Brademas	Downing	Harsha
Brasco	Drinan	Hastings
Bray	Dulski	Hawkins
Breaux	Duncan	Hays
Breckinridge	du Pont	Hechler, W. Va.
Brinkley	Eckhardt	Heckler, Mass.
Brooks	Edwards, Ala.	Heinz
Broomfield	Edwards, Calif.	Helstoski
Brotzman	Eilberg	Henderson
Brown, Mich.	Erlenborn	Hillis
Brown, Ohio	Esch	Hogan
Broyhill, N.C.	Eshleman	Holifield
Buchanan	Evins, Tenn.	Holt
Burgener	Fascell	Holtzman
Burke, Calif.	Findley	Horton
Burke, Fla.	Fish	Howard
Burke, Mass.	Fisher	Hudnut
Burlison, Mo.	Flood	Hungate
Burton	Flowers	Hunt
Butler	Flynt	Hutchinson
Byron	Foley	Ichord
Carey, N.Y.	Ford, Gerald R.	Jarman
Carney, Ohio	Ford, William D.	Johnson, Calif.
Carter	Forsythe	Johnson, Colo.
Cederberg	Fountain	Johnson, Pa.
Chamberlain	Fraser	Jones, N.C.
Chappell	Frelinghuysen	Jones, Okla.
Clancy	Frenzel	Jones, Tenn.
Clark	Frey	Jordan
Clausen, Don H.	Froehlich	Karth
		Kastenmeier
		Kazen

Keating	Obey	Smith, N.Y.
Kemp	O'Brien	Snyder
Ketchum	O'Hara	Spence
Kluczynski	O'Neill	Stanton,
Kuykendall	Owens	J. William
Kyros	Parris	Stanton,
Landrum	Patten	James V.
Latta	Pepper	Steele
Leggett	Perkins	Steelman
Lehman	Pettis	Steiger, Wis.
Lent	Peyser	Stephens
Litton	Pickle	Stokes
Long, La.	Pike	Stubblefield
Long, Md.	Poage	Stuckey
Lujan	Podell	Studds
McClory	Powell, Ohio	Sullivan
McCloskey	Preyer	Symington
McCollister	Price, Ill.	Symms
McCormack	Pritchard	Talcott
McDade	Quie	Taylor, Mo.
McEwen	Quillen	Taylor, N.C.
McFall	Railsback	Teague, Calif.
McKay	Randall	Teague, Tex.
McKinney	Rangel	Thompson, N.J.
McSpadden	Rees	Thomson, Wis.
Macdonald	Regula	Thone
Madden	Reid	Thornton
Madigan	Reuss	Tiernan
Mahon	Rhodes	Towell, Nev.
Mailliard	Riegle	Treen
Mallary	Rinaldo	Udall
Mann	Roberts	Ullman
Maraziti	Robinson, Va.	Van Deerlin
Martin, Nebr.	Robison, N.Y.	Vander Jagt
Martin, N.C.	Rodino	Vanik
Mathias, Calif.	Roe	Veysey
Mathis, Ga.	Rogers	Vigorito
Matsunaga	Roncalio, Wyo.	Walsh
Mayne	Roncallo, N.Y.	Wampler
Mazzoli	Rooney, Pa.	Ware
Meeds	Rosenthal	Whalen
Melcher	Roush	Whitehurst
Metcalfe	Rousselot	Widnall
Mezvinsky	Roy	Wiggins
Michel	Roybal	Williams
Milford	Runnels	Wilson, Bob
Miller	Ruppe	Wilson,
Mills, Md.	Ruth	Charles H.,
Minish	Ryan	Calif.
Mink	St Germain	Wilson,
Minshall, Ohio	Sandman	Charles, Tex.
Mitchell, Md.	Sarasin	Winn
Mitchell, N.Y.	Sarbanes	Wolff
Mizell	Saylor	Wyatt
Moakley	Scherle	Wydler
Mollohan	Schneebeli	Wylie
Moorhead, Pa.	Schroeder	Wyman
Morgan	Sebelius	Yates
Mosher	Seiberling	Yatron
Moss	Shipley	Young, Fla.
Murphy, Ill.	Shoup	Young, Ill.
Murphy, N.Y.	Shriver	Young, S.C.
Myers	Shuster	Young, Tex.
Natcher	Sisk	Zablocki
Nedzi	Skubitz	Zion
Nelsen	Slack	Zwach
Nix	Smith, Iowa	

NAYS—27

Ashbrook	Gubser	Passman
Burleson, Tex.	Hébert	Rarick
Casey, Tex.	Hicks	Sikes
Crane	Huber	Staggers
Daniel, Dan	Jones, Ala.	Steed
Davis, S.C.	Landgrebe	Stratton
Dickinson	Lott	Waggonner
Goodling	Montgomery	White
Gross	Nichols	Whitten

NOT VOTING—34

Ashley	Culver	Price, Tex.
Badillo	Diggs	Rooney, N.Y.
Biaggi	Evans, Colo.	Rose
Blatnik	Harvey	Rostenkowski
Brown, Calif.	Hinshaw	Satterfield
Broyhill, Va.	Hosmer	Stark
Camp	King	Steiger, Ariz.
Chisholm	Koch	Waldie
Clay	Mills, Ark.	Wright
Collier	Moorhead,	Young, Ga.
Conyers	Calif.	
Corman	Patman	

So the resolution was agreed to.

The Clerk announced the following pairs:

Mr. Rooney of New York with Mr. King.
Mr. Rostenkowski with Mr. Collier.
Mr. Culver with Mr. Young of Georgia.
Mr. Blatnik with Mr. Camp.
Mr. Evans of Colorado with Mr. Broyhill of Virginia.
Mr. Rose with Mr. Harvey.
Mr. Mills of Arkansas with Mr. Hinshaw.
Mr. Patman with Mr. Steiger of Arizona.
Mr. Wright with Mr. Price of Texas.
Mr. Ashley with Mr. Moorhead of California.
Mr. Badillo with Mr. Hosmer.
Mr. Koch with Mr. Clay.
Mr. Biaggi with Mr. Conyers.
Mr. Waldie with Mr. Diggs.
Mr. Corman with Mr. Satterfield.
Mr. Stark with Mr. Brown of California.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. PEPPER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks in the RECORD on the resolution just agreed to.

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

There was no objection.

PERSONAL EXPLANATION

Mr. CULVER. Mr. Speaker, I would like to be recorded as voting "yea." I was in the well and I did not know that they had finished the vote.

The SPEAKER. The Chair will state that the rule is that the gentleman must be in the Chamber and listening for his name, and that he did not hear his name when it was called.

Mr. CULVER. Mr. Speaker, I was in the well, but I did not hear my name called. Had I heard my name called I would have voted "yea."

ORDER OF BUSINESS

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

Mr. McFALL. Mr. Speaker, I take this time to announce that we will take up the rule on the bill H.R. 17, the Vocational Rehabilitation Act amendments today, and that we will call up the bill on tomorrow.

Also that we will take up the rule, and the bill, on H.R. 71, the Older Americans Act, next week.

PROVIDING FOR CONSIDERATION OF H.R. 17, VOCATIONAL REHABILITATION ACT AMENDMENTS OF 1973

Mr. MADDEN. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 274 and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 274

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 17) 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, and all points of order against said bill for failure to comply with the provisions of clause 3, rule XIII are hereby waived. 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 Education and Labor, the bill shall be read for amendment under the five-minute rule. It shall be in order to consider the amendment in the nature of a substitute recommended by the Committee on Education and Labor now printed in the bill as an original bill for the purpose of amendment under the five-minute rule, said substitute shall be read by titles instead of by sections, and all points of order against sections 303 and 700 of said substitute for failure to comply with the provisions of clause 4, rule XXI are hereby waived. At the conclusion of such consideration, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. 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 with or without instructions. After the passage of H.R. 17, it shall be in order in the House to take from the Speaker's table the bill S. 7 and to move to strike out all after the enacting clause of the said Senate bill and insert in lieu thereof the provisions of H.R. 17 as passed by the House.

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

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

Mr. Speaker on yesterday the Rules Committee reported out a rule for two major bills that were considered in the last session of Congress by almost a unanimous vote in both Houses of the Congress and later vetoed by the President.

The bill which we are now considering is H.R. 17 to amend the Vocational Rehabilitation Act which is more or less of a modified form of the legislation which was enacted by the Congress last year.

The other bill which we passed a rule on yesterday pertains to the older American, an extension of pending programs for the aging.

H.R. 17 will extend rehabilitation programs previously authorized and make certain improvements in the services provided thereunder with special emphasis on severely handicapped individuals. This legislation will also provide special programs for the deaf, older blind, spinal cord defects and for persons suffering from serious kidney diseases.

This legislation also provides vocational rehabilitation to the physically and mentally handicapped and to prepare them for improvement and productive useful living. It also provides for medical, surgical, and hospital care with related therapy to remove or reduce the disability. It also provides for prosthetic and orthotic devices, counsel, training services, adjustment centers, reader serv-

ices for the blind and the deaf—recruitment and training programs to provide new careers for handicapped people, construction of rehabilitation facilities and other services necessary to render a handicapped person employable.

HISTORICAL BACKGROUND

The Vocational Rehabilitation program is one of the Nation's oldest grant-in-aid programs which had its origin, when President Woodrow Wilson signed into law the Smith-Fess Act.

In the 52 years since the start of the program its basic concepts have continued mainly unchanged, with substantial enlargement of scope and effectiveness in legislative authority in 1943, 1954, 1965, and 1968.

The program initially offered limited services for the physically handicapped.

In 1967, President Johnson and the Congress took steps to improve and expand rehabilitation programs for the Nation's disabled. The program of basic grants to the States for rehabilitation services was extended and expanded. Provisions were enacted to establish a National Center for Deaf-Blind Youth and Adults and to extend services to migrants, disabled individuals, and their families.

Two years ago legislation similar to the pending bill, H.R. 17, was reported unanimously from the Committee on Education and Labor and was approved by the House on March 20, 1972, by a vote of 327 to 0. A similar Senate bill was approved by the other body by a vote of 70 to 0 on September 26 of last year and the conference report between the House and Senate Conferees was approved unanimously on October 14, 1972.

On October 27 after Congress had adjourned the President pocket vetoed the Rehabilitation Act of 1972.

Since the inception of the Vocational Rehabilitation legislation by the Congress over 3 million handicapped people have been rehabilitated. Most of this number have been benefited in recent years since the program has been expanded and streamlined. The real high mark in benefits was reached in the fiscal year 1971 when for the first time over 1 million handicapped individuals were provided rehabilitation services in 1 year's time. Of this 1 million, 291,272 were rehabilitated. Of those who were rehabilitated in fiscal year 1972, 51,084 were receiving public assistance before they were rehabilitated. For those that were cases of rehabilitation in 1972, it is estimated that public assistance would cost the taxpayers approximately $34 million if it had not been for this rehabilitation program. Each public assistance recipient who has been rehabilitated represents an average saving per person of $650 annually in public assistance payments.

The present bill is a modification of the rehabilitation program passed last year and calls for a reduction of approximately $900 million from the bill which the President pocket vetoed last October.

During the hearings the committee heard overwhelming testimony to the effect that those persons with the most severe types of physical and mental conditions were not receiving adequate services. In addition, there are thousands of physically and mentally handicapped individuals—both severely and partially handicapped—who are eligible under this act and who could reasonably be expected to benefit from these services but are not being served.

The committee testimony revealed that the Department of Health, Education and Welfare expects to spend approximately $129 million in the treatment of alcoholics and $162 million for the rehabilitation of drug addicts. The limited expense for vocational rehabilitation programs and the amount of resources available to programs designed to serve alcoholics and drug abusers far exceeds those who are socially handicapped. Our first priority should be to serve those who are severely mentally and physically handicapped. With our present population of 206 million people, 71 percent of whom live in urban areas, the pressures for rehabilitation services are heavy and many needy individuals are being denied service or are required to wait for service because of the inadequate financial resources of the vocational rehabilitation agencies.

Mr. Speaker, House Resolution 274 provides for an open rule with 1 hour of general debate on H.R. 17. The rule makes the committee substitute in order as an original bill for the purpose of amendment, providing that the substitute be read for amendment by title instead of by section.

All points of order against H.R. 17 for failure to comply with the provisions of clause 3, rule XIII, of the Rules of the House of Representatives, the Ramseyer rule, are waived. All points of order are waived against sections 303 and 700 of H.R. 17 for failure to comply with the provisions of clause 4, rule XXI of the Rules of the House, which prohibits appropriations in authorization legislation.

The rule also provides that after the passage of H.R. 17 it shall be in order to take from the Speaker's table the bill S. 7 and to move to strike out all after the enacting clause of the said Senate bill and insert in lieu thereof the provisions of H.R. 17 as passed by the House.

Mr. Speaker, I urge adoption of House Resolution 274.

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

Mr. MADDEN. I yield to the gentleman from Indiana (Mr. BRADEMAS).

Mr. BRADEMAS. Mr. Speaker, I thank the gentleman from Indiana (Mr. MADDEN) for yielding.

Mr. Speaker, I rise in support of the rule. I would also join the gentleman in paying tribute to the distinguished chairman of the Committee on Education and Labor, the gentleman from Kentucky (Mr. PERKINS), who has long been a champion of this legislation, as well as the distinguished ranking minority member of the committee, the gentleman from Minnesota (Mr. QUIE), who has as well contributed so much to making it possible to bring this bill before the House.

Mr. Speaker, the Rehabilitation Act of 1972 approved last year by the House would have replaced the existing Vocational Rehabilitation Act.

This also is the case this year with regard to H.R. 17, the Rehabilitation Act of 1973.

Last year, however, the bill did not specifically repeal the existing act, and accordingly the committee report on the bill did not ramseyer the Vocational Rehabilitation Act.

H.R. 17, however, does specifically repeal the Vocational Rehabilitation Act 90 days after enactment of this bill.

In order for the Members to have a copy of the existing Rehabilitation Act which H.R. 17 proposes to repeal, I will insert at the conclusion of my remarks a copy of the act showing the amendments that would be made by H.R. 17.

Since the entire act is to be repealed each section is enclosed in black brackets.

VOCATIONAL REHABILITATION ACT

[An Act to provide for the promotion of vocational rehabilitation of persons disabled in industry or otherwise and their return to civil employment

[*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

[AUTHORIZATION OF APPROPRIATIONS FOR GRANTS; PURPOSES FOR WHICH AVAILABLE

[SECTION 1. (a) The Secretary is authorized to make grants as provided in this Act for the purpose of assisting States in rehabilitating handicapped individuals so that they may prepare for and engage in gainful employment to the extent of their capabilities, thereby increasing not only their social and economic well-being but also the productive capacity of the Nation.

[(b)(1) For the purpose of making grants to States under section 2, to assist them in meeting the costs of vocational rehabilitation services, there is authorized to be appropriated for the fiscal year ending June 30, 1966, the sum of $300,000,000, for the fiscal year ending June 30, 1967, the sum of $350,000,000, for the fiscal year ending June 30, 1968, the sum of $400,000,000, for the fiscal year ending June 30, 1969, the sum of $500,000,000, for the fiscal year ending June 30, 1970, the sum of $600,000,000, for the fiscal year ending June 30, 1971, the sum of $700,000,000, and for the fiscal year ending June 30, 1972, the sum of $700,000,000.

[(2) For the purpose of making grants under section 3, relating to grants to States to assist them in meeting the costs of projects for innovation of vocational rehabilitation services, there is authorized to be appropriated for the fiscal year ending June 30, 1966, the sum of $5,000,000, for the fiscal year ending June 30, 1967, the sum of $7,000,000, for the fiscal year ending June 30, 1968, the sum of $9,000,000, for the fiscal year ending June 30, 1969, the sum of $3,200,000, for the fiscal year ending June 30, 1970, the sum of $6,000,000, for the fiscal year ending June 30, 1971, the sum of $10,000,000, and for the fiscal year ending June 30, 1972, the sum of $10,000,000.

[(3) For the purpose of (A) making grants under section 4(a)(1) for research, demonstrations, training, and traineeships; (B) making grants under clause (2)(A) of section 4(a) for planning, preparing for, and initiating special programs to expand State vocational rehabilitation services; (C) making contracts and jointly financed cooperative arrangements under clause (2)(B) of section 4(a) for projects for providing jobs to handicapped individuals; and (D) making grants under clauses (2)(C) and (D) of section 4(a) to develop new programs to recruit and train individuals for new career opportunities, there is authorized to be appropriated for fiscal year ending June 30, 1966, the sum of $80,000,000, for the fiscal year ending June 30, 1967, the sum of $104,000,000, for the fiscal

year ending June 30, 1968, the sum of $117,000,000, for the fiscal year ending June 30, 1969, the sum of $80,000,000, for the fiscal year ending June 30, 1970, the sum of $115,000,000, for the fiscal year ending June 30, 1971, the sum of $140,000,000, and for the fiscal year ending June 30, 1972, the sum of $140,000,000.

[(4) For the fiscal year ending June 30, 1973, and each of the succeeding fiscal years, only such sums may be appropriated for the purposes described in paragraphs (1), (2), and (3) as the Congress may hereafter authorize by law.

[GRANTS TO STATES FOR VOCATIONAL REHABILITATION SERVICES

[SEC. 2. (a) For each fiscal year each State shall be entitled to an allotment of an amount bearing the same ratio to the amount authorized to be appropriated by paragraph (1) of section 1(b) for meeting the cost of vocational rehabilitation services, as the product of (1) the population of the State and (2) the square of its allotment percentage (as defined in section 11(h)) bears to the sum of corresponding products for all the States. The allotment to any State under the preceding sentence which is less than the amount such State was entitled to receive under subsection (b) of the section for the fiscal year ending June 30, 1965, shall be increased to that amount, the total of the increases thereby required being derived by proportionately reducing the allotments of each of the remaining States under the preceding sentence, but with such adjustments as may be necessary to prevent the allotment of any of such remaining States from being thereby reduced to less than that amount. The allotment to any State (other than the Virgin Islands, Puerto Rico, and Guam) for any fiscal year under the preceding two sentences which is less than $1,000,000 shall be increased to that amount, the total of the increases thereby required being derived by proportionately reducing the allotments of each of the remaining such States under the preceding two sentences, but with such adjustments as may be necessary to prevent the allotment of any of such remaining States from being thereby reduced to less than that amount.

[(b) For each fiscal year the Secretary shall pay to each State an amount equal to the Federal share (determined as provided in section 11(1) of the cost of vocational rehabilitation services under the plan for such State approved under section 5, including expenditures for the administration of the State plan, except that the total of such payments to such State for such fiscal year may not exceed its allotment under subsection (a) for such year and such payments shall not be made in an amount which would result in a violation of the provision of the State plan required by section 5(a)(14), and except that the amount otherwise payable to such State for such year under this section shall be reduced by the amount (if any) by which expenditures from non-Federal sources (except for expenditures with respect to which the State is entitled to payments under section 3) during such year under such State plan are less than such expenditures under such plan for the fiscal year ending June 30, 1969.

[(c) For the purpose of determining the amount of payments to States for carrying out this section and section 3 with respect to expenditures under a State plan approved under section 5, State funds shall, subject to such limitations and conditions as may be prescribed in regulations of the Secretary, include contributions of funds made by any private agency, organization, or individual to a State to assist in meeting the cost of construction or establishment of a public or other nonprofit rehabilitation facility, which would be regarded as State funds except for the condition, imposed by the contributor, limiting use of such funds to construction or establishment of such facility.

[GRANTS TO STATES FOR INNOVATION OF VOCATIONAL REHABILITATION SERVICES

[SEC. 3. (a)(1) From the sums available for any fiscal year for grants to States to assist them in meeting the costs described in paragraph (2) of this subsection, each State shall be entitled to an allotment of an amount bearing the same ratio to such sums as the population of the State bears to the population of all the States. The allotment to any State under the preceding sentence for any fiscal year which is less than $5,000 (or such other amount as may be specified as a minimum allotment in the Act appropriating such sums for such year) shall be increased to that amount, the total of the increases thereby required being derived by proportionately reducing the allotments to each of the remaining States under the preceding sentence, but with such adjustments as may be necessary to prevent the allotment of any of such remaining States from being thereby reduced to less than that amount.

[(2) From each State's allotment under this section for any fiscal year, the Secretary shall pay to such State a portion of the cost of approved projects for vocational rehabilitation services (including their administration) under the State plan which (A) provide for the development of methods or techniques, which are new in the State, for providing vocational rehabilitation services for handicapped individuals, or (B) are specially designed for development of, or provision for, new or expanded vocational rehabilitation services for groups of handicapped individuals having disabilities which are catastrophic or particularly severe. The Secretary shall approve any project for purposes of this section only if the plan of such State approved under section 5 includes such project or is modified to include it.

[(b) Payments under this section with respect to any project may be made for a period of not to exceed five years beginning with the commencement of the first fiscal year for which any payment is made with respect to such project from an allotment under this section. To the extent permitted by the State's allotment under this section, such payments with respect to any project shall be equal to 90 per centum of the cost of such project for the first three years and 75 per centum of the cost of such project for the next two years, except that, at the request of the State, such payments may be less than such percentage of the cost of such project.

[(c) No payment may be made from an allotment under this section with respect to any cost with respect to which any payment is made under section 2.

[(d) Whenever the Secretary determines that any amount of an allotment to a State for any fiscal year will not be utilized by such State in carrying out the purposes of this section, he shall make such amount available for carrying out the purposes of this section to one or more other States which he determines will be able to use additional amounts during such year for carrying out such purposes. Any amount made available to a State for any fiscal year pursuant to the preceding sentence shall, for purposes of this Act, be regarded as an increase of such State's allotment (as determined under the preceding provisions of this section) for such year.

[GRANTS FOR SPECIAL PROJECTS

[SEC. 4. (a) From the sums available therefor for any fiscal year, the Secretary shall (1) make grants to States and public and other nonprofit organizations and agencies for paying part of the cost of projects for research, demonstrations, training, and traineeships, and projects for the establishment of special facilities and services, which, in the judgment of the Secretary, hold promise of making a substantial contribution to the solution of vocational rehabilitation problems common to all or several States, and problems related to the rehabilitation of the mentally retarded and (2)(A) make grants to States and public and other nonprofit organizations and agencies for paying part of the cost of planning, preparing for, and initiating special programs to expand vocational rehabilitation services in those States where, in the judgment of the Secretary, such action holds promise of yielding a substantial increase in the number of persons vocationally rehabilitated, and sums appropriated for grants under this clause shall remain available for such grants through the close of June 30, 1973, (B) make contracts or jointly financed cooperative arrangements with employers and organizations for the establishment of projects designed to prepare handicapped individuals for gainful employment in the competitive labor market under which handicapped individuals are provided training and employment in a realistic work setting and such other services (determined in accordance with regulations of the Secretary) as may be necessary for such individuals to continue to engage in such employment, (C) make grants to State vocational rehabilitation agencies and other public and private nonprofit agencies to enable them to develop new programs to recruit and train individuals for new career opportunities in order to provide appropriate manpower in programs serving handicapped individuals and to upgrade or expand those services, and (D) make grants to vocational rehabilitation agencies and other public and private nonprofit agencies to enable them to develop new programs to recruit and train handicapped individuals to provide them with new career opportunities in the fields of rehabilitation, health, welfare, public safety and law enforcement, and other appropriate public service employment. Grants for training and traineeships under clause (1) of this subsection may include training and traineeships in physical medicine and rehabilitation, physical therapy, occupational therapy, speech pathology and audiology, rehabilitation nursing, rehabilitation social work, prosthetics, and orthetics, rehabilitation psychology, rehabilitation counseling, recreation for the ill and handicapped, and other specialized fields contributing to vocational rehabilitation of the handicapped or to the rehabilitation of the mentally retarded. No grant shall be made under clause (1) or clause (2) of this subsection for furnishing to an individual any one course of study extending for a period in excess of four years. Any grant of funds under this subsection which will be used for direct services to handicapped individuals must have the prior approval of the appropriate State agency.

[(b) Payments under this section may be made in advance or by way of reimbursement for services performed and purchases made, as may be determined by the Secretary; and shall be made on such conditions as the Secretary finds necessary to carry out the purposes of this section.

[(c)(1) There is hereby established in the Department of Health, Education, and Welfare a National Advisory Council on Vocational Rehabilitation consisting of the Secretary, or his designee, who shall be Chairman and twelve members appointed without regard to civil-service laws by the Secretary. The twelve appointed members shall be leaders in fields concerned with vocational rehabilitation or in public affairs, and six of such twelve shall be selected from leading medical, educational, or scientific authorities who are outstanding for their work in the vocational rehabilitation of handicapped individuals. Three of the twelve appointed members shall be persons who are themselves handicapped. Each appointed member of the Council shall hold office for a term of four years, except that any member appointed to fill a vacancy occurring prior to the expira-

tion of the term for which his predecessor is appointed shall be appointed for the remainder of such term and except that, of members first appointed, three shall hold office for a term of three years, three shall hold office for a term of two years, and three shall hold office for a term of one year, as designated by the Secretary at the time of appointment. None of such twelve members shall be eligible for reappointment until a year has elapsed after the end of his preceding term.

[(2) The Council is authorized to review applications for special projects submitted to the Secretary under this section (other than subsection (a)(2)) and recommend to the Secretary for grants thereunder any such projects or any projects initiated by it which it believes show promise of making valuable contributions to the vocational rehabilitation of handicapped individuals. The Secretary is authorized to utilize the services of any member or members of the Council in connection with matters relating to the administration of this section, for such periods, in addition to conference periods, as he may determine.

[(3) Appointed members of the Council, while attending meetings or conferences thereof or otherwise serving on business of the Council or at the request of the Secretary, shall be entitled to receive compensation at rates fixed by the Secretary, but not exceeding $100 per day, including travel time, and while so serving away from their homes or regular places of business they 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.

[(4) The Secretary shall transmit to the Congress annually a report concerning the special projects initiated under this section, the recommendations of the National Advisory Council on Vocational Rehabilitation, and any action taken with respect to such recommendations.

[STATE PLANS

[SEC. 5. (a) To be approvable under this Act, a State plan for vocational rehabilitation services shall—

[(1)(A) designate a State agency as the sole State agency to administer the plan, or to supervise its administration in a political subdivision of the State by a sole local agency of such political subdivision, except that (i) where under the State's law the State blind commission, or other agency which provides assistance or services to the adult blind is authorized to provide them vocational rehabilitation services, such commission or agency may be designated as the sole State agency to administer the part of the plan under which vocational rehabilitation services are provided for the blind (or to supervise the administration or such part in a political subdivision of the State by a sole local agency of such political subdivision) and a separate State agency may be designated as the sole State agency with respect to the rest of the State plan, and (ii) the Secretary, upon the request of an agency so designated, may authorize such agency to share funding and administrative responsibility with another agency of the State in order to permit such agencies to carry out a joint project to provide services to handicapped individuals, and may waive compliance with respect to vocational rehabilitation services furnished under such joint project with the requirement of section 5(a)(3) that the plan be in effect in all political subdivisions of the State;

[(B) provide that the State agency so designated to administer or supervise the administration of the State plan, or (if there are two State agencies designated under subparagraph (A)) so much of the State plan as does not relate to services for the blind, shall be (i) a State agency primarily concerned with vocational rehabilitation, or vocational and other rehabilitation, of disabled individuals, (ii) the State agency administering or supervising the administration of education or vocational education in the State, or (iii) a State agency which includes at least two other major organizational units each of which administers one or more of the major public education, public health, public welfare, or labor programs of the State;

[(2) provide, except in the case of agencies described in paragraph (1)(B)(i)—

[(A) that the State agency designated pursuant to paragraph (1) (or each State agency if two are so designated) shall include a vocational rehabilitation bureau, division, or other organizational unit which (i) is primarily concerned with vocational rehabilitation, or vocational and other rehabilitation, of disabled individuals, and is responsible for the vocational rehabilitation program of such State agency, (ii) has a full-time director, and (iii) has a staff employed on such rehabilitation work of such organizational unit all or substantially all of whom are employed full time on such work; and

[(B)(i) that such unit shall be located at an organizational level and shall have an organizational status within such State agency comparable to that of other major organizational units of such agency, or (ii) in the case of an agency described in paragraph (1)(B)(ii), either that such unit shall be so located and have such status, or that the director of such unit shall be the executive officer of such State agency; except that, in the case of a State which has designated only one State agency pursuant to paragraph (1), such State may, if it so desires, assign responsibility for the part of the plan under which vocational rehabilitation services are provided for the blind to one organizational unit of such agency and assign responsibility or the rest of the plan to another organization unit of such agency, with the provisions of this paragraph (2) applying separately to each of such units.

[(3) provide for financial participation by the State, and provide that the plan shall be in effect in all political subdivisions of the State;

[(4) show the plan, policies, and methods to be followed in carrying out the work under the State plan and in its administration and supervision, and in case vocational rehabilitation services cannot be provided all eligible handicapped individuals who apply for such services, show the order to be followed in selecting those to whom vocational rehabilitation services will be provided;

[(5) provide such methods of administration, other than methods relating to the establishment and maintenance of personnel standards, as are found by the Secretary to be necessary for the proper and efficient administration of the plan;

[(6) contain (A) provisions relating to the establishment and maintenance of personnel standards, including provisions relating to the tenure, selection, appointment, and qualifications of personnel, and (B) provisions relating to the establishment and maintenance of minimum standards governing the facilities and personnel utilized in the provision of vocational rehabilitation services, but the Secretary shall exercise no authority with respect to the selection, method of selection, tenure of office, or compensation of any individual employed in accordance with such provisions;

[(7) provide that evaluation of rehabilitation potential, counseling and guidance, personal and vocational adjustment, training, maintenance, physical restoration, and placement and followup services will be provided under the plan;

[(8) provide, that the State agency will make such reports, in such form and containing such information, as the Secretary may from time to time reasonably require to carry out his functions under this Act, and comply with such provisions as he may from time to time find necessary to assure the correctness and verification of such reports;

[(9) provide for cooperation by the State agency with, and the utilization of the services of, the State agency administering the State's public assistance program, and the Social Security Administration (Department of Health, Education, and Welfare) and of other Federal, State, and local public agencies providing Services relating to vocational rehabilitation services;

[(10) provide for entering into cooperative arrangements with the system of public employment offices in the State and the maximum utilization of the job placement and employment counseling services and other services and facilities of such offices;

[(11) provide that vocational rehabilitation services provided under the State plan shall be available to any civil employee of the United States disabled while in the performance of his duty on the same terms and conditions as apply to other persons;

[(12) effective July 1, 1969, provide that no residence requirement will be imposed which excludes from services under the plan any individual who is present in the State;

[(13) provide for continuing statewide studies of the needs of handicapped individuals and how these may be most effectively met; and

[(14) provide that where such State plan includes provisions for the construction of rehabilitation facilities—

[(A) the Federal share of the cost of construction thereof for a fiscal year will not exceed an amount equal to 10 per centum of the State's allotment for such year,

[(B) the provisions of subsections (b)(1), (2), and (4), and (e) of section 12 shall be applicable to such construction and such provision shall be deemed to apply to such construction, and

[(C) there shall be compliance with regulations of the Secretary designed to assure that no State will reduce its efforts in providing other vocational rehabilitation services because its plan includes such provisions for construction.

[(b) The Secretary shall approve any plan which the Secretary finds fulfills the conditions specified in subsection (a) of this section.

[(c) Whenever the Secretary, after reasonable notice and opportunity for hearing to the State agency administering or supervising the administration of the State plan approved under this section, finds that—

[(1) the plan has been so changed that it no longer complies with the requirements of subsection (a) of this section; or

[(2) in the administration of the plan there is a failure to comply substantially with any such provision; the Secretary shall notify such State agency that no further payments will be made to the State under section 2 or 3 (or, in his discretion, that further payments will not be made to the State for projects under or parts of the State plan affected by such failure), until he is satisfied that there is no longer any such failure. Until he is so satisfied, the Secretary shall make no further payments to such State under section 2 or 3 (or shall limit payments to projects under or parts of the State plan in which there is no such failure).

[(d) If any State is dissatisfied with the Secretary's action under subsection (c) of this section, such State may appeal to the United States district court for the district where the capital of such State is located and judicial review of such action shall be on the record in accordance with the provisions of the Administrative Procedure Act.

[METHOD OF COMPUTING AND MAKING PAYMENTS

[SEC. 6. The method of computing and paying amounts pursuant to section 2 or 3 shall be as follows:

[(1) The Secretary shall, prior to the be-

ginning of each calendar quarter or other period prescribed by him, estimate the amount to be paid to each State under the provisions of such section for such period, such estimate to be based on such records of the State and information furnished by it, and such other investigation, as the Secretary may find necessary.

[(2) The Secretary shall pay, from the allotment available therefore, the amount so estimated by him for such period, reduced or increased, as the case may be, by any sum (not previously adjusted under this paragraph) by which he finds that his estimate of the amount to be paid the State for any prior period under such section was greater or less than the amount which should have been paid to the State for such prior period under such section. Such payments shall be made prior to audit or settlement by the General Accounting Office, shall be made through the disbursing facilities of the Treasury Department, and shall be made in such installments as the Secretary may determine.

[ADMINISTRATION

[SEC. 7. (a) In carrying out his duties under this Act, the Secretary shall—

[(1) cooperate with and render technical assistance to States in matters relating to the vocational rehabilitation of handicapped individuals;

[(2) provide short-term training and instruction in technical matters relating to vocational rehabilitation services, including the establishment and maintenance of such research fellowships and traineeships, with such stipends and allowances (including travel and subsistence expenses), as he may deem necessary, except that no such training or instruction (or fellowship or scholarship) shall be provided any individual for any one course of study for a period in excess of four years, and such training, instruction, fellowships, and traineeships may be in the fields of physical medicine and rehabilitation, physical therapy, occupational therapy, speech pathology and audiology, rehabilitation nursing, rehabilitation social work, prosthetics and orthotics, rehabilitation psychology, rehabilitation counseling, recreation for the ill and handicapped, and other specialized fields contributing to vocational rehabilitation; and

[(3) disseminate information relating to vocational rehabilitation services, and otherwise promote the cause of rehabilitation of handicapped individuals and their greater utilization in gainful and suitable employment.

[(b) The Secretary is authorized to make rules and regulations governing the administration of this Act, and to delegate to any officer or employee of the United States such of his powers and duties, except the making of rules and regulations, as he finds necessary in carrying out the purposes of this Act.

[(c) The Secretary is authorized, directly or by contract—

[(1) to conduct research, studies, investigations, and demonstrations, and to make reports, with respect to abilities, aptitudes, and capacities of handicapped individuals, development of their potentialities, and their utilization in gainful and suitable employment; and

[(2) to plan, establish, and operate an information service, to make available to agencies, organizations, and other groups and persons concerned with vocational rehabilitation, information on rehabilitation resources useful for various kinds of disability and on research and the results thereof and on other matters which may be helpful in promoting the rehabilitation of handicapped individuals and their greater utilization in gainful and suitable employment.

[(d) There are authorized to be appropriated for the fiscal year ending June 30, 1966, and each succeeding fiscal year, such sums as may be necessary for carrying out the purposes of this section.

[(e) For any fiscal year ending after June 30, 1968, such portion of the appropriations for grants under section 1 as the Secretary may determine, but not exceeding 1 per centum thereof or $1,000,000, whichever is the lesser, shall be available for evaluation by the Secretary (directly or by grants or contracts) of the programs authorized by this Act.

[PROMOTION OF EMPLOYMENT OPPORTUNITIES

[SEC. 8. The Secretary of Labor and the Secretary of Health, Education, and Welfare shall cooperate in developing, and in recommending to the appropriate State agencies, policies and procedures which will facilitate the placement in employment of individuals who have received rehabilitation services under State vocational rehabilitation programs, and, together with the chairman of the President's Committee on Employment of the Handicapped, shall develop and recommend methods which will assure maximum utilization of services which that committee, and cooperating State and local organizations, are able to render in promoting job opportunities for such individuals.

[REPORTS

[SEC. 9. Annual reports shall be made to the Congress by the Secretary as to the administration of this Act.

[AUTHORIZATION OF APPROPRIATION FOR ADMINISTRATION

[SEC. 10. There are hereby authorized to be included for each fiscal year in the appropriations for the Department of Health, Education, and Welfare such sums as are necessary to administer the provisions of this Act.

[DEFINITIONS

[SEC. 11. For the purposes of this Act—

[(a)(1) The term "vocational rehabilitation services" means the following services:

[(A) evaluation, including diagnostic and related services, incidental to the determination of eligibility for and the nature and scope of services to be provided;

[(B) counseling, guidance, and placement services for handicapped individuals, including followup services to assist such individuals to maintain their employment;

[(C) training services for handicapped individuals, which shall include personal and vocational adjustments, books, and other training materials;

[(D) reader services for the blind and interpreter services for the deaf; and

[(E) recruitment and training services for handicapped individuals to provide them with new employment opportunities in the fields of rehabilitation, health, welfare, public safety, and law enforcement, and other appropriate service employment.

[(2) Such term also includes, after full consideration of eligibility for any similar benefit by way of pension, compensation, and insurance, the following services and goods provided to, or for the benefit of, a handicapped individual—

[(A) physical restoration services, including, but not limited to, (i) corrective surgery or therapeutic treatment necessary to correct or substantially modify a physical or mental condition which is stable or slowly progressive and constitutes a substantial barrier to employment, but is of such nature that such correction or modification may reasonably be expected to eliminate or substantially reduce the handicap within a reasonable length of time, (ii) necessary hospitalization in connection with surgery or treatment, (iii) prosthetic and orthotic devices, (iv) eye glasses and visual services as prescribed by a physician skilled in the diseases of the eye or by an optometrist;

[(B) maintenance, not exceeding the estimated cost of subsistence, during rehabilitation;

[(C) occupational licenses, tools, equipment, and initial stocks and supplies;

[(D) in the case of any type of small business operated by the severely handicapped the operation of which can be improved by management services and supervision provided by the State agency, the provision of such services and supervision, alone or together wtih the acquisition by the State agency of vending stands or other equipment and initial stocks and supplies;

[(E) the construction or establishment of public or other non-profit rehabilitation facilities and the provision of other facilities and services which promise to contribute substantially to the rehabilitation of a group of individuals but which are not related directly to the rehabilitation plan of any one handicapped individual;

[(F) transportation in connection with the rendering of any other vocational rehabilitation service;

[(G) any other goods and services necessary to render a handicapped individual employable; and

[(H) service to the families of handicapped individuals when such services will contribute substantially to the rehabilitation of such individuals.

[(b) The term "handicapped individuals" means any individual who is under a physical or mental disability whch constitutes a substantial handicap to employment, but which is of such a nature that vocational rehabilitation services may reasonably be expected to render him fit to engage in a gainful occupation; except that nothing in the preceding provisions of this subsection or in subsection (a) shall be construed to exclude from "vocational rehabilitation services" any goods or services provided to an individual who is under a physical or mental disability which constitutes a substantial handicap to employment, during the period, not in excess of eighteen months in the case of any individual who is mentally retarded or has a disability designated for this purpose by the Secretary, or six months in the case of an individual with any other disability, determined (in accordance with regulations of the Secretary) to be necessary for, and which are provided for the purpose of, ascertaining such individual will be rendered fit to engage in a gainful occupation through the provision of goods and services described in subsection (a), but only if the goods or services provided to him during such period would constitute "vocational rehabilitation services" if his disability were of such a nature that he would be a "handicapped individual" under such preceding provisions of this subsection.

[(c) The term "rehabilitation facility" means a facility which is operated for the primary purpose of providing vocational rehabilitation services to, or gainful employment for, handicapped individuals, or for providing evaluation and work adjustment services for disadvantaged individuals, and which provides singly or in combination one or more of the following services for handicapped individuals: (1) Comprehensive rehabilitation services which shall include, under one management, medical, psychological, social, and vocational services, (2) testing, fitting, or training in the use of prosthetic and orthotic devices, (3) prevocational conditioning or recreational therapy, (4) physical and occupational therapy, (5) speech and hearing pathology, (6) psychological and social services, (7) evaluation, (8) personal and work adjustment, (9) vocational training (in combination with other rehabilitation services), (10) evaluation or control of special disabilities, and (11) extended employment for the severely handicapped who cannot be readily absorbed in the competitive labor market; but all medical and related health services must be prescribed by, or under the formal supervision of, persons licensed to practice medicine or surgery in the State.

[(d) The term "nonprofit," when used with respect to a rehabilitation facility, means a rehabilitation facility owned and operated by a corporation or association, no part of the net earnings of which inures, or may lawfully inure, to the benefit of any private shareholder or individual and the income of which is exempt from taxation under section 501(c)(3) of the Internal Revenue Code of 1954.

[(e) Establishment of a rehabilitation facility means (1) the expansion, remodeling, or alteration of existing buildings necessary to adapt them to rehabilitation facility purposes or to increase their effectiveness for such purposes (subject, however, to such limitations as the Secretary may, by regulation, prescribe in order to prevent impairment of the objectives of, or duplication of, other Federal laws providing Federal assistance in the construction of such facilities, (2) initial equipment of such buildings, and (3) the initial staffing thereof (for a period not to exceed four years and three months).

[(f) The term "State" includes the District of Columbia, the Virgin Islands, Puerto Rico, and Guam; and, for purposes of sections 4, 7, 12, and 13 only of this Act, American Samoa and the Trust Territory of the Pacific Islands, and for such purposes the appropriate State agency designated as provided in section 5(a)(1) shall be the Governor of American Samoa or the High Commissioner of the Trust Territory of the Pacific Islands, as the case may be.

[(g)(1) The "allotment percentage" for any State shall be 100 per centum less that percentage which bears the same ratio to 50 per centum as the per capita income of such State bears to the per capita income of the United States, except that (A) the allotment percentage shall in no case be more than 75 per centum or less than 33⅓ per centum and (B) the allotment percentage for the District of Columbia, Puerto Rico, Guam, and the Virgin Islands shall be 75 per centum.

[(2) The allotment percentages shall be promulgated by the Secretary between July 1 and September 30 of each even-numbered year, on the basis of the average of the per capita incomes of the States and of the United States for the three most recent consecutive years for which satisfactory data are available from the Department of Commerce. Such promulgation shall be conclusive for each of the two fiscal years in the period beginning July 1 next succeeding such promulgation.

[(3) The term "United States" means (but only for purposes of this subsection) the fifty States and the District of Columbia.

[(h) The term "Federal share" means 75 per centum for the fiscal year ending June 30, 1969, and 80 per centum for each succeeding fiscal year, except that with respect to payments pursuant to section 2(b) to any State which are used to meet the costs of construction of rehabilitation facilities (as provided in section 11(a)(2)(E)) in such State, the Federal share shall be, for the fiscal year ending June 30, 1969, and for each subsequent fiscal year the percentage determined in accordance with the provisions of section 12(c) applicable with respect to that State.

[(i) The population of the several States shall be determined on the basis of the latest figures furnished by the Department of Commerce by October 1 of the year preceding the fiscal year for which funds are appropriated pursuant to authorization provided for in section 1.

[(j) The term "Secretary", except when the context otherwise requires, means the Secretary of Health, Education, and Welfare.

[(k) Except where used in sections 12 and 16, the term "construction" means the construction of new buildings, the acquisition of existing buildings, initial equipment of such new buildings or newly acquired buildings, and initial staffing thereof (for a period not to exceed four years and three months), and the term "cost of construction" includes architects' fees and acquisition of land in connection with construction but does not include the cost of off-site improvements.

[GRANTS FOR CONSTRUCTION AND STAFFING OF REHABILITATION FACILITIES

[SEC. 12. (a) Effective for fiscal years beginning after June 30, 1965, the Secretary is authorized to make grants to assist in meeting the costs of construction of public or other nonprofit rehabilitation facilities. Such grants may be made only for projects for which applications are approved by the Secretary under this section.

[(b) To be approved, an application for a grant for a construction project under this section must—

[(1) contain or be supported by reasonable assurances that (A) for a period of not less than twenty years after completion of construction of the project it will be used as a public or other nonprofit rehabilitation facility, (B) sufficient funds will be available to meet the non-Federal share of the cost of construction of the project, and (C) sufficient funds will be available, when construction of the project is completed, for its effective use as a rehabilitation facility;

[(2) be accompanied or supplemented by plans and specifications which comply with regulations of the Secretary relating to minimum standards of construction and equipment, and with regulations of the Secretary of Labor relating to safety standards for rehabilitation facilities;

[(3) be approved, in accordance with regulations of the Secretary, by the appropriate State agency designated as provided in section 5(a)(1);

[(4) contain or be supported by reasonable assurance that any laborer or mechanic employed by any contractor or subcontractor in the performance of work on any construction aided by payments pursuant to any grant under this section will be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with Davis-Bacon Act, as amended (40 U.S.C. 276a—276a-5); and the Secretary of Labor shall have with respect to the labor standards specified in this paragraph, the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176; 5 U.S.C. 133z-15) and section 2 of the Act of June 13, 1934, as amended (40 U.S.C. 276c).

[(c) The amount of a grant under this section with respect to any construction project in any State shall be equal to the same percentage of the cost of such project as the Federal share which is applicable in the case of rehabilitation facilities (as defined in section 625(g) of the Public Health Service Act, 42 U.S.C. 291o(g)) in such State except that if the Federal share with respect to rehabilitation facilities in such State is determined under subparagraph (A) of section 625(b)(1) of such Act (42 U.S.C. 291o(b)(1)), the percentage of the cost for purposes of this section shall be determined in accordance with regulations of the Secretary designed to achieve as nearly as practicable results comparable to the results obtained under such subparagraph.

[(d) Upon approval of any application for a grant for a construction project under this section, the Secretary shall reserve from any appropriation available therefor, the amount of such grant determined under subsection (c); the amount so reserved may be paid in advance or by way of reimbursement, and in such installments consistent with construction progress, as the Secretary may determine. In case an amendment to an approved application is approved or the estimated cost of a project is revised upward, any additional payment with respect thereto may be made from the appropriation from which the original reservation was made or the appropriation for the fiscal year in which such amendment or revision is approved.

[(e) If, within twenty years after completion of any construction project for which funds have been paid under this section, the rehabilitation facility shall cease to be a public or other nonprofit rehabilitation facility, the United States shall be entitled to recover from the applicant or other owner of the facility the amount bearing the same ratio to the then value (as determined by agreement of the parties or by action brought in the United States district court for the district in which such facility is situated) of the facility, as the amount of the Federal participation bore to the cost of construction of such facility.

[(f) The Secretary is also authorized to make grants to assist in the initial staffing of any public or other nonprofit rehabilitation facility constructed after the date of enactment of this section (whether or not such construction was financed with the aid of a grant under this section) by covering part of the costs (determined in accordance with regulations of the Secretary of compensation of professional or technical personnel of such facility during the period beginning with the commencement of the operation of such facility and ending with the close of four years and three months after the month in which such operation commenced. Such grants with respect to any facility may not exceed 75 per centum of such costs for the period ending with the close of the fifteenth month following the month in which such operation commenced, 60 per centum of such costs for the first year thereafter, 45 per centum of such costs for the second year thereafter, and 30 per centum of such costs for the third year thereafter.

[(g) The Secretary is also authorized to make grants (1) to the State agency or agencies designated as provided in section 5(a)(1) to assist in meeting the cost of determining the State's needs for rehabilitation facilities and (2) upon application approved by the appropriate State agency so designated for such State, to public or other nonprofit agencies, institutions, or organizations to assist them in meeting the costs of planning rehabilitation facilities and the services to be provided thereby.

[(h) Payment of grants under subsection (f) or (g) may be made (after necessary adjustment on account of previously made overpayments or underpayments) in advance or by way of reimbursement, and in such installments and on such conditions, as the Secretary may determine.

[(i) There is authorized to be appropriated for carrying out this section $1,500,000 for the fiscal year ending June 30, 1966, $7,000,000 for the fiscal year ending June 30, 1967, $9,000,000 for the fiscal year ending June 30, 1968, $10,000,000 for the fiscal year ending June 30, 1969, $20,000,000 for the fiscal year ending June 3, 1970, $30,000,000 for the fiscal year ending June 30, 1971, and $30,000,000 for the fiscal year ending June 30, 1972; and for each of the two succeeding fiscal years only such sums may be appropriated for carrying out this section as the Congress may hereinafter authorize by law. Sums so appropriated shall remain available for payment with respect to construction projects approved or initial staffing grants made under this section prior to July 1, 1974.

[(j) For purposes of this section—

[(1) "constructon" includes construction of new buildings, acquisition of existing buildings, and expansion, remodel, alterations, and renovation of existing buildings, and initial equipment of such new, newly acquired, expanded, remodeled, altered, or renovated buildings;

[(2) the "cost" of construction includes the cost of architects' fees and acquisition

of land in connection with construction, but does not include the cost of offsite improvements; and

[(3) a project for construction of a rehabilitation facility which is primarily a workshop may include such construction as may be necessary to provide residential accommodations for use in connection with the rehabilitation of mentally retarded individuals or such other categories of handicapped individuals as the Secretary may designate.

[REHABILITATION FACILITY IMPROVEMENT

[Grants for Projects for Training Services

[SEC. 13. (a) (1) The Secretary is authorized, during the period beginning July 1, 1966, and ending June 30, 1972, to make grants to States and public and other nonprofit organizations and agencies to pay 90 per centum of the cost of projects for providing training services to handicapped individuals in public or other nonpublic rehabilitation facilities.

[(2) (A) Training services, for purposes of this subsection, shall include training in occupational skills; related services, including work evaluation, work testing, provision of occupational tools and equipment required by the individual to engage in such training, and job tryouts; and payment of weekly allowances to individuals receiving such training and related services.

[(B) Such allowances may not be paid to any individual for any period in excess of two years, and such allowances for any week shall not exceed $25 plus $10 for each of the individual's dependents, or $65, whichever is less. In determining the amount of such allowance for any individual, consideration shall be given to the individual's need for such an allowance, including any expenses reasonably attributable to receipt of training services, the extent to which such an allowance will help assure entry into and satisfactory completion of training, and such other factors, specified by the Secretary, as will promote such individual's fitness to engage in a remunerative occupation.

[(3) The Secretary may make a grant for a project pursuant to this subsection only on his determination that (A) the purpose of such projects is to prepare handicapped individuals for a gainful occupation, (B) the individuals to receive training services under such project will include only individuals who have been determined to be suitable for and in need of such training services by the State agency or agencies designed as provided in section 5(a)(1) of the State in which the rehabilitation facility is located, (C) the full range of training services will be made available to each such individual, to the extent of his need for such services, and (D) the project, including the participating rehabilitation facility and the training services provided, meet such other requirements as he may prescribe for carrying out the purposes of this subsection.

[(4) Payments under this subsection may be made in installments, and in advance or by way of reimbursement, as may be determined by the Secretary, and shall be made on such conditions as he finds necessary to carry out the purposes of this subsection.

[Rehabilitation Facility Improvement Grants

[(b) (1) The Secretary is authorized to make grants to public or other nonprofit rehabilitation facilities to pay part of the cost of projects to analyze, improve, and increase their professional services to the handicapped, their business management, or any other part of their operations affecting their capacity to provide employment and services for the handicapped.

[(2) No part of any grant made pursuant to this subsection may be used to pay costs of acquiring, constructing, expanding, remodeling, or altering any building.

[(3) Payments under this subsection may be made in installments, and in advance or by way of reimbursement, as may be determined by the Secretary, and shall be made on such conditions as he finds necessary to carry out the purposes of this subsection.

[Technical Assistance to Rehabilitation Facility

[(c) (1) The Secretary is authorized, directly or by contract with State vocational rehabilitation agencies or experts or consultants or groups thereof, to provide technical assistance to rehabilitation facilities.

[(2) Any such experts or consultants shall, while serving pursuant to such contracts, be entitled to receive compensation at rates fixed by the Secretary, but not exceeding $100 per diem, including travel time, and while so serving away from their homes or regular places of business they 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.

[National Policy and Performance Council

[(d) (1) There is hereby established in the Department of Health, Education, and Welfare a National Policy and Performance Council, consisting of twelve members, not otherwise in the regular full-time employ of the United States, appointed by the Secretary without regard to the civil service laws. The Secretary shall from time to time appoint one of the members to serve as Chairman. The appointed members shall be selected from among leaders in the vocational rehabilitation or workshop fields, State or local government, and business and from among representatives of related professions, labor leaders, and the general public. Each appointed member shall hold office for a term of four years, except that any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term, and except that, of the twelve members first appointed, three shall hold office for a term of three years, three shall hold office for a term of two years and three shall hold office for a term of one year as designated by the Secretary at the time of appointment. None of such twelve members shall be eligible for reappointment until a year has elapsed after the end of his preceding term.

[(2) The Council shall (A) advise the Secretary with respect to the policies and criteria to be used by him in determining whether or not to make grants under subsection (a) for a rehabilitation facility which is a workshop; (B) make recommendations to the Secretary with respect to workshop improvement and the extent to which this section is effective in accomplishing this purpose; and (C) perform such other services with respect to workshops as the Secretary may request.

[(3) The Secretary shall make available to the Council such technical, administrative, and other assistance as it may require to carry out its functions.

[(4) Appointed members of the Council, while attending meetings or conferences thereof or otherwise serving on business of the Council, shall be entitled to receive compensation at rates fixed by the Secretary but not exceeding $100 per day, including travel time, and while so serving away from their homes or regular places of business they 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.

[(e) The Secretary shall make no grant under this section to any rehabilitation facility which does not comply with safety standards which the Secretary of Labor shall prescribe by regulation.

[(f) There is authorized to be appropriated for making grants under subsection (a), subsection (b), and subsection (c) of this section $1,500,000 for the fiscal year ending June 30, 1966, $9,000,000 for the fiscal year ending June 30, 1967, $140,000,000 for the fiscal year ending June 30, 1968, $10,000,000 for the fiscal year ending June 30, 1969, $20,000,000 for the fiscal year ending June 30, 1970, $30,000,000 for the fiscal year ending June 30, 1971, and $30,000,000 for the fiscal year ending June 30, 1972, and for each of the three succeeding fiscal years only such sums may be appropriated for making grants under subsection (a), subsection (b), and subsection (c) of this section as the Congress may hereafter authorize by law.

[WAIVER OF STATEWIDENESS REQUIREMENTS FOR LOCALLY FINANCED ACTIVITY

[SEC. 14. In the case of any activity which, in the judgment of the Secretary, is likely to assist in promoting the vocational rehabilitation of substantially larger numbers of handicapped individuals or the vocational rehabilitation of individuals with particular types of disabilities in a State or States, the Secretary may waive compliance with respect to vocational rehabilitation services furnished as part of such activity, with the requirement of section 5(a)(3) that the plan be in effect in all political subdivisions of the State to the extent and for such period as may be provided in accordance with regulations prescribed by him, but only if the non-Federal share of the cost of such vocational rehabilitation services is met from funds made available by a political subdivision of the State (including, to the extent permitted by such regulations, funds contributed to such subdivision by a private agency, organization, or individual).

[VOCATIONAL EVALUATION AND WORK ADJUSTMENT PROGRAM

[SEC. 15. (a) (1) For each fiscal year each State shall be entitled to an allotment of an amount bearing the same ratio to the amount authorized to be appropriated by paragraph (2) of this subsection for meeting the costs described in paragraph (3) of this subsection, as the product of (A) the population of the State, and (B) its allotment percentage (as defined in section 11(h)) bears to the sum of the corresponding products for all the States. The allotment to any State under the preceding sentence for any fiscal year which is less than $50,000 (or such amount as may be specified as a minimum allotment in the Act appropriating sums for such year) shall be increased to that amount, the total of the increases thereby required being derived by proportionately reducing the allotments to each of the remaining States under the preceding sentence, but with such adjustments as may be necessary to prevent the allotment of any of such remaining States from being thereby reduced to less than that amount.

[(2) There is authorized to be appropriated for carrying out this section $50,000,000 for the fiscal year ending June 30, 1969, $75,000,000 for the fiscal year ending June 30, 1970, $100,000,000 for the fiscal year ending June 30, 1971, $100,000,000 for the fiscal year ending June 30, 1972, and for each succeeding fiscal year only such sums may be appropriated as the Congress may hereafter authorize by law.

[(3) The Secretary shall pay to each State an amount equal to 90 per centum of the cost of evaluation and work adjustment services furnished to disadvantaged persons under a plan of such State approved under subsection (d), including the cost of any evaluation and work adjustment services furnished by the designated State vocational rehabilitation agency or agencies for other agencies providing services to disadvantaged individuals under another evaluation program of the State, except that the total of such payments to such State for such fiscal year may not exceed its allotment under paragraph (1) for such year. The cost of evaluation and work adjustment services shall not include any amounts paid by another public or pri-

vate agency for the provision of evaluation or work adjustment services.

[(4) "Evaluation and work adjustment services" include, as appropriate in each case, such services as—

[(A) a preliminary diagnostic study to determine that the individual is disadvantaged, has an employment handicap, and that services are needed;

[(B) a thorough diagnostic study consisting of a comprehensive evaluation of pertinent medical, psychological, vocational, educational, cultural, social, and environmental factors which bear on the individual's handicap to employment and rehabilitation potential including, to the degree needed, an evaluation of the individual's personality, intelligence level, educational achievements, work experience, vocational aptitudes and interests, personal and social adjustments, employment opportunities, and other pertinent data helpful in determining the nature and scope of services needed;

[(C) services to appraise the individual's patterns of work behavior and ability to acquire occupational skill, and to develop work attitudes, work habits, work tolerance, and social and behavior patterns suitable for successful job performance, including the utilization of work, simulated or real, to assess and develop the individual's capacities to perform adequately in a work environment;

[(D) any other goods or services provided to a disadvantaged individual, determined (in accordance with regulations of the Secretary) to be necessary for, and which are provided for the purpose of, ascertaining the nature of the handicap to employment and whether it may reasonably be expected the individual can benefit from vocational rehabilitation services or other services available to disadvantaged individuals;

[(E) outreach, referral, and advocacy; and

[(F) the administration of these evaluation and work adjustment services.

As used in this section, the term "disadvantaged individuals" means (i) handicapped individual as defined in section 11 (b) of this Act, (ii) individuals disadvantaged by reason of their youth or advanced age, low educational attainments, ethnic or cultural factors, prison or delinquency records, or other conditions which constitute a barrier to employment, and (iii) other members of their families when the provision of vocational rehabilitation services to family members is necessary for the rehabilitation of an individual described in clause (i) or (ii).

[(b) No payment may be made from an allotment under this section with respect to any cost with respect to which any payment is made under any other section of this Act.

[(c) The Secretary shall approve a State evaluation and work adjustment plan which—

[(1) Designates as the State evaluation and work adjustment agency the same agency designated under section 5(a) of this Act (other than the State blind commission or other agency providing assistance or services to the adult blind).

[(2) Provides for financial participation by the State, which may include non-Federal funds donated to the State.

[(3) Shows the plan, policies, and methods to be followed in providing services under the State evaluation and work adjustment plan and in its administration and supervision, and, in case evaluation and work adjustment services cannot be provided all disadvantaged individuals who apply for such services, shows the order to be followed in selecting those to whom evaluation and work adjustment services will be provided.

[(4) Provides such methods of administration, other than methods relating to the establishment and maintenance of personnel standards, as are found by the Secretary to be necessary for the proper and efficient administration of the plan.

[(5) Contains provisions relating to the establishment and maintenance of personnel standards and the establishment and maintenance of minimum standards governing the facilities and personnel utilized in the provisions of the State plan for vocational rehabilitation services.

[(6) Provides that evaluation and work adjustment services will be provided without regard to whether or not the disadvantaged individual is in financial need, except to the extent provided for under paragraph (3).

[(7) Provides that the State agency will make such reports, in such form and containing such information as the Secretary may from time to time reasonably require to carry out his functions under this section, and comply with such provisions as he may from time to time find necessary to assure the correctness and vertification of such reports.

[(8) Provides for cooperation by the State agency with other public and private agencies concerned with disadvantaged individuals and joint undertakings to further the effectiveness of evaluation and work adjustment services for such individuals.

[(d) The Secretary shall discontinue payments under this section in the same manner and on the same basis as he is required by section 5(c) to discontinue payments under sections 2 and 3, and judicial review of such action shall be had in the same manner as is provided in section 5(d) for similar action taken by him under section 5(c).

[(e) Payments under this section may be made (after necessary adjustments on account of previously made overpayments or underpayments) in advance or by way of reimbursement, and in such installment and on such conditions, as the Secretary may determine.

[NATIONAL CENTER FOR DEAF-BLIND YOUTHS AND ADULTS

[SEC. 16. (a) In order—

[(1) to demonstrate methods of (A) providing the specialized intensive services, as well as other services, needed to rehabilitate handicapped individuals who are both deaf and blind, and (B) training the professional and allied personnel needed adequately to staff facilities specially designed to provide such services and training such personnel who have been or will be working with the deaf-blind;

[(2) to conduct research in the problems of, and ways of meeting the problems of rehabilitating, the deaf-blind; and

[(3) to aid in the conduct of related activities which will expand or improve the services for or help improve public understanding of the problems of the deaf-blind; the Secretary is authorized to enter into an agreement with any public or nonprofit private agency or organization for payment by the United States of all or part of the costs of the establishment and operation, including construction and equipment, of a center for vocational rehabilitation of handicapped individuals who are both deaf and blind which shall be known as the National Center for Deaf-Blind Youths and Adults.

[(b) Any agency or organization desiring to enter into such an agreement shall submit a proposal therefor at such time, in such manner, and containing such information as may be prescribed by the Secretary. In considering such proposals, the Secretary shall give preference to those proposals which (1) give promise of maximum effectiveness in the organization and operation of the National Center for Deaf-Blind Youths and Adults, and (2) give promise of offering the most substantial skill, experience, and capability in providing a broad program of service, research, training, and related activities in the field of rehabilitation of the deaf-blind.

[(c) The agreement shall—

[(1) provide that Federal funds paid to the agency or organization for the Center will be used only for the purposes for which paid and in accordance with the applicable provisions of this section and the agreement made pursuant thereto;

[(2) provide that the agency or organization making the agreement will make an annual report to the Secretary, which the Secretary in turn shall transmit to the Congress with such comments and recommendations as he may deem appropriate;

[(3) provide that any laborer or mechanic employed by any contractor or subcontractor in the performance of work on any construction aided by Federal funds under this section will be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a—276a–5); with the Secretary of Labor having, with respect to the labor standards specified in this paragraph, the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176) and section 2 of the Act of June 13, 1934, as amended (40 U.S.C. 276c); and

[(4) include such other conditions as the Secretary deems necessary to carry out the purposes of this section.

[(d) If within twenty years after the completion of any construction (except minor remodeling or alteration) for which funds have been paid pursuant to an agreement under this section the facility constructed ceases to be used for the purposes for which it was constructed or the agreement is terminated, the United States, unless the Secretary determines that there is good cause for releasing the recipient of the funds from its obligation, shall be entitled to recover from the applicant or other owner of the facility an amount which bears the same ratio to the then value of the facility as the amount of such Federal funds bore to the cost of the portion of the facility financed with such funds. Such value shall be determined by agreement of the parties or by action brought in the United States district court for the district in which the facility is situated.

[(e) For purposes of this section—

[(1) the term "construction" means construction of new buildings, acquisition of existing buildings, and expansion, remodeling, alteration, and renovation of existing buildings, and initial equipment of such new, newly acquired, expanded, remodeled, altered, or renovated buildings; and includes the cost of architects' fees and acquisition of land in connection with any of the foregoing, but does not include the cost of off-site improvements;

[(2) the determination of who are both deaf and blind shall be made in accordance with regulations of the Secretary.

[PROJECT GRANTS FOR SERVICES FOR MIGRATORY AGRICULTURAL WORKERS

[SEC. 17. (a) The Secretary is authorized to make grants to any State agency designated pursuant to a State plan approved under section 5, or to any local agency participating in the administration of such a plan, for not to exceed 90 per centum of the cost of pilot or demonstration projects for the provision of vocational rehabilitation services to handicapped individuals who, as determined in accordance with rules prescribed by the Secretary of Labor, are migratory agricultural workers, and to members of their families (whether or not handicapped) who are with them, including maintenance and transportation of such individuals and members of their families where necessary to the rehabilitation of that, individual. Maintenance payments under this section shall be consistent with any maintenance payments made to other handicapped individuals in the State under the Vocational Rehabilitation Act. Such grants shall be conditioned upon satisfactory assurance that in the provision of such serv-

ices there will be appropriate cooperation between the grantee and other public and private nonprofit agencies having special skills and experience in the provision of services to migratory agricultural workers or their families. This section shall be administered in coordination with other provisions of law dealing specifically with migrant agricultural workers, including title I of the Elementary and Secondary Education Act of 1965, section 311 of the Economic Opportunity Act of 1964, and the Farm Labor Contractor Registration Act of 1963.

[SHORT TITLE

[SEC. 18. This Act may be cited as the "Vocational Rehabilitation Act".]

Mr. LATTA. Mr. Speaker, I might say I have to disagree with the comments made by my chairman just a minute ago that this is an extension of the same act which has been in effect since Woodrow Wilson's time, because as just indicated by the gentleman from Indiana (Mr. BRADEMAS), this is a different act which would repeal the Vocational Rehabilitation Act and then this becomes the Rehabilitation Act rather than the Vocational Rehabilitation Act.

As far as the reason for the veto, I think the committee itself found a very sufficient reason for the veto when the committee itself reduced the amount of the authorization in this bill from $3,477,250,000 to $2,625,300,000. I think perhaps that is a sufficient reason to be found for vetoing this bill.

Mr. Speaker, this rule provides for 1 hour of debate with waiver of points of order on clause 3, rule XIII, the Ramseyer rule, and also all points of order against section 303 and section 700 of the substitute for failure to comply with clause 4 of rule XXI. Section 303 sets up a revolving fund in the bill and section 700 deals with unexpended appropriations under the Vocational Rehabilitation Act itself and sets forth that they may be available under the new act without further appropriation, so these waivers of points of order are necessary.

Mr. Speaker, I yield 3 minutes to the gentleman from Iowa (Mr. GROSS).

(By unanimous consent, Mr. GROSS was allowed to speak out of order.)

Mr. GROSS. Mr. Speaker, in view of the day's revolting development in the House, I have a little piece of poetry I would like to share with the Members. It is rather questionable, but I would like to do it, anyway.

For reasons that are not obvious at the present time, the author must remain anonymous:

Absolute knowledge have I none,
But my Aunt's sister's washerwoman's son,
Heard a policeman on his beat,
Say to a laborer on the street,
That he got a letter just last week,
Written in the finest Greek,
From a Chinese cooly from Timbuktu,
Who heard from the Cubans and the Cubans knew,
Of a colored man from a Texas town
Who got it straight from a circus clown
Who knows a swell society fake
Whose mother-in-law will undertake
To prove,
In a print of piece,
That she has a friend,
Who has a *friend*,
Who knows . . .
How our electronic voting system will end.

Mr. LATTA. Mr. Speaker, I have no further requests for time.

Mr. MADDEN. 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.

RESIGNATION FROM COMMITTEES

The SPEAKER laid before the House the following resignation from committees:

MARCH 7, 1973.

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

DEAR MR. SPEAKER: With my selection by the Republican Committee on Committees for assignment to the Committee on Appropriations, I tender my resignations, effective immediately, from the Committees on the Judiciary, and Science and Astronautics.

While I am delighted by my new committee post, I express my regrets at terminating my association with Judiciary, and Science and Astronautics. My service on these committees was most rewarding. I leave with deep admiration and respect for the distinguished chairmen and the ranking members.

I look forward to my duties with the Committee on Appropriations and thank you for the courtesies you have always extended to me.

With best personal regards,
Cordially,

LAWRENCE COUGHLIN.

The SPEAKER. Without objection, the resignation will be accepted.

There was no objection.

ELECTION AS MEMBER OF COMMITTEE ON APPROPRIATIONS

Mr. GERALD R. FORD. Mr. Speaker, I offer a privileged resolution (H. Res. 275) and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 275

Resolved, That Lawrence Coughlin of Pennsylvania be, and he is hereby, elected a member of the standing committee of the House of Representatives on Appropriations.

The resolution was agreed to.

A motion to reconsider was laid on the table.

THE CARDINAL RIGHT OF MAJORITY RULE

(Mr. CHARLES H. WILSON 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. CHARLES H. WILSON of California. Mr. Speaker, the Postal Reorganization Act of 1970 was passed, in part, in order to put the employees of the postal service in the same basic posture with their employer, the U.S. Postal Service, as employees in the private sector of the economy stand with their employers.

There were, however, two very serious omissions, the absence of which vitally affect the bargaining power of the employees and put them at a severe disadvantage in their dealings with the employer. One of these is the prohibition against postal employees striking. Myself and many of my colleagues have already introduced bills during this session of Congress which would guarantee these employees the right to strike.

The second omission concerns the fact that the employees, through their unions, are forbidden the right to seek to negotiate union security provisions in their collective bargaining.

Although the act purports to recognize the need of collective action for workers, it stresses the rights of the individual workers at the expense of the collective-bargaining power. While the union designated by a majority is entitled to be the exclusive representative of the workers and, in fact, is required by law to represent all the workers, the law makes specific provision for prohibiting the negotiation of a union-security clause.

Since the strength of a union usually comes from the numbers it represents, from its cohesiveness, and from its financial position, the act provides a basis for undermining that strength. Under the slogan of protecting the rights of individuals, the act outlaws union-security provisions in collective labor agreements. Obviously, without a union-security clause a union is not in as favorable position to protect its members and will thus lose a considerable part of its strength.

For reasons known only to themselves there appears to be a sizable contingent of Members of both Houses of Congress who absolutely refuse to believe the clear evidence of what experience has taught us. They appear to believe that the majority of American men and women oppose the provisions contained in any decent union contract negotiated in any country in the world; that is, the provisions for union security. They apparently never go back and look at the experience in this country immediately following the Taft-Hartley Amendments of 1947. These were passed on the theory that there was a division between the rank and file employees, on the one hand, and the "labor bosses," on the other hand.

Among other things, the amendments required the National Labor Relations Board to conduct a secret ballot election among the employees before the union could even enter into negotiations on the subject of a union shop with the employer.

Experience, however, taught that this requirement was needless and it was repealed a scant 4 years later. During that period of time almost 47,000 such elections were held. More than 6 million employees in voting voiced their views about the desirability of a union shop agreement; 97 percent in favor of a union shop. Mr. Speaker, I submit that there is no reason at this point in time to believe that the view of the average working person has changed so substantially as to indicate a different result today.

Union security has played a significant role in the development of labor unions in this country. From their very inception, unions looked upon these provisions as a source of security for their existence. The strength of the union could almost be judged from the degree of unionization it exacted in its collective agreements with employers.

Labor reasons, as do I, that since the union, as the bargaining agent for all the workers, helps to determine the wages, hours, and working conditions for all workers that apply equally to all employees—it is only fair and reasonable that all workers who share in the benefits should also share in the burdens—and hence the justification for insisting that union membership be made a condition of employment. It is the view of the unions that the rights of individual workers under collective bargaining become analogous to those of a citizen in a political unit. The worker becomes a member of an economic society when he takes employment. The unions, therefore, consider the requirement of union membership, as a condition of employment, indispensable to their security and to their ability to discharge their functions as unions.

Mr. Speaker, the bill I am introducing today merely removes the prohibition against the unions attempting to negotiate union security provisions with their employer and puts them on an equal footing in that respect with all the employees in the private sector. It would allow union security clauses to be negotiated to cover those employees in all States which do not prohibit such provisions. To do less is to perpetrate a very hypocritical injustice upon the employees of the U.S. Postal Service.

I am inserting a short explanation of the bill in the RECORD at this point:

EXPLANATION

Section 1209(c) of Title 39, U.S.C., provides that an employee of the Postal Service has the right to join or refrain from joining a labor organization and that the employee will be protected in the exercise of this right.

By striking this provision from the law then the applicable law will revert to those rights set forth in the National Labor Relations Act, made applicable to the Postal Service by Section 1209(a) of 39 U.S.C. Specifically, it will make applicable the provisions of Sections 7, 8(a)(3) and 14(b).

Section 7 sets forth the rights of employees to join or refrain from joining a labor organization subject to the provisions of Section 8(a)(3).

Section 8(a)(3) sets forth the terms and conditions under which a union security agreement can be negotiated.

Section 14(b) provides that a union security agreement can be prohibited by state law.

These provisions do *not* provide that employees must join a union as a condition of employment. Rather, that in the event the employees chose a union to represent them in a National Labor Relations Board secret ballot election, that the union chosen may then seek to negotiate a union security agreement in collective bargaining with the employer.

H.R. 5312

A bill to amend the Postal Reorganization Act of 1970, Title 39, United States Code, to provide for uniformity in labor relations

Be it enacted by the Senate and House of Representatives of the United States of America in Congress duly assembled: That Title 39, United States Code (84 Stat. 719) is amended by striking out subsection (c) of Section 1209 in its entirety, effective upon enactment.

THE SHELTER COULD BECOME A JAIL

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

Mr. BENNETT. Mr. Speaker, I call attention to the stimulating and thoughtful editorial of the Florida Times-Union and Jacksonville Journal of March 4, 1973, pointing out that a shelter for the news media might in fact become a jail. This editorial reads as follows:

THE SHELTER COULD BECOME A JAIL

Most of the journalistic profession seems to be in favor of a shield law. We believe, however, that instead of preserving the independence of the press the proposed law would present a threat to that independence. The "cure" could well be worse than the "disease."

The push for a shield law—which would in one version give journalists absolute privilege and in another qualified privilege from answering questions before grand juries—is fueled by several recent developments.

One of these is the June 29 decision of the U.S. Supreme Court which says that reporters have the obligation to testify before grand juries just like other citizens.

Reporters have been living with that obligation for years since most assumed it existed. And, if they were worth their salt, they have been protecting confidential news sources when such protection was promised.

Journalism does not need protection against legitimate grand jury investigations. It does need protection against witch hunts or attempts to undermine the freedom of the press through harassment. The Supreme Court, in its June 29 opinion, says such protections now exist.

Here is what the majority opinion, written by Justice Byron White, had to say on that score:

"Newsgathering is not without its First Amendment protections, and grand jury investigations, if instituted or conducted other than in good faith, would pose wholly different issues or resolution under the First Amendment. Official harassment of the press undertaken not for purposes of law enforcement but to disrupt a reporter's relationship with his news sources have no justification."

And Justice Lewis Powell indicated in a concurring opinion that the June 29 ruling was of "limited nature" meaning that government on any level cannot interpret it as granting a hunting license for members of the press.

"Certainly," he said, "we do not hold, as suggested in a dissenting opinion, that state and federal authorities are free to 'annex' the news media as 'an investigative arm of government.' The solicitude repeatedly shown by this court for First Amendment freedoms should be sufficient assurance against any such effort . . ."

As columnist James J. Kilpatrick observed recently, the Constitution is still the protection for freedom of the press and not shield laws.

The shield law is the camel's nose of government in the press tent. Eventually, the camel would be further and further inside.

There are numerous precedents to support this statement, precedents established in other fields where government intervention started with a law "beneficial" to the profession or state government and built into the right to interfere through an accretion of laws.

First would come the shield law and a loose definition of the publications and employes covered. Then would come an abuse and a "need to tighten the law." Then would come government licensing of newspapers and of journalists. And press freedom would be lost more readily through government embrace than through a government attempt to strangle.

The best shield, in addition to the Constitution, is press responsibility. A shield law could represent an invitation to irresponsibility and thus have another destructive effect on what it is designed to save.

The press is better off maintaining arms length from government while still taking its own responsibilities of citizenship seriously. As long as it does that, it will remain free because the American public will insist that it so remain.

LAKE MICHIGAN HIGH WATER LEVEL DEMANDS FEDERAL ACTION

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

Mr. McCLORY. Mr. Speaker, the extremely high water levels in the Great Lakes—particularly in Lake Michigan—coupled with the threat of an even higher level this spring and the potential damage from spring storms—emphasize the need for action to protect Lake Michigan shoreline properties. In addition, many of my constituents have experienced damage to their homes and are faced with additional damage in the coming weeks.

As a number of my colleagues representing districts bordering the Great Lakes and I have indicated in the past, there is urgent need for comprehensive action to control the water levels in Lake Michigan in order to avert further shoreline and property damages.

My colleague, Congressman VANIK of Ohio, as well as other of my colleagues have joined in recommending an increased diversion of Lake Michigan waters through the Illinois Waterway, as well as the regulation of water levels at Saulte Ste. Marie and to reduce the amount of water received in Lake Superior from the Hudson Bay Basin.

Mr. Speaker, the control of the levels of Great Lakes requires joint action between the United States and Canada—involving the agreement and recommendations by the International Joint Control Commission.

In order to carry out this objective I am introducing a proposed House concurrent resolution identical with that which was presented earlier by my colleague, Congressman VANIK (H. Con. Res. 134). In addition, I am also offering a similar bill to authorize the State of Illinois and the Metropolitan Sanitary District of Greater Chicago under the direction of the U.S. Corps of Engineers to effect an increase in the diversion of water from Lake Michigan into the Illinois Waterway on a 3-year basis. This will require a modification of the decision of the U.S. Supreme Court which presently limits the diversion of such water to 3,200 cubic feet per second. Under the

measure which I am proposing, this diversion could be increased to a total of not more than 10,000 cubic feet of water per second.

Mr. Speaker, these two measures are complementary and are both directed toward an imminent and critical problem affecting many of my constituents from the Wisconsin line to the south reaches of Lake County, Ill. Virtually millions of dollars of property are involved. The problem requires action now to the extent that it is humanly possible through governmental and private action in order to avoid the disastrous effects of the high water levels and storms which would erode and destroy shoreline properties as well as the structures which have been erected on or near the Lake Michigan shore.

Mr. Speaker, I am confident that my colleagues who represent districts bordering the Great Lakes—which are experiencing similar destructive action—would concur in support of the measures which my colleague from Ohio, Mr. VANIK, and I are presenting and which I am calling to the attention of this body.

H.R. 2406, TO CONTROL FEDERAL SPENDING

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

Mr. FROEHLICH. Mr. Speaker, I join my freshman Republican colleagues in urging the 93d Congress to act now to control Federal spending and reform the congressional budgetary process. Toward this end, I call on the House Rules Committee to schedule hearings immediately on H.R. 2406. This piece of legislation is the single most important bill pending now before Congress.

Our country is faced today with a national crisis that has been brought on by uncontrolled and misdirected spending. H.R. 2406 provides Congress with a mechanism for meeting that crisis by reforming the congressional budgetary process.

Presently, Congress treats the entire budget as if it were a mass of unrelated items. Today's budgetary process is totally incapable of responding to either the Nation's fiscal problems or the obvious need to establish national priorities.

To remedy this situation, H.R. 2406 provides new checks on deficit spending. The key feature of the bill is the establishment of a Joint Congressional Committee on the Budget. This committee would examine the President's budget and the best estimates of Federal revenue and submit to both Houses of Congress a legislative budget. No appropriation bills would be voted upon until these limits were set, and spending bills would be expected to fall within the limits of the legislative budget.

The bill would further require the President to submit spending projections for a 5-year period. It limits spending authorizations to a 3-year period, while actual appropriations would be subject to annual congressional action. Finally, the bill provides that any major new Federal program be initiated on a "pilot basis" to demonstrate its worth before being fully implemented.

H.R. 2406 is a sensible, practical, and effective means of giving taxpayers their money's worth in governmental services. It deserves bipartisan support.

The opponents of reform should not be allowed to sit on this bill. There should be no further delay in scheduling committee hearings.

Congress now faces a challenge—the Nation is watching to see if Congress has the ability to effectively continue in its legislative function. The freshman Republicans in this Congress working for spending reform are facing up to that challenge.

CORPS OF ENGINEERS USE FEES

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

Mr. HAMMERSCHMIDT. Mr. Speaker, 4½ years ago I joined other Members of this body from both sides of the aisle, to speak in support of section 210 of the Rivers and Harbors Flood Control Act of 1968. This measure, which culminated a series of hearings spanning over a 3-year period, abolished entrance fees for recreation areas located at lakes and reservoirs under the jurisdiction of the Corps of Engineers and sharply defined those recreation facilities for which use fees could be charged. The intent of this body in passing that measure was clear—to preserve for the general public free access to and use of the waters and attendant recreation areas developed by the Federal Government for the use and enjoyment of all its citizens. As a result of the passage of that measure which ultimately became Public Law 90–483, all entrance fees and virtually all user fees were terminated at corps' recreation facilities. It now appears that these efforts will, at least in part, be undone.

On February 1 the Chief of Engineers published in the Federal Register a list of proposed special recreation use fees in compliance with provisions of Public Law 92–347. While this law affirmed the earlier law with respect to admission and entrance fees, it appears to have significantly enlarged the scope of activities and facilities which will be subject to use fees by requiring that comparable fees should be charged by all Federal agencies for comparable services and facilities. It should be noted, Mr. Speaker, that while this law does not expressly repeal the earlier law, it mandates the establishment of fee schedules, which, I believe, are inconsistent with the intent of that law.

In my statement in support of section 210 during the floor debate in 1968 I said that in my judgment the termination of entrance fees and the limitation of use fees were sound and sensible steps. I have seen nothing during the intervening period to indicate that this judgment was incorrect, and I now see no compelling reason to establish new fees that might inhibit any citizen from enjoying the simple benefits of a pleasant lakeside recreation experience. Such fees almost always are primarily disadvantageous to those for whom outdoor recreation opportunities are fewest—the elderly and the economically disadvantaged segments of both our urban and rural populations.

To rectify this situation I have today introduced a bill which will amend section 210 of the Flood Control Act of 1968 to provide that no provisions of law enacted after the date of the original act and authorizing special recreation use fees shall have any application to public recreation areas located at lakes and reservoirs under the jurisdiction of the Corps of Engineers.

This bill clarifies my original understanding of the extent of Public Law 92–347 and would, if enacted, reaffirm the intent of Congress to maintain free access to and use of most public recreation areas at Corps of Engineers projects.

THE BUDGET SITUATION

The SPEAKER pro tempore (Mr. MCFALL). Under a previous order of the House, the gentleman from Colorado (Mr. ARMSTRONG) is recognized for 60 minutes.

Mr. ARMSTRONG. Mr. Speaker, I have asked for this special order in order to afford an opportunity to freshman Members to discuss the budget situation.

In preparation for that, a number of Members of both parties have signed a statement which I think it is appropriate to present at the outset, and for that purpose I now yield to the gentleman from Arizona (Mr. CONLAN).

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

GENERAL LEAVE

Mr. Speaker, I ask unanimous consent, for myself and the other freshman Members of the Congress, for 5 legislative days within which to revise and extend their remarks on the subject of this special order today.

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

There was no objection.

Mr. CONLAN. Mr. Speaker, I rise today, as president of the freshman class of 43 new Republican Congressmen, in an unprecedented plea by new Congressmen for a ceiling on Federal spending, and for reform of archaic congressional budget procedures.

We present today an extraordinary united front in behalf of a firm ceiling on Federal expenditures and a return to fiscal responsibility.

We have extended, and do extend again today, an invitation to our freshman colleagues of the other party and independents, to join us in this effort if they are as truly interested in reform as we young Republicans.

Mr. Speaker, I would like to read to you a resolution for fiscal and budget reform which has been signed by 54 Members of the freshman class of the 93d Congress, Republicans and Democrats alike. While we tried to contact all Members of the freshman class, there may be some who were unable to join us

in this resolution who would like to add their names today.

The resolution reads as follows:

RESOLUTION

Whereas, a Joint Study Committee on the Budget has been established in the United States Congress; and

Whereas, that bi-partisan Committee of Democrats and Republicans, Senators and Representatives, has completed its interim study, issued a report and made tentative recommendations favoring an overall ceiling on expenditures and budget authority;

Therefore, be it resolved, that the undersigned freshmen members of the 93rd Congress do hereby express their support for the tentative work of that Committee and do further strongly urge their senior colleagues to take all possible steps to bring about at the earliest possible date Congressional Reform of the Budgeting Process—including an overall spending limit and provision for the necessary committee structure, staff and resources by which Congress may review and control expenditures.

John B. Conlan, William L. Armstrong, Robin Beard, Edward Young, Steven Symms, James P. Johnson, Angelo Roncallo, Joel Pritchard, David Towell, Ralph Regula.

William M. Ketchum, George M. O'Brien, Marjorie S. Holt, David C. Treen, Alan Steelman, E. G. Shuster, Paul W. Cronin, Carlos J. Moorhead, Matthew J. Rinaldo, Stanford Parris.

L. A. Bafalis, Donald J. Mitchell, Samuel H. Young, James G. Martin, Clair W. Burgener, Benjamin A. Gilman, William F. Walsh, Andrew J. Hinshaw, James Abdnor, Robert J. Huber.

William H. Hudnut III, Trent Lott, M. Caldwell Butler, Edward Madigan, William Cohen, Joseph J. Marazitti, Robert W. Daniel, Jr., Robert Hanrahan, Ronald A. Sarasin, Tennyson Guyer.

Gene Taylor, Harold Froehlich, Dale Milford, Thad Cochran, Clem McSpadden.

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Bill Gunter, Jerry Litton, Charles Rose, David Bowen and Steven Symms.

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James R. Jones, Wayne Owens, Pat Schroeder, Bo Ginn.

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GILLIS W. LONG.

Mr. Speaker, we believe the minimum first steps to fiscal sanity which the Congress must now take are a firm ceiling on expenditures to be voted each year, plus creation of a joint budget committee, and new hired staff specialists to assist Congress to determine exactly how taxpayers' money should be used.

We believe we have reached the point where we must call an immediate halt to reckless spending policies that have driven this country towards a half trillion dollar national debt.

We believe this Congress must now reverse that trend, unless it is prepared to force a substantially heavier tax burden on hard-working citizens who must pay the bills for our profligacy.

The fight for fiscal sanity is at its heart not between the Congress and the President. The struggle is between the bureaucracy and the working people of America. Both the President and the Congress need to be united and well-equipped to take control of the bureaucracy before it devours America as it has France and other countries.

While there are varying approaches to reform that Congress can adopt, we strongly support the interim work of the Joint Study Committee on the Budget, which is this very week holding hearings on its interim report.

We are united in our support of its recommended ceiling on expenditures and budget authority.

Congress must find a way for its Members to cast statesmanlike votes on expenditures that will have a direct relation to estimated Federal revenues.

At the present time, each Congressman is pressured by special interests to vote "yes" on each of numerous spending bills, only to wake up at the end of the year finding that Congress has plunged the country further into debt and fueled the merciless fires of inflation.

Unlike the modern procedures in Arizona, California, and other progressive State legislatures, we here have no single overall appropriations bill so that each congressman could cast a statesmanlike vote on expenditures that would have a direct relation to estimated Federal revenues.

Furthermore, there is no professional budget staff available and equipped to aid the Congress in critical evaluations and cuttings of waste and fat in executive department budgets.

This present scatterbrained system of Congress taxing with the left hand and spending with the right, and never the twain shall meet has just got to change. No business corporation could succeed using the antiquated procedures and tools with which the Congress is fumbling.

Congress is facing a challenge that will directly reflect on its ability to effectively continue its legislative function for the Nation.

I want my colleagues in Congress to know that the new Republican Congressmen are up to that challenge. We urge senior Members of Congress to set the example by acting now to control Federal spending and reform Congress own budget process. It is our constitutional duty, and we can do no less.

And we cordially invite the freshmen and senior Members of this House—Democrats, Republicans, and Independents, if they are truly as interested in reform as we young Republicans, to join us in a bipartisan effort toward responsible congressional reform.

We, freshmen Congressmen, raise our voices today to urge, plead, and implore this new Congress to get off the dime and enact comprehensive fiscal and budgetary reform, and to do it now.

That great American poet Edward Everett Hale said it for us when he wrote:

"I am only one, but I am one,
I cannot do everything, but I can do something,
And what I can do, that I ought to do,
And what I ought to do,
By the Grace of God, I shall do!"

Mr. Speaker, the young, new Members of this Congress, almost 80 percent of them, the Members who have signed this resolution, want to work with the responsible Members to bring about these reforms in this Congress.

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

Mr. CONLAN. I yield to the gentleman from Illinois.

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

I would like to add further, as one who is not too much senior to this freshman class, that I wholeheartedly endorse this effort. I think it is long overdue, and I think the freshman class particularly, is to be commended for its initiative in trailblazing in this 93d Congress.

Mr. Speaker, let us hope we can get the majority Members, in fact, the Members on both sides of the aisle, to support this proposition.

Mr. ARMSTRONG. Mr. Speaker, I will yield myself as much time as I may consume and then yield 30 minutes to the gentleman from Oklahoma (Mr. JONES) and yield the balance of the hour to the gentleman from Arizona (Mr. CONLAN).

Mr. Speaker, basic budgetary reform is years overdue.

By postponing a major overhaul of the Federal spending process until now, and by abdicating its constitutional prerogatives, Congress has allowed—indeed, has encouraged—the Nation to drift toward a major governmental and economic crisis.

Many Members of this body have criticized the President for impounding funds appropriated by Congress and for taking other actions which invade congressional dominion over the budget. And I agree that Congress, not the President, should be supreme in establishing fiscal policy.

But Congress has acted so irresponsibly, for such a long period of time, that the President has no choice but to exercise his right of impounding funds, an action the President has taken reluctantly to head off a further increase in the already alarming rate of inflation.

Over the years we have been repeatedly warned that runaway inflation will result from continued budget deficits and indeed year after year this prophecy has been realized as Federal debt has increased by $162 billion in the last decade alone.

One consequence of this spending spree has been inflation—inflation so pervasive that even the 40-percent consumer price increase of recent years fails to adequately portray the urgency of this crisis. Even more ominous is the rate of increase which is itself increasing under pressure of mounting Federal deficits.

I agree with the President:

> Common sense tells us that government cannot make a habit of living beyond its means. If we are not willing to make sacrifices in holding down spending, we will be forced to make a much greater sacrifice in higher taxes or renewed inflation.

Yes, we have been warned. Over and over again. By the President, by economists, and by many Members of this body who have cautioned that runaway inflation is certain to result from continued deficit financing. But Congress has played Santa Claus with Federal spending for so long that some of us now find it hard to realize the whole basis of this country's economy is in jeopardy.

This Congress has a chance, possibly the last clear chance, to restore sound financial policies to our Government and thereby avoid the panic inflation which other countries have experienced and the consequences of that kind of inflation: reckless speculation, bank failures, joblessness, civil unrest, and the ultimate breakdown of our system itself—just as has happened in other countries.

The need for reform—including an overall spending limit, establishment of congressional budgetary priorities, and mechanisms by which Congress may review and control expenditures—is obvious and it is urgent.

So today's bipartisan effort by freshman Members is particularly commendable.

It is also most timely in view of yesterday's resumption of hearings by the Joint Study Committee on Budget Control. This committee brings together a number of the most able and most distinguished Members of the House and of the other body. They deserve our wholehearted support.

The committee particularly needs our encouragement to act with all responsible speed and to bring before Congress a resolution to establish a spending limitation and such machinery—including the necessary committee structure, staff, and resources—by which Congress may adopt an overall budget and exercise permanent control over spending at the earliest possible date.

In conclusion, Mr. Speaker, may I call attention of the Members to the stern warning given Members of the other body by the distinguished majority leader. In an address to the Democratic caucus on January 3, Senator MANSFIELD identified the problem with great precision:

> The fault lies not in the Executive Branch but in ourselves, in the Congress. We cannot insist upon the power to control expenditures, and then fail to do so. If we do not do the job, if we continue to abdicate our Constitutional responsibility, the powers of the Federal government will have to be recast so it can be done elsewhere.
>
> . . . Unless the Congress acts now to strengthen coordinated control of expenditures, it is predictable that the Executive Branch will press again for temporary authority to do so. It is predictable, too, that sooner or later a Congressional inertia will underwrite the transfer of this authority on a permanent basis.

I associate myself entirely with Senator MANSFIELD's remarks and in doing so, I underscore my own conviction that this is not a partisan matter. The need to control the Federal budget before reckless spending ruins our country is the proper concern of all Americans and particularly of those of us who serve in the Congress and have the constitutional duty to control spending and a moral obligation to do so wisely.

Let us get on with it.

RESOLUTION

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Mrs. SCHROEDER. Mr. Speaker, will the gentleman yield?

Mr. ARMSTRONG. I am glad to yield to my colleague from Colorado.

Mrs. SCHROEDER. Mr. Speaker, I am pleased to join the bipartisan group of freshmen supporting the Joint Committee on Budget Controls. I am very concerned about fiscal responsibility, inflation, the international dollar crisis, tax reform, and our national priorities. Because of the interrelationship of these items, we badly need a committee to develop a budget proposal for Congress.

I have not talked to one Member of Congress who proposes raising the President's $268.7 billion limit. I have talked to many, who, like myself, do not believe his budget should be $19 billion more than last year. We have the largest deficit in American history, $68.7 billion, and, if his budget is adopted, another $12.7 billion will be added. Fiscal responsibility? Humbug.

We have long anticipated the Vietnam peace dividend only to find a higher defense budget now that the war is at an end. It is higher even after many defense-related items such as veterans' benefits and interest on the national debt are put elsewhere. If we added those items, we have a defense allocation of $111.3 billion. And this in a time of peace.

The President's proposals are his prerogative. He overlooks opportunity for tax reform and cuts programs before evaluation. His budget is more political than fiscal, and he tells us he must be domestically irresponsible to achieve fiscal responsibility.

The Congress has the right and duty to examine the President's course and determine its wisdom. The House Committee on Appropriations has recommended and Congress has approved reductions in the Executive's appropriation requests in each of the last 20 congressional sessions. Last year the Congress cut almost $6.5 billion. I am proud to be a Member of that body and tired of the administration labeling it "spendthrift." The facts are all the other way.

It is time to call off the battle. I am tired of seeing so much energy wasted in verbal attacks on Congress by the administration. Stop the power plays, the political pollution, and the charades. Let us get down to business. I support this move; it will help Congress exert its full authority as a separate concurrent branch and give independent analysis of governmental requirements. Only when Congress does this will the people be assured of the full benefits of democratic government.

Mr. ARMSTRONG. Mr. Speaker, I yield such time as he may use to the distinguished gentleman from Ohio (Mr. REGULA).

Mr. REGULA. Mr. Speaker, now is the time for Congress to reassume its constitutional role and control the Federal budget. This task requires an element of overall budget planning that does not exist in the current congressional budget process. At no time does Congress examine the economic indicators and then determine an economic strategy to fit America's economic needs. Nor do we have a practical system for establishing priorities within such a congressional budget policy.

The President's Commission on Financial Structure and Regulation, of which I was a member, proposed numerous actions to improve the financial system of the United States, but we recognized that our efforts were for naught without the exercise of fiscal responsibility in Congress. In our findings the Commission said:

> It is unrealistic to expect any financial system to function smoothly in, and emerge

unscathed from, the economic and monetary conditions experienced in the United States in recent years. The Commission urges the adoption of more responsible fiscal policies . . . so that moderation will be possible in the conduct of monetary policy. Such moderation would make it easier to generate the capital necessary for a growing, high-employment economy at reasonable rates of interest.

Economists quarrel over which is more important to our economic well being: monetary policy or fiscal policy. Both are important. The crucial point to realize is that bad fiscal policy begets bad monetary policy, and an uncontrolled Federal budget almost inevitably leads to too much growth in the money supply.

Federal deficits are financed by borrowing which often requires the creation of money through the banking system for that purpose. This process is healthy when the economy is slack and needs stimulation. It usually leads to unwanted inflation if the economy is strong. The classic problem of too many dollars chasing too few goods.

Congress has taken the first step toward responsible congressional budget planning with the creation of the Joint Study Committee on Budget Control. I endorse the principles set forth in the interim report by the committee and I commend the report to your attention.

The Joint Committee has recognized the need for "an effective permanent mechanism for budget control which will assure a more comprehensive and coordinated review of budget totals and determination of spending priorities and spending goals, together with a determination of the appropriate associated revenue and debt levels." I wholeheartedly concur.

It is important that the Joint Study Committee on Budget Control move quickly to put its principles into specific proposals so that Congress may regain its proper control of the Federal purse.

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

Mr. CONLAN. I am delighted to yield to the gentleman from Arizona (Mr. RHODES).

Mr. RHODES. Mr. Speaker, I thank the gentleman for yielding. I want to congratulate my colleague, the gentleman from Arizona (Mr. CONLAN), for having taken this special order for this particular purpose, and also to compliment the other first-term Members of the House of Representatives on both sides of the aisle who are taking part in this discussion. I do this not only as a colleague of those who are taking part, but as a member of the Joint Committee on the Budget, which is the subject of the discussion tonight.

I also would like to report that that committee is holding hearings, and it has listened to some very capable testimony, one from the Chairman of the Federal Reserve Board on yesterday, and also the Comptroller General of the United States was before the committee today. I have hopes that this committee will be able to report out a legislative proposal which will be adopted by this Congress, and which will have the desired effect as expressed by those who have spoken here today, that of once more returning the purse strings to the Congress where our Founding Fathers intended them to be.

Again I thank the gentleman for yielding.

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

Mr. CONLAN. I yield to the gentleman from Indiana (Mr. LANDGREBE).

Mr. LANDGREBE. Mr. Speaker, I thank the gentleman for yielding to me.

Mr. Speaker, I would like to commend the freshman Members of the House of Representatives on both sides of the aisle for their interest in fiscal responsibility, and to commend all of them, particularly those who have spoken, for fiscal responsibility.

This is now my third term in the Congress, and I have been an advocate of a balanced budget during my time here, and have spoken out on numerous occasions against the irresponsibility of the Congress.

So I want to say as quietly and as pleasantly as I possibly can, my dear young colleagues, the way to reduce spending is to vote against some of these bills that come sailing along here from day to day.

Again I thank the gentleman for yielding to me.

Mr. CONLAN. Mr. Speaker, I now yield to the gentleman from New York (Mr. MITCHELL).

Mr. MITCHELL of New York. Mr. Speaker, it is politically popular in Washington these days for Members of Congress to be highly critical of the administration for refusing to spend money appropriated for various programs. But, until such time as Congress assumes its responsibility in the area of fiscal reform, I cannot in good conscience point an accusing finger at the President for filling a void by the impoundment of funds.

Having served in Congress less than 3 months, I feel it would be presumptuous to overly criticize the system and make sweeping recommendations for reform. However, I do feel that more often than not, first impressions are accurate ones.

It is not my intention to put down the system but rather to help make the best even better. I am somewhat mindful of the congressional reforms that have been enacted and certainly these suggestions that we are making today should be viewed as no more than a continuation of these necessary and worthwhile reforms. What we are suggesting is not new, nor do we attempt to take credit for these ideas. We merely feel a definite need to undertake these reforms and we sincerely feel that they are in the best interests of this honorable body and of the Nation as a whole. Congress has been concerned for some time with the apparent erosion of its power. The time to act is now. We want to be sure that Congress assumes its role of an equal partner.

One way to accomplish this goal is through the adoption of a debt ceiling, through a strong system of accounting for the appropriations bills passed, and an evaluation of congressional priorities within that debt ceiling. Toward accomplishing these goals I will support the Robinson bill, H.R. 975, which is designed to control expenditures and upgrade fiscal priorities. This bill establishes a Joint Congressional Committee on the Budget that will have the expertise needed to analyze the executive budget and make recommendations. This legislation also, calls for 5-year spending projections; limits spending authorization by Congress to a maximum of 3 years; and requires that new Federal programs will be initiated on a limited, trial study basis. No one claims that this bill is a panacea for all of our fiscal problems but it is a step in the right direction. We must begin somewhere and I feel that this bill is the right place to begin. This is why, Mr. Speaker, I join my freshman colleagues today in urging that this body seriously consider sound fiscal reform. We certainly do not have all the answers. As a matter of fact, we do not even know all the questions. However, we do recognize the need for action to restore the balance of power between the executive and legislative branches of our Government, and we are determined to move ahead.

Mr. CONLAN. Mr. Speaker, I yield to the gentleman from Oklahoma (Mr. JONES).

Mr. JONES of Oklahoma. Mr. Speaker, I am pleased to join in this bipartisan effort of the freshmen Members of the House.

The time is past due for Congress to firmly assert its responsibilities, especially those responsibilities for fiscal integrity and for closely auditing and scrutinizing the operations of the executive branch.

We cannot live with the huge Federal deficits that seem to increase with each passing year. Yet, Congress today is ill-equipped to improve the situation. We must have the mechanism in Congress to determine what our revenues will be, to set up an overall budget, and to establish a congressionally authorized ceiling on expenditures.

We are at a critical crossroads in our history. If Congress fails to act now, more of the legislative powers will be usurped by the Executive. Once the tradition or custom of letting the Executive assume congressional responsibility develops, it will be very difficult ever to get that responsibility back.

We have seen in our history what results from abdication of responsibility. When our State governments abdicated their powers during the depression, the Federal Government assumed those powers and that trend has been irreversable.

Congress must not abdicate. We are the closest link between the people and their Federal Government. We are available for any citizen to bend our ear and to request action. If Congress loses its powers to the Executive, the real losers will be the people of America who will not have ready access to the White House.

I support those efforts to establish in Congress an integrated budget and appropriations process and to retain the responsibility for fiscal decisions in the Congress.

I further plan to prepare legislation to give the Congress greater responsibility

in auditing the spending and operational practices of the executive departments and agencies. We do not have unlimited resources in this country and we as the people's representatives must have the tools and the determination to carefully protect the fiscal integrity of America.

Mr. CONLAN. Mr. Speaker, I yield to the gentleman from Florida (Mr. GUNTER).

Mr. GUNTER. Mr. Speaker, I am pleased to join my freshman colleagues today in urging early adoption of the recommendations of the Joint Study Committee on the Budget. As you know, this bipartisan committee has called for a congressionally established spending limit and a workable structure through which Congress can control expenditures.

We cannot continue to travel down the road of "programed" and perfunctory increases in the Government's debt ceiling. We cannot continue to spend money that we do not have—only a sensible system of budgetary control imposed by Congress can bring about the change that is needed. It is our duty to come to terms with this proposition ourselves, and not abdicate the responsibility by allowing the highly questionable Executive impoundment of funds to continue to be the only avenue through which spending is controlled.

I think we have taken an important first step in the right direction in this discussion today. It is good to know that we can join as freshman colleagues above party affiliation, in this most important effort.

Mr. CONLAN. Mr. Speaker, I yield to the gentleman from California (Mr. BURGENER).

Mr. BURGENER. Mr. Speaker, I join my colleagues on both sides of the aisle in urging, as strongly as I know how, that this House of Representatives, this year 1973, do indeed enact legislation which will:

First, establish a ceiling on spending for fiscal year 1974 and for each succeeding year thereafter.

Second, establish in one committee of each House, or in a joint committee of both Houses, a legislative control point of the budget, a condition which regrettably does not exist today.

I fully support, and do commend the efforts of the bipartisan joint study committee on budget control, cochaired by Mr. WHITTEN of Mississippi and Mr. ULLMAN of Oregon. Their interim report of February 7, 1973, should be carefully studied by every Member of the Congress.

I would briefly like to take a segment of the current proposed budget and view it in the light of controlled spending and an early arrival at a balanced budget.

For some 20 years I have been an activist, both as a private citizen and a State legislator, in the extremely important field of mental retardation. I have consistently supported better programs at both the private sector level and the governmental level for our Nation's mentally retarded. I shall continue to do so, to the best of my ability, as a Member of the House of Representatives.

It is my firm conviction that sound, publicly supported programs at the Federal level can be maintained without, first, new or increased taxation, or second, an increase in the national debt.

I cite as evidence for this point of view a comparison of proposed Federal expenditures—in the President's budget—as compared to fiscal year 1973, in which we find ourselves.

Based on figures I obtained from the Department of Health, Education, and Welfare, we are currently spending in this fiscal year approximately $1,300 million for programs and services to the mentally retarded. Of this total, $800 million are for grants and services and $500 million are for income maintenance. Both areas are vitally important.

By comparison, although figures have not been finalized, the President's new budget appears to propose a total amount of money for services to the mentally retarded for fiscal year 1974 that is slightly higher than the current year.

Now what is the next step? Hopefully the various committees of this House and the other body will scrutinize most critically this $1.3 or $1.4 billion with key questions being as follows:

First. Is this enough money?

Second. Is this too much money?

Third. Is it being spent in the right places?

I believe the Congress will carry out this process. But then, unfortunately, this Congress is not equipped under the present system to take the next logical step. That next step would be to relate this large sum of money to the total budget—to rate it on a priority list and see if it fits under a total budget ceiling as established by the Congress. To fail to enact or achieve such a system would be the height of irresponsibility on our part.

In conclusion, Mr. Speaker, as one who, along with most if not every Member of this House, shares a deep concern for the elderly, the disadvantaged, the ill, and the handicapped, I firmly believe that the most cruel act we could perform is to permit this Nation to spend itself into bankruptcy. In a bankrupt society the strong, the young, and the well might fend for themselves, but the weak, the old, and the handicapped will, indeed, have lost their battle. We cannot permit that to happen.

Mr. CONLAN. Mr. Speaker, I thank the gentleman from California for his remarks.

At this time Mr. Speaker, I yield to the gentleman from Illinois (Mr. ARENDS).

Mr. ARENDS. Mr. Speaker, I thank the gentleman from Arizona for yielding.

Mr. Speaker, I want to take this occasion to thank the new Members of Congress on both sides of the political aisle for doing what they are doing tonight. It seems to me they have chosen well the subject matter that needs to be discussed and about which something must and should be done if we are going to maintain the economic stability in this country that needs to come quickly. I heartily congratulate those who have participated. I am glad to see that in their break-in speeches they have charged in on something so vital to the future of this great Nation of ours. We will hope to hear more from them in a future time.

Mr. CONLAN. Mr. Speaker, I thank the gentleman from Illinois (Mr. ANDERSON).

This exercise gives many of our freshmen Congressmen an opportunity to test their voices and their capacities for greater involvement at a later date.

Mr. Speaker, I yield at this time to the gentleman from New York (Mr. GILMAN).

Mr. GILMAN. Mr. Speaker, as a freshman Congressman I am pleased to join in the bipartisan endeavor for fiscal responsibility. The real power of Congress lies in its ability to open and close the national purse. For years, the exercise of this power of the purse has been almost capricious. The purse strings have been alternately slack and taut, seemingly without rhyme or reason. Often this has been done with no regard for its ultimate effect on the Nation.

The efforts of the Joint Study Committee on Budget Control may enable us to come to grips with this aimless method of taxation and expenditure. The work of the committee merits the full and continued support of everyone in this Congress, regardless of his politics.

Everyone is justifiably dismayed by our present archaic method of raising revenue and appropriating funds. By the end of each year we are left with a fiscal patchwork quilt padded with supplemental budgets.

The interim report of the Joint Study Committee is a laudable first step toward restoring some balance to the fiscal machinery of Congress. The tentative recommendations are comprehensive and responsible. I was particularly impressed with the emphasis on long term budgeting. Our present method of appropriating money year by year and item by item cannot help but lead to irresponsibility and a decline in congressional control.

The time for congressional responsibility in fiscal matters is long overdue. This is not a question of party line but of public principle. I call on the entire Congress to wholeheartedly support the efforts of the Joint Study Committee on Budget Control so that once again Congress can perform its constitutional role of protecting our tax dollars.

I particularly urge my Democratic colleagues to join this movement for fiscal rationality. We can no longer afford to play politics with the people's pocketbook. Let us all join in this move to fiscal responsibility so that the legislative branch can once again assume its rightful place in the structure of American government.

Mr. CONLAN. Mr. Speaker, I thank the gentleman from New York for his remarks.

Mr. STEIGER of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. CONLAN. I yield to the gentleman from Wisconsin.

Mr. STEIGER of Wisconsin. Mr. Speaker, I appreciate the gentleman yielding.

Although the gentleman from Illinois (Mr. ARENDS) has been serving here for a substantially longer period of time than I and all of the Members who are participating in this special order today, I remember in 1967 as a freshman in the 90th class we undertook an effort

similar in nature although not on this subject, however. It was rather on the subject of congressional ethics. The effort of that 90th class, of which I was a part again on a bipartisan basis was to establish some mechanism to insure that the House of Representatives had a means whereby congressional ethics could be more closely watched.

That effort, I think, was an important part of the reason that the House took the action in the 90th Congress to establish a Committee on Standards of Official Conduct.

I would hope that for all of those who participate today, who have done so well, that the same effort that we succeeded in helping to bring about will be as successful in what you are trying to bring about in insisting that Congress does in fact take better control of fiscal and budgetary policy.

I congratulate the new Members. I am just delighted to see the kind of interest and initiative that is being expressed here today. I suspect that there are many more senior colleagues, such as myself, who are only sorry that we were not able to move as quickly as the new Members have been able to do to undertake this kind of a job.

Mr. CONLAN. Mr. Speaker, I yield to the gentleman from North Carolina (Mr. MARTIN).

Mr. MARTIN of North Carolina. Mr. Speaker, judging from the commentators, and from the action thus far, this 93d Congress is about to make legislative history by seeking to reassert congressional authority for controlling spending and budget priorities. This is an important principle to which I subscribe. On the other hand, I also subscribe to the vital principle of requiring greater restraint in Federal spending. Consequently, I will support an insistence upon congressional priorities only where that is coupled with a more responsible congressional fiscal policy. I cannot support, however, efforts to compel the spending of every nickel appropriated by Congress. Such efforts, if successful, might prove a point about the balance of powers, but would do so at an unnecessarily great cost to the taxpayers.

If the Congress is to demonstrate its sense of fiscal responsibility it must put its own house in order by overhauling and retooling its machinery for adoption of the budget. We must put a check rein on this undisciplined beast and harness its power.

I am concerned about unbalanced budgets and no less concerned when they are called "full employment" budgets or "unified" budgets or qualified with some other adjective. No matter how concerned I am about the fact of an unbalanced budget in peacetime, what concerns me even more is that the American people and their representatives, by and large, do not really care very much that, in times of peace and relative prosperity, their Government is going in the red deeper and deeper every year. Instead of delegations demanding more spending, we ought to be receiving delegations outraged about fiscal irresponsibility on the part of both the executive and legislative branches of government. Even if the President's 1974 budget is adopted without an increase and if revenues come in to the penny, the deficit will come to over $12⅔ billion. That means in 1975 we will have to pay about $750 million in interest on that one deficit increment alone. Each man, woman, and child would pay in 1975 the sum of $122 just to pay the interest on the accumulated national debt.

It belabors the obvious to say taxing and spending ought to be looked at together and that there ought to be some similarity between the two totals. It also belabors the obvious to say appropriations bills ought to be enacted before the start of the year to which they apply. Now, we can debate at length as to how to achieve the goals of a balanced budget and an efficient method of enacting that budget in a timely manner, but that debate will reach a dead end unless Congress and the President make a commitment to these goals. There is no real point in our discussion unless we begin with a commitment to do one of two things—either to reduce spending to the level of anticipated receipts or raise receipts to the level of spending.

At the very least, we should—at an early date in each session—set for ourselves a limit on either or both of spending and new budget authority, plus debt, and do so in such a manner as, perhaps with some qualification as to the rate of employment, to produce at least a balanced budget on a unified basis.

If we are to continue the budgetary policy of predicting revenues on the basis of 4 percent unemployment, the so-called "full-employment budget," then I respectfully suggest that our goal should not be merely to balance revenues if full employment is reached, but to produce then a surplus of, say, $10 billion. If the best we can expect is to break even, then not only will the chances of doing so be slim, but there will never be a surplus realized even in the best of years to help offset the indebtedness of the leaner years. If our policy is to absorb part of the impact of a recession in the lean years, then in boom years when the economy is healthy, we must target our budget to realize a surplus.

The decision is ours, in the Congress, to make. We can either get a hold on the scruff of our collective neck and put some order into our fiscal life, or we can continue on a path of congressional abdication to the point we may as well abdicate our seats as well as our responsibilities.

Mr. ANDERSON of Illinois. Mr. Speaker, will the gentleman yield?

Mr. CONLAN. I yield to the gentleman from Illinois (Mr. ANDERSON).

Mr. ANDERSON of Illinois. Mr. Speaker, I thank the gentleman for yielding.

I express, first of all, regret that the rows in this Chamber cannot be filled with Members on both sides of the aisle listening to this very excellent discussion of this extremely important topic.

I certainly want to join the others today who have expressed appreciation for the initiative and for the efforts which are being made by the Republican freshmen Members of the 93d Congress in debating this very important topic.

As someone, I think, remarked a moment ago, certainly if we are going to get reform, badly needed reform in this area of budgetary procedure, it will have to be on a bipartisan basis. We are, as we saw earlier this afternoon, very much a minority in this House, and yet the initiative has to come from somewhere. I think these gentleman are to be congratulated on asserting this kind of initiative.

Mr. Speaker, I would ask unanimous consent, in connection with these brief remarks which I have just made, to include for the RECORD some figures that my staff has assembled for me which indicate that when we talk about impoundment of Federal funds, percentagewise, the largest percentage of Federal outlays to be impounded has been in the area of defense, in the area of public works.

It has not been in this area of human resources. I believe it would be interesting to spread those figures on the RECORD of these proceedings, so that the many more who will read the RECORD of this discussion tomorrow and the days to come will be aware of them. I believe those figures to a very great extent will show that this whole issue of impoundment has been drawn across the trail of fiscal responsibility pretty much as a red herring. It serves the purpose, really, of detracting our attention from what ought to be our principal goal in this endeavor, and that is to reform the archaic procedures by which we presently deal with this vast and complex budget.

Again I congratulate all of those who are here today taking part in this discussion.

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

There was no objection.

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

Mr. CONLAN. I yield to the gentleman from New Jersey (Mr. RINALDO).

Mr. RINALDO. Mr. Speaker, as a freshman Member of the House who came directly to the Congress from service in a State legislature, the realization that Congress does not have an effective budget control process, that individual Members of Congress do not have the opportunity to review and act upon the budget as a whole, and that there is no procedure for coordinating spending legislation with revenue legislation disturbs me greatly.

Most of us, of course, were aware in an academic sense that such deficiencies existed in the legislative process. But even brief service in this body has served to make us painfully aware of just how disabling the absence of a budget control process can be.

It deprives us of the ability to make rational spending and taxing decisions.

It prevents us from making considered choices among a multitude of competing proposals for Federal financial assistance.

It handicaps us in the task of reordering national priorities.

It encourages legislative irresponsi-

bility in voting on individual spending and taxing bills.

It denies us the opportunity to see in a meaningful way the effect on national economic policy of our individual actions on separate appropriations bills.

In an almost literal sense, it focuses our attention on so many trees that we fail to see the forest.

It tends to hold out promises to the American people on which, ultimately, we are unable to deliver.

It denies to the people, even more than to ourselves, the understanding of congressional action which is necessary for informed political judgments in a democratic society.

It transfers, in effect, a measure of authority to the executive branch which constitutionally belongs to the legislative branch.

It encourages unproductive rivalry and distrust between the two Houses of Congress and between the Appropriations Committee and those committees which report legislation authorizing "backdoor" spending.

Congress, in brief, is paying a heavy—and unnecessary—price for its refusal in the past to reform its procedures in this area and to adopt a comprehensive step-by-step method of controlling expenditures and revenues, a method which, after careful study, will establish a firm and binding limit to Federal spending overall each year.

The analogy between State legislative procedures and the legislative process in Congress cannot be a perfect one, but it may be instructive. In New Jersey, for example, the State constitution requires the Governor to send to the legislature, and the legislature to enact a balanced budget, with anticipated revenues matching anticipated expenditures. As a consequence, the legislature as well as the Governor must review and act on the budget as a whole.

No such constitutional requirement is, or should be, imposed on the Congress or the President. Federal budgetary policy has a direct and often controlling impact on the Nation's economy, and it may sometimes be necessary to enact deficit budgets as a means of combating unemployment, increasing the money supply, and stimulating economic growth.

For this very reason, however—because congressional decisions on the budget directly affect the economic health of the country—these decisions should be made on a more rational basis than is now possible. If it is important for a single State to exercise effective control of its budget, then it is immeasurably more vital for the National Government to do so.

There are grounds for encouragement, Mr. Speaker—in the appointment and the interim report of the Joint Study Committee on Budget Control, in the expressed determination of many Members to support reform, and in the activities of our colleagues who are participating in this special order—that Congress is prepared to deal with the budget control problem this year.

As a member of the five-man committee appointed by my freshman Republican colleagues to study this problem, I have submitted the outlines of a proposal which I hope may have some merit. While it corresponds in general terms with many of the guidelines suggested by the joint committee, it also includes several individual features which I believe are significant.

The budget control procedures I suggest focus on the creation of House and Senate budget committees, as do many similar proposals. My own proposal calls for a committee of 17 members, 10 from the majority and seven from the minority. While members of the Appropriations and Ways and Means Committee would predominate, with five from each committee on the Budget Committee, it would broaden the membership to include one member designated by the Speaker and two each from the three standing committees which in the previous session authorized the highest amounts of "backdoor" spending. Given the extensive authority the proposed new budget committees will have, and the relative decline in the authority of other committees, I would argue that it is crucial to assure as broadly representative a membership as possible, without foregoing the obvious advantages of the expertise of the taxing and appropriating committees.

And to further assure a high degree of representativeness, I would propose that, except for the designee of the Speaker and the chairmen and ranking minority members of the Appropriations and Ways and Means Committees, the remaining members of the Budget Committee be elected by the members of the committees they would represent. This would serve both to maximize the quality of the new committee and increase the confidence of our colleagues in its work.

The work of the budget committee, under this proposal, would be carried out in two stages. The first stage, the preparation of a preliminary, nonbinding budget should take place in early March following overview hearings by the Appropriations, Ways and Means, and Joint Economic Committees in their respective areas of budget jurisdiction, and consultations with other standing committees having jurisdiction over major spending programs.

Indeed, there is every reason to hope, if not to require, that all standing committees would conduct such preliminary overview hearings. It would not only increase the value of their advice to the budget committees, but would also assist them in organizing their own legislative schedules and priorities in a more orderly fashion.

It is important to emphasize three things about the budget committee's preliminary budget resolution:

First, it would not be binding. Expenditure and revenue figures would be advisory only—targets, if you will—both to aim for and to shoot at. The integrity of the legislative process requires that budget and related legislative recommendations continue to be subjected to the most careful study by the responsible committees, that these committees and members generally be assured the opportunity to consider alternative proposals, and that the general public itself be given adequate time to understand what is being proposed and to express their views.

Second, the resolution embodying the budget committee's preliminary expenditure and revenue recommendations would be subject to debate and amendment in both Houses of Congress. Only in this way can there be an open expression of Members' choices and preferences at a crucial stage of the budget control process. Only in this way can a true consensus be reached—a voluntary consensus, not an imposed one.

Third, the experience of reaching this consensus—even at the preliminary stage—will serve the related purpose of acquainting members of the standing committees with a workable idea of how far each body is likely to go in viewing the results of their own subsequent committee actions. In other words, it will help set useful guidelines for committee decisions on spending proposals.

The second, and final, stage of the budget control process would occur immediately after House passage of the final regular appropriations bills, or no later than July 1. Following a review of expenditure and revenue estimates, the latest economic projections, and congressional action on spending—both appropriations and backdoor—and revenue bills, the budget committee would prepare final budget legislation.

This legislation, which would have the effect of law upon enactment, would set final figures for both expenditures and revenues and would make whatever specific changes in previously enacted legislation might be required to meet the overall amounts.

Once again, the Budget Committee's recommendations would be subject to debate and amendment on the floor. Here, the procedure to be followed is crucial. First, Members would debate and vote on the overall budget totals. Then, in considering amendments to the committee's proposed changes in previously enacted bills, any such amendment increasing spending for a particular program must include an equal reduction in one or more other programs so that overall totals would remain the same. A similar requirement would govern amendments to the revenue provisions of the committee bill.

In the likely event of differences between House and Senate versions of the final budget legislation, these differences would be resolved, as usual, in conference followed by final approval by the two Houses and signing by the President.

Since this process could be expected to be completed by mid-summer, the question arises of what to do in the event an emergency or other unusual circumstance should dictate changes either in specific program levels or in the overall budget totals.

Under my proposal, such a situation could be handled in either of two ways. Should the Budget Committee decide to do so, or should either House by simple resolution require it, the committee would report a supplemental bill making the necessary adjustments in overall budget totals and in the appropriate program level.

Otherwise, any legislation initiated by

either House which affected the budget for the current fiscal year would, under revised rules, be required to maintain the expenditure-revenue totals previously agreed upon in the final budget legislation. For example, a housing or pollution bill could increase spending in one or more programs, but that same bill would have to include comparable reductions in other programs or be ruled out of order.

Two advantages of overriding significance, Mr. Speaker, would be achieved at each stage of this budget control process. First, the Congress would at each point be confronted with the need to agree on an overall budget strategy, designed to secure the objectives of maximum employment and minimum inflation. And at each stage, too, Congress would be required to consider and establish effective priorities in social and economic policy.

This is the real work of the Congress, for which the Congress for too long has failed to organize itself. By doing so now, we can take a major step in reasserting the constitutional equality of the legislative branch of the Government and in assuring that Government spending—always a key factor in our economic well-being—will be kept firmly in control.

Mr. TOWELL of Nevada. Mr. Speaker, will the gentleman yield?

Mr. CONLAN. I yield to the gentleman from Nevada (Mr. TOWELL).

Mr. TOWELL of Nevada. Mr. Speaker, during the last several weeks my staff and I have checked the CONGRESSIONAL RECORD, and I find that every responsible leader on both sides of the political aisle, Democrats and Republicans in the House of Representatives and in the U.S. Senate, have called for congressional reform.

Unfortunately, Mr. Speaker, I think many of us who are freshmen feel that this has been lip service, merely a way to appease the public.

Mr. Speaker, I believe the majority of the American public, including my constituents in Nevada and others throughout this country, are, indeed, fed up with political bickering amongst Republicans and Democrats. They are not concerned about our fight regarding whether the President has taken too much power or whether he has not taken too much power. They are calling for true congressional reform. They say, and I say, that the people who represent them at the Federal level have, indeed, gone beyond all bounds of reason when they pass bills, many fine bills and for many fine projects, and then steal away into the night and fail to pass a measure to pay for those projects and those causes.

Mr. Speaker, in closing, let me say that I think we all, not only the freshmen class, but the Members who have been here for many years, owe the American public—the American public from which we collect umpteen billions of dollars worth of taxes—we owe them a full return for every tax dollar collected.

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

Mr. CONLAN. I yield to the gentleman from South Dakota (Mr. ABDNOR).

Mr. ABDNOR. Mr. Speaker, in the great State of South Dakota it is unconstitutional for the legislature to operate the budget in the red. Yet, here we sit in the Congress paying lipservice to fiscal responsibility with the taxpayer's dollars. Is it not time that the Congress approached its responsibilities of setting spending priorities by voting to keep spending within a $250 billion ceiling as the President has requested?

The Joint Committee on the Budget is the first and most important step that the Congress has taken to give itself the tools with which to analyze budget requests. Now we must make sure the committee does the job it was designed to do so the 93d Congress can work within definable limits of scope and need.

Properly drafted, expenditure limitations are the wheels to the work wagon of fiscal sanity. However, to get the wagon really rolling we have to draft horses here in the Congress that are willing to haul the budget wagon past the gap of backdoor spending, and new program authorizations.

The people do not want more taxes, and I agree. We should be grateful that the President has had the courage to make the Congress face up to its fiscal responsibilities.

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

Mr. CONLAN. I yield to the gentleman from Virginia (Mr. PARRIS).

Mr. PARRIS. Mr. Speaker, since the 93d Congress convened 2 months ago, much has been said about the urgent need for congressional reform. I rise today to add my voice to those who believe serious reform is long overdue and to dedicate myself to the proposition that a matter of first priority, and the first major step in this area, must be improved congressional control over the annual budgetary process.

There is no more pressing matter facing this Congress than the distressing national fiscal situation which has been brought about, in my opinion, at least in part, by a lack of adequate congressional budgetary procedures and thereby direct control over the total expenditures of this Government.

Since the enactment of the Budget and Accounting Act of 1921 "backdoor spending" has dissipated the spending authority of the House Appropriations Committee until today less than 50 percent of the total budget is under the control of that committee. I think it is more than a coincidence that during this 50-year period, as authority over spending was relaxed, the Federal budget has resulted in a deficit 37 times over that 50-year period.

The handwriting on the wall could not be plainer. Lack of congressional control and the steadily increasing size of the annual budget deficits is committing this Nation to a frustrating future of unmanageable red ink. That is not the kind of future any of us should want for America, and it is a condition we cannot long tolerate.

Congress must act now to protect the financial security of this Nation by reassuming its proper responsibility over the spending process. In line with this action, I urge the enactment of legislation which will establish a rigid annual spending ceiling which cannot be exceeded by appropriations, legislation which has been recommended by the Joint Study Committee on Budget Control and which is supported unanimously by the 43 freshmen Republican Members of this House and a number of our colleagues on the other side of the aisle.

We all are aware of the need for an overall view of spending priorities and anticipated revenues, but this view will never be available to us unless we exercise our full authority over the budgetary process by establishing an expenditure ceiling and eliminating extravagance by the use of priority spending.

The Congress must set an example of thrift and sound management. Unless we do that, how can we ask our constituents to do more each year. Already the tax burden in this Nation is all but intolerable. Businessmen, farmers, homeowners and the elderly all see their savings and investments decrease in value with each passing year. Where does it end?

Let us hope it ends here, in this Chamber, with the passage of legislation which not only reestablishes congressional authority over runaway Federal spending but which reestablishes Congress itself as a branch of Government which will not forfeit its responsibility.

Mr. CONLAN. Mr. Speaker, I yield to the gentleman from Virginia (Mr. ROBERT W. DANIEL, JR.).

Mr. ROBERT W. DANIEL, JR. Mr. Speaker, I share with many of my colleagues the concern that the Congress is in danger of losing much of its constitutional authority to the executive in the areas of spending and appropriations.

At the same time, I share the President's goal of attempting to curb the growth of the Federal budget. Spending by the Federal Government has created an inflation-producing deficit that can be eliminated only by increasing taxes—which I strongly oppose—or by curbing the growth of the budget.

The Congress can combine these goals—curbing the growth of the Federal budget, and protecting the historic constitutional powers—by acting responsibly on spending bills.

We cannot spend beyond a reasonable level and then not expect the President to act to control the total level of expenditures. If the Congress is to maintain its rightful role setting national priorities, it must make those hard decisions on individual programs necessary to keep the size of the budget under control.

We must also make the institutional changes that will allow the Congress to maintain rational control over the budget process. As the interim report of the Joint Study Committee on Budget Control states—

> The present institutional arrangements in many cases appear to make it impossible to decide between competing priorities with the result spending is made available for many programs where the preference might have been to make choices and also spending reductions.

We should enact, therefore, some reform like H.R. 3569 which I cosponsored with Representative ROBINSON, that would enable us to set budget priorities. Failing any institutional change, we must examine each spending bill care-

fully and critically to reduce expenditures wherever possible.

The American Revolution was fought because the people demanded control over taxation and spending that the British Crown would not allow. As the representatives of the people today, we must fight to maintain control over taxation and spending. If the Congress loses control of the budget, more is endangered than a small erosion of power to the President.

Mr. CONLAN. Mr. Speaker, I now yield to the gentleman from Texas (Mr. STEELMAN).

Mr. STEELMAN. Mr. Speaker, there is a battle going on in Washington—a battle to determine who has the power to spend Federal funds, the President or Congress. Constitutionally it is the job of Congress to determine when and where money is spent, but in recent years the executive branch has moved more and more into this area.

The President has seen fit to impound funds that Congress has authorized to be spent. The President has charged that Congress has not acted responsibly when it comes to allocating funds—and I agree that we have been irresponsible in this area.

The time has come when we must take back this responsibility and prove ourselves to the people we represent. The House of Representatives has the reputation of being the body of Government that is closest to the people. Now we must show this to be true.

The way to do this is through budget reform. I have joined this movement by cosponsoring House Resolution 142 with Representative PAUL FINDLEY of Illinois and I feel it could be the most important budget reform measure in years. It would give Congress the power to devise the total Federal budget—deciding what money there was to spend and how to spend it.

No longer would there be any doubt where the money for a particular Federal program was going to come from, we would know how much money was available before it was spent. Federal programs would be drawn up to fit the budget, rather than the reverse which is the present case.

I think the most important point in any budget reform measure is that it give appropriate responsibility for Federal spending to Congress.

It is important that Congress reassert its traditional role as a coequal partner among the three branches of Government. It is just as important that it maintain its traditional role as the voice of the people.

The need for budget reform is evident. Just as evident is the fact that many Members of Congress are willing to take the responsibility for this reform. I urge my colleagues on both sides of the aisle to join together in this effort. This is an issue that goes beyond party. It effects the tax burden of every American citizen and it effects the buying power of his dollar. If we face this challenge and reform our budgeting procedure, Congress will rightfully reassume its role as a coequal partner among the three branches of Government. And the confidence of the American people in this body will be enhanced considerably.

Mr. CONLAN. Mr. Speaker, I now yield to the gentleman from Maine (Mr. COHEN).

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

Mr. Speaker, earlier today I was told the story concerning a freshman legislator who made his maiden speech, and he talked in such a weak and inaudible voice that many of his colleagues wondered whether he had lost his maidenhood. I just hope that since this is my maiden speech you will not confuse the strength of my voice with the strength of my argument, for I would rather prefer the voice of moderation.

Each time I return to my district, the principal question I am asked is, as the gentleman from Texas (Mr. STEELMAN) just talked about, whether Congress is going to win the constitutional confrontation. Who is going to win the battle of the budget? I maintain the people are going to win that particular battle; at least, they have the opportunity to win.

I believe we can have a very strong executive and a strong Congress at the same time; they are not mutually exclusive bodies.

We have heard many who have accused the administration of making an unprecedented power grab, and I, too, share the concern that too much power is being concentrated in the executive branch. I also believe, however, in the verity of the observation that power that is lost through force can likewise be regained through force, but power that is lost by either sloth or default may be lost forever.

I think that we have seen a loss of some power through sloth and through default, and that we have the power to regain it provided we are willing to accept the responsibility that attends the existence and the exercise of power.

I remember that Warren G. Harding once said that in the final analysis government is, after all, a very simple thing. And this prompted Felix Frankfurter at the time to retort that there never was a more pathetic misapprehension of responsibility than Harding's statement.

I think we all know that government is not a simple matter; it is a complex matter, and demands the attention and abilities of our most dedicated, most able, most gifted and, above all, most responsible men and women.

I think if definition is necessary that some of the Members might agree in the view that one Governor recently advocated, that government is much like an infant's alimentary canal—it has a healthy appetite at one end, and little sense of responsibility at the other.

I speak in earnest and not in jest, because never in the history of this country have our people been more concerned about, more critical of, more disenchanted with, or more alienated from the various institutions which exist to bring order, efficiency, and service to those whose dollars support them. I think we by and large have contributed to the problem by overpromising and underperforming. We have raised public expectations well beyond the pale of possible governmental performance.

I happen to believe that persistent failure, no matter how high our goals are or may be, will inevitably breed frustration, so I think we have started on the right answer; that is, to take action to finally bring our budget into focus and to talk realistically. I would like to conclude briefly with the final paragraph of a recent article in a well known newspaper. It says:

> Congress can either contribute greatly toward a constructive and fiscally sane budget, or it can muff the job. Before it can make a positive contribution, however, it must straighten out its own absurd, and self-defeating budgetary and revenue procedures. The present non-system parcels out the budget in so many directions that the overall budget picture is lost sight of and, with it, any real control. If Congress wishes to regain its constitutional powers, it would do well to make a start at precisely this point.

Mr. CONLAN. Mr. Speaker, I yield to the gentleman from Illinois (Mr. O'BRIEN).

Mr. O'BRIEN. Mr. Speaker, as a former member of a State legislature, the Illinois General Assembly, I find the failure of Congress to set up adequate budget controls utterly incomprehensible.

This failure is the crux of the current controversy between the administration and Congress over the President's impoundment of funds.

The Constitution gave the power of the purse to Congress. If we have allowed that power to slip away, it is our own fault. For many years Congress has been spending the taxpayers' money with little regard for effects on our national economy or the international monetary situation.

Why have not we established overall budget control procedures? I have not found anybody yet who can give me a sensible answer to that question. Back in Springfield, the first order of business is the adoption of a budget that fixes a ceiling over total expenditures of the State government. But here in Washington, it works differently. The first and last time that Congress takes even a quick look at the budget as an integrated whole is when the budget message arrives each January from the White House. On Capitol Hill the administration's budget requests are broken down into segments by the Appropriation Committees and parceled off to subcommittees whose members, through years of experience, develop impressive expertise in the financial problems of the agencies and programs within each subcommitee's jurisdiction, but their final product—the departmental appropriation bills—are brought to the floor and voted on as separate spending actions. There is no correlation between the spending called for in these bills and the total Federal revenues anticipated during the fiscal year when the spending will occur. There is no overall spending limit under which the expenditures called for in the unrelated funding bills must fall.

Mr. Speaker, if a man of Irish origins may be allowed to resort to the English style of understatement, this is a very untidy situation.

We must put our house in order. We must act to restore the faith of the peo-

ple in their representative government. Do not blame President Nixon for his attempt to reduce the outflow of Federal funds to more manageable dimensions. Do not blame previous Presidents for their role in the proliferation of programs that eat up our tax funds. Do not blame the spending lobbies so evident in Washington this year. No, my colleagues on both sides of the aisle, you and I, and our predecessors in this House and in the other body across the Capitol, are mainly responsible for the situation we find ourselves in today.

While, as a Republican, I cannot help but remark on the fact that my party has been in the minority in Congress during 38 of the last 42 years, I do not believe we should make this lack of fiscal responsibility a partisan matter. Early this year the Joint Committee on Budget Control began its work. Created by the last Congress, the joint committee, after only a month's work, has agreed on certain general principles. At this point, I quote verbatim from the joint committee's first tentative recommendation from its interim report dated February 7, 1973:

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.

I believe that this is a recommendation upon which we can all agree. The joint committee has made a good start. Let us help it finish the job by our encouragement and support for procedures that will show we mean business when we talk about living within our means as a nation.

Mr. CONLAN. Mr. Speaker, I yield to the gentleman from Connecticut (Mr. SARASIN).

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

Mr. Speaker, I, too, wish to join my colleagues on both sides of the aisle in the effort we see starting here today. Let us hope that the effort goes on for a long distance from here. All of us have received a great deal of mail, and certainly we have read the rhetoric about the terrible things the President is doing in the impoundment of funds. I think we know better. The question really is not what the President has done; it is what the Congress has not done. We really simply have not exercised our responsibility as Members of this body. We do have the responsibility of creating and promulgating a budget. We have abandoned that over the years, and we now see that the President feels that he has to operate in the manner in which he has operated.

Senator SCOTT said the other day that if Congress cannot add, the President will subtract so taxes do not multiply. I think this is a pretty profound statement, so I think what we see today here, with the bipartisan effort by Members on both sides of the aisle, is indeed healthy and will go a long way toward restoring the balance of power and the ability of this body to operate effectively in the three branches of Government.

I thank the gentleman for yielding.

Mr. CONLAN. I thank the gentleman from Connecticut.

Mr. Speaker, I yield to the gentleman from Michigan (Mr. HUBER).

Mr. HUBER. Mr. Speaker, like the weather, everybody talks about fiscal responsibility, but nobody does anything about it. This resolution demanding fiscal responsibility, signed by many of the new congressional class of 93, is perhaps the most encouraging sign to the overburdened, overtaxed, and overregulated citizens of our country. This unified bipartisan effort, if adhered to by its original sponsors and if supported by those who repeatedly preach fiscal responsibility, could be the turning point in our Government's history to one of action instead of talk when dealing with budgeting matters and spending programs.

Mr. CONLAN. Mr. Speaker, I thank the gentleman from Michigan for his remarks.

Mr. Speaker, I yield now to the gentleman from South Carolina (Mr. YOUNG).

Mr. YOUNG of South Carolina. Mr. Speaker, first of all I think it would be well to congratulate the president of the freshman class, the gentleman from Arizona (Mr. CONLAN) who provided the leadership to give us this platform this afternoon.

We say that we are freshmen Congressmen and, therefore, we do not have a great deal of power to do anything in this Congress, but together as freshmen Congressmen we can do a great deal.

I think it is well to note that we are fiscally responsible in most of our State legislatures, we are fiscally responsible in our own businesses and we feel it would be important here and now to be fiscally responsible in this Congress.

I flew in World War II under the command of a General Kennedy and he had a saying in his headquarters I am reminded of this afternoon. He was faced with the Japanese Imperial Air Force and the outlook was bleak, as it is for us here this afternoon. We are so few with such a tremendous task ahead of us. He had this slogan: The difficult we do right away, the impossible takes a little longer.

Mr. Speaker, with this attitude and this outlook I feel together we can make our mark felt on this Congress. Mr. President, if you will continue to lead us, I believe we can accomplish the goal ahead.

Mr. CONLAN. Mr. Speaker, I appreciate the kind remarks of the gentleman from South Carolina, but I think it is only fair that all the Members of the freshman class on the Republican side be given great credit for this, and our respect goes to those Members on the Democratic side who have joined with us on this venture. I think particular credit belongs to the gentleman from Colorado (Mr. WILLIAM ARMSTRONG) who in our freshmen group provided the inspiration for the excellent breakthrough on which we are embarked.

At this time Mr. Speaker, I yield to the gentleman from Mississippi (Mr. LOTT).

Mr. LOTT. Mr. Speaker, I thank the gentleman from Arizona for yielding.

I, too, would like to join my colleague, the gentleman from South Carolina, in congratulating the President and the committee of five who made this opportunity possible for us to speak here this afternoon. I think it particularly significant that the overwhelming majority of the new Members of Congress are taking this opportunity to say that the No. 1 issue in the minds of the people of this country is the budget and fiscal responsibility. After all, I think it would be very easy to assume that we are the ones most conscious and most sensitive to the desires of the people and we are looking very closely at what the people say and what our mail is saying:

I fear more what we are doing to ourselves here in this country than I fear the threat of invasion by any foreign power, Communist or otherwise. I fear what we are doing to ourselves in the area of economics. I fear what inflation can do, and is doing, to our cherished form of government.

Mr. Speaker, those are not my words. That eloquent appraisal was spoken here on the floor of the House of Representatives countless times by my distinguished predecessor, former Congressman William M. Colmer. Mr. Colmer spoke those very words 20 years ago. Twenty years and in his farewell speech, yet the message still rings agonizingly true today. Federal spending can, and will eat at the very center of our democratic society. An irresponsible bureaucracy devoured France. It is a cancer that can squeeze the very life out of any form of government. It can kill America.

But it is the American way of life, Mr. Speaker, to protect ourselves if we find ourselves in danger. The time has come for us to protect our form of government, protect our future. The time has come for Congress to cease excessive talk about excessive Government spending: Cease the talk and start the action. We must take sound, reasonable steps now if we are to restore fiscal sanity. We must take that action—even if it hurts. And it will hurt.

We are affluent here in America. We usually get everything we ask for. But if we are to protect our affluence, if we are to guarantee the future for our children, we must tighten our belts now. We must put our feet firmly back on the ground and look down the long, hard road that lies ahead.

And we all know, Mr. Speaker; each of us knows that the overwhelming majority of people in this country want this Government to return to a sound, reasonable, workable economy. The American people want to curb waste and inefficiency in the bureaucracy that engulfs our cherished form of Government. The American people want it. You know it. I know it. And they know we know.

We have simply reached the point where the Government can no longer support the people. The people, Mr. Speaker, must now support the Government.

Congress, too, must support the Gov-

ernment if Congress wants to mold a livable, workable, free world for our children.

So let us take time—even for just a moment—to think, seriously think, about what we are doing to ourselves and to our country each time we vote to increase Federal spending. Think about it long and hard.

It is a sobering thought, Mr. Speaker, but the time has come for Congress to return to sober, meaningful, rational action.

Mr. CONLAN. Mr. Speaker, I might say here that the speeches and remarks and debate this afternoon by the youngest Members of Congress perhaps graphically illustrated their feelings this afternoon when the new electronic voting system in the House went out of commission.

We were appalled, even though most of us have sat in the galleries on previous occasions—we were absolutely appalled sitting here on the floor this afternoon to see the extended time—nigh up to an hour—to conduct a rollcall. We wondered to ourselves how many years it took this body to come to the realization that it should introduce an electronic voting tally to speed up the process and to better utilize the Members' time.

Many State legislatures have had this for 20 or 30 years. We were appalled that the Congress has not pulled itself up by its own bootstraps in instituting a budgetary staffing system to cooperate with those departments and keep them from using and often eating up the taxpayers' hard-earned money.

THE BUDGET SITUATION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Arizona (Mr. CONLAN) is recognized for 60 minutes.

Mr. CONLAN. Mr. Speaker, I now yield to the gentleman from Indiana (Mr. HUDNUT).

Mr. HUDNUT. Mr. Speaker, I thank the gentleman very much for yielding to me.

Mr. Speaker, I thought I was going to be the caboose of one train, but instead I am going to be the engine of another.

A lot of Americans in my district are afraid that our Nation, like the fellow in the rudderless boat floating down the Niagara River toward the falls, is plunging toward a precipice, which if we topple over it will destroy us in the whirlpool of inflation or on the rocks of bankruptcy.

I ask, is it not possible to erect some sensible dikes against that onrushing torrent? I affirm that I believe that it is.

A lot more of our fellow Americans have to make ends meet in their homes and businesses when it comes to the management of their affairs. They have to balance their budgets. They have to live within their incomes, and some day pay off their debts. I would ask, is it too far afield to suggest the situation with the Federal Government is analogous, particularly as we move into a peacetime economy?

Is it not possible to throw a lasso around runaway spending, bring it under control, and stop deficit financing that leads inevitably to more inflation and more taxes?

Again, I would affirm that I believe that it is.

Mr. Speaker, I appreciate having this opportunity to join my freshman colleagues in speaking in behalf of the need for fiscal responsibility and budget reform. Certainly, next to peace, this is our No. 1 issue as it affects every citizen. I believe, as President Nixon does, that the American people do not want their family budgets wrecked by higher prices and higher taxes, and I intend to do what I can, as a Member of Congress, to fulfill my pledge to bring fiscal responsibility into Federal spending. While specific Federal programs may be important to many people and constituent groups, none is more important to all American taxpayers than a concerted program to hold down the cost of living and the rate of taxes.

The fiscal 1974 budget calls for total outlays of $268.7 billion—a projected deficit of some $12 billion—half of this year's deficit. Of the total amount, $202 billion or 75 percent of the budget is virtually uncontrollable due to existing law and prior year commitments. For this reason, it is most important that every effort be made to hold down spending in the remaining areas.

As he had forewarned, President Nixon has presented to Congress a budget proposal in which he grasps the thistle of reining in the perennial expansion of Federal spending. It is a budget in which increases in spending are limited mostly to commitments previously made. It is one in which a start is made on eliminating or cutting back old programs long rooted in the hallowed ground of social welfare.

There will be prolonged debates on the proposed curtailments and reemphasis of various programs in the field of health, education, and social services, and I can well understand and appreciate the concern that has been expressed by many in these fields. I would point out, however, that the budget as presented to the Congress is not really as austere as some have painted it. It actually calls for almost $19 billion more than the spending figure to which the President hopes to hold in the current fiscal year. An overall look at the budget shows that only 30 percent of the total is allocated for national defense. With the exception of the 7 percent which is for interest on the national debt, most of the remainder will be spent in programs that directly or indirectly touch human needs. This quite graphically is not a budget that ignores people. It is an effort to establish priorities and get services more directly to the people.

To hold down spending wherever possible I feel the Congress should enact into law a firm ceiling on overall expenditures—limiting the total outlays to the amount recommended in the budget. I will support this proposal.

In addition, we should enact legislation to provide Congress with a mechanism to establish national priorities and control Federal expenditures. In this connection, I have joined the gentleman from Virginia (Mr. ROBINSON) and other Members in introducing H.R. 3569. This measure is comprised of these elements:

First. A joint Congressional Committee on the Budget would be established, with membership drawn from the revenue-raising and revenue-spending committees—the House Ways and Means Committee, Senate Finance Committee, and House and Senate Appropriations Committees. The Joint Study Committee on Budget Control, which is meeting this week, is a step in this direction, but it is not a permanent authority.

The joint committee would consider the President's budget and best available Federal revenue estimates for the ensuing fiscal year and submit to the House and the Senate, not later than May 31 of each year, proposed spending limits in major Federal program categories. No appropriation bill would be considered until these limits were set, and the spending bills would be expected to fit the limits fixed in the legislative budget.

Second. Budget data submitted by the President would have to include spending projections for a 5-year period.

Third. Congressional spending authorizations would be limited to a 3-year period, and actual appropriations of funds would be subject to annual congressional action.

Fourth. Major new Federal programs would be required to be initiated on a limited pilot basis.

Budget management must be established if we are to have stability, and a basis for a healthy growth in the economy as a whole. The problem of Federal spending is compounded by the diversity of roles the Federal Government is being asked to play in the Nation's economy. Setting priorities no longer involves simply a determination of how much of the Nation's resources should be devoted to a particular purpose; it also requires a human audit about how each purpose can best be accomplished. At present, however, Congress lacks procedures for determining spending goals and priorities. Therefore, I would urge the speedy enactment of H.R. 3569.

We must always remember that every thing that the Government gives out with one hand it must take back with the other, in higher taxes or more inflation, or both. All new spending proposals should be looked at in this way, by asking whether they are worth either of these costs.

Mr. CONLAN. Mr. Speaker, I yield to the gentleman from Virginia (Mr. BUTLER).

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

Today's special order should make it abundantly clear that we, the new Republicans of the 93d Congress, are firmly resolved to bring the budget machinery of this Congress under such control that it will be an effective restraint on excessive Federal spending. I am proud to be a part of this effort and I commend all of our colleagues who are participating in it.

Mr. CONLAN. Mr. Speaker, I yield to the gentleman from Washington (Mr. PRITCHARD).

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

Mr. Speaker, I would like to join with more than 50 freshman Representatives today in urging our senior colleagues to take all possible steps to bring about reform of the budgeting process—including an overall spending limit and provision for the necessary committee structure, staff, and resources by which Congress may review and control expenditures.

Arthur Burns, Chairman of the Board of Governors of the Federal Reserve System, speculated that the President does not really believe Congress will heed his call for a ceiling on expenditures, instead, the Congress will overspend and thus become responsible for tax increases that will become inevitable.

Unfortunately, I believe Congress, by its own actions, has lent some support to this pessimistic view. In the past Congress has given in to pressure to increase spending while failing to provide for adequate revenues.

I do not see many votes in either House of Congress to increase taxes to match expenditures. This means that we must provide mechanisms for controlling spending and allocating limited funds. If we do not, then the President will continue to designate the Nation's priorities by the impoundment of moneys and budget cuts.

Mr. CONLAN. Mr. Speaker, I wish to thank the gentleman from Washington (Mr. PRITCHARD). Those words were well spoken.

Mr. Speaker, this exercise has moved out into more than 40 congressional districts by TV and radio and the press, so we are not only speaking to ourselves here and the other Members, but we are also speaking to the public and involving them, as the polls show, in some constructive changes that are due to improve the image as well as the workability of this body.

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

Mr. CONLAN. I yield to the gentleman from Louisiana (Mr. TREEN).

Mr. TREEN. Mr. Speaker, the hour is late, and I think that I may be the last to speak. I will abbreviate my remarks.

Mr. Speaker, I will merely add this to what my colleague, the gentleman from Washington (Mr. PRITCHARD) has stated: We do wish the older Members of Congress well, and we do offer them our votes, and we do offer them our suggestions, but I think that this exercise this afternoon means more than just that. I think it is a message, and I hope it will be received as a message, to our senior Members of Congress that this freshman class as a group, with Members on both sides of the aisle, will be here as a constant prod to see that something definitive comes out of the work of the joint committee.

Mr. Speaker, I for one—and I think I am joined by many of my freshman colleagues—will go on to say that if prodding is not enough, then we will indeed attempt to develop our own legislation.

Mr. Speaker, I am proud to join my colleagues in calling for a spending ceiling.

The permanent debt limitation for the Federal Government is set by law at $400 billion. Last session the Congress saw fit to expand this limit by the passage of a temporary debt ceiling of $465 billion. Inasmuch as I know of no plans for a $65 billion surplus in the near future, I assume that sometime before June 30 legislation will be proposed to make that extra $65 billion of Federal indebtedness a permanent burden on the American taxpayer.

Yet the Senate deleted an amendment to the debt-ceiling legislation which would have imposed a $250 billion spending ceiling for fiscal year 1973.

Why, Mr. Speaker?

Why did the distinguished Members of the Senate, while forced to acknowledge that the Federal Government's fiscal malaise had grown to such dismal proportions as to require such emergency legislation, refuse to take the only step which presented any hope of impeding the growth of the Federal debt?

Many of my colleagues will recall that 1972 was an election year. The enactment of a temporary debt limit, whose proponents must have realized that it would be permanentized shortly after the election, was the sort of statutory sleight of hand which gives credibility to the charges periodically raised against the Congress, to the effect that its Members are more concerned with structures than with substance, more interested in saving face than in saving the country.

Mr. Speaker, this year the U.S. Government paid out $24.2 billion in interest on the Federal debt. For fiscal year 1974, even if the President's much-maligned budget cuts are upheld, the projected figure is $26.1 billion. That is over $50 billion in 2 years, which the taxpayers will be required to pay, without receiving a penny in services in return. Not a penny of that $50 billion will pay for a school, for a hospital, for new housing starts, for any of the other domestic programs we are told are so necessary. Needless to say, not a penny of it will go toward the national security of the people of the United States. All of it will go down the drain; and it is a fact that with every annual budget deficit, the amount going down the drain will grow larger.

Much has been made of the fact that the dollar is no longer the stable, valuable currency it used to be on the international money markets. The finger of blame has been pointed at imports and exports, at the Indochina war, at our NATO commitments—and all of these factors are important. But the central problem is our runaway Federal debt.

Mr. Speaker, is it reasonable to expect people to lend money to an institution whose debts far exceed its income? Who among us would honor the personal check of a man who was in debt far beyond his means—especially a man who had a printing press in his basement and whose only way to cover his bad checks was by printing more and bigger bad checks? Yet this is what we are asking other nations to do. Every Federal Reserve note is a check drawn on the economy of the United States. In the past, our policy has been to run the printing presses, to write checks without regard to how much money we had in the bank. We cannot afford to do this any longer.

Mr. Speaker, several of my colleagues have expressed their concern over an alleged "constitutional crisis." They have laid the blame for this crisis at the feet of the President, his advisers, his Cabinet members. Most recently, they have singled out the Acting Director of the Office of Economic Opportunity, Mr. Howard Phillips, whose efforts on behalf of fiscal responsibility and accountability represent one of the few rays of hope in this bureaucratic tangle we have created for ourselves.

I suggest, Mr. Speaker, that unless we do something to reduce that $25 billion which goes down the drain every year in interest on the Federal debt; unless we act to reduce the 43 percent of every taxpayer's earnings which are confiscated by government at all levels; unless we stop debauching our currency long enough to restore international confidence in the dollar, we will have a moral, constitutional, and economic crisis on our hands which will dwarf any of the other problems and evils to which we now address ourselves.

Mr. Speaker, I suggest that the responsibility for action is ours; and that the time to act is now.

Mr. CONLAN. Mr. Speaker, I wish to thank the gentleman from Louisiana (Mr. TREEN).

Mr. Speaker, we do appreciate our colleagues being here this afternoon and this evening, and we thank them for being so patient with us.

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

Mr. CONLAN. I yield to the gentleman from New York (Mr. WYDLER).

Mr. WYDLER. Mr. Speaker, as a representative of what you are designating as some of the older members—although I am not particularly accepting that as a proper definition—I just want to say that personally and, I think, in general, the freshman Members are going to find a great deal of support of their efforts to change the methods here in the Halls of Congress. They are going to find that there is opposition, but there is also a great deal of support from the newer Members and the older Members to make things better, and if the freshman Members will come up with constructive ideas and good thoughts and be persistent, they are going to find a lot of allies among us.

Mr. Speaker, I am very proud of the fact that the freshmen Members are having this special order here tonight, and the word and the effect of it will go forth and be felt in many ways and in many places on Capitol Hill. I congratulate them.

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

Mr. CONLAN. I yield to the gentleman from Utah (Mr. OWENS).

Mr. OWENS. Mr. Speaker, unfortunately I was in my office waiting for a vote that I thought would take place prior to this special order, and just now learned that this discussion was under way.

I commend my freshman colleagues for this effort. Although I have not been present for the duration of this special

order, I did associate myself by signing the resolution which has been circulated.

Mr. Speaker, I do not want to associate myself with any remarks which may have indicated approbation for the President's impoundments. I think that constitutes a very serious constitutional threat to the integrity of this branch of Government, and I will not support that. But I have indicated my complete support for a spending limitation, congressionally imposed, and am pleased to reaffirm that position this afternoon.

For that reason I associate myself with the resolution about which my colleagues have been speaking this afternoon.

I think a congressional limitation on expenditures is absolutely essential for two reasons: one, to bring inflation into check, Federal expenditures must be limited, and two, to restore confidence in the congressional branch it is necessary that we exhibit that sense of responsibility.

I will support what I am confident will be hard-working and forthright House efforts aimed at establishing such a budget limitation. I have full confidence in the congressional leadership under the direction of our distinguished Speaker, Mr. ALBERT. He will be providing direction in establishing this limitation, which will permit Congress to determine spending priorities.

As freshmen, if we will unite behind the bipartisan leadership of both Houses, I know we can have a positive effect—our lack of seniority notwithstanding.

I hope there would be no serious references in the debate which will ensue, and the program my colleagues are following which might reflect a partisan or political nature.

I think we share a particular obligation as new Members of Congress of both parties, to unite and help provide that solution to the very difficult problems of inflation and lack of confidence in the Congress. I hope we might do so in a bipartisan effort.

Mr. CONLAN. Thank you, Mr. OWENS.

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

Mr. CONLAN. I yield to the gentleman.

Mr. STEELMAN. I want to commend my colleague on the other side of the aisle for having made a very important point, namely, that the question of spending is a bipartisan effort. I did in my own remarks say it was something that went beyond party. I certainly look at it that way, and I think I can speak for the majority of the freshmen on our side of the aisle. We do not intend to use it in that way in the Congress.

Again I commend you and your colleagues for going with us on this matter.

Mr. CONLAN. I yield to the gentleman from Colorado (Mr. ARMSTRONG).

Mr. ARMSTRONG. I have listened to the discussion this afternoon with satisfaction and pleasure. I think all of us can perhaps take a degree of pride in this opportunity to express ourselves.

I want to say to the Members what we have accomplished here today is meaningless unless it culminates in action at an early date.

It is interesting to recall psychologists tell us we remember about 10 percent of what we see, 30 percent of what we hear, and 80 percent of what we say. I hope we will all remember this and it will not be necessary for another freshman to urge this same action at a later date. Let us go on with the work.

Mrs. HOLT. Mr. Speaker, I would today like to join with many of my freshman colleagues who are united in this movement to try seriously to bring fiscal responsibility as the central theme of the budgetary process of the Federal Government.

We have come to the realization that we cannot continue trying to buy popularity as a nation or as individuals. The lesson of the 1960's is that Federal funds are limited both in their quantity and in their ability to cure the myriad social illnesses which afflict our Nation. The philosophy which reveres Government spending as a panacea must be replaced with an ideology which recognizes the limitations of purely governmental solutions.

The task before us in Congress is to obtain the maximum benefits from our national resource. It is mandatory that this objective be realized without burdening the already overtaxed American with another deduction from his wages and without triggering another vicious inflationary cycle.

It is obvious that we will not achieve this end if we continue to operate under the present budgetary process. This process is not properly structured to meet the needs of the multibillion dollar Federal establishment. Reform rhetoric has been prevalent in Washington; it is now time for reform action.

An expenditure ceiling must be established before we can intelligently make decisions on levels of funding for specific departments, agencies, bureaus or programs. We need to effect a coordination of effort between the appropriations and the revenue-raising functions. Future obligations of current and proposed programs must be projected through the development of a budget. Current programs must be analyzed on a cost-benefit basis while new programs should be introduced and refined on a pilot basis.

These are some of the many facets of the budgetary function which are in desperate need of change. It seems clear to me that the only way Congress will be able to maintain its historical control over the budget is through the implementation of meaningful reforms of this entire function. The recently elected minority Members of this distinguished body recognize the need for such reforms. We have got to stop talking and start acting. We invite all our colleagues to join with us in the development of innovative solutions which are in the best interests of Congress and the Nation.

Mr. COCHRAN. Mr. Speaker, I am pleased to rise in concert with my Republican colleagues in praise of the President and in support of financial responsibility on the part of the Congress. We have seen during recent years the awful consequences of inflation, tax surcharges, tax increases, and general economic instability which have been caused or aggravated by the wasteful and unrestrained spending of billions and billions of Federal tax money.

My fellow Mississippians and I believe strongly that the Federal Government can no longer afford to view itself as the nursemaid for all the ills in this country. More responsibility for responding to the individual needs and aspirations of the people must be assumed by State and local governments. The President's "new federalism" approach has my full support.

Mr. MOORHEAD of California. Mr. Speaker, the disturbing fiscal situation in our Nation points up a weakness in our spending system that has been years in the making. Under our Constitution, it is the Congress who is delegated the power to establish spending priorities, and, yet, Congress has failed to set up an effective mechanism for budgetary control.

The time is now to seek remedies to restore to the Congress its constitutional rights. The time is now to establish procedures that will assure the most comprehensive and coordinated review of budget totals and to set up a determination of spending priorities and spending goals. There must be established a relationship between appropriations and availability of funds. In addition, there must be a determination regarding the appropriate associated revenue and debt levels.

We need legislative budgetary control and a coordination with the executive branch to put an end—once and for all—to the total growing irresponsibility of the Congress of the past years which has resulted in the $450 billion debt—a weakening national currency—and which in addition has made us the laughing stock in countries throughout the world.

The long contest between the Congress and the President for control over spending must be brought to a conclusion. The power of the purse rightfully belongs in the legislative rather than the executive branch—but for reasons of the abdication of this responsibility by Congress, the power has been diminished to the point of being a mere shadow of the original intent.

While Congress retains the power of appropriations—its scope and effectiveness are limited by the growing Presidential discretion to disregard or modify congressional intent.

Although the Anti-Deficiency Acts of 1905 and 1906 established the apportionment process which decades later became the basis for Presidential impoundment of appropriated funds—it seems the Budget and Accounting Act of 1921 was the turning point in the loss of congressional power.

Under that act, the Bureau of the Budget was established and the President was given the power to prepare an annual budget. Gradually through its own actions the powers of the legislature have been diluted to the point that the President has been given a powerful budget staff—numbering in the hundreds—for managing the spending process as it wished. The back door has been opened wide to programs and agencies, allowing them to spend or borrow outside the regular appropriations process. Every

kind of major program—working or not—has a built-in constituency. People who benefit in one way or another become ardent supporters of the program. The broad categories of congressional appropriations have enabled agencies to shift funds among activities and projects, creating the imbalance of power now in existence.

Congress must find ways to alternative courses of action from the present budget system if it is to fulfill its mission as an independent branch of Government. Without such alternative policies, the Congress cannot make informed and independent judgments.

To regain its independence, Congress must have its own source of information—it must be capable of analyzing the President's budget proposals along with any other alternatives it wishes—and it must have sufficient time to do a responsible job.

Congress must initiate to itself the equivalent to the President's budget office. It must become an equal power in the budget process. Congress should be working with the Executive in preparation of the budget—and it should have the exact information that is available to the Executive. Disclosure of agency estimates could improve congressional action on the budget.

There is an urgent need for improvement of congressional appropriations machinery. The recommendations in the 1970 Legislative Reorganization Act that an annual appropriations review is the best means of insuring that Federal spending receives adequate congressional attention is worthy of consideration.

Another point worthy of consideration is the execution of the budget and whether in practice it is an evasion or manipulation of congressional intent. New approaches to the problem of Executive discretion might be in order.

It seems imperative for Congress to reassert control over Federal spending to correct the irresponsible deficit drift of recent years. For these reasons, I wholeheartedly join with the other freshmen Members of the 93d Congress in urging at the earliest possible date congresional reform of the budgeting process, including an over-all spending limit and provision for the necessary committee structure, staff, and resuorces by which Congress may review and control expenditures.

Mr. GUYER. Mr. Speaker, today, every American faces a fiscal crisis due to uncontrolled and misdirected spending. Spending has become a national pastime in Washington.

Our Federal Government spends cash at the rate of $475,000 a minute. At that rate, the Government spent more money in the first 10 months of our last fiscal year than they did between 1789 and 1942. Proposed expenditures for fiscal year 1974 are $268.7 billion. Just think how much a billion is. If you would have started a clock in the year one, by now it would not even have ticked off a billion minutes.

In 1900, the Government employed one million people; today, there are almost 13 million government employees and 20 percent of all workers are Government employees.

Today our national debt is reaching almost one-half trillion dollars and over 10 percent of the average American family's taxes are used to pay the interest on our national debt. The average family's share of the Federal budget has risen from $2,000 10 years ago to $3,700 today, an increase of over 80 percent.

Now is the time to return our country to fiscal sanity by bringing Federal spending under control. Congress must be given the tools to establish national priorities and control Federal expenditures.

I have introduced legislation this session (H.R. 2842) which would give Congress the needed powers to restore our country to fiscal sanity. Briefly, my bill would establish a congressional budgeting system which would facilitate establishment of national goals and priorities to meet the responsibility to oversee and establish fiscal guidelines for the proper implementation of national goals and priorities; and develop a means for a constant and systematic review of existing programs to be certain that they are achieving the national objectives for which they were created.

We, as the legislative body, responsible for the biggest budget in the world, are rendered almost incapable of meeting our Nation's fiscal problems or the obvious need to establish responsive national priorities. Congress now lacks the tools to determine our spending goals and priorities.

The legislation which I have introduced would give Congress necessary powers by, first, projecting all major Federal expenditures over a 5-year period, then, by evaluating all major Federal programs at least every 3 years. Also, every proposed major Federal program would have a pilot test.

Other proposals included in my legislation would be the designation of a joint congressional comimttee to evaluate the Federal budget in terms of priorities and the subjection of Federal programs financed through trust funds to the annual appropriation process just as other tax-supported programs are.

My proposal will allow this legislative body the congressional control over Federal expenditures that will return our Nation to a state of fiscal sanity.

Mr. MILFORD. Mr. Speaker, I congratulate my colleagues on the other side of the aisle for making possible this opportunity for many of us, new to the House, to express ourselves on an issue which I believe is one of the most important facing Congress and the Nation.

We have taken a good step forward in the fine work of the Joint Committee on Budget Control, and I was pleased to respond to that committee's kind request for my views.

I strongly believe that it is incumbent upon the Congress to balance Federal income against Federal spending, and establish spending priorities within the income.

We need to get accurate estimates of national income, subtract uncontrollable payments—retirement payments, interest on the national debt, and the like—and use the balance for the programs which Congress, representative of the people, believes are most important.

The fact that we are here today underscores the problem. Congress simply has not performed in this area. So, even though it has been distasteful. I have felt compelled to support many of the President's budget cuts. Right now he has the only game in town.

I am looking forward to having the alternative of supporting a congressional budget.

Mr. WALSH. Mr. Speaker, I, too, rise to speak on the matter of fiscal responsibility.

As a new Member of this Congress I am convinced that on many occasions in the past and even at present, Congress has been guilty of fiscal irresponsibility.

I need only call the attenion of the House to an article in the March 4, 1973, Washington Post. In an article about the rejuvenation attempts for Gary, Ind., the story related that in one fiscal year the city received more Federal aid than the entire city budget of Gary authorized for expenditures.

At one point, the situation became so serious, that the city planners had to contact Washington and ask them to stop sending money and start sending people who knew how to spend it, and believe me, Washington can provide the spenders.

This is the type of fiscal mismanagement we seek to stop. Coming from the executive branch of Government, I feel considerable empathy for the President. As the former chief executive of a city, I would not feel compelled to spend money in excess of that which I requested if the legislative body appropriated more than needed.

The President is right in attempting to cut Government expenditures since this is the single most important cause of inflation.

His program to return the wisdom of choice to State and local government is an ideal we should all support. Where else can priorities be better established than at the local level.

I remember very well a public hearing conducted in my city by Members of the Congress when the poverty program was first proposed. The Congressman, since defeated, told me and our city government at the time and I quote

> We don't care what you in your city want, if we in Washington think you should have it, you'll get it—whether you want it or not.

This dictational attitude we also seek to stop.

I intend to support the President in his determination to bring sanity to what I now consider fiscal chaos. I am pleased to join my freshman colleagues in calling for a return to sound governmental fiscal programs and integrity.

Mr. CRONIN. Mr. Speaker, the current controversy over the President's impoundment of appropriated funds has once again illustrated the legislative body's historical inability to adequately oversee the appropriations process. While the Executive's initiatives have disturbed some members of the Congress, the fact remains that the Congress has failed to adequately man the fiscal barriers.

I respectfully submit that the time has come for the Congress to live up to its constitutional appropriations responsi-

bility. Our past failure has not been due to any lack of concern but is, instead, a direct result of our inherent structural inadequacies when it comes to fiscal control. Our task must be to correct these structural flaws. Towards this end, I have great hope that the Joint Committee on Budget Control, which begins hearings this week, may develop an efficient fiscal mechanism by which the Congress can effectively oversee the appropriations process. I am sure that the joint committee understands the urgency of our problem. If they develop, and the Congress adopts, a program that will include a mandatory spending ceiling, coupled with structural reform that includes a committee on the budget for an ongoing review of tax and expenditure policy, the Congress will have taken a major leap forward in regaining our equality with the executive.

Perhaps more importantly, the U.S. Congress will be on record with the international financial community as having finally come to grips with our own fiscal problems. We will be showing the world that we can solve our problems, thus renewing the faith in the stability of the U.S. dollar.

I call upon my colleagues to strive towards achieving an overall spending perspective. Too often in the past we have been concerned only with the funding levels within the purview of our committee assignments, with little concern for the whole picture. The Congress has carried out its fiscal initiatives in piecemeal fashion and, as a result, we have failed dismally in our efforts to control spiraling inflation.

This we must now change. We must reform our fiscal machinery so that a sound budget is the rule, rather than the exception. I am a firm believer in the principles that our Founding Fathers used in setting up our Federal Government. I believe that Congress should be separate from but equal to the executive. I cherish the prerogatives of the Congress. I also recognize that much of our current distortion is the direct result of the Executive making better use of his powers than we have ours. It is time that we faced up to that fact, resolve the problem, and get on with the task at hand. This is no longer an internal partisan difference of opinion but a major structural problem which needs bipartisan attention. I have great hopes that this can be done, and I pledge myself towards that end.

Mr. SHUSTER. Mr. Speaker, I would like to extend my wholehearted support to any effort by this Congress to reassert its constitutional responsibility to establish fiscal priorities for this Nation. In recent years, by failing to exercise its own budgetary control, the Congress has inadvertently abdicated this responsibility to the executive branch. Much of the current conflict and tension between the executive and legislative branches is derived from this shift of responsibility.

I would not be so bold, Mr. Speaker, as to put forth my own specific plan for such budgetary control. I would prefer to defer to more experienced and wiser heads here in the Congress. They can count on my support. I think, however, that we can all agree on some general observations that in all likelihood would have to be recognized in any specific plan.

I think it is clear, for example, that the Congress itself will have to establish some sort of overall budget ceiling, a limit to which all subsequent appropriations bills for a specific fiscal year are subject. We cannot continue to appropriate, appropriate, appropriate without having some overall plan, structure, or limitation. Our national debt now approaches half a trillion dollars with no sign of any abatement of its continued rise. I have seen projections indicating annual $40 billion deficits in just a few years unless we are able to do something. I do not believe our economy could survive such an eventuality.

Similarly, I think we are going to have to establish some sort of relationship between appropriations and revenues. Every organization, from the big corporation down to the individual family unit, plans its spending on the basis of anticipated revenues.

I think it might be useful for the Congress to obtain 5-year projections of revenues as a necessary part of its budgetary deliberations. I even have seen suggestions for the establishment of a formal relationship between appropriation and revenue bills in which any spending bill would be accompanied by a bill showing where the money would come from.

Finally, I think we are going to have to gain better control over the profligate spending tendencies of the Washington bureaucracy. For years, we have been hearing about the application of Keynesian economics in which we pump additional money into the economy when it is sluggish, a sort of priming the pump effect. But that is only one-half of the equation. When the economy is overheated, we have to tighten up on the money supply and curb Federal spending to prevent further overheating. Around here, we seem to know only half of the Keynesian equation.

Mr. Speaker, I believe in this Congress and our ability to make our system work in the best interests of the Nation. I think there is a will in this Congress to return to fiscal responsibility even as it requires some sacrifices on our part to serve the special interests of our constituencies. I believe the Congress recognizes that all the people of this great Nation represent the collective constituency of the entire Congress and that we as individual Members will be willing to make the personal sacrifices needed to serve that constituency. I am looking forward with anticipation to this coming noble effort. Thank you, Mr. Speaker.

Mr. BAFALIS. Mr. Speaker, the dollar is devalued again for the second time in 14 months. Food prices are expected to jump at least 6 percent this year. The national debt now wavers just under the $450 billion mark—$2,100 for every man, woman and child in the United States. Interest alone on this figure is staggering—$24 billion annually.

Seemingly, the entire economy of the United States is on very shaky ground.

Unfortunately, this is a crisis traceable to skyrocketing Federal expenditures. Federal spending, to be frank, has gone out of control and the American people are very aware of it, for when the Government spends beyond its means, the result is runaway inflation. In the last 10 years, Federal spending has increased 100 percent. And in the first 10 months of fiscal year 1973, we spent more money than we did from 1789 until 1942, the first 153 years of our Nation's history.

Congress seems overly willing to adopt new programs with huge price tags with little regard as to where the money will come from, the overburdened American taxpayer. However, since 1950, the share of personal income taken for taxes by all levels of Government has doubled. We must realize that this ever-increasing burden works to dull individual incentive and discourage individual responsibility.

If ever there was a time ripe, or perhaps overripe, for corrective action, surely it is now. And that action can only come from one source, the body vested by the Constitution of the United States with the responsibility for action in fiscal matters of this country, the Congress.

I personally feel the time has now come for us to get our house in order. In an attempt to remedy this situation, I have introduced a proposed constitutional amendment which prohibits deficit spending. While I am convinced that this is the most ideal way to approach this situation, I am aware of the fact that the adoption of an amendment to the Constitution is a very long and involved process and we need remedial action now.

Mr. Speaker, I am not here to point an accusing finger at Congress. My purpose is not destructive, but rather constructive.

At the present time, Congress simply does not have the necessary procedures to assert control over the vast Federal budget. It is my purpose today to encourage Congress to unite and take the steps necessary to reassert its responsible control over the budget of this Nation.

I feel that the formation of the Joint Congressional Study Committee on Budget Control is a giant step in the right direction. In reviewing its interim report which was just issued, I find many valid observations and sound proposals.

The crux of the problem lies with being able to review the revenues coming in and then determining an overall spending ceiling. Then national priorities must be assessed and used to decide how and where the available money should be spent.

Under the procedures of the House now, there is no legislative committee that has the responsibility to decide whether or not total outlays are appropriate. In view of the current fiscal situation, this seems to be responsible for much of the problem. Right now this responsibility is spread out between several different committees, with no correlation between the committee that appropriates and the committee that taxes.

This can only add to the chaos, be-

cause, as a result, each spending bill tends to be considered by Congress as a separate entity and any assessment of relative priorities among spending programs is made solely within the context of that bill alone when it is brought before Congress for consideration.

Obviously, in order to make sound and responsible judgments on these appropriations, it is necessary to have a broad view of the overall picture. One solution could be to institute a committee in Congress whose sole responsibility would be to provide us with a total, comprehensive fiscal picture—thereby giving us the facts and figures necessary to make sound, responsible judgments.

The mail coming into my congressional office shows that the number one public concern among my constituents is spending—not just the vast amounts of money we spend, but the lack of coordination in the way these sums are spent. As you know, some very recent public opinion polls show that Congress is held in less than high esteem by the American public today. Surely this is caused in part by our failure to act as a coequal branch of Government. Let us join together and take action to reassert our own constitutional prerogatives by adopting methods and procedures leading to a rational budgetary process which will enjoy, once again, the confidence of the American people.

Mr. SYMMS. Mr. Speaker, as a freshman Congressman, I was surprised and concerned that I was expected to vote on legislation to spend money without ever having a clear picture of what the final total amount of spending would be.

For years the Congress has passed appropriations on a piecemeal basis, and then discovered when all spending was added together that there was a large deficit. Since it is popular to vote for bills which give money to the people "back home," the deficit increases each year. The time has come to say clearly, "No more." This kind of fiscal irresponsibility must stop now.

When we engage in this kind of overspending we force the President to make budget cuts which the Congress should have made. No one man should be forced to accept that much responsibility, and no one man should be allowed to have that much power. The Congress is in a better position to establish spending priorities than the Executive and should have the courage to do so. The time has come when we must stop the political game of voting to spend more than we have and then blaming the President for impounding funds. It is hypocritical to place the blame on the President when we are at fault in the Congress. He is acting in the most responsible way he can with the options we have given to him.

If we have the courage to set a budget limit, and establish spending priorities within that limit, we will not have to live with an expanding Federal debt, and sudden changes in the funding of programs. The people of this country are ready for fiscal responsibility and will support a Congress that has the good sense to intelligently limit its spending to the amount that it takes in.

I urge my colleagues to stop promising programs to the people at home, then trying to pay for them with the printing press on Independence Avenue.

Mr. BEARD. Mr. Speaker, I am pleased to join my freshman colleagues this afternoon in presenting a united front in favor of a more fiscally responsible approach to Federal spending.

Freshman members from both sides of the aisle, many of whom are still confused by the great complexities of this vast Government, do recognize that something is awry. It seems to many of us that the increasing power in control of the Federal Government has become deleterious to the Nation both at home and abroad. Domestically, we are being feted by a vicious inflation. Abroad our currency is no longer "sound as a dollar." In many ways both situations can be traced to spending by the Federal Government in Washington.

The current debate over the right of the executive to impound funds appropriated by Congress is a phony—no more than a distraction from the real issue of the inadequacy of the present congressional budgetary process. It is the failure of Congress to deal with the issue of Federal spending and to provide a method of determining priorities which have forced the President to use his impoundment authority. He has made a commitment to the American people to limit Government spending and thereby, prevent a tax increase. If we exceed his budget we must bear the burden for the resulting rise in taxes. The President has us in an inexorable bind—either we buckle under to his cuts or we present the American people with a tax increase to foot the bill for spending beyond the total budget request. I do not believe the American people will tolerate such an increase.

Mr. Speaker, I think we must ask ourselves what factors have led us to the present monetary crisis. Simply stated, I believe the root cause is that the Congress has no defined system of budgetary procedure. The incredible fact is that the largest single spender in the world, the Federal Government's legislative branch, never adopts a budget of its own. When you think that almost every business, city, municipality and family has some organized system of allotting funds to meet its needs, then the absurdity of Congress's approach to spending and priorities is eminently clear.

The only semblance of control over allocation of funds the Congress has is reactive. All we in the Congress can do is react to the President's budget as it is prepared by the OMB. Even in that reaction, there is no orchestrated analysis, acceptance, or rejection of the priorities set forth by the Executive. No one congressional committee is responsible for judging the relative merits or demerits of the Executive budget or for gleaning the consensus of congressional opinion to establish a responsible plan of expenditures. Therefore, what the Congress has now is a nonsystem—a total void of setting priorities and establishing a budget to meet the priorities it, as a single body, decides are worthy.

The existence of this nonsystem is why we are where we are today. In concrete terms the crisis is even more disturbing and it is getting worse. In the first 10 months of this fiscal year Federal outlays will exceed the total amount spent by the Government in our first 153 years as a nation. We spend almost $28 million every hour of every day in the year. Since 1958, Federal expenditures have risen by more than two-thirds.

Today's average family share of the total budget is $3,700. This is 80 percent above what it was only 10 years ago. The list of such statistics is endless and seemingly everyone is agreed that Federal spending has reached an emergency stage and must be dealt with. Yet, every attempt to exert control over the Federal outlays has failed and failed miserably.

Mr. Speaker, because we are at the point where we can no longer continue to operate in a dream world, because all of our mirrors for showing economic viability have been exhausted, because the people of this Nation are no longer going to tolerate a government which wastes his or her tax dollars, this body must take positive action to establish a means for determining its future and the future of Government. This means must be justifiable within normal economic and moral constraints.

It is for this reason, Mr. Speaker, that I introduce today legislation which offers a positive alternative to our present course. This proposal is identical to that offered by my friend and former member of this body, Senator Bill Brock. I do this not so much in respect for the imagination and far-sightedness of his proposition, but more to demonstrate my concern for the fact that the American people are at their wits ends with a Government which has failed to meet its assigned task of seeking solutions to problems which cannot be solved in the every day context of normal commerce by the private sector.

The bill I am offering today would strike the problem, not at its branches but at the root. It does not carry with it an acceptance of the President's budget, but it can accept its ceiling. It can provide a mechanism to design a system of congressional priorities and allocate funds consistent with an overall ceiling.

Mr. Speaker, the measure I am introducing would:

First, designate a joint congressional committee to formulate a legislative budget to evaluate the Federal budget in terms of national priorities;

Second, require the projection of all major expenditures over a 5-year period;

Third, require all major spending programs to be evaluated at least once every 3 years—zero-based budgeting;

Fourth, require consideration of pilot testing of proposed major Federal programs; and

Fifth, require all Federal expenditure programs to be appropriated annually by Congress.

During my recent campaign I made this particular proposal a major part of my platform for election. Everywhere it received warm acceptance as a feasible solution to our present approach of authorizing and appropriating funds with no design or idea of total spending, nor

for the merits of that spending in relation to other national needs.

The all-inclusiveness of this legislation is also what attracts people. It dissolves the impoundment question by removing the President's leverage on the tax issue. It goes to the heart of the need to establish priorities by mandating the establishment of an overall legislative budget. It strikes at congressional overspending by establishing a fixed ceiling for expenditures with an internal design to keep to that limit. It meets the fears of people that the Congress is insensitive to waste by creating evaluative and reevaluative projections on the effectiveness of such spending. It addresses the problem of congressional funding commitments in the far future which exceed our financial capacities as a nation through the zero based budgeting feature. But, most importantly, it reasserts the role of Congress by restoring its means to responsibly determine the future course of this Nation.

Mr. Speaker, I am pleased to address the House with my freshman colleagues to demonstrate our concern in improving congressional control over the budget. I hope we will move quickly in adopting such a mechanism as I have proposed and I ask that the text of my bill appear in the RECORD at this point.

THE CONSTITUTIONAL QUESTION—THE CONGRESS AND THE EXECUTIVE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. CRANE) is recognized for 60 minutes.

Mr. CRANE. Mr. Speaker, this week a congressional conference on "The Constitutional Question—the Congress and the Executive" has been scheduled. No subject is more deserving of our serious consideration at this time.

More and more, the American people live under a government which is less and less responsive to their own will. Rather than having laws passed and policy determined by the men and women they elect to the Congress, and who must return to them at frequent intervals for their approval or disapproval, Americans are now subjected to a maze of rules, regulations, and policy decisions which are made by nonelected government administrators—"bureaucrats."

Congress, it must be remembered, was considered by the men who wrote the Constitution to be the most important branch of government. It was that branch which was closest to the people and it was Congress which was given the power to declare war. The House, often referred to as 'The People's body," was given the sole authority to originate money bills. The executive was, according to the formulation of the Founding Fathers, meant to administrate the policies determined by the legislative branch. The executive was to be precisely what the term meant, the "executor."

In his important book, The Political Culture of the United States, Prof. Donald Devine of the University of Maryland declares that:

> The American political tradition stresses the importance of limiting the sphere of government. Thus, the tradition emphasizes restrictions both for minorities and even for popular majorities . . . [but] the first and most basic institutional rule of the . . . tradition is that the legislature predominates.

Political philosopher John Locke is also emphatic on the position of the legislature. In his Second Treatise, a volume which had a profound effect upon the men who wrote our Constitution, Locke declares that:

> There can be but one supreme power, which is the legislative, to which all the rest are and must be subordinate.

According to Locke, the legislative is subordinate to the people, but of the institutions of government, the legislative branch is supreme. It is the institution "which has a right to direct how the force of the commonwealth shall be employed for preserving the community and the members of it." The legislative power is best put into "the hands of many who assemble to make laws but who do not administer them." James Madison followed this tradition directly when he declared in Article 1, Section 1 of the Constitution that:

> In Republican government, the legislative authority necessarily predominates.

Professor Devine makes it clear that:

> Presidential dominance is inconsistent with the liberal tradition . . . the legislative must have the ultimate power for a government to be within the tradition.

Our Government was created as one of strict checks and balances. In the Federalist Papers, James Madison states plainly that:

> In framing a government which is to be administered by men over men, the great difficulty lies in this: you must first enable the government to control the governed; and in the next place oblige it to control itself.

Madison also noted that:

> If it be a fundamental principle of free government that the legislative, executive and judiciary powers should be separately exercised, it is equally so that they be independently exercised.

Today, however, we observe Congress abdicating its authority to the Executive. In the Gulf of Tonkin Resolution, Congress told the President that he could do whatever he found necessary with regard to fighting a war in Southeast Asia. In the recent legislation concerning wage and price controls, what was in effect an economic Gulf of Tonkin Resolution, the Congress declared that the President could do whatever he found necessary with regard to fighting a war against inflation. Congress has turned the authority which is granted to it by the Constitution over to the Executive. This is not what it was elected to do.

The entire idea of delegating authority to someone else is based on many false notions, but the most important may be that this "someone else" is acting on the basis of what is best for the country rather than on the more partisan basis of what he believes to be in his own self-interest.

The ancient Greek philosophers understood this dilemma very well. At one point Thrasymachus asked Socrates whether he had a nurse. When he was asked to explain his question, he replied to Socrates in this way:

> Because she leaves you to drivel, and omits to wipe your nose when you require it, so that in consequence of her neglect you cannot even distinguish between sheep and shepherd . . . You think that shepherds and herdsmen regard the good for their sheep and of their oxen, and fatten them and take care of them with other views than to benefit their masters and themselves; and you actually imagine that the rulers in states, those I mean who are really rulers, are otherwise minded toward their subjects than as one would feel towards sheep, or that they think of anything else by night and by day than how they may secure their own advantage.

Experience has shown us that men in political life too often follow policies which they believe will assist them in gaining reelection, rather than policies which will solve any real problems before the country. If such an approach is used by men whom we elect and can recall at the next election, it is a shortcoming we can at least partially correct. But if it is used by a pay board, an administrative commission, or an executive adviser, appointed by the President, whose authority is simply a delegation by Congress which Congress has no real right to delegate, then how do voters express their anguish and dismay? The answer is, of course, that they cannot. In large measure, they are not in control of their own Government.

The majority of Members of Congress oppose school busing to achieve racial balance, as do the majority of the American people as indicated in every poll taken on the subject. Nevertheless, the buses are rolling. Administrative directives which have the force of law but which have never been approved by the elected representatives of the people are, more and more, coming to characterize the nature of American Government.

In his study, "The Rise and Fall of the Roman Empire," Gibbon notes that:

> Augustus was sensible that mankind is governed by names; nor was he deceived in his expectations that the Senate and people would submit to slavery provided that they were respectfully assured that they still enjoyed their ancient freedom.

Our problem is not that we are ruled by evil men, or that evil men are abdicating their authority and responsibility. Adlai Stevenson once spoke of a politician of particularly rancid practices and said:

> If he were a bad man, I wouldn't be so afraid of him. But this man has no principles. He doesn't know the difference.

This may be the real crisis in American politics, in both the executive and legislative branches, that we are losing our ability to tell the difference.

Congress has, of course, not only abdicated its authority to the Executive in such matters as the war in Vietnam and the state of the economy. It has also abdicated much of its authority to bureaucratic governmental organizations, made up of men who were elected by no one and have no obligation to return to the people at specified intervals for their approval or disapproval.

Speaking at this point Dr. Galloway is quoted by James Burnham, in his vol-

ume, "Congress and the American Tradition," as stating that:

Beginning in 1887, when Congress created the Interstate Commerce Commission, more and more commissions have perforce been established . . . in many areas of economic and social activity. To these agencies Congress has usually delegated the power to "issue such regulations and orders as it may deem necessary or proper in order to carry out the purposes and provisions of this act." This practice of delegating to administrative agencies or commissions the power to issue rules and regulations spelling out the general principles of law and applying them to specific cases has grown apace since 1912 . . . Congressmen generally recognize the need for delegating legislative powers as a means of reducing their work load and of taking care of technical matters beyond the competence of Congress. But they believe that the great growth of administrative law making has become a menace to the constitutional function of Congress as the legislative branch of the national government. . . . These commissions have mixed executive, legislative and judicial powers. Taken together, they constitute a "headless fourth branch" of government.

In recent days both liberals and conservatives have argued that the bureaucracy has become a law unto itself, uncontrolled and virtually uncontrollable.

Many, for example, have expressed dissatisfaction with the conduct of General Lavelle. General Lavelle, it was charged, went beyond his specific orders calling only for reaction strikes and the bombing of limited targets. He said that he had not told his superiors of his action, and his superiors argued that they could not have known what was happening in the field.

Writing in the Washington Monthly, Jack Gonzalez and John Rothchild point out that:

His bombings brought a strange chorus line to Senator John Stennis' Armed Services Committee, all in a scramble to prove their ignorance. The boss' lack of awareness that his hireling was bombing . . . might be grounds for charges of incompetence, but Stennis found it reassuring, even laudable, that Abrams didn't know. The fact that the commander of U.S. forces in Vietnam hadn't the foggiest idea of what Lavelle, the commander of the Seventh Air Force, was up to, was enough to convince Stennis and most other senators that Abrams was qualified for the top post in the army.

Unfortunately, many critics of the military do not recognize that on the domestic scene precisely the same thing takes place, probably with greater frequency. In their effort to end racial, ethnic, and sexual discrimination, for example, Government agencies have become involved in enforcing racial and sexual quotas in hiring—most openly in the construction industry, through the Philadelphia plan, and in universities, threatening a cutoff of Federal aid if the quotas are not met.

Where does the Department of Health, Education, and Welfare get the authority for the imposition of such quotas, which the Department calls guidelines? The answer is that it does not get this authority from any act of Congress, for the elected representatives of the people have never sanctioned this policy. The policy is a creation of the HEW bureaucrats themselves.

What HEW is doing, in effect, is to violate the very law it is seeking to implement. In guidelines issued by the Office of Federal Contract Compliance, implementing Executive Order 11246, as amended by Executive Order 13375, it is specified that any contractor with the Government of 50 or more employees may not practice discrimination in hiring. Failure to comply makes the contractor ineligible for Federal funds.

The order does not say anything about racial, sexual, or ethnic quotas. The guidelines drawn up by the Office of Compliance to determine whether or not a prima facie case of unjust discrimination obtains are, in fact, quite reasonable. They specify that a case of underutilization exists with respect to employment of minorities and women wherever there are appreciably fewer minority members or women in any particular category of work than "would reasonably be expected by their availability." It makes clear that "availability" is to be defined not by the numerical presence or percentage in the general population but by the possession of "requisite skills in the immediate labor area."

The regional offices of the Federal Compliance Board, however, has interpreted these guidelines in a far different way. Prof. Sidney Hook points out that:

The manner in which they have been interpreted is to disregard completely the all-important criterion of qualification or requisite skills in institutions of higher learning. They have assumed that what might be a legitimate inference in considering the presence or absence of discrimination in hiring individuals for an assembly line or for positions that require no particular or special skills holds for all levels of university instruction. They have proceeded apparently on the assumption that if a disproportion exists between the ratio of minority members employed to the total number employed and the ratio of minority members to the total population, the university is not complying with the presidential directive. It then gives the university thirty days to remedy the situation or face the loss of all its federal contracts.

Prof. Paul Seabury expressed the view that HEW is not fighting discrimination in its interference in the academic world—unsanctioned by the Congress—but is calling for it. He wrote in Commentary magazine:

A striking contradiction exists between HEW's insistence that faculties prove that they do not discriminate and its demand for goals and timetables which require discrimination to occur. For there is no reason to suppose that equitable processes in individual cases will automatically produce results which are set in the timetables and statistical goals universities are now required to develop. If all that HEW wishes is evidence that universities are bending over backward to be fair, why should it require them to have statistical goals at all? Do they know something no one else knows, about where fairness inevitably leads?

In many respects it does not matter very much who the President designates as Secretary of any given agency. The captains may change, but the players remain the same, and it is almost impossible for political appointees in Washington to learn what the civil service employees in Des Moines or Atlanta or Seattle are really doing. When he was head of the Office of Economic Opportunity and of the Peace Corps, Sargent Shriver tried to find out for himself what was really occurring by forming an independent Office of Evaluation, so that his reports did not come from the very people involved.

The Washington Monthly notes that:

The traditional bureaucrats didn't like Evaluation because Shriver's inspectors ruined the whole elaborate sanitizing system that made information gradually more palatable as it passed from the field on up the line. The sanitizing occurs in all government agencies, largely because if your report to your boss doesn't enable him to write an optimistic report to *his* boss, then your boss will be out of a job, and so presumably will you.

The bureaucrats' role has become that of not only hiding the facts from the public, "but also to keep them from fellow bureaucrats up the line. When bad news gets into the papers, the superiors will read it too. If the heat is on and there might be leaks in the pipes, the best thing to do is not to send any adverse information through. Both the public and the agency's directors end up suffering from the same ignorance." Thus, Secretary of Defense Robert McNamara kept telling us that the war in Vietnam would be "over by Christmas." The men in the field did not have the heart to tell him the truth—that it would not.

If Americans feel out of control of their Government, it is this trend toward bureaucracy which is, in large measure, responsible.

In 1910 Louis Brandeis told Walter Fischer, who was coming in as Secretary of the Interior:

I have but two suggestions to offer: approve no documents the contents of which you do not understand; sign no letters which you have not read.

Fischer retorted tersely:

You ask the impossible.

How much more true are Fischer's words today? Even in 1910 it was recognized that elected leaders and their appointed officials were virtually out of control of the vast complex of Government machinery beneath them.

Even many who advocate an ever expanding National Government recognize this problem, and it is not only critics of big government who are concerned about current trends. In his book, "Bureaucracy and Democracy," Charles Hyneman, a former president of the American Political Science Association, issues a warning about the strength and power of the bureaucracy:

It is in the power of these men and women to do us great injury, just as it is in their power to advance our well being. It is essential that they do what we want done, the way we want it done. Our concept of democratic government requires that they be subject to direction and control that compel them to conform to the wishes of the people as a whole whether they wish to do so or not.

To the growing trend toward bureaucratic autonomy, Mr. Hyneman takes exception:

The American people have authorized nobody except their elected officials to speak for them. The administrator may have good

judgment as to what most of the American people want but he does not know what most of the people want. Those persons, as individuals and as groups, from whom he accepts guidance may speak authoritatively as to what some of the people want but they cannot speak authoritatively for the people as a whole. The elected officials, President and Congress, do not know what most of the people want either, but they speak authoritatively on that subject because they have been authorized to speak on that subject. If they say the wrong things in their instructions to the administrative branch they can be got at and repudiated through the procedure set up for the popular control of the government—the political campaign and the election. That procedure is not available for the direct recall of the administrator who makes decisions which incur widespread displeasure.

In any discussion of the abdication by the Congress of its own Constitutional responsibilities we must turn our attention to the question of the war powers. During the Mexican-American War, American troops were committed to battle without a congressional declaration. Abraham Lincoln, then a Member of Congress, vigorously objected to this course of action. More recently, American troops were committed to war in Korea without a declaration and during the preceding administrations of President Kennedy and Johnson American troops were committed to war in Vietnam without a declaration. In each instance, Congress acquiesced by providing all of the funds necessary to conduct the war. In none of these cases may it be said that the Executive compelled the Congress to follow a course of action which it vigorously and effectively opposed.

The question remains: is this the kind of system the Constitution established, and is this the kind of system we want to have?

In his volume "The Way We Go to War," Merlo Pusey asks:

Can the United States be committed to war without action by Congress? In 1787, the Founding Fathers resolved that it could not be, and the country held to that principle with little deviation. . . . In recent years, however, the President has been exercising the power to make war with alarming consistency. One-man decisions involving the lives of citizens and the fate of the Nation have become the rule at a time when the President has at his command more power than any other human being has ever had.

Criticism of the use of executive power in foreign policy is, of course, not a new theme in American political history. President John Adams' use of troops in the Mediterranean, President Jefferson's Lousiana Purchase, and the Monroe Doctrine all met with some hostility as usurpations of congressional authority. Unfortunately, fine lines of authority over our foreign relations are not drawn by the Constitution.

The preamble states that a purpose of the new constitutional arrangements adopted in 1787 is to provide for the common defense. This obligation appears to lie upon the executive and legislative branches. Concerning executive responsibility, the Constitution provides the following in article II, section 2:

The President shall be Commander-in-Chief of . . . the United States, and of the militia of the several states when called into the actual service of the United States.

Article II, section 2 also provides that:

He shall have power by and with the advice and consent of the Senate to make treaties provided two thirds of the Senators present concur; and he shall nominate and by and with the advice and consent of the Senate shall appoint ambassadors, other public ministers and consuls.

Congress, in turn, is also given certain responsibilities in the field of foreign affairs. Article I, section 8 gives Congress the right to regulate commerce with foreign nations; to declare war and make rules concerning captures on land and water; to raise and support armies; to provide and maintain a navy; to make rules for the Government and regulation of the land and naval forces; and to provide for calling forth the militia to repel invasion.

These powers were purposely divided to prevent excessive domination by one branch. In a letter to James Madison in 1789, Thomas Jefferson wrote:

We have already given in example one effectual check to the Dog of war by transferring the power of letting him loose from the Executive to the Legislative body, from those who are to spend to those who are to pay.

In recent congressional testimony, Dr. Ruhl Bartlett, of the Fletcher School of Law and Diplomacy of Tufts University, said that the assumption by American Presidents of more and more authority in foreign affairs "leads in the direction of an authorization state." Much of the erosion of the congressional role, he pointed out, resulted from the broad, general grants of authority in the Formosa resolution of 1955, the Middle East resolution of 1957 and the Tonkin Gulf resolution of August 1964.

Recent history has witnessed an increase in the exercise of Presidential power in the area of foreign policy. This increase has occurred under Republican and Democratic Presidents, and has been acquiesced in by Republican and Democratic Members of Congress. Presidents have used U.S. Forces abroad or against foreign nations more than 150 times without a specific declaration of war by Congress, sometimes under the authority of a joint congressional resolution, sometimes in execution of a treaty which envisioned the use of force without further authorization; often to protect American lives, property and shipping; and at times without prior congressional statement.

In 1900, President McKinley sent troops to China to put down the Boxer Rebellion. President Theodore Roosevelt sent U.S. Forces to Panama, Cuba, and the Dominican Republic. President Wilson gave the order to take Vera Cruz in 1914 to enforce respect for the United States. And before World War II, President Roosevelt used the Executive agreement as a convenient instrument at a time when American public opinion was still largely isolationist and congressional approval might not have been forthcoming. In this way, he traded U.S. destroyers for British bases. After Pearl Harbor, the need for secrecy increased the use of Executive agreements.

After the war an attempt by Senators John W. Bricker and Walter George to amend the Constitution to prevent future use of Executive agreements failed. Among the opponents at that time was Senator J. WILLIAM FULBRIGHT. He then advanced the view that the Executive must have a wide latitude in dealing with foreign affairs. Today, when the Executive is acting in a way he disapproves, he is expressing a contrary view.

It is essential that the current debate about the President's power to make war be considered within a proper historical perspective, that it not be permitted to develop into a partisan attack upon particular policies, but that it concern itself with the long-range, post-Vietnam question of the role of Congress in matters of foreign policy.

What is ironical today is that many of the very men in the Congress, in the press, and in the academic community, who now declare that President Nixon has exceeded his authority with regard to the war powers are the same men who, in the 1950's, opposed the conservative-sponsored Bricker amendment to restore congressional prerogatives in matters of foreign affairs.

Men such as Senator J. WILLIAM FULBRIGHT, now leading the campaign against Executive authority, all through the 1950's and early sixties, urged more power for the Executive in foreign affairs. The reason is simple: when the Executive did what liberals agreed with, they supported Executive power. Now that the Executive is acting in a manner with which they disagree, they oppose it. Principle seems not to be an issue at all.

If liberals oppose Executive authority only because of their opposition to the particular acts of the President, many conservatives have themselves adopted a similar double standard. They suddenly find themselves in support of broad Executive power because today the Executive is doing things with which they agree, or because of partisan considerations.

Conservatives and liberals alike, when they discuss the war power, should reflect upon a man who discussed these same problems during the Korean war, another war which we entered without a congressional declaration and to which men such as Senator FULBRIGHT had a far different response.

Discussing the danger of unlimited Executive power—whether used in a particular instance for worthy or unworthy ends—the late Senator Robert A. Taft, declared:

If in the great field of foreign policy the President has the arbitrary and unlimited powers he now claims, then there is an end to freedom in the United States not only in the foreign field but in the great realm of domestic activity which necessarily follows any foreign commitments. The area of freedom at home becomes very circumscribed indeed.

With regard to President Truman's commitment of troops to Korea without a congressional declaration of war, a commitment which evoked little response in the Congress from members of his own party, as was the case with President Kennedy's and Johnson's commitment of troops to Vietnam, Senator Taft noted that:

If the President can carry out every recommendation of the Security Council or the General Assembly (of the United Nations) supported by the vote of the American representative whom he can direct, then he has almost unlimited power to do anything in the world in the use of either troops or money.

With fateful prescience, Senator Taft added:

On the same theory, he could send troops to Tibet to resist Communist aggression or to Indo-China or anywhere else in the world, without the slightest voice of Congress in the matter.

It would be good to believe that liberals who now express concern over too much Executive authority really wish to restore the supremacy of Congress. Unfortunately, the goals of far too many seem more partisan. Equally unfortunate is the fact that now that conservatives have a real opportunity to implement their principle of limited Government and restore Congress to its proper role, many seem subservient to the will of an Executive of their own party. In neither instance is the will or the interest of the people really served.

The result of Congress repeated abdication of its own responsibility, in domestic and foreign affairs, is that the legislative body, meant to be supreme by the authors of the Constitution, is now approaching impotence.

Executive officers, such as prominent advisers to the President, need not submit to congressional approval and may refuse to answer congressional questions. Nonelected bureaucrats may impose rules and regulations which Congress has never approved and which the President himself says that he is against. Now, the President has impounded funds appropriated by the Congress. Many conservatives support this policy because they disapprove of the purposes for which the funds were appropriated.

I share their opposition to these programs to deficit spending and unbalanced budgets. This, however, is not the point at issue. The elected representatives of the people, when they approve legislation, are acting with authority. The Executive, when he fails to carry out the will of the people as expressed by their representatives, is not. A wholly constitutional alternative for the President is a more vigorous exercise of his veto power.

In some respects, the question of President Nixon's impoundment of funds may not be the proper issue upon which the determination as to which branch of Government is meant to be supreme—the Congress or the Executive—should be decided.

How many Democratic liberals who today argue for congressional supremacy, for example, said a word of criticism when Lyndon Johnson did precisely the same thing? In signing an agricultural appropriation bill in 1966, Johnson noted that Congress had added $312.5 million to his budget request. He proclaimed:

During a period when we are making every effort to moderate inflationary pressures, this degree of increase is, I believe, unwise.

Instead of vetoing the bill, he decided to reduce expenditures—that is, impound—for certain items in the bill "in an attempt to avert expending more in the coming year than provided in the budget." President Johnson also cut back funds for the highway trust fund, for housing, for education, and for a number of other areas.

In assigning legislative powers to Congress and executive powers to the President, the Constitution makes no mention of impoundment. It provides that:

No money shall be drawn from the Treasury but in Consequence of Appropriations Made by Law.

To the President, the Constitution gives the task of making sure that, "The laws be faithfully executed." The Constitution does not spell out whether the President was required to spend every cent appropriated by Congress, or whether he could make independent judgments on timing and the need for Federal spending.

Presidents have been impounding funds ever since the early years of the Republic. In his annual message to Congress in 1803, for example, President Thomas Jefferson reported that:

The sum of $50,000 appropriated by Congress for providing gunboats remains unexpended. The favorable and peaceful turn of affairs on the Mississippi rendered an immediate execution of that law unnecessary.

Congress gave some legislative authority for impoundment in passing the Anti-deficiency Act. That act required the executive branch to subdivide appropriations to insure that Government agencies would not make commitments in excess of amounts appropriated. In 1950, an omnibus appropriations act provided additional authority for the executive branch to create reserves to provide for contingencies or for savings made possible by developments after new appropriations were voted.

Whatever we may think of the practice in general terms, the fact is that when President Nixon impounds funds, he has some precedent for doing so. Harry Truman, to cite another example, ordered the impounding of $735 million in additional funds appropriated by Congress to increase to 58 from 48 the President's request for air force groups. His successor, President Eisenhower, impounded $137 million appropriated for initial procurement of Nike-Zeus antimissile system hardware pending completion of full tests.

The fact that previous Presidents have impounded funds, however, does not mean that such action is proper and legal. It has simply not been adequately tested in the courts. The power of the purse remains one of the basic powers of the legislative branch. Unfortunately, that power has been exercised for too long in a fiscally irresponsible manner.

While the question of impoundment is admittedly complex, some critics of the President seem somewhat less than persuasive when they refuse to call for a single money bill rather than the current system under which bills come out of each committee, for separate amounts, with no one concerned with the total and whether or not it is equal to the money available. If the impoundment controversy tells us anything, it is that neither the President's policy of impoundment nor his critics'efforts to prevent it, really deals with our fiscal policy of spending increasingly more money than we have. This is, of course, a more difficult problem to confront and, as a result, it has been largely ignored.

It is not enough to speak of congressional prerogatives. We must be equally concerned with congressional responsibility. For too long, we have ignored both.

Only Congress itself can reverse the trend toward power by the Executive and the bureaucracy and restore it to the place where it properly belongs.

In a study prepared for the American Enterprise Institute, "Congress: The First Branch of Government," Prof. Alfred De Grazia sets forth a number of proposals for strengthening the role of the Congress. He declares that:

A Charter of Legislative Authority should declare the principle of legislative supremacy of Congress and the position of Congress with respect to the executive branch, and this Charter should be disseminated widely within and outside of the government.

He states that:

Exemplary legislation should be made a regular feature of each session of Congress; it consists of laws with minimum scope and substance but with vital principles asserting constantly congressional rights to employ a large range of devices—such as the legislative veto—in the full exercise of its powers and control of the executive branch.

Professor De Grazia urges that:

All representative-type bodies formed by executive agencies should have the direct authorization of Congress, and all members of the hundreds of such agencies in the executive branch should be considered subrogated for Congress and should pass tests to assure their comprehension of the priniciples of government by legislature.

In this same volume Prof. Lewis Dexter expresses the view that:

To increase their capacity to check and balance, congressmen must regain their belief in their concept of Congress as an independent branch of government within a system of separate powers and having a definite function to perform vis-a-vis the other two branches, particularly the executive.

Professor De Grazia urges that:

Congress should recognize that part of its task of checking and balancing the executive is to thwart, hamper, interfere with, criticize and oppose its activities and thus hamper the making of mistakes, thwart the commission of errors, interfere with the imposition of one-sided or unfair decisions, and oppose the adoption of a wrong policy.

To those Members of Congress who permit bureaucrats to make rules of their own, who permit the executive to ignore legislative mandates and to refuse to provide information to legislative bodies, Professor Dexter writes:

Harassing the specialists ought to be a paramount task of Congress today. Check-and-balance operations must be performed by the standing committees since they are better equipped than any other legislative mechanism to perform the check-and-balance function. Congressmen should make themselves specialists on the kinds of mistakes the bureaucratic specialists make, the kinds of questions bureaucrats ought to be asked, and the kinds of explanations the bureaucrats are likely to put forward in reply. In

other words, they should acquire an expertness in challenging the specialists.

Presidential and bureaucratic dominance of our Government is a serious threat to our political tradition and to the idea of representative government. In fact, a recent questionnaire of the Survey Research Center shows that the American people support this thesis. Asked a series of questions relating to choices between the President and the Congress, three and one half times as many Americans stated that Congress is in a better position to evaluate and act upon the country's needs than is the President.

In the current debate about executive as opposed to legislative authority, it is a serious mistake to view President Nixon as an enemy of Congressional supremacy.

In his budget message for the 1974 fiscal year, for example, the President indicates that he is himself concerned with the great flow of power to Washington, and that he is committed to returning that power to the people.

He declared that:

No longer will power flow inexorably to Washington. Instead, the power to make many major decisions and to help meet local needs will be returned to where it belongs—to State and local officials, men and women accountable to an alert citizenry and responsive to local conditions and opinions.

The Congress is properly concerned with maintaining its own authority and prerogatives. It must, however, be equally concerned with fulfilling its responsibilities.

In his budget message, the President points out that:

The surest way to avoid inflation or higher taxes or both is for the Congress to join me in a concerted effort to control Federal spending . . . If spending is to be controlled, the Congress must establish a spending ceiling promptly.

Unfortunately, Congress rarely concerns itself with budget totals or with the effect of its actions on those totals. The President, far from seeking to act arbitrarily and outside the scope of Executive power, is specifically calling upon Congress to act. He declares clearly that:

The cooperation of the Congress in controlling total spending is absolutely essential.

The President makes clear in his budget message that his own philosophy is that of the 10th amendment to the Constitution:

The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

Congress has not lived up to its responsibilities, and it cannot escape such a verdict against itself by simply declaring that the Executive has encroached upon those responsibilities.

In recent years, as we have seen, Congress has permitted many of its areas of jurisdiction, such as the warmaking power, to be usurped by the Executive and by the bureaucracy. In domestic affairs, HEW is spending millions of dollars on programs such as health maintenance organizations, which Congress has never authorized. It seems that bureaucrats are planning programs and appropriating funds entirely on their own—fulfilling their desires, not those of the people.

Are we powerless to combat the growing bureaucratic trend, or is it inevitable that Government will grow larger, cease to be under our control, and make us dependent upon it for our very lives? The answer depends upon us. Thus far, most Americans and most Members of Congress seem not to have understood the problem, and the vital questions which are involved. The feeling that Government is more and more out of control of the people and their elected Representatives is quite correct. Now, it is up to us to reverse this trend.

Mr. SPENCE. Mr. Speaker, in drafting a new charter for the United States, the Constitutional Convention of 1787 established a scheme of checks and balances that would provide a workable system of government somewhere between the extremes of absolute monarchy and mob-rule democracy—in short, a republic. Not only would the legislative, executive, and judicial branches check and balance each other, but also the States would retain powers not delegated to the Nation. Furthermore, the people would retain powers delegated neither to the State governments nor to the National Government.

If the constitutional system that was established by the Founding Fathers and subsequently ratified by the Original 13 States has malfunctioned, it is not the fault of the system itself. Rather, it is due to the surrender, either by design or default, of the legislative branch, the States, and the people. The last four decades have witnessed the steady cession of power by Congress to the President. We have lost much of our lawmaking power to the Supreme Court. State sovereignty has suffered as governors have rushed to Washington to get their share of "free" government money. The people have acquiesced and rationalized the whole business by deluding themselves into believing that someone else would pick up the tab.

In the meantime, the bureaucracy has in effect become a fourth branch of government, able not only to frustrate the will of the Congress—to whom it owes its very existence—but also to hamstring the President who is supposed to head it. While the bureaucracy has not found it necessary to circumvent the Supreme Court, it has supplemented that body's extraconstitutional actions by issuing innumerable regulations that have created havoc—among businessmen especially.

Actually, congressional delegation of power to the other two branches of the National Government is illegal, as was pointed out by the only man who ever served in both the highest elective and the highest appointive offices. In *Hampton, Jr., & Company* v. *United States*, 276 U.S. (1928) 405, 406, William Howard Taft, Chief Justice of the United States, said:

The well-known maxim *Delegata potestas non potest delegari*,* applicable to the law of agency in the general and common law, is well understood and has had wider application in the construction of our Federal and State Constitutions than it has in private law. The Federal Constitution and State Constitutions of this country divide the governmental power into three branches . . . In carrying out that constitutional division . . . it is a breach of the National fundamental law if Congress gives up its legislative power and transfers it to the President, or to the Judicial branch, or if by law it attempts to invest itself or its members with either executive power or judicial power. This is not to say that the three branches are not coordinate parts of one government and that each in the field of its duties may not invoke the action of the two other branches in so far as the action invoked shall not be an assumption of the constitutional field of action of another branch. In determining what it may do in seeking assistance from another branch, the extent and character of that assistance must be fixed according to common sense and the inherent necessities of the governmental coordination.

* Delegated power cannot be delegated.

By reasserting its authority and reassuming its power, Congress would not only be exercising the prerogatives bestowed upon it by the Constitution—it would also be acting in accordance with the law. We must take prompt steps to reverse the flow of power from the Capitol to the White House and to the Court, and from the State capitals to the District of Columbia.

For example, instead of criticizing the President for setting an expenditure ceiling, Congress should establish its own—at a lower figure. Instead of criticizing the Court for usurping congressional functions, Congress should pass legislation limiting its appellate jurisdiction. Instead of criticizing the bureaucracy for flouting the intent of Congress, the latter should cut the executive branch down to size by abolishing useless agencies, consolidating those with overlapping functions, and demanding a reform of the inefficient civil service system.

It is only through this type of assertiveness that Congress can reestablish itself as a full partner and a vital force.

Mr. BAKER. Mr. Speaker, the Constitutional Convention which met in Philadelphia in 1787—in secrecy, incidentally—established a Federal Government. Unfortunately the word Federal, which the Founding Fathers used to designate the partnership between the 13 Original State and the Central Government, which they created, soon came to mean the National Government alone. Because of this redefinition, Americans are apt to forget that it was the States, acting as agents of the people, that formed the National Government.

Soon after the new Central Government began functioning under the Constitution, the requisite number of States ratified the first 10 amendments to that document. One would almost get the impression that the Bill of Rights, as these additions are popularly styled, consists of nine rather than 10 amendments. The 10th amendment states that:

The Powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

Whether the National Government usurped the powers of the States or the

States have been slowly committing suicide, I am convinced that many of the problems that confront us today had their origins in the failure to respect the 10th amendment. Because of disregard of its plainly-worded provisions, such State, local, and private responsibilities as education, local transportation, and culture, to name but a few, have been shifted to the national level. At the same time, the tax sources have, to a great extent, been preempted by the National Government. Even so, we have a national debt that is destined to exceed half a trillion dollars by the end of fiscal 1974.

If we are to be able to solve such problems as legitimately come before the Congress, it is imperative that we gradually divorce ourselves from those that can still be returned to State and local governments and private organizations and individuals. Along with such shifting of responsibilities back to the grassroots there ought to be a gradual shift of tax sources as an accompaniment to and eventual replacement of revenue sharing. A reduction in individual and corporate income taxes in the near future would help business, industry, and average citizens to solve their own problems with their own money, thus lessening the need for Federal activity.

Mr. Speaker, while restoration of States' powers and return of States' responsibilities would be one step in the right direction, there are other steps that ought to be taken simultaneously. One is the reassertion by Congress of its prerogatives and the reassumption by Congress of its responsibilities. It ought to quit jumping through hoops held by the executive branch and it ought to quit passing the buck to the White House whenever a national emergency calls for the consideration of remedial legislation. Surely there is as much collective wisdom in the two bodies that make up the legislative branch as there is in the upper echelon of the executive branch.

The President cannot justly be blamed for all of the tremendous concentration of power in the executive branch. From 1933, when the National Government began its metamorphosis from a remote and comparatively small establishment to 1973, when it threatens to dominate almost every human activity throughout the Nation, every chief executive, regardless of party affiliation, has to some extent been a prisoner of the bureaucracy. The President proposes, Congress composes, and the bureaucracy disposes.

Mr. Nixon is making a valiant effort to cut the executive establishment down to manageable size by eliminations, consolidations, and shifts. Congress can and must assist him in every possible way and wherever possible take the initiative. It must recapture the power of the purse, cut authorizations and appropriations drastically, and refrain from establishing new programs with expensive price-tags.

Congress ought also to put a stop to the abuse of judicial power. The Supreme Court was not meant to be a super-legislature, consisting of super-brains whose wisdom exceeds that of the people's representatives, and the inferior courts, like the multitude of departments, bureaus, and agencies of the executive branch, are creatures of Congress. It is high time that the Congress ceased waiting for guidelines from the Supreme Court—it ought instead to enact legislation limiting its appellate jurisdiction.

Unless the Congress takes prompt action to restore the separation of powers provided for in the Constitution, with each branch of the National Government checking and balancing the other two, and with the States taking care of intrastate matters, we will have a further concentration of power in the bureaucracy, even greater judicial arrogance, and more severe financial crises. The bureaucracy has failed to solve the problems that have been entrusted to it; witness, for example, the crises in education, housing, and transportation. Why would an even larger bureaucracy do any better? The judiciary has accelerated the problems in many areas by making laws instead of attending to its proper functions. Neither bureaucratic regulations nor judicial guidelines have contributed to meaningful solutions to serious national problems. It is high time that we curbed the power of both the bureaucracy and the judiciary.

Mr. Speaker, it will take courage on the part of the Congress to restore the separation of powers, but I am confident that we have it and will exercise it.

GENERAL LEAVE

Mr. CRANE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the subject of my special order today.

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

There was no objection.

FACING THE NATION'S ENERGY NEEDS

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

Mr. WILLIAMS. Mr. Speaker, every day, newspapers, magazines, radio and television, bring to our attention two major problems confronting this country: first, our declining reserves of natural fuels, and second, the extreme pollution which is being caused by commercial and domestic refuse.

Today, I have the privilege of introducing, along with a number of my colleagues from both sides of the aisle, a bill which would go far to solve those two problems. This legislation, which I originally sponsored late in the 92d Congress, would amend the Internal Revenue Code by giving businesses a tax incentive to promote the construction of power-producing facilities which use waste products to generate that power. Such facilities would help to conserve our dwindling supplies of coal, natural gas and oil, and would also help to reduce the pollution of our environment caused by refuse.

Although there are several such plants now in operation in the United States, probably the best example of this type of facility is an incinerator plant just outside Stockholm, Sweden. This modern incinerator operates with a minimal amount of air pollution, while consuming the domestic and commercial refuse from the Stockholm area. The heat energy which is produced is used in turn to produce electrical power. The output of the plant is approximately 25,000 kilowatts, which is enough power to satisfy the needs of 25,000 persons.

Electrical power is certain to be a precious commodity in years to come, and I believe that a large portion of our electrical power requirements can be generated with clean combustion of otherwise disposed materials. By providing industry with a tax incentive, the Federal Government will be giving the private sector the proper direction and encouragement in these areas of environmental concern. I hope that the 93d Congress will agree with my thoughts, and take the appropriate action.

APPROPRIATIONS COMMITTEE AND APPROPRIATIONS

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

Mr. HANRAHAN. Mr. Speaker, the time is past for a major reform of the procedures by which Congress appropriates public funds.

Presently there is no center of authority in Congress that reviews or passes upon the budget as a whole. Throughout the session bills authorizing funds are sent to the Appropriations Committee which in turn provides the necessary funds. And nowhere during this process is there any accounting of how these expenditures compare to the existing revenues.

The House Appropriations Committee, which eventually passes on all the pieces, divides its detailed work among 13 subcommittees. The committee considers the appropriations bills one by one, and sends them separately to the floor of the House for a vote. The question of overall priorities among the various fragments of the budget never really comes up for discussion.

In recent years Federal outlays have been outrunning the revenues which have been generated. The choice of raising taxes or cutting some existing Federal programs has now come to a head. President Nixon has attempted to curb the rising Federal deficit by refusing to spend moneys which we do not have.

The responsibility for reforming the appropriations process now falls on the Congress. Many of the freshman Members have concurred that a joint study committee on the budget be established.

This committee would be composed of a bipartisan group of Representatives and Senators. The committee would conduct an interim study, issue a report, and make tentative recommendations favoring an overall ceiling on expenditures and budget authority.

I would urge all of my colleagues to give their careful consideration and support to the resolution which has been introduced.

SUPPORT FOR H.R. 3910

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

Mr. ESCH. Mr. Speaker, I am today adding my name to those supporting H.R. 3910, the Vanik bill. I should first, however, like to preface that support with some very brief remarks.

To my mind, the most frightening reality of today's world is that of two super powers standing opposite each other, both possessing virtually unlimited destructive capabilities and neither one really understanding the other. In Vietnam we have witnessed the tragic consequences of our policy of meeting communism on a conventional battlefield. In a full-scale conflict, we might well witness the destruction of this world as we know it.

To ease East-West tensions and begin to build a lasting peace based on mutual understanding, therefore, is a most important task. In this belief, I have strongly supported the President's initiatives with both the Soviet Union and the People's Republic of China. I have likewise supported the various means, such as the United States-Soviet agreement on a proposed joint space venture, by which we can increase United States-Soviet contact on a nonideological plane. Increased trade is one of these important vehicles and it is a vehicle which I have strongly supported.

However, we must not neglect the plight of the Soviet Jew. We have all seen enough evidence to be aware of the treatment to which he has been subjected. The legislation which I am introducing today recognizes that human suffering and should be a clear sign to our Chief Executive that there are many among my constituents and throughout the country who are vitally concerned about this matter. It is important that we not be misled by those who think that by this legislation alone Congress will solve this problem. It is as I said, rather a clear sign to our President of congressional support for such action. It is only through the extensive efforts of the administration and through foreign diplomatic channels that this problem will eventually be solved.

I am, therefore, urging strong congressional support for the Vanik bill, not in the belief that we should tie the President's hands in his most important negotiations with the Russians but rather as a sign to the President of how deeply we feel that we should make easing of restrictions on Soviet Jews of the highest priority in such negotiations.

EXTEND CHAMPUS MEDICAL BENEFITS TO TOTALLY AND PERMANENTLY DISABLED WORLD WAR II SERVICEMEN AND THEIR DEPENDENTS

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

Mr. BURKE of Florida. Mr. Speaker, I introduced a bill which would, if enacted, extend to totally and permanently disabled World War II servicemen and their dependents medical benefits under the civilian health and medical program of the uniformed services, known as CHAMPUS.

In January of this year, I met with a number of members of the Paralyzed Veterans Association of Florida. They indicated the hope that one inequity in benefits received by those totally and permanently disabled World War II servicemen, who were discharged before October 12, 1949, can be corrected. They suggested that such veterans be included under the CHAMPUS medical benefits program. In all honesty, this is a most reasonable and fair request.

Mr. Speaker, until October 12, 1949, World War II commissioned officers who suffered severe disabilities in military service automatically received retirement based on such disability. Enlisted personnel, however, who suffered disabilities were discharged from service and received no retirement benefits.

The differences between retirement and discharge were great. Disability retirement carried with it privileges such as medical benefits for the veteran and his family; ability to utilize military facilities, and certain travel arrangements aboard military aircraft. A discharged veteran, however, was only entitled to Veterans' Administration compensation.

The Career Compensation Act changed this. Under this act, any member of the Armed Forces, commissioned officer or enlisted man who was rated as 30 percent or more disabled and determined to be unfit for military service, was automatically retired and, therefore, became entitled to the same residual benefits as the disabled officers of World War II. Members who were retired after October 12, 1949, because of a service-connected disability could waive their retired pay in favor of Veterans' Administration compensation. However, their status on the retired rolls remains in effect making them eligible for all retired benefits, and they may at any time reelect to receive retired pay in lieu of benefits from the Veterans' Administration.

The unfortunate servicemen who were injured before October 12, 1949, is not even afforded a choice. He gets only benefits under the Veterans' Administration. This works hardship with some totally and permanently disabled people who by the nature of their disability find travel difficult for themselves and their families, and who must go miles to a VA facility. While it may be impossible, as the Department of Defense contends, to extend identical benefits to permanently disabled soldiers both before and after October 12, 1949, it seems reasonable that all totally and permanently disabled should be authorized to use civilian medical facilities in their own neighborhoods.

Other attempts at drafting legislation which would bring justice to these men in the area of benefits have failed. In a letter dated June 11, 1968, the Department of Defense wrote to the late Honorable Mendel Rivers, then chairman of the House Armed Services Committee, that:

> When a radical change is made to a system of benefits which is to be applicable to a large group of individuals, it is considered a practical necessity in areas such as disability retirement and separation benefits to establish a demarcation point dividing those whose rights are fixed under previous laws or rules from those whose rights are to be fixed under the new law.

Mr. Speaker, and my colleagues, although I served as both an enlisted man and an officer in World War II, I feel that on the field of combat there are no distinctions among those who are being shot at, or who are being called upon to face the danger of serious injury while serving their country. I am also a practical person and can appreciate the need for definitions particularly since I have been a practicing lawyer for many years. I can appreciate the need to define eligibility under our benefits laws, but I can appreciate more the need for the Congress of the United States with respect to those who justly deserve our help in the matter I have mentioned.

Mr. Speaker, and my colleagues, did the service rendered by those totally and permanently disabled before October 12, 1949, have less value to this Nation than the service of those disabled after that date? Is not 24 years a long enough time to carry on this unequal treatment of equally valiant men? I think so and I hope many of my colleagues will join with me in my effort to extend the CHAMPUS medical benefits program to totally and permanently disabled World War II servicemen and their dependents.

CLOSE OF VIETNAM WAR AND AMERICAN YOUTH WHO FLED

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Maryland (Mr. HOGAN) is recognized for 15 minutes.

Mr. HOGAN. Mr. Speaker, with the war in Vietnam drawing to a close, we again face the question of what we should do about the thousands of American youths who fled the country rather than serve in the military.

The end of the war has prompted advocates of amnesty to again call for the free return of those who avoided their military obligation to the United States.

There are those who argue that these young men should be granted unconditional amnesty. Others argue that they should be allowed to return, but only if they commit themselves to a period of public service.

I cannot agree with either view. Whatever their reasons for leaving—be it conscience, morality, or cowardice—the young men who fled this country fled in full knowledge that they were breaking the law.

I am today introducing a concurrent resolution that would express the sense of Congress that "no pardon, reprieve, or amnesty be enacted by the Congress or exercised by the President with respect to persons who, first, are in violation of the Military Selective Service Act because of their refusal to register for the draft and/or their refusal to be inducted, or second, being a member of the Armed Forces, fled to a foreign country to avoid further military service in violation of the Uniform Code of Military Justice."

Certainly the right to choose is an

intrinsic part of our American heritage. However, those who have chosen to leave the country rather than serve may have been within their rights to make that decision, but now they must live with the consequences.

Whatever their reasons, they are draft dodgers and deserters who refused to answer their country's call. While they were sitting safely in Canada or Sweden, over a million men were risking their lives in Vietnam and over 55,000 men were dying on the battlefield—for their country.

None of those men who left the country to avoid their military obligation will be marked by the scars of battle for the rest of their lives. None of their wives are widows.

We are all striving to end the divisiveness and bind up the wounds caused by the war, but an amnesty program, rather than accomplishing those great goals would further divide the country.

In a recent Gallup poll it was found that 67 percent of those polled favored some type of punishment for those who left the United States to avoid the draft. Only 29 percent favored unconditional amnesty.

It would be unwise to grant amnesty because it could establish a precedent inviting other young men to "cop out" in the future. It would be unjust because the returning men would in no way have offered equivalent service or sacrifice. It also would condone lawbreaking. The individual does not have the right to choose the laws he will obey and the laws he will disobey.

It would also be grossly inequitable, when returning Vietnam veterans are having such difficulty finding jobs, to allow those who shirked their duty to compete in the job market with men who performed their duty.

If draft dodgers wish to return to enjoy the freedoms and benefits of the country which they were unwilling to serve, then they should return as they left, expecting prosecution.

We pride ourselves on being a nation of law and justice. Law and justice demand that they be prosecuted to the full extent of the law if they return.

Frankly, Mr. Speaker, I think the country is better off without them.

AUBURN POSTMASTER EXPLAINS MAIL PROCESSING OPERATION

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

Mr. WALSH. Mr. Speaker, I noted with interest an article which appeared in the February 14, 1973, issue of the Citizen-Advertiser in Auburn, N.Y. In this article, Auburn Postmaster Carmelo Signorelli outlined the means used to process mail for dispatch in the Syracuse area. I have been advised that this system, known as area mail processing is part of a nationwide program. The operation in Syracuse has been in effect since early 1971 and efforts are being made to expand its operation.

The full text of the article follows:

AUBURN POSTMASTER EXPLAINS MAIL PROCESSING OPERATION

(By Carmelo Signorelli)

"Do my Auburn letters have to go to Syracuse to be postmarked?" This is a question we are asked quite often at the post office. The answer is "No," not if you mail them in a letter box marked "Auburn" or in the local letter drop in the post office lobby. This mail never leaves Auburn, is postmarked here and delivered the following day.

The mail deposited in boxes not marked specifically for Auburn, does go to Syracuse for postmarking and processing. It's simply a matter of economics. Mail can be processed more efficiently and economically when handled in quantities. Private industry learned long ago that the only way to really bring prices down and make consumer goods available to all was through mass production. The Postal Service is just getting around to this concept. Much of the mail is still sorted by clerks putting letters into pigeon holes one at a time, as it was done a hundred years ago.

Currently there are over 4,000 first class post offices and 27,000 second, third and fourth class offices that do not have sufficient volume to justify their own mechanization. Under the Area Mail Processing program, all of their originating non-local operations are transferred to nearby designated processing centers.

These facilities are equipped with high speed mechanization to postmark, sort, and dispatch mail to its destination. They are normally located in cities which traditionally have served as the hubs of postal operations for the surrounding areas. These cities are major transportation centers that can expedite the movement of mail into and out of the area.

Our mail processing facility is located in Syracuse which is at the crossroads of the state's two principal highways, the Thruway and Route 81, and is served by the Penn Central Railroad and three airlines, American, Eastern and Allegheny.

The Syracuse Sectional Center Facility uses a postmark reading. "U.S. Postal Service N.Y. 132." The number 132 identifies the processing facility and is actually the first three digits of Syracuse city zip codes.

Auburn mail that is sent to Syracuse for processing is normally back the following morning for delivery. Occasionally transportation problems may delay the return of the mail, but this occurs rarely and usually because of severe winter weather.

Often the suggestion is made that the Post Office return to the Railway Mail concept of sorting mail on the trains en route. This, of course, is not possible as the trains no longer exist. And even if it were possible, we would just be going back to sorting letters by hand one at a time into pigeonholes, a far cry from the modern methods we now have available for the sorting of mail.

The U.S. Postal Service is committed to the policy of providing the best possible mail service at the lowest possible cost. To keep down costs we are turning to automation. The alternative would be greatly increased postage rates—not to mention the possible collapse of the Postal Service because of the ever increasing mail volume.

REFORM OF THE CONGRESSIONAL BUDGET PROCEDURE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Wisconsin (Mr. REUSS) is recognized for 15 minutes.

Mr. REUSS. Mr. Speaker, yesterday I outlined before the Joint Study Committee on Budget Control a proposal for reform of the congressional budget procedure.

The text of my remarks follows:

The Joint Study Committee is off to a good start with the Interim report, published on February 7, 1973, which mapped out the budget problem and made general suggestions for its resolution.

The time has now come for more concrete recommendation, detailing mechanisms and procedures.

My proposal would provide permanent Budget Committees in the House and Senate, a Tentative Budget Resolution by March 1, and a Final Budget Statute passed by August 15.

Here are my suggestions how the tentative recommendations of the February 7, 1973, Interim Report can be expanded to become the final proposal.

Interim Report, recommendation 7:

An organization to implement the control procedures . . . 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.

The traditional right of the House to initiate taxing and spending bills suggests separate House and Senate Committees, rather than a joint committee. But coordination could be obtained by the use of a joint staff, and by frequent joint meetings.

Each committee, along the lines of the present temporary Joint Budget Committee, would be composed of seven members of the House or Senate tax-writing committee (four majority, three minority), seven members of the Appropriations Committee (four majority, three minority), and two members of other committees (one majority, one minority).

Interim Report, recommendation 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.

Immediately after the President's budget is transmitted to Congress in late January, the House Budget Committee would begin work on a Tentative Budget Resolution. The Senate Budget Committee may desire to sit in with the House Budget Committee at this point.

The Budget Committees would request the Joint Economic Committee to supply by February 15 its estimate of the budget deficit, surplus, or balance needed to produce full-employment-without-inflation in the upcoming fiscal year, together with supporting data.

Interim Report, recommendations 2 and 4:

Any limitation on expenditures and new obligational authority should cover not only budgetary outlays handled through the Appropriations Committees but also any legislation which provides funding separately from the annual appropriation process.

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.

In the 1974 Budget, only 60 percent of requested new obligational authority and 44 percent of actual outlays will require action

by the Appropriations Committee (excluding "liquidating" appropriations mandated by previous legislation). Any effective budget control requires that "backdoor" spending be regulated as well as normal appropriations.

Immediately after receiving the Joint Economic Committee's submission on February 15, the Budget Committees would prepare a Tentative Budget Resolution, setting total spending and budget authority limits (both appropriated and "backdoor") and a total revenue target. Within the total spending and authority limits, the Budget Committees would set specific limits—delegating to the Appropriations Committees the subdivision of total spending and authority which is subject to appropriation. The Appropriations Committees would hold hearings and take prompt action to provide target totals for each of the 13 Appropriations Subcommittee categories, adding up to the Appropriations Committee total. As to that portion of total spending and authority not subject to annual appropriation, the Budget Committees would consult with the chairman and ranking minority members of the relevant legislative committees (e.g. Ways and Means and Finance on general revenue-sharing, Banking and Currency on urban renewal, Agriculture on price-support payments), and would set specific totals for each committee.

By March 1, the House Budget Committee and the House Appropriations Committee would jointly report to the House a Concurrent Resolution (since this is internal Congressional housekeeping, the President's signature should *not* be required), setting a total spending and budget authority limit, a total revenue goal, and breaking them down as follows:

a. A total spending limit and budget authority limit for normal appropriations bills, with subtotals for each of the 13 Appropriations Subcommittee categories;

b. Specific spending limits and budget authority limits recommended for legislative action to each committee with mandatory or backdoor spending programs; and

c. A total revenue goal, with recommendations to the Ways and Means Committee to reduce or raise revenues (whether by surcharge, loophole-plugging, or new forms of taxes, is left to the discretion of the tax-writing committee).

The floor rule governing the Tentative Budget Resolution would allow for lengthy debate, and permit amendments from the floor at any point. Present House and Senate procedures allow roll call votes on all points of the Resolution. After House passage, the Senate procedures follow. Differences between the two bodies would be resolved by the usual Conference Committee and floor action. Final action on the Tentative Budget Resolution would be sought by April 15.

Since this action on the Tentative Budget Resolution will be taken early in the year (more than two months prior to the start of the Fiscal Year), it is clear that all the figures will and should be viewed as subject to change. More definitive action would be taken in connection with the Final Budget Statute discussed below.

Interim Report, recommendation 5.

Procedures should be developed to assure compliance with the expenditure and budget authority ceilings.

Enforcement of the expenditure and budget authority ceilings (as well as the revenue goal—not mentioned in Recommendation 5 above) is at this point left essentially to the will of Congress: infringements of the Tentative Budget Resolution are subject to correction in the Final Budget Statute. Action on the appropriations bills, non-appropriation spending bills, and revenues should be completed by July 1.

a. *On appropriation bills.* Under proposed new House and Senate rules, any appropriation bill (and any floor amendment offered to it) that departs from the targeted amount for that category in the Tentative Budget Resolution must contain a provision specifying the amount by which it exceeds or falls short of the tentative targeted amount. There would be no penalty for departing from the Tentative Budget Resolution target at this point; but any legislation departing from the target would be a prime candidate for revision in connection with the later Final Budget Statute.

b. *On non-appropriation spending.* The legislative committees having jurisdiction over the mandatory or back-door spending which was the subject of recommendations in the Tentative Budget Resolution would be expected to report out implementing legislation by May 15. (The respective Budget Committees, immediately following the passage of the Tentative Budget Resolution on April 15, would notify the appropriate legislative committees of the recommendations, and request action by May 15.) As in the case of appropriation bills, departures from the Tentative Budget Resolution would have to be specified in the non-appropriation spending bill (and in floor amendments), but there would be no penalty for departing from the Tentative Budget Resolution target at this point. Again, however, a second look would be taken at this legislation in connection with the Final Budget Statute.

If the legislative committees do not report out the implementing legislation by May 15, it would be in order for the Budget Committees, pursuant to new House and Senate rules, to bring such legislation directly to the floor for a vote (subject, of course, to a rule's being granted and approved by a majority, in the case of the House.)

c. *On revenues.* Since both Ways and Means and Finance Committees would be well represented on the respective Budget Committees, it would seem highly likely that they would respect by the May 15 target date the revenue-raising (or lowering) requests contained in the Tentative Budget Resolution. Failure in this regard would be subject to correction, as with spending bills, in the Final Budget Statute.

Interim Report, recommendation 3.

Initial action taken with respect to expenditure ceilings and new obligational 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.

Immediately following July 1, at the start of the new fiscal year, the Budget Committees (with the assistance of the Joint Economic Committee) would review revenue and spending estimates, and general economic conditions, in order to determine what changes (if any) are needed in the total spending and revenue targets. Having made the decision on this issue, the respective Budget Committees would then determine what changes should be made in previously-passed appropriations legislation, mandatory and back-door spending legislation, and tax legislation, in order to meet the final spending and revenue targets.

The respective Budget Committees would then report to the House and Senate their Final Budget Statute. Title I of the Statute would specify the final spending and revenue totals agreed on by the Budget Committees. Title II would specify the changes needed in the spending levels for specific programs, and in specific revenue provisions, to meet the spending and revenue totals in Title I.

The rules for floor consideration of the Final Budget Statute would require that Title I be debated, amended, and finally agreed to before Title II could be taken up. (An alternative would be to separate Titles I and II into separate measures, and finally enact the first before addressing the second.) In this way, the decision on the proper overall level of spending and revenue needed for a sound, full-employment-without-inflation economy would be less subject to bias by pressures for greater or lesser spending on individual programs.

With the final spending and revenue totals in Title I firmly set, floor consideration of the specific spending program and tax changes contained in Title II would begin. Amendments could be offered from the floor changing the spending totals for specific programs and/or making specific tax changes, but these amendments could not change the overall budget surplus, deficit, or balance figure agreed to in Title I. Tax changes should probably be confined to general increases and decreases. Thus, for example, a package amendment could be offered cutting $1 billion from Defense Department programs and $2 billion from highway programs, adding $2 billion to water pollution control programs, and reducing taxes by $1 billion. But an amendment cutting $2 billion from some programs and adding $3 billion to others would not be in order.

The beauty of the Final Budget Statute procedure just outlined is that it gives Members a chance to vote for a responsible Budget, after they have been given a full opportunity to work their will on individual spending and revenue bills.

The Final Budget Statute, passed by each House, would then have to be reconciled in Conference, passed in final form, and signed by the President. (The Final Budget Statute must have the effect of law, since it will amend existing spending and taxing measures.) The Final Budget Statute must become law by no later than August 15 (in practice prior to the August recess). During the remainder of the session—from the end of the recess in September until whenever final adjournment occurs—Congress can concentrate on authorizations and other non-budget matters.

Interim Report, recommendation 10.

Provision for authorizations (except in unusual circumstances) at least one year in advance should be required.

Overall Congressional budget control can only work effectively if all authorizing legislation (except for rare emergencies) is completed by the end of the session, well before the submission of the President's Budget in January. (A full year of advance authorization would not seem to be necessary.) With all options in, the Budget Committee would be able to propose meaningful spending, budget authority, and revenue targets, and suggest necessary trade-offs, in its March 1 Tentative Budget Resolution. Otherwise, as the experience of 1947–49—when the Budget Committee was forced to pull spending targets almost out of the air on short notice—shows us, the Budget Committee's recommendations would have little impact.

Interim Report, recommendation 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.

A way to carry out this sensible recommendation is to require all authorizing bills to include a five-year cost projection for the program. (Such information would be readily available from the General Accounting Office.) For programs already in existence, the President would be required to include in the yearly Budget a five-year fiscal impact projection of every program for which funding is currently requested.

Interim Report, recommendation 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.

The problem of impoundment should be greatly reduced as a result of the foregoing Congressional budget reform. In general, the total spending targets of the Administration and the Congress are not so far apart; it is their composition which differs widely. Under this proposal, the President would sign the Final Budget Statute, and thus in some fashion associate himself with its contents. Should the Final Statute become law only over the President's veto, however, impoundment would still be less likely than under the present system. When Congress is seen to be acting responsibly, public opinion would be unlikely to tolerate Presidential flouting of legislative intent.

Reform of the budget process, as we outlined, could ensure a real debate over national priorities within the limits of fiscal responsibility. I urge this Committee to adopt this proposal—with such changes as seem advisable—as soon as possible, so that the Budget for fiscal 1975 does not catch Congress in such disarray as those of previous years. Indeed, if we act promptly to put budgetary reform into effect, it could well leave its impact on at least part of the fiscal 1974 budgetary process.

REGIONAL MEDICAL PROGRAMS

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

Mr. ALEXANDER. Mr. Speaker, there can be little doubt in anyone's mind that proper health care is maldistributed in this country. The poor, the elderly and the residents of rural areas are the ones to suffer. It seemed that Arkansas was taking a step in the right direction utilizing Federal funds to set up one of the best regional medical programs in the Nation.

This program took shape under the leadership of Dr. C. W. Silverblatt. Arkansas currently has a completely funded program in west Memphis, the Crittenden County Health Center, which provides the trappings of a solution for the critical health problem which exists in this area, especially among the country's poor.

Last month I received two letters from Dr. Silverblatt, the first outlining the accomplishments of the ARMP thus far, the second informing me that the program was being terminated along with other RMP's over the country.

I think we must once again reexamine our nation's values and priorities. It is apparent that the Congress may have a fight on its hands in order to retain and expand health care for our nation's indigents, elderly and rural citizens.

As an example of what these RMP's can accomplish, I would like to share with my colleagues at this point, a copy of Dr. Silverblatt's original letter to me:

ARKANSAS REGIONAL
MEDICAL PROGRAM,
Little Rock, Ark., January 15, 1973.

Hon. WILLIAM V. ALEXANDER,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN ALEXANDER: We are deeply appreciative of the support that you have extended to our organization in the past. It has helped immeasurably in our successful effort to put ARMP into the top third of all Regional Medical Programs in the nation.

I would like, however, to bring to your attention at the beginning of this legislative year some of what I feel are the solid accomplishments of our program in Arkansas. A fact of major importance should be stressed; that is that RMP continues to be the only federal health program that has gained the confidence and enlisted the cooperative effort of the health care providers.

In Arkansas, more perhaps than in other regions, we have continued to stress the original concept of RMP as "bringing technology to the bedside" through a series of continuing education programs of exceptional quality. In two of these, the Coronary Care Training Programs for Physicians and Nurses, we have trained over 200 doctors and 300 nurses in the most modern techniques of care for the cardiac patient. These programs alone have made possible the establishment and staffing of over 55 coronary care units in Arkansas hospitals within the last four years. We are proud to report that both these training programs are continuing to operate without further federal assistance.

We have funded and are still operating a statewide kidney disease program for victims of end-stage uremia that is already being hailed nationally as a model. This program in its first year of operation performed 23 kidney transplants and trained 25 individuals to dialyze themselves at home. With few exceptions, these patients were enabled to resume their normal activities as productive members of society. We have established dialysis facilities at 10 regional hospitals in the state and have trained 15 physicians and 11 nurses from these communities.

We should emphasize another aspect of our program that we feel is even more important. We attempt to use our limited financial resources to bring individuals and groups together and to catalyze or facilitate their cooperative efforts to solve health care problems. In this area of activity, we can cite the funding of the Arkansas Health Systems Foundation. This agency subsequently was awarded a contract to develop a statewide Emergency Medical Service System in Arkansas that should give us one of the best systems of emergency care in the entire United States.

We hope we can continue to work to improve health care in Arkansas and we are relying on your continued support.

Sincerely,
C. W. SILVERBLATT, M.D.,
Coordinator.

TERRORISM

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

Mr. PODELL. Mr. Speaker, today Cleo Noel and George Moore are being laid to rest in Arlington National Cemetery. These men are being accorded this singular honor because they gave up their lives in the service of their country. They were the men murdered in cold blood by a mob of uncivilized assassins last Saturday in Khartoum.

I mourn their passing all the more because their deaths were unnecessary. I share the loss that their families feel, and I offer my heartfelt condolences to them.

But mourning these deaths is not enough. I will not be content until we have reached the point in civilization where terrorists, such as the Black September, will not be able to find a safe haven in any nation. I will not be content until the cancer of political terrorism is completely cut out of the human race.

I assign the primary responsibility for this political surgery to the Arab States, who permitted the cancer to grow unfettered. Indeed, they did all they could to aid it, with arms, money, and propaganda. Even now, as we sit here, the Arab propaganda mills are gearing up with justifications of the action of the Black September murderers.

I am tempted to say that the Sudan reaped its just reward, because the Sudan was one of the chief supporters of Black September. Saudi Arabia was another, and it was the Saudi Arabian embassy in Khartoum that was attacked. Will they realize once and for all that they brought this on themselves?

By keeping the political climate in the Middle East at fever pitch, by fomenting a state of war with Israel when it would have been oh, so, simple to enter proximity talks, by turning the Palestinian refugees on the west bank and in Gaza into political pawns to be manipulated for selfish motives, the Arab states permitted an intolerable situation to go on with the results we have just witnessed. When will they realize what they are doing, not only to the world, but to themselves?

The one Arab state which has begun to take a realistic view is Jordan. King Hussein has shown the Black September terrorists—who, incidentally, once flourished in Jordan—that he will not be intimidated by their Murder, Inc., tactics. He has permitted the death penalty levied against a number of leading Palestinian guerrillas to stand. Among those sentenced to die is Abu Doud, the most important man in the terrorist movement in the Middle East. He was one of those whose release was demanded by the pack of hoodlums in Khartoum. I congratulate King Hussein for the courage he has shown in this incident. Were there a few more men such as he in the leadership of the Arab world, peace would be a reality by now, rather than a prospect for the dim future.

It is now up to the Sudanese Government to demonstrate that the Arab states have not been completely cowed by a creature of their own manufacture. It is incumbent on the Sudanese Government to bring the Black September murderers to trial as soon as possible. We have assurances from Sudan, at the urging of Secretary of State Rogers, that there will be a speedy trial, hopefully in the next months, and that if they are found guilty they will be executed in accordance with Sudanese law. I am, however, distressed at other reports of foot-dragging by the Sudanese Government. It seems that they would like to wait until some of the furor over this incident dies down before bringing the Palestinians to trial, in order to protect themselves from similar attacks elsewhere.

I fervently hope that these reports are false. I believe that if the Sudanese Government waits even a day more than is absolutely necessary before bringing these criminals to trial, it will simply offer more encouragement to terrorists the world over. They will feel, and rightly so, I fear, that they do indeed have a profound influence over the policies of nations and that they are therefore free to act with impunity. Should that happen we would be treated to a spectacle of hijackings, kidnapings, and murders such as the world has yet to see.

The Sudanese Government has an obligation to the world to see to it that the terrorist murderers are punished quickly and severely. Only in this way can we hope to prevent a recurrence of the events that cost the lives of two brave Americans.

DOES CONGRESS KNOW ENOUGH TO LEGISLATE FOR THE NATION

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

Mr. McFALL. Mr. Speaker, those of us in the Congress are well aware of the importance of information because we barter with ideas and statistics in the legislative process. Nelson W. Polsby asked the question, "Does Congress Know Enough To Legislate for the Nation?" in a paper which he presented for discussion as part of the Time, Inc., project on "The Role of Congress." He does an admirable job in outlining the dimensions of the problem of congressional information gathering, processing and use. I now include this paper, presented on December 7, 1972, at the Century Plaza Hotel in Los Angeles:

DOES CONGRESS KNOW ENOUGH TO LEGISLATE FOR THE NATION?

The short answer to this question is, of course, no. Most of the problems facing the nation, and consequently Congress, are manifold, complex and intractable. They are rooted in hard facts of nature as well as "sown in the nature of man," as Madison wisely said. It is doubtful that anyone knows enough to prescribe measures that can be counted upon to ameliorate many of these problems. It is no wonder that Congress fails to do so; indeed, mankind receives little enough comfort from all its other elected officials, bureaucrats, judges, pundits and professors. Does Time Inc. know enough to pronounce its weekly benediction upon the nation? There is a short answer to this question, too.

So let us be modest in our demands as well as our expectations. If each of us recognizes that there are bound to be profound limitations upon the cognitive capacities of people organized into any system of activity, of whatever design, we are better prepared to assess the ways in which the special organizational imperatives of Congress limit and enhance its capacity to collect and deploy knowledge for its own benefit and for that of the nation. And we can search for ways of improving the knowledge-seeking and knowledge-using capabilities of Congress from within the four corners of a more secure understanding of the peculiar sort of organization Congress is.

I

Part of this understanding can be had by asking what sorts of information Congress is best at seeking out and employing. Three kinds of information come readily to mind, and all three suggest how closely information-gathering and using processes are tied to the mainsprings of the organizational life of Congress.

First, Congress is extremely good at finding out who wants what and how badly. Congressmen go about discovering this in a variety of ways, for example by attending legislative hearings, by receiving lobbyists and by reading their mail. It is a central duty of a legislative body in a democracy to find out who wants what and how badly. It also falls to legislative bodies to go well beyond ascertaining this sort of information in determining outcomes. Some observers believe that persistent failures by Congress to enact this or that measure which by some criterion has widespread popular support demonstrate a failure of cognition. In my opinion, cognition is rarely the problem. More often such "failures" can be attributed to two other phenomena: first, an aggregation process in which Congressmen tend to discount unmobilized and unfocused opinion—such as, for example, would be reflected in a nationwide public-opinion poll—and to weigh much more heavily opinion that is focused, mobilized and urgently pressed upon them.

That the wants of "how many" should be discounted against "how badly" some people want things may or may not be a flaw in democratic practice, depending upon the kind of democratic theory in which you believe. There is no doubt, at any rate, that Congressmen do this, and they do it in part because of their problems of simple survival. Mobilized and focused opinion is opinion that moves voters; simple expressions of preference on a poll may or may not be. Congressmen must appeal to voters every second year and Senators every six. To ignore mobilized opinion is to ignore voters; to attend to mobilized opinion is to give voters what many believe to be their due regard. In any event, a popularly elected official who persistently fails to attend to this opinion can not long remain invulnerable to challenge—if not in a general election, then in a primary—and in consequence over the long run Congress does tend to reflect those strands of opinion in the electorate that are well mobilized and highly focused. Likewise over the short run Congressmen come to be disposed to be attentive to opinions that have these characteristics.

A second source of "failure" to reflect certain kinds of opinion in legislation over the short run can be accounted for by structural characteristics of Congress. Even the crudest muckraker knows that a central feature of the congressional system is the committee structure, a device for dividing the work of Congress by subject matter and creating special enclaves of power and expertise. The committee system, and the seniority system by which the populations of committees are stabilized, are customarily the focus of much dissatisfaction. Complainants were right in asserting that home rule for the District of Columbia would have hard sledding so long as John McMillan of South Carolina chaired the House Committee on the District of Columbia. My point here is that it was not a lack of knowledge or information on McMillan's part but rather the firmness of his convictions against home rule, and his use of power, that stymied home rule.

A second realm of information gathering in which Congress does well has to do with the monitoring of the executive bureaucracies. Here Congress operates on two levels: a continuous flow of communication from constituents to individual Congressmen and Senators makes it possible for members of Congress to monitor the delivery of services from bureaucracies to the public. The fact is, of course, that most members pay little personal attention to the ordinary run of constituent casework that comes through the office. Nevertheless, the information is always there, and a flash flood of complaints about the Veterans Administration or the Marine Corps or the Social Security Administration may well pique the interest of a Congressman in ways that an ordinary rainfall of complaints would not. Some people would argue that this continuous flow of intelligence constitutes a significant bulwark of the plain citizen against the growth of arbitrariness in the federal bureaucracy, and thus in a sense the humble casework of Congressmen provides an informational basis for the exercise of the central congressional responsibility of checking and balancing the Executive Branch.

At a somewhat more exalted level this process of monitoring executive agencies also goes on, and this, of course, is through the legislative processes of authorization, appropriation and confirmation themselves. Here the much-maligned committees play their crucial role. Because they are organized by subject matter and are assigned supervisory roles over explicit and limited parts of the Executive Branch, and because they are manned by a substantial number of Congressmen who expect to remain in Congress and in due course receive the blessing of seniority in the form of subcommittee chairmanships, it is possible for Congress to develop a sizable cadre of persons having subject-matter competence approaching expertise. This artifact of the congressional division of labor is not a sufficient condition for effective checking and balancing, since the will and the energy to do so must also be present. But it is a necessary condition. Most critics of Congress fail to see this; it is a fatal mistake. The committee system is the foundation not only of congressional power but of congressional competence. Consequently, as we shall shortly see to improve congressional competence we must improve, not cripple, congressional committees.

A third type of information gathering that Congress does well is embedded neither in the needs of Congressmen to survive nor in the congressional division of labor but in the further ambitions of members of Congress. Many Representatives look forward to being Senators or Governors. Senators have in recent years increasingly cast sheep's eyes at the presidency. Those so situated, and sometimes others as well, seek and exploit information about issues and policy innovations that can win the loyalty of national publics and the attention of the news media.

We are all increasingly aware of the desire members of Congress to be known as "Mr. Health Care," "Mr. Science," "Mr. Crimebuster" and so forth. My point is that the adoption and pursuit of these roles entail a significant investment in information gathering. In order to create or adapt to a national public on a given issue, Congressmen must become knowledgeable about that issue, be capable of defending their positions and of taking new initiatives.

In these three broad ways, then—the organizational imperatives of Congress, the needs of Congressmen to survive and to enhance their careers are created capabilities for the gathering and the deployment of knowledge.

II

As I have said, the conditions that give rise to these capabilities are necessary conditions: remove needs for electoral survival, pathways for ambition, the division of labor or the capacity to check the routines of the bureaucracy and the corresponding Congressional information gathering activities would wither. Necessary conditions, however, are not sufficient conditions.

Many thoughtful observers believe that in the day-to-day experience of Congress these conditions are, in fact, insufficient to produce adequate information relevant to congressional policy making. Two complaints about congressional knowledge are so common that any serious address to the problem must face them. They are: 1) Congress is usually outgunned by the experts from the executive agencies, and consequently lets its prerogatives for shaping legislation lapse; 2) In many subject matter areas, Congress is immobile and ignorant because the Congressmen in charge of those sectors are immobile and ignorant and wish to remain so. This may come about for four reasons: senility or ineptitude of committee chairmen; the opposition of chairmen to legislation in the field; the corruption of chairmen by outside interests; collusion between chairmen and executive agencies.

The two complaints are linked. Congress is by no means necessarily outgunned by ex-

ecutive agencies in the policy-making process when the opposite of these conditions obtains. That is, when committee chairmen are able and intelligent, when they favor legislative activity, when they want to pursue an independent congressional course of action, the means are in general readily at hand for Congress to do the intelligence gathering it needs to do. To all those acquainted with Capitol Hill the instance of tax policy will spring readily to mind. It is doubtful that any agency embodies more knowledge than the professional staff of Congress devoted to this field. Moreover, it is the established practice of the House Ways and Means Committee systematically to co-opt the expertise of the Executive Branch when they deal in their own way with tax matters.

It would be possible for the close observer of Congress to enumerate similar information-gathering activities regularly engaged in by other congressional committees and subcommittees. The Daddario subcommittee of the House Science and Astronautics Committee, for example, commissioned studies by the National Science Foundation, and constituted and regularly met with an advisory group of senior experts in the area of their responsibilities. I note also the recent establishment of an Office of Technology Assessment as an agency of Congress. I assume Congressmen and Senators will watch this new agency closely to see whether it lives up to its promise and becomes an analogue in its field to the staff of the Joint Committee on Internal Revenue Taxation.

I have been painting such a rosy picture that readers will be entitled to ask how it happens that there are so many complaints. One answer is this: it must be borne in mind that what I have been describing is a set of capabilities that Congress possesses only as a collective entity. As individuals, Congressmen by the dozens may rightly feel at the mercy of their ignorance. The Joint Committee on Internal Revenue Taxation does not work directly for them, after all, but rather for the small fraction of members directly charged with writing tax policy. Yet they all must vote on tax measures. Most of them will have at one time or another to pretend to knowledge of what they are doing in this area. And in this private knowledge-gathering enterprise, over the vast range of policies, individual Congressmen and Senators are mostly on their own.

This creates a tension between two clear organizational imperatives: Congressmen and Senators must specialize, or else Congress loses the capacity to shape policy that expert knowledge alone grants. On the other hand, Congressmen and Senators must be generalists, because they believe—and for good reason—that this is what their constituents demand of them.

The resolution of this dilemma that I have in general favored comes down hard on the side of specialization: we must educate constituents to more reasonable expectations of their representatives. We must help them see that the demand for the illusion of omnicompetent Congressmen is a demand for the reality of an incompetent Congress.

Members of Congress are entiled to smile at this prescription; indeed, they are entitled to ask how someone who claims to have taught in a university these last few years comes to place such confidence in the efficacy of education. There is no real answer to this objection except this: alternative solutions entail much higher costs and risks, most significantly the risk of rendering the Legislative Branch utterly impotent.

III

I believe Congress can do more than it has done to systematize the gathering of specialized information in the manifold areas where it must act. Although taxes and some aspects of science policy may be bright spots, there are plenty of subjects on which Congress is less impressively prepared. On another occasion I made the point that in some respects congressional knowledge fell behind that of the Executive Branch in those areas where the Executive was most energetic in adopting professional standards of data collection and analysis. Adopting professional standards means submitting to the rules and practices and craft norms and constraints of a professional community. It is such communities that decree, for example, what respectable economics is—regardless of the politics in whose service the economics is harnessed. In consequence of this commitment to professionalization by the Executive Branch, Democratic Administrations must find Democratic economists and Republican economists to do their economics for them. The age of debate about economic policy is surely not over, but the age of patent-medicine economics in national politics—at least in the Executive Branch—is.

Many bright young economists now have the opportunity early in their careers to serve a tour of duty with the Council of Economic Advisers. There is no reason why Congress cannot tap the same pool of talent, and in much the same way, if it chooses to do so. The same is true of operations researchers or defense analysts. Instead of hearing from experts occasionally at hearings, the relevant committees and subcommittees could hire them for two-year periods, let us say, and gain a much greater familiarity with the thoughtways that underlie expertise. This can also give Congress continuous access to technically advanced criticism of Executive proposals, more sophisticated insight into alternatives and more sensitive awareness of emerging problems in the world.

In saying this, I am of course, suggesting that what Congressmen need on the whole is not information but regular opportunities for self-education. There is, after all, no special training ground for a Congressman or a Senator. Members of Congress must define their jobs their own way and learn what they need to learn as best they can. I think it is remarkable that as many members know as much as they do, given the severe constraints on their time and energy. I do believe that they can do better as knowledge gatherers and analysts, but only one who has considerable respect for the capacities of Congressmen, as I do, is likely to think the effort is worthwhile. How to move toward professionalization of congressional knowledge gathering and analysis? Ultimately, as I have more than hinted, the problem is one of committee staffs. These are uneven in quality and expertise, reflecting most of all their loyalty to the chairman and to the political goals that he sets for the committee. Those chairmen who want to move in the direction I have indicated on the whole know how to go about it. One device they have occasionally used that makes especial sense to me is to constitute a panel of expert—and if possible, distinguished—professional consultants to monitor the output of the staff from the standpoint of its professional adequacy. These chairmen, however, are only a small part of the problem, at least as an outsider sees it.

More common by far is the following complaint: frequently the conditions for immobility and incompetence that I enumerated above are met. So a final question remains: how might Congress be encouraged to minimize senility and ineptitude among its committee chairmen, the opposition of chairmen to legislative activity, the corruption of chairmen by outside interests and collusion with Executive agencies?

The best answer I have heard to this cluster of problems was given a few years ago by Representative Morris Udall. To decrease the influence of outside factors on committee chairmen, increase the influence of inside factors. Udall suggested subjecting all committee chairmen to an automatic, nondiscretionary election, by secret ballot, in the party caucus that precedes the opening of each Congress. Chairmen would be automatically slated against the two next-ranking committee members so an element of choice would be present, but seniority would also be given its due. It was anticipated, of course, that most chairmen most of the time would pass this hurdle without difficulty. Only those chairmen hopelessly out of step with the majority of their party in Congress, or definitely incapable of doing the job would be likely to be replaced in this process. But the mere existence of such a mechanism might reasonably be expected to encourage chairmen to build their alliances within Congress more broadly, and hence more responsively. Some elements of this proposal have been enacted by House Democrats but not all of them. Although it is fairly clear that a more honest reflection of congressional sentiment on the performance of chairmen can be obtained with a secret ballot, so-called public interest lobbying groups have opposed the secret ballot in caucus because it makes it harder for them to keep score on their friends and foes. The automatic, nondiscretionary feature is also missing, thus gratuitously stigmatizing those Congressmen who initiate an election in any particular case. So we have not a full test of the efficacy of Udall's ingenious plan.

Congress has moved slowly but on the whole more effectively in related areas. A gratuitous Supreme Court decision in *Powell v. McCormack* places the establishment of an automatic congressional retirement system beyond the reach of any enactment short of a Constitutional amendment. It is within the power of Congress, however, to restrict the holding of chairmanships to persons below a certain age. Quite understandably, more progress has been made on the carrot than on the stick side of this problem: congressional pensions are now sufficiently generous—as they should be—to help senior members contemplate voluntary retirement with equanimity, and even pleasure.

This paper has ranged far enough even in a short space to suggest at least some of the dimensions of the problem of congressional information gathering, processing and use. At the heart of the discussion as I see it, we must keep the hard fact that Congress is an organization that runs according to a powerful set of imperatives dictated by the nature of our constitutional order, the character of our party system, the vast scale of our land and heterogeneity of our people. Schemes for reforming Congress must first of all come to an understanding of the logic of its organizational structure. This is as surely true for those who despair of Congress as it is for the somewhat smaller, more select group of us who are eager to see Congress prosper.

LIFE INSURANCE COVERAGE

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

Mr. MONTGOMERY. Mr. Speaker, I wish to address myself to H.R. 825 which I introduced on January 3, 1973. Many of you will remember that the House passed a similar bill (H.R. 14742) last year on May 15, 1972, but the bill died when the Senate failed to act on the measure before adjournment.

Basically, this bill would provide full-time life insurance coverage up to $15,000 under Servicemen's Group Life Insurance—SGLI—to members of the Ready Reserve, the National Guard, and certain members of the Retired Reserve up to age 60. Under present law, this insurance coverage under SGLI for reserv-

ists and guardsmen is limited to periods of actual participation in active duty or active duty for training such as weekend drills or summer camp or emergency callups and while traveling to and from duty. My bill would provide these same men with the same coverage on a 24-hour basis, 365 days a year.

NEED

The major thrust of this bill is to encourage persons to join and remain in the Reserves and National Guard by providing this full-time coverage under SGLI. The need for this legislation is even more immediate than was the case when the House first considered and passed this bill. I would like to share with you some of the reasons for my very strong support of this measure and the sense of urgency I attach to its passage during this session of Congress.

Total Reserve component strengths as of January 30, 1973, are down 45,279 from an authorized level of 976,559 and a shortfall of 63,000 by June 30, 1973, is projected by the Department of Defense. This occurred in spite of the fact that the Defense Department started 1972 with approximately 5,700 overstrength and had waiting lists of prospective members for all components. The National Guard alone has some 9,839 unfilled places in units throughout the country. The implications for the future—an era of no draft motivation—are quite clear, and the need for additional incentives to enlist and retain reservists and guardsmen is becoming more evident. Defense Department surveys indicate that a probable gain of 8 percent in reenlistment rates for both Army National Guard personnel and Army Reserve personnel in units would result from this insurance coverage. The incentive aspect of this bill cannot be overlooked as an integral part of our efforts to beef-up the manpower in the Reserves and National Guard.

Furthermore, under total force concept enunciated 3 years ago by former Secretary of Defense Laird, the Reserve forces have assumed a much more important role in our national defense. I think we are all aware that in the event we are faced with an emergency situation, the draft will be the last means of resort, not the first. The Reserves will receive the first callup, and we must insure that the strengths are adequate to meet any situation.

With the announced goal of reaching a zero draft by July, 1973, we are striving to attain an all-volunteer posture. Thus, the draft is steadily declining as a motivational factor in Reserve component enlistments. I do not think we have really felt the impact of a zero draft because many presently in the Guard and Reserves enlisted to avoid regular military service. When this group leaves the military, we will indeed be faced with a desperate situation. We are, therefore, faced with a situation in which it is becoming vastly more difficult to attract men in adequate numbers and of acceptable quality right at the time when the maintenance of high strength levels is a crucial importance. I am firmly convinced that the full-time SGLI coverage proposed in H.R. 825 would provide an effective incentive not only to initial enlistments, but to continued service over extended periods as well.

I might caution that this should not be expected to be the only remedy for the situation. Should this proposal result in a net increase of 8 percent in total strengths, that would mean an increase of 28,080 for the Reserves and 30,400 for the National Guard. While this would temporarily cure the under strength, there would still be a deficiency of 7,000 in the Reserves under presently authorized levels. As I pointed out, DOD expects a further drop of 18,000 by this June, so we would be mistaken to rely on this measure as a total remedy. I will address myself to additional incentive legislation at a future date.

PROVISIONS

The major thrust of this bill is to encourage persons to join and remain in the Reserves and National Guard by providing full-time coverage under SGLI. This bill would provide full-time coverage under SGLI for persons who volunteer for assignment to the Ready Reserves of a uniformed service and are assigned to a unit or position in which they may be required to perform active duty or active duty for training, and each year will be scheduled to perform at least 12 periods of inactive duty training that is creditable for retirement purposes under chapter 67 of title 10, United States Code. At the present time, this group along with other reservists, are covered under SGLI only on the days that they are on active duty or active duty for training under a call or order to duty that specifies a period of less than 31 days, during the hours of scheduled inactive duty training, and while traveling to or from such duties.

An illustration of this new coverage is when a guardsman or reservist dies at anytime and under whatever circumstances not connected with service with the Guard or Reserves. He is covered 24 hours a day. He is already covered during the times he is serving time with his Guard or Reserve unit.

The full-time coverage of the Ready Reserve would terminate 120 days after separation or release from an assignment which qualifies him for such coverage. However, if on the date of such separation or release the member was disabled, SGLI coverage would continue in effect during the total disability up to 1 year as is provided in present law for persons in the active duty Armed Forces.

Further, if on the date of separation or release from such an assignment, the member has completed at least 20 years of satisfactory service creditable for retirement purposes, the full-time coverage, unless converted, would continue in force, until receipt of the first increment of retirement annuity by the member or the member's 61st birthday, whichever occurs earliest. Such continued coverage would be subject to the timely payment of premiums under terms prescribed by the administrator directly to the office of serviceman's group life insurance—SGLI.

The second purpose of the bill is to provide full-time coverage under SGLI for persons assigned to, or who, upon application would be eligible for assignment to the Retired Reserve of a uniformed service who are under 60 years of age and have completed at least 20 years of satisfactory service creditable for retirement purposes under chapter 67 of title 10, United States Code. At the present time, members of the Retired Reserve have no eligibility under SGLI. What is needed is protection which will cover the man who has completed all requirements for retirement but has not yet reached age 60.

An illustration of this coverage is when a guardsman or reservist retires after 20 years of service and he is younger than age 60; 45 for example. He cannot receive any retirement pay until he is 60. His wife would receive no benefits should he die before reaching age 60. He is not qualified for any benefits between the ages of 45 and 60. This bill would simply give him full-time coverage under SGLI up to $15,000 during the interim period between his 45th and 60th birthdays.

COSTS

One of the more attractive aspects of this bill is that it will not cost the Government anything. The full cost of the coverage would be borne by the insureds.

The premium charges for members of the Reserve eligible for full-time coverage under the bill—other than members assigned to the Retired Reserve—will be deducted from the active duty pay of the servicemen enrolled in the program.

The bill grants the administrator authority to establish premiums charged members assigned to the Retired Reserve by various age groupings as he may determine to be necessary according to sound actuarial principles. Also, such premiums shall include an amount necessary to cover the administrative cost of such insurance to the commercial underwriters. The costs to the insureds has been estimated to be $3 per month for $15,000 of coverage, indeed a bargain by today's costs of insurance. And yet, the Federal Government is in no way subsidizing this program. Nor is this a scheme so insurance companies can make windfall profits at the taxpayers' expense. It is a sound incentive program filling an existing vacuum in needed insurance coverage for members of the Reserves and National Guard.

Separate accounting may be required of the underwriters by the administrator for insurance issued to or continued in force on the lives of members of the Retired Reserve, and for SGLI issued to others. In such accounting, the administrator is authorized to allocate claims and other costs among such programs of insurance according to accepted actuarial principles. Coverage would be available, in increments of $5,000, $10,000, or $15,000. Coverage will be in the amount of $15,000 unless the member notifies in writing the military department concerned that he does not wish coverage or wishes coverage in an amount less than $15,000.

Premiums are to be established by the Administrator of the Veterans' Administration, and it is estimated that the amount of premium initially will be approximately $1 per month for each $5,000 of coverage. All of the administrative

cost of the bill to the VA and to the commercial insurers would be borne by the insured. Insofar as the Veterans' Administration is concerned, the administrative cost would involve amending the group policy, printing the necessary forms, and updating the handbooks and pamphlets.

I might add that this bill has the unqualified support of the Department of Defense, the Veterans' Administration, the National Guard Association of the United States and the Reserve Officers Association.

	Fiscal year 1973 authorized strengths	Unaudited actual strength as of Jan. 30, 1973	Deficiencies
Army National Guard	402,333	389,530	—12,803
Air National Guard	87,614	90,578	+2,964
Total National Guard	489,947	480,108	—9,839
Army Reserve	261,300	234,611	—26,689
Navy Reserve	129,000	129,987	+987
Marine Reserve	45,016	38,957	—6,059
Air Force Reserve	51,296	47,617	—3,679
Total reserves	486,612	451,172	—35,440
Grand total	976,559	931,280	—45,279

LAFAYETTE SENIORS COMMENDED

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

Mr. FUQUA. Mr. Speaker, it is with great pleasure that I bring to the House floor today a story of true brotherhood and humanity. All too often members of the press and certain social commentators tell us that today's young people are apathetic about social problems and too wrapped up in "doing their own thing" to appreciate and respond to the needs of others. While I disagree in general with this contention, I have recently witnessed a display of humanity and sacrifice which belies this idea that modern day youths are uncaring.

On February 9, 1973, Buddy Dale Lyons of Mayo, Fla., suffered a freak and tragic accident while practicing wrestling holds in his high school gymnasium. Young Buddy Dale suffered a broken neck and a fractured vertebra causing virtually total paralysis from the neck down. His road to recovery will be long and arduous and will require a great deal of courage on his part during the rehabilitation period.

Buddy Dale is not alone in his struggle to recovery, however, as an instantaneous outpouring of sympathy and concern was shown him by his friends and classmates in the senior class at Lafayette High School. Every year the senior class sponsors various fund raising activities to enable them to travel to Washington on their senior class trip. This year the seniors were to have visited our Nation's Capital next week on March 13, 1973. The seniors from Lafayette High School, however, will not be here this year. Despite the fact that the senior class has worked long and hard to obtain sufficient funds to make the annual trip, they have decided to forgo the trip because of their love and concern for Buddy Dale.

Renee Beckham, Jimmie Bell, Sandra Bell, Marilyn Brock, Mickey Brooks, and Paul Darby will not be with us this year. Lenita DeVore, Tommy Dorsey, Willard Ducksworth, Kevin Everett, Marvin Ezell, and Larry Folsom have decided there are more important needs to be met than their desire to travel to Washington. Roy Friedman, Ricky Gamble, Candy Goodwin, Sharee Hartman, and Mike Hill have joined their classmates in giving $2,000 of the funds to the family of Buddy Dale to help in defraying the great medical expenses which have been and will be incurred. Margaret Horton, Freddie Johnson, Ernest Jones, Ricky Koon, Louise Land, and Thomas Lawson joined their classmates in such projects as bake sales and car washes to help their injured friend.

Beverly Lee, Leesa Morgan, Yvonne Murray, Ricky Page, Charlotte Santerfeit, and Larry Sessions joined their classmates in realizing that the accident which befell Buddy Dale was of greater priority than the annual trip. Rita Stephens, Stan Swam, Becky Swinson, Owen Thomas, Sheilah Towler, Darrell Walker, and Donna Vickers joined their classmates in this demonstration of love and humanity for their fellow man. The senior class, under the sponsorship of Ms. Jeanne Adams, is to be commended for their selfless devotion to their friend and classmate and know that you share my high esteem of this outstanding group of young people.

The senior class has secured the assistance from other classes and school organizations and have now collected an additional $1,200 for Buddy Dale's family. The Buddy Dale Lyons Fund is in an account in the Lafayette County State Bank in Mayo, Fla., and concerned citizens are encouraged to contribute to Buddy Dale's recovery. The love and humanity shown young Buddy Dale has served to bring this fine community closer together as they strive for a common goal; that of assisting an outstanding young man in his struggle toward rehabilitation.

The story that I have related to you today is most meaningful to me and to Buddy Dale. I want you to know of my great admiration for these young people and their friends and parents who have cooperated so effectively in their efforts.

CHAIRMAN PETER RODINO ANNOUNCES LEAA HEARINGS

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 am pleased to announce that Subcommittee No. 5 of the Committee on the Judiciary will commence legislative hearings regarding the future of the Law Enforcement Assistance Administration—LEAA—on Thursday, March 15, 1973, at 10 a.m., in room 2141, Rayburn Office Building. Our first witness will be the distinguished Attorney General of the United States, Richard G. Kleindienst. Hearings will continue on March 16, 21, 22, 23, and subsequent dates to be announced.

REGIONAL MEDICAL PROGRAMS GET WIDESPREAD SUPPORT AT THE GRASSROOTS LEVEL

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

Mr. FLOOD. Mr. Speaker, when I sponsored regional medical programs in 1965 there was a great gap between the established physicians, surgeons, and hospital administrators on the one hand and those who thought the Nation's medical care delivery system could and should do much more for us all.

The professionals knew they were working hard. I would estimate that most doctors in this country put in more hours of labor per week than most factory workers.

They usually get well paid for it, true. But over the years American medicine, too, has contributed generously to the treatment of charity cases, people who could not pay for adequate medical care.

But back in 1965 we all recognized that this overburdened pay-and-charity system was not able to maintain the health standards that a first-rate nation should uphold and I backed regional medical programs as a way of boosting the quantity and quality of care in this country.

A number of systems reforms came along in just a few years. All of them suffered "gaposis," or the ailment of hard-working doctors feeling imposed upon by would-be systems reformers.

It is entirely clear from my heavy correspondence that regional medical programs have bridged the gap. I am getting a large number of letters from my district daily testifying to the popularity of regional medical programs.

These letters do not come from the far-flung staffs of RMP. Rather they come from church leaders whose parishioners have had new health services; from private practice doctors who have been helped to apply the latest therapies, from nurses who have with their own eyes seen the difference in survival rates among cardiac patients, from community planners, from patients, from hospital administrators grateful for being introduced to new methods they could trust because they were endorsed by a reliable authority.

It is a privilege to include in the CONGRESSIONAL RECORD excerpts of some of the moving letters I have received, all of which encourage me to keep the faith with this excellent program that has brought the medical community together as never before:

OUR LADY OF GRACE CHURCH,
Hazleton, Pa., February 22, 1973.

HON. DANIEL J. FLOOD,
Member of Congress,
Washington, D.C.

DEAR CONGRESSMAN FLOOD: The planned closing of the Regional Medical Program in our area has been sadly brought to my attention. This indeed has shocked me, as I know it will shock many who are dependent on this noble, and much needed program. As you know it has helped many needy families in the past, to discontinue this needy program at this time would be disservice to both this area and to the Commonwealth of this great state. Its citizens DO look forward to this continued service.

In the immediate Hazleton area, and its sister communities, it is vital that this program continues to exist. Medical facilities are lacking as it is. This program reaches out to those who need it the most. The program phase concerning Pulmonary Care, and especially the Adult Respiratory program which is so essential to this coal region which claimed so much of our citizens in the lung ailment field. As you know this is an important factor and a deep cause of concern to each, not only in this community but throughout the State. You, and your concern, can help to make this program a living reality within the Commonwealth.

Speaking personally, and I do take the liberty to speak for many in the area, I ask and I urge you to give serious consideration and support to the problem. We, the citizens of this area have healthfully gained by having this program in our midst. Your support can make this program a living vital reality which would benefit many needy. Those who have benefited from this Program, and those who will benefit from it, will always appreciate your concern and your support.

Urging your consideration, I remain,

Msgr. FRANCIS MUSSARI.

WELFARE PLANNING COUNCIL,
Wilkes-Barre, Pa., February 21, 1973.

Hon. DANIEL J. FLOOD,
Member of Congress,
Washington, D.C.

MY DEAR CONGRESSMAN: I am concerned over the proposed elimination of the Regional Medical Program. This proposal, if adopted, will affect the interests of Luzerne County directly. It was the Greater Delaware Valley Regional Medical Program that responded to our efforts here in Luzerne County to create a comprehensive home care program. Two years ago, with the encouragement and technical assistance of the Regional Medical Program, demonstration funds were obtained to serve as seed money to make the home care program a reality. Obtaining these Regional Medical Program funds was crucial in the beginning stages of this important new community program. Today our home care program here in Luzerne County is serving as a model for other communities interested in developing a continuum of home care.

The Regional Medical Program by virtue of its activities provides an important link to scores of volunteers from all parts of the Congressional District. If the Regional Medical Program is stifled, this region stands to lose this important dimension of community involvement.

I urge you to give serious consideration to the above mentioned problem and urge you to take the most appropriate steps.

Sincerely,

CHARLES J. REYNOLDS, Jr.,
Executive Director.

KISTLER, SCHULTZ, AND BUTCOFSKI,
Wilkes-Barre, Pa., February 22, 1973.

Hon. DANIEL J. FLOOD,
Member of Congress,
Washington, D.C.

DEAR CONGRESSMAN FLOOD: I have been intimately involved with the Regional Medical Program since its inception and have given many hundreds of hours to its work. In my opinion, the greatest benefit derived from the RMP has been the concept of the area hospitals and the area physicians planning as a group or as a region and looking to the medical schools and centers as resource people and consultants. The RMP has also given the medical schools an added sense of social responsibility and an awareness of the needs of the community. This benefit will not be fully manifest for many years but will be great indeed. All parts of this country can greatly benefit from this relationship.

There has been more interchange of ideas and planning between the medical school and the community in the past five years than in the previous twenty-five years that I have been in medicine. This relationship cannot help but improve the quality of care that the patient receives. Had the RMP been in existence ten or fifteen years ago, I doubt that the current shortage of primary care physicians would have existed because the interchange with the outlying areas would have pointed out this defect. The Philadelphia Medical Schools have been most helpful in this work.

Certainly, any Federal Program can be streamlined and made more efficient, but to remove the regional planning impetus and the encouragement of the medical school to get involved in community planning throughout the state, would be a disservice to the medical care delivery system and more important to the people it serves.

I request your support in allowing RMP to bring these benefits to the people.

Sincerely,

D. W. KISTLER, M.D.

This agency with a minimum of dramatic drum-beating has instead channeled those efforts into producing visible and palpable accomplishments. We who are far removed from medical centers have found this agency to be the umbilical cord that has nourished us in all its medical aspects. This has been reflected in the increase in both volume and sophistication of medical service that this area is receiving.

The importance of retaining this agency requires no detailed documentation for support. I ask of you that your support be directed to the continued preservation of the Greater Delaware Valley Regional Medical Program.

Sincerely yours,

EUGENE K. WEISS, M.D.

THE BLOOMSBURG HOSPITAL,
Bloomsburg, Pa., February 9, 1973.

Hon. DANIEL J. FLOOD,
Member of Congress,
Washington, D.C.

SIR: About one month ago when I happened to be in the Admissions Office of the Hospital, I was introduced to a former occupant of our new 5-bed Coronary Care Unit who was at this time visiting, especially the nurses of the Unit. The introduction was a response from him that "Oh yes, my heart stopped twice and they used the mechanical equipment." I asked "How are you?" and he replied, "Look at me, just fine thanks to the care."

Mr. Congressman, had it not been for your insight and forthright determination to help establish Greater Delaware Valley Regional Medical Program, we cannot help but wonder if this man would have been alive to respond.

Need I say more to encourage you to continue any efforts toward tremendous health rendering accomplishments such as Greater Delaware Valley Regional Medical Program.

Very truly yours,

ROBERT T. RAKER,
Administrator.

A TRUE DOLLAR CRISIS: THE PRICE OF MEAT

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

Mr. VANIK. Mr. Speaker, in the last several weeks, the value of the dollar has gone down in the world, while the price of gold has gone up—but every American shopper knows that the most unstable, volatile, and skyrocketing commodity in today's marketplace is really meat—especially beef. Every time the American shopper buys a pound of hamburger, he knows his dollar has been devalued through the process of inflation and uncontrolled food prices. Everytime he buys a pound of sirloin, he gives up a chance to buy "blue chip" stock. When the shopper buys a roast, he may be tempted to place it in a safety deposit box—to keep it as a security more certain than dollars or gold.

THE HISTORY OF MEAT PRICES IN THE 22D CONGRESSIONAL DISTRICT OF OHIO

I am sure that no regular grocery store shopper doubts that there is a "dollar crisis" in meat prices. But I doubt that one realizes just how much meat prices have changed over a year's period. One sees that prices are going up a penny or two a week—but one often forgets how much those pennies mount up to in a year's time.

Beginning in the fall of 1971, a volunteer citizens group in my congressional district formed a Community Committee on Consumer Prices. This group regularly priced a large selection of retail items. The chairman of the group, Mrs. Carolyn Sugiuchi, has just completed another special price check of meat prices and compared the prices which the group found last week with those they first recorded in the last week in October and the first week in November, 1971. Following are some of the results:

[All meats per pound]

Item	Fall 1971	Mar. 1, 1973	Percent change
Beef:			
All beef hot dogs	$0.78	$0.98	26.0
Hamburger	.69	.92	33.0
Ground chuck	.68	.98	44.0
Roasts:			
Chuck, semiboneless	.88	1.14	29.5
Rump	1.28	1.64	28.0
English cut	.89	1.34	50.5
Sirloin butt	1.24	1.68	36.0
Boneless brisket	.89	1.58	77.5
Pot	.74	1.09	47.0
Steaks:			
Chuck, semiboneless	.98	1.24	27.0
Top round	1.09	1.68	54.0
Sirloin	1.34	1.64	22.0
Porterhouse	1.64	1.88	16.0
Pork chops:			
Center cut	.98	1.48	51.0
Loin roast	.64	[1] .98	53.0
Ham, whole, boneless	.69	[2] .98	43.0
Poultry:			
Roasting	.38	[1] .45	18.0
Fryer, whole	.29	.52	79.0
Broilers	.33	.53	61.0
Chicken breasts	.42	.89	112.0

[1] Sale.
[2] Special.

I would also like to list some of the comparisons which the group noted in bread and wheat product prices. It appears that the Russian wheat deal created a weekly "russian bread tax" on American shoppers:

Item	Fall 1971	Mar. 1, 1973	Percent change
Bread:			
Millbrook: White enriched (22 oz.)	.43	.47	
Wonder: Whole wheat (16 oz.)	.39	.43	

WHAT CAN BE DONE TO CONTROL FOOD PRICES?

In an effort to control the spiraling cost of meat—and for that matter, many

other foods since the start of phase II, I have been advocating the permanent repeal of the Meat Import Quota Act of 1964, elimination of the acreage set-aside or "soil bank" program, and direct controls on the price of food goods.

It is imperative that when the Congress considers extension of the Economic Stabilization Control Act and the laws governing phase III, that direct controls be applied to foods. It is inflation in the food goods sector which most directly affects those on fixed and low incomes and those with large families.

While the administration is to be commended for reducing the number of farm acres in the set-aside program—a type of "soil bank" program in which the farmer is paid to keep land out of production, there are still some 20 million acres of farm land which are not being fully used and for which the farmer is being paid to keep out of full production. These remaining acres should be brought into full use as soon as possible.

Finally, and in the meat sector particularly, permanent repeal of the meat import quota is needed. The Meat Import Quota Act of 1964—an anticonsumer bill which I opposed at that time—regulates the supply of foreign meat entering the United States, limiting the amount of foreign meat to about 3 percent of total U.S. meat consumption.

We all appreciate the need for an adequate income to American farmers. But the simple fact is that the supply of meat is inadequate at prices which large families and low-income families can afford. This shortage, which is worldwide, will become more acute in the years ahead.

Foreign meat is tougher, leaner, lower grade than U.S. meat. It is almost exclusively of the processing meat variety—hamburger, hot dog, and sausage. It is the type of meat primarily used by large and low-income families. As a recent Tariff Commission report pointed out, it is generally not competitive with domestic meat which specializes in choice, tender steaks and roasts.

I might add here that American meat is just about the finest in the world—with the result that many of the most famous—and expensive—restaurants of Europe and Japan are importing American steaks and roasts. It now appears that while domestic prices continue to soar, we are exporting over 52 million pounds of the finest cuts of "Kansas City steaks" to the gourmet restaurants of the world. These exports further restrict supply at home, with the result that the shopper pays more. Perhaps it is time to place a limitation on this export: judging from its price, meat is obviously becoming a rare national treasure.

Recognizing the crisis in meat prices, the administration temporarily suspended meat import quotas last June for a period of 6 months. In December of this year, it announced suspension of supply restrictions for another year.

But temporary suspension of meat supply restriction does not appreciably increase the supply of this cheaper priced processing meat. Foreign producers will not substantially alter their production and shipping plans for what appears to be a temporary change in the American market—a market which may be suddenly restricted by the stroke of a pen. For example, Australia, one of our principal trading partners, requires its ranchers to sell 1 pound of meat in the world market for every 2.5 pounds sold in the American market—even though they would rather sell more in the American market. The temporary relaxation of import quotas will not substantially increase meat supplies since producers must plan years ahead to increase herds to meet American needs.

THE CONTINUING CRISIS IN MEAT PRICES

The processing or low-grade meat supply situation is reaching crisis proportions. The following table shows prices quoted in the Chicago wholesale market for the month prior to the August 1971 freeze, for alternate months in 1972, and for December 1972, January 5 and a week ago, February 27, 1973.

MEAT PRICES [1]

	August 1971	January	March	May	July	September	November	December	Jan. 5
Choice:									
Steers, 6/700	53½	57½	54½	55½	57½	52½/53	50	57/57½	66/66½
Trimmed loins, 40/50	98	80/81	89/90	97/98	97/98	80/81	78/79	86/87	96
Ribs, 30/35	74	79	73	70	73	63/64	70	79/80	82
Processing:									
Full carcus, bull, fresh	70	71	74	75	75½	76½	77	77½	94
Boneless beef, fresh, 90 percent lean	65	65½	72	72½	74	74½/75	72½/73	73/73½	92/93
Boneless chucks, fresh	66	66	72	72½	74	75/75½	74/74½	75	91½
Trimmings, 85/90	61	60½	68	68½/69	69	69/69½	67/67½	67	88½
Imported:									
Cow, 90 percent	61½	63/63½	65½	68/68½	68½	66/67	67½/67¾	71	92½/93
Bull, 90 percent	63½	65	67	69½/70	71½/72	71/71½	71½/72	74½	94½
Shank meat	64½	65½	67	69½/70	71½/72	70/71	71/71½	74/74½	94½/95

[1] Domestic Meats, f.o.b. Chicago. Imports ex dock, port-of-entry as listed, national provisioner yellow sheets about the middle of each month.

[2] Average prices during 30 days prior to Aug. 14, 1971.

It is obvious from this table that wholesale meat prices are out of control and soaring upward. The effect will soon be felt in the local grocery store. In the 7 weeks between the January figures and the February figures, the wholesale price of choice domestic cuts increased by about 10 percent. But the price of domestic processing meats—the type of meat used in hamburger—the type of meat traditionally used by large families and by those on low and fixed incomes—increased by 19 to 25 percent.

When the recent 10-percent devaluation occurred, I had thought that demand might fall for Australian and New Zealand imported processing meat. I had assumed that there would be a softness in the market for some time and that it was even possible that the increased cost of imported meat would make moves to permanently repeal the Meat Import Quota Act irrelevant. But within a week, the Chicago market had fully absorbed the effect of the devaluation—imported meat had increased in price by 10 percent. In fact, the price bid for this meat even increased more than 10 percent, reaching new highs: price levels as much as 20 percent higher than the early January prices.

It is obvious from the market's response to the devaluation and the continuing heavy demand for foreign processing meat, that the present meat supply crisis will be with us for some time and that repeal of the Meat Import Quota Act is still a vital step—indeed, one of the few steps which the Congress can take to help the American consumer in the months ahead.

It is my hope, Mr. Speaker, that the Ways and Means Committee will be able to consider this repeal legislation in the near future, either separately or as part of the soon-to-be-considered package of trade legislation.

BRAIN SURGERY

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

Mr. STOKES. Mr. Speaker, I have requested time to discuss a bill which I have introduced today. My bill would prohibit all forms of brain surgery which control or alter a person's behavior.

Try to imagine this situation if you will. A man has been in prison for several years. Someone comes to him and offers him his freedom, if he will sign on the dotted line and consent to having "minor" surgery performed on his brain. It will not hurt, he is told, and it will not change your personality. All this operation will do, they say, is make you disinclined to commit the crime that put you here in the first place. It will make you less violent. The prisoner signs and when he comes out from under the knife, he feels just about the same—except he can no longer feel happy or sad, and he has trouble making decisions.

While this may sound like the description of a science fiction movie, it is not fiction. It is something that is happening in this country—today. In fact, three prisoners at the California Medical Fa-

cility at Vacaville were recently subjected to just this type of operation.

Psychosurgey is a frightening, repugnant, and immoral medical development. It is more serious than the lobotomy—although lobotomies are included under this general heading—because it involves delving and digging deeply into the human brain, an organ that medical science does not yet fully understand. In order for psychosurgeons to reach the inside of the brain, they have to destroy healthy cells whose function is often unknown. Since brain cells do not regenerate, the function which they govern is also obliterated forever.

The term psychosurgery covers a wide range of surgical techniques—from the implantation of electrodes within the brain itself; to the destruction of the anygdaloid nucleus; the thalamus; the cingula; or any of the basal ganglia, each of which does a specific job. All of these operations are being performed in this country today with one end in view: To control or modify the behavior of the person being operated upon. My definition of psychosurgery does not include brain surgery which relieves certain physical symptoms: For example, it does not include operations that alleviate the handicapping physical symptoms of Parkinson's Disease, or surgery that stops the pain felt by terminal disease patients.

Understandably, some of the doctors who perform psychosurgical operations speak only about the good that they believe they are doing for mankind. They are quick to assert that they have found a panacea for crime and urban disorders.

They do not mention the fact that brain dysfunction is only one obscure cause of crime. They are incluned to ignore factors like poverty, hunger, sickness, poor education, indecent living conditions, drug addiction, an antiquated criminal justice system, and plain desperation.

Some of the doctors will tell you that they have the answer to the crime problem, and you will be as shocked as I was to learn that the Federal Government is inclined to agree. Most of the psychosurgery going on in the United States today is conducted under Government grants. The Government has not gone to the trouble to keep track of how many brains it is responsible for destroying, but between 600 and 1,000 psychosurgical operations are being performed every year. This trend is mushrooming. One reason why psychosurgery is expected to become even more popular is that it is much cheaper than drug treatment or psychotherapy as a means of controlling unruly subjects.

Who are the victims? They are prisoners, involuntary mental patients, adolescents, and small children. A very large percentage of them are black. According to Dr. Alyce Gullottee, a psychiatrist of the Freedmen's Hospital of Howard University:

> Most of the psychosurgery that's done is done on blacks—definitely in the South.

Dr. O. J. Andy, of the University of Mississippi, for example, has been known to destroy the thalamus of hyperactive black children. As his assistant was quoted in Ebony magazine:

> These individuals (who receive this operation) will not be contributors to society, but at least they will be tolerated.

Dr. Andy believes deeply in the connection between urban violence and brain dysfunction. As he puts it:

> I think that those who are involved in any uprising such as Watts or Detroit could have abnormal brains. Those people should undergo tests with whatever capacity we now have.

Dr. William Sweet, chief of neurosurgery at Massachusetts General Hospital, thinks along the same lines—but he does his thinking on Federal Government time. Dr. Sweet received a half a million dollars from NIMH to reach conclusions like this:

> The proponents of urban disorders seem to be the people who are most likely to suffer from organic brain diseases.

The Justice Department has paid out $109,000 to Drs. Frank Ervin and Vernon Mark for similar studies into the correlation between violence and brain disorders.

Fortunately for minority, poor and disadvantaged Americans, there are doctors who are willing to resist this dangerous trend. Dr. Peter Breggin has said that—

> No one could pretend to be on the side of the person whom he is screening for the purposes of social control.

Dr. Alvin Poussaint, of Harvard University, speaks directly on point:

> The study is racist. It assumes that black people are genetically damaged—that they're so animal and savage that whites have to carve on their brains to make them into human beings. The whole concept is vicious. When all these institutes around the country decide to study violence, who do they go look at? The *black* man. But who's committing all the violence? The *white* man, white society, white policeman. They don't consider that something's wrong with their brains.

Dr. Bertram S. Brown, Director of the Department of Health, Education, and Welfare of NIMH, opposes psychosurgery for this reason:

> We are sobered by the thought of how very much more there is to know about that marvelous structure, the human brain.

I am sure that there are many more doctors who are opposed to this pernicious use of brain surgery. Credit must also go to Ebony magazine for its courageous reporting about the current uses of psychosurgery.

My bill would outlaw this dangerous and immoral practice. It would fine doctors and institutions up to $10,000 for each operation. A psychosurgery commission would collect the fine on behalf of the patients, and could go to court to obtain injunctions to stop performance of this operation. The commission would be made up of nine nonprofessional members, three of whom represent minority groups.

The reason why a law, such as the one I am proposing, is needed should be obvious. After all, 1984 is just around the corner.

Mr. Speaker, at this point in the RECORD I insert an excellent article on psychosurgery written by B. J. Mason and published in the February 1972 issue of Ebony magazine:

NEW THREAT TO BLACKS: BRAIN SURGERY TO CONTROL BEHAVIOR—CONTROVERSIAL OPERATIONS ARE COMING BACK AS VIOLENCE CURBS

(By B. J. Mason)

* * * warn, however, that is now being revived—at the rate of 600 operations a year. Targets are supposed to be depressed women, hyperactive children, drug addicts, alcoholics, epileptics, neurotics, psychotics, convicts. Targets are often blacks.

Psychosurgery is the term used to describe the removal of brain tissue to modify or alter behavior without treating a known brain disease. Typical patients include those who display what psychosurgeons refer to as "symptoms of abnormal behavior," such as emotional tension, anxiety, aggressiveness, destructiveness, agitation, distractability, suicidal tendencies, nervousness, mood changes, rage, stealing and explosive emotions. It appears that two aspirins and a few minutes' rest will no longer do the trick. And since every human being exhibits at least one of these traits presumably all one has to do to qualify for such an operation is to rub society the wrong way.

Indeed, the Senate Appropriations Committee recently instructed the National Institute of Mental Health (NIMH) to award a $500,000 grant to Dr. William Sweet, Chief of Neurosurgery at the Massachusetts General Hospital, to determine if there is any connection between violent behavior and brain disease. More specifically, he was asked to develop a way to identify and control persons who commit "senseless" violence, as well as those "who are constantly at odds with the law for minor crimes, assaults and constantly in and out of jail." This perked the interest of the Justice Department's Law Enforcement Assistance Administration (LEAA), which invested $108,930 in further brain research by two of Dr. Sweet's colleagues, Dr. Frank Ervin, a psychiatrist, and Dr. Vernon Mark, Chief of Neurosurgery at the nearby Boston City Hospital.

It didn't matter that the Kerner Commission had already concluded that white racism was at the root of civil violence. The Justice Department ordered the grantees to "determine the incidence of brain disorders in a state penitentiary for men; to establish their presence" in a civilian population; and to "improve, develop and test the usefulness" of electrodes and brain surgery "for the detection of such disorders in Boston City Hospital. The part of the brain which controls their "strange" behavior is called the amygdala—an almond-shaped nerve center located on the inner side of the brain's temporal lobe. Since they believe it moderates emotions and drives, brain specialists agree that removing the amygdala curbs aggressive behavior and makes the patient docile. Dr. Peter Breggin, a Washington, D.C. psychiatrist and vocal opponent of psychosurgery, adds that "the only way this kind of operation can work is by blunting the emotions of the patient. To the extent that it blunts, it will also destroy some of the capacity for violence."

Dr. Mark denies that he and Dr. Sweet have been tampering with their patient's behavior. "Of course not," he says. "People who've had amygdalotomies don't change. If they're psychotic beforehand, this doesn't change their behavior." He stresses that he only operates on patients with temporal lobe epilepsy and feels that "brain surgery should never be done on individuals with a normally functioning brain to control their behavior—if they don't have brain disease."

However, Dr. Mark's psychiatric associate, Dr. Lawrence Razavi, contradicts him in a recent outline of their research objectives, which states that the purpose of the brain studies is to validate a battery of tests on "1) normals 2) epileptics without violent behavior 3) violent epileptics 4) violent individuals *without* apparent epileptic disease." The paper then goes on to state that brain

surgery, "particularly where the amygdalus is entirely normal, may be construed as behavioral manipulation."

"No one," says Dr. Breggin, "could pretend to be on the side of the individual whom he is screening for the purposes of social control. The absurdity of saying that they are trying to "help" their clients is pointed out by the fact that their brain studies are funded by the Justice Department." Dr. Alvin Poussaint, associate professor of psychiatry at Harvard University Medical School, puts it more bluntly, "The study is racist," he says. "It assumes that black people are genetically damaged—that they're so animal and so savage that whites have to carve on their brains to make them into human beings. The whole concept is vicious. When all these institutes around the country decide to study violence, who do they go look at? The *black* man. But who's committing all the violence? The *white* man, white society, white policemen. They don't consider that something's wrong with *their* brains."

"But we're talking about *senseless* violence," says Dr. Sweet, who is one of the original lobotomists. "Senseless violence is more likely to be associated with organic brain disease than violence with an ascertainable motive. The individuals who have this ultra-low threshold to violent assault and behavior would be utterly wanton and bring discredit on their movement by excesses of one sort or another. For example, when an individual opens fire on total strangers. A normal individual just doesn't do this." Dr. Mark adds: "What we were looking at were people who behave inappropriately in a riot."

Persons more in tune with the indignities suffered by blacks would argue that there is no such thing as "senseless" violence—that individuals who commit brutal acts in a riot always have reasons, whether whites consider them apparent and valid or not. They would further suggest that ghetto violence is not a symptom of brain disease, but a reaction to the pressures of white racism. One wonders if Drs. Sweet and Mark realize that ghetto *conditions*—not ghetto residents—are abnormal; or if they know that black rage follows no script. As for their concern about the black movement being discredited, there is the nagging suspicion that what is described as "senseless" is in reality that which white society cannot accept.

"Naturally, whites consider black violence senseless," says Dr. Poussaint. "It's their way of not looking at the system and seeing how it produces criminals. Instead of saying that blacks commit crimes because they're out of work or out of a thousand other things, they say it's because of brain damage. It's a spin-off from the old genetic theory, which held that blacks commit crime because of inferior intelligence. The difference is that Sweet and Mark carry it one step farther: not only are blacks retarded and dumb, but they also have something actively out of whack. They forget that everybody is capable of at least one act of violence. For them to try to find an organic reason for that one act is weird—and you can bet that this study will be more directed at black males to make them more docile—even if they only test whites."

Case History No. 2: A black male, 28, unemployed. Married. Wife supports him with meager earnings as clerk. Insecure, suspicious, moody, explosive, he frequently accuses his wife of extra-marital relations, then strikes her about the face and arms. Doctor describes his condition as "uncontrollable rage." Following later brain surgery, patient loses memory of recent events and shows marked decline in simple awareness. Doctor notes: "aggressiveness no longer present."

Dr. O. J. Andy, neurosurgeon at the University of Mississippi Medical Center, has been performing thalamotomies on neurotic adults and aggressive adolescents—as well as hyperactive children as young as age six, some of whom are black. The thalamus is a pair of egg-shaped masses which function as a switchboard in the brain. It analyzes sensations and governs subjective feelings. Partial destruction of it makes patients more manageable.

According to a letter written by Dr. Andy's assistant, Dr. Marion Jurko, "The older children and adolescents have often run afoul of the law." He says that these children "could function in society if it were not for their explosive, impulsive and unpredictable behavior." Apparently, we no longer have to worry about such shocking personality traits because Dr. Jurko tells us that "lesions . . . have reduced the tension level to a degree compatible with society." Describing the results of the operations, he says, "These individuals will not be contributors to society, but at least they will be tolerated." Frightening? But there is more: "The adults are average to above-average in intelligence. Many have low frustration tolerance . . . most of them will tell you that they are tense, nervous, anxious, depressed . . ."

Dr. Andy himself has no doubts about the effect that psychosurgery has on behavior. "There's no question that it can be controlled," he says. "We have performed surgery on patients in which it has been very effective in controlling behavior or resulting in behavior being altered so that it conformed more with a normal human being in contrast to one that's at the extremes of behavior. You can say that his explosive emotional response has not only been blunted—it's no longer present." Although Dr. Andy claims that most of his patients are persons with some evidence of brain damage, he believes that people who are involved in any type of uprising—such as Watts and Detroit—"could have abnormal pathologic brains" and "should undergo tests with whatever capacity we have now." People who are unstable and explosive should then be operated on because "society demands correction or appropriate control."

The citizens of Philadelphia beam with pride when one mentions Hahneman Hospital. They point out that some of the world's best surgeons practice there and that its medical services rank second to none. Part of their praise is reserved for Dr Jewell Osterholm and his associate, Dr. David Matthews, both neurosurgeons who have been performing cingulotomies on drug addicts, alcoholics and neurotics during the past two years. The cingulum contains connections between various parts of the brain. "A cingulotomy is nothing more than the newest version of lobotomy," says Dr Breggin, former consultant for the National Institute of Mental Health. "It can turn a person into a zombie. It makes the patient docile, subdued and easy to manage. In order to be effective, it must pacify the person's personality. If it doesn't it must be repeated and more and more of the patient's brain is removed until he's eventually subdued."

"It is very unrealistic for psychiatrists to think of psychosurgery as a threat," says Dr. Matthews. "The cingulum doesn't control behavior." But disputing his contention is Dr. M. Hunter Brown, senior neurosurgeon at Santa Monica Hospital. Dr. Brown is known as "Father Cingular" because he invented the operation in 1947. "Clinical observation has shown a high degree of successful control," he writes, "in cases of anxiety, phobias, depressions and obsessions. Since 1965 our major thrust has been directed to control or cure hard-core schizophrenic aggression."

Dr. Osterholm believes that persons who kill or beat others without any apparent motive are suffering from undisclosed seizure disorders. When asked about the difference between military killers and trigger-happy policemen on the one hand, and violent slum residents on the other, he says: "Oh, that's a different kind of thing. That's a training kind of thing. That's an *expected* behavior."

One of Dr. Osterholm's patients was a black man who had a pain disorder, a gunshot wound in his leg. "Everything had been done for that boy," Dr. Osterholm says, puffing on his pipe. The doctor operated on his brain for a gunshot wound in his leg, although one understands that the "boy" was a drug addict. There were others, one of whom allegedly committed suicide. "No comment," says Dr. Osterholm: "Psychosurgery is only designed to relieve, suffering, to make people feel better—not control their behavior." And when suffering is relieved, do they act better? "Yes," he says, "they're better people."

Case History #3: Female. Young. Psychiatric history incomplete. Brought in for surgery on emotional part of brain. Electrode implanted, but patient later becomes worse. A second operation is performed, after which she becomes enraged at both psychiatrist and neurosurgeon and refuses to talk. Electrodes removed. Rage dismissed as "paranoid." Patient's mood improves and she is allowed out of hospital to shop. Patient rushes to phone booths, calls her mother to say "goodbye," then poisons herself.

Prisoners seem to be fair game for the psychosurgeons knife. Three convicts recently underwent brain operations at the California Medical Facility at Vacaville. Reportedly designed to make them more manageable, the operations were performed in the prison surgery ward. It is likely that these medical maneuvers would have remained secret had the facts not been accidentally leaked to the public in a letter from Corrections Director R. K. Procumier to the California Council on Criminal Justice, requesting more funds for experiments on "violent inmates." Unfavorable press comment and a barrage of protests from the Berkeley Medical Committee for Human Rights caused prison authorities to temporarily shelve the project.

Prison officials claim that these operations are performed only when or if voluntary consent is obtained from selected inmates, but critics of the program argue that there is no such thing as "freedom of consent" in a penal institution since prisoner "cooperation" is invariably achieved under the threat of sanctions.

"What parole board wouldn't listen," asks Dr. Poussaint, "if an unscrupulous doctor says that a prisoner has a lesion 'associated' with violence? If a convict submits to an operation in order to gain his freedom, he has to pay for it with a piece of his brain. If he *refuses* to submit, he has to risk having more time tacked on his sentence." Perhaps Dr. Poussaint recalls the British judge who ordered a chronic gambler to either agree to a brain operation or serve time in jail.

There is another concern.

The opponents of psychosurgery contend that confused or illiterate patients cannot give informed consent; hence, they can easily be duped into permitting an operation. Indeed, in many cases when a patient is judged incompetent, authorities rely upon the advice of the psychosurgeon who, with the consent of the patient's unsuspecting relatives or guardians, is usually eager to practice his trade.

"At best," says Dr. Breggin, "the choice is a sham. Once you've been labeled a mental patient, you become vulnerable to the worst things society has to offer: massive drug dosing, electroshock and lobotomy." Dr. Breggin once worked as an intern at the Massachusetts Mental Health Center, where he saw the vacant stares of lobotomy victims. Adds Dr. Poussaint: "Mental hospitals have been known to use electroshock in threatening or punitive ways. It's like, 'shape up or get zapped!' "

The advocates of psychosurgery respond that this argument is irrelevant if applied to patients who have been "suffering from continuous depression and anxiety which

could not be relieved by any other treatment." Furthermore, they argue, people who are being "offered" the chance of undergoing psychosurgery, after which they *might* be able to lead a life within the law, are referred by a committee of medical consultants who would presumably eliminate coercion.

But Dr. Breggin is skeptical of watch-dog boards, "because control of them is almost never in the hands of the consumer. Besides, the psychiatrists with whom such boards will deal will not present an honest picture of the damaging effects of psychosurgery."

Finally, there is concern about the *effects* of psychosurgery. It is said to produce bad side-effects, such as loss of memory, dreams and daydreams, intellectual emptiness, lack of awareness, shallow religious feelings, lack of creativeness and loss of the ability to get angry. Thus, the crux of the argument against psychosurgery seems to be that *it evokes suffering instead of relief, and that other treatment at less risk is available.* Dr. Charles King, president of the American Ortho-Psychiatric Association, puts it this way: "If such experiments result in a nation of zombies, we might ask if the next step would be mass execution of 'undesirables.'" At present, there are no reliable controls.

Several Congressmen have withdrawn their support of a second research grant for brain studies, totaling $1 million. Among them are Sen. Cornelius Gallagher (N-N.J); Sens. Edward Brooke (R-Mass.) and Ted Kennedy (D-Mass.). The list of opponents grows daily. They have brain surgery on their minds.

MAIL DELIVERY

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

Mr. FLOWERS. Mr. Speaker, as residents of the metropolitan area around Washington, I am sure we are each aware of personal instances when mail delivery does not measure up to the standards which we would like. Many of us would probably like to join the 700 people who send in a complaint each week to Postmaster General Klassen. But one group of citizens usually does not join in these complaints and actually seem hurt more by the postal system's recent changes than any other group.

My mail seldom reflects discontent on the part of rural postal patrons. As a rule, they are generally one of the most appreciative groups about their mail service and through their smaller post offices they often receive service which is far superior to what the city dweller can expect.

But periodically I receive notice that another one of these rural or rural contract branches is to be closed in my district with the area's residents placed on some alternative form of service at little or no savings to the postal system in a so-called "economy move."

The recently closed contract rural branch at Calcis, Ala., is a classic example of an economy move which seems unjustifiable to me. For savings estimated at $1,000, but which may actually be much less, the service to the 62 families of this community is being put on a rural route. This must undoubtedly mean a deterioration in the service which they have come to expect and deserve.

While this stroke of genius was being carried out, many of our larger post offices continued to operate at tremendous deficits while their patrons watched service become worse and worse. We have all read of instances when a letter from one point to another within a city arrived a week or more after mailing. What is not generally known, however, is the extent of financial loss incurred in some places.

In New York City, for example, last fiscal year's operation ran at a $23.5 million loss. But there is not any plan to close the New York office and route the mail through Newark. Right here in our Nation's Capital the postal system had almost $16 million more in expenses than income and these are the Postal Service's own figures for fiscal 1972.

Mr. Speaker, the Postal Service lost $175,435,000 in 1972. Perhaps they expect the 62 taxpaying citizen families of Calcis to assist in holding this down for 1973. Assuming their figures of a $1,000 loss there in 1972, it will take only 175,434 more such closings for the Postal Service to break even this year. I wonder who will be next?

Those who already receive what they consider efficient service should not be penalized while service grows continually worse for the majority of postal patrons.

GUAM LEGISLATURE EXTENDS BEST WISHES TO PRESIDENT NIXON

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from the Territory of Guam (Mr. WON PAT) is recognized for 5 minutes.

Mr. WON PAT. Mr. Speaker, the 21-member Guam Legislature recently voted unanimously to approve a resolution extending their best wishes, and those of the American citizens of Guam whom they represent, to President Richard M. Nixon on the start of his second term in office.

While similar action may be customary with some of the legislature of the various States, I believe that this resolution by the 12th Guam Legislature is of particular interest in that it represents a true testament of friendship between the people of Guam and the United States, and expresses the esteem in which the President is held.

President Nixon has twice honored Guam with his presence. During his first visit in July 1969, the President announced his now-famous Guam Nixon doctrine, which stated that Southeast Asian countries would henceforth have to assume a greater proportion of their own defense burdens, rather than continue to rely on American arms and dollars. And last year, while on his way to Mainland China, the President stopped over on Guam, during which time he was treated to a tumultuous welcome by thousands of local residents. I am proud to say that President Nixon was extremely pleased at the warm reception he received while on Guam.

That the President was accorded such an enthusiastic greeting by the people of Guam is not surprising. Aside from the rarity of Presidential visits to our islands, the Guamanians are extremely proud of their American citizenship. And they are well aware of what sacrifices the American people have made through the years to preserve the liberties which we all hold dear.

During the years since Guam became a part of this country as a result of the Treaty of Paris in 1898, Guam has continuously benefited, both politically and economically, from our mutual alliance with the United States.

Despite the many benefits which the people of Guam have reaped from our association with America, there are those who continue to insist that Guam is a captive territory of the United States. Last year, and for many years previous, the United Nations Committee on Colonialism, known as the Committee of Twenty-four, has severely criticized this country for its actions in the U.S. territories. In its latest report, for example, the U.N. committee charged that the people of Guam would not benefit from their newly won representation in Congress and demanded that the U.S. military be removed from their bases on the island.

Needless to say, we have consistently refuted these ridiculous and unfounded charges. The people of Guam know full well that, unlike the treatment which many powerful nations accord their outlying territories, the United States has done its best to improve the standard of living in Guam and our sister territories.

The members of the 12th Guam Legislature recognize the generosity of our adopted country. They and all Guamanians appreciate the increased self-government which recent U.S. Congresses have extended to Guam. By their actions in adopting this resolution extending their best wishes to President Nixon, the members of the freely elected Guam Legislature wish to indicate to their fellow Americans and to all persons everywhere the deep and abiding affection which the Guamanians hold for our democratic form of government—an affection which stems not from force or coercion, but from a friendship and loyalty that comes naturally from our hearts.

Patriotism can never be bought; it must be earned through hard work and mutual respect. That the Guam Legislature so willingly expresses its pleasure with the President and Congress speaks highly of the happy state of relations which obviously exists between the Federal Government and the Territory of Guam.

Mr. Speaker, so that all of my colleagues may read the resolution from the 12th Guam Legislature, I include it in the RECORD:

RELATIVE TO EXTENDING TO THE HONORABLE RICHARD M. NIXON THE BEST WISHES OF THE 12TH GUAM LEGISLATURE UPON HIS INAUGURATION FOR A SECOND TERM AS PRESIDENT OF THE UNITED STATES

Be it resolved by the Legislature of the Territory of Guam:

Whereas, the Legislature of Guam is that representative body which is best able to speak for the entire community; and

Whereas, the people of Guam are proud to be a part of the United States of America; and

Whereas, the people of Guam look to Washington for leadership in national and international affairs; and

Whereas, the people of Guam are grateful for the concern the incumbent administration has shown for the welfare and needs of the people of the Pacific Islands; and

Whereas, this concern has been vividly expressed by enactment of legislation providing Guam with a Delegate to the United States Congress and by the opening of negotiations with representatives of the Trust Territory of the Pacific Islands and the northern Marianas Islands relative to the future political status of Micronesia; now therefore be it

Resolved, that the Legislature of Guam, on behalf of all the people of the island, does extend to the Honorable Richard M. Nixon its sincere congratulations and best wishes on the occasion of his inauguration for a second term as President of the United States; and be it further

Resolved, that the Speaker certify to and the Legislative Secretary attest the adoption hereof and that copies of the same be thereafter transmitted to the President of the United States and to the Governor of Guam.

SOUTH ATLANTIC BASIN ENVIRONMENTAL CONSERVATION PROGRAM

(Mr. SIKES asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. SIKES. Mr. Speaker, I am introducing a bill today to authorize a South Atlantic Basin environmental program. The proposed legislation would provide a long-range regional approach to overcome pollution problems of small streams, rivers, and lakes in the South Atlantic Basin. It would authorize long-range, whole-farm, and nonfarm cost sharing contracts for land treatment to curb pollution by sediment, animal waste, fertilizer, and chemicals which result from soil erosion. It would offer Federal cost-sharing with individual land users to install conservation measures over a period of time in accordance with technically sound conservation plans.

The proposed South Atlantic Basin environmental conservation program is modeled in principle after the Great Plains conservation program authorized by Congress in the 1950's, which has proven to be a successful approach to improving the quality of the environment in that region of our Nation.

The landowner or operator in the Great Plains conservation program develops a conservation plan suited to his land and to the kind of operation he desires. He works out a schedule for applying the plan and enters into a contract with the Secretary of Agriculture to apply all needed conservation work on the entire unit within 3 to 10 years. He obtains help from the specialists of the Soil Conservation Service as he needs it and he receives the Federal share of the cost as he completes each conservation step.

Mr. Speaker, an intensive program of soil erosion prevention, conservation, and land-use adjustment is urgently needed in the South Atlantic Basin, because the soils in this high rainfall region are highly susceptible to erosion. I urge my colleagues to support this proposal.

WELFARE PROGRESS IN A LIMITED WAY

(Mr. SIKES asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. SIKES. Mr. Speaker, there have been recent reports the welfare spiral may be leveling off. Possibly this is the result of new and enforced regulations in some States and cities which are having the effect of reducing the numbers of those on welfare. The fact remains, however, that with increasing benefit payments the total cost of the program continues to rise.

Improvements have been noted in some States in that welfare recipients now are compelled to come to the welfare office for certification rather than send in a form, or several forms, and wait for the mailman to bring the check or checks.

Those who are able to work now are being offered jobs or training and some locales reduce benefits to those who refuse jobs. Electronic computers are being utilized to weed out those who have an earned income but who draw welfare payments illegally. Computers also are helping to discover those who are drawing welfare through more than one program.

Fathers who desert their families, leaving them to welfare, now are being sought out and efforts made to require them to pay support. Doctors who knowingly falsify medicaid records are coming under fire, as is the dentist who reported pulling a total of 52 teeth from one patient.

Photographs of welfare recipients are appearing on identification cards making it more difficult to cash welfare checks illegally.

Some progress is being made in obtaining prosecution for those who obtain welfare illegally. In a recent check of New York City welfare recipients, 10 percent of those called to the office for recertification declined to show up and were removed from the rolls, and of those who were examined 25 percent were found to be drawing too much money.

Thus, efforts to curb welfare programs are, in fact, slowly gaining impetus. America is very sympathetic toward the unfortunate who have no other means of support and who need welfare payments. The fact remains that for too many Americans, welfare has become a career and there are those who continue to take advantage illegally of the opportunity to draw welfare. More than 16 million Americans continue to draw welfare payments of some kind. There still is much work to be done to bring this program under control. Escalation of the program has been rampant in recent years. In the 10 years between 1963 and 1973, the number of persons on welfare rose from 7.4 million to 16 million, or 116 percent. During the same period costs went from $5 billion to $23.8 billion, or an increase of 376 percent. It is obvious that substitute programs must be found for growing welfare rolls, including work for the able-bodied, and that welfare cheaters be found and eliminated from the rolls.

SOCIAL SECURITY: OURS AND THEIRS

(Mr. PIKE asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PIKE. Mr. Speaker, a few weeks ago, I introduced a bill to eliminate the outside earnings limitation imposed on recipients of social security pensions. And while I quite frankly expected a favorable reaction from my constituents in New York's First Congressional District, I was still a bit taken aback by the volume and intensity of favorable reaction which has been pouring in ever since, both from within and without my district, by mail, by press and radio comment, and by word of mouth. Apparently there are more people out there than I had dared hope to think who share my indignation at this classic example of "one law for the rich, another for the poor." Equally impressive has been the extraordinary intelligence and objectivity of these comments. Some are obviously no more eligible to receive a social security pension than I am, but they are still indignant over the principle of a law that says, in effect, if you are rich enough to draw unearned income, your social security pension will not suffer for it; but if you must earn an income by the sweat of your brow and the labor of your hands, the vengeance of the Federal Government will be swift and sure. It will dock you $1 for every two earned over the current $2,100 limitation on income. To avoid sounding unduly abrasive about this, in truth the Federal Government is not quite so cruel as I have painted it: If you can still hack a day's work for a day's pay after you have reached the age of 72, the Government will show its admiration by calling off the dogs. You can keep your wages and your pension, too. Seventy-two, one gathers, is the great equalizer, providing at last equal justice for the poor as well as the rich. Parenthetically, we Democrats "in caucus assembled" late last month decided there was nothing magic about the number 75, at least not to the extent that it would be necessary, when they achieve that many birthdays, to hustle venerable and by no means needy chairmen who dwell among us in this august body into ignominious retirement. No more reason to treat any differently those who have achieved their 65th birthday simply because they happen to be needy.

But I digress. There is another aspect of this provision currently written into the Social Security Act which disturbs me. It concerns the inexcusably overbearing attitude we have taken both with respect to the pensioners who have paid, often in full, into the social security trust fund and with respect to the fund itself which the Federal Government is supposed to administer "in trust"—just as the name implies—for the benefit of others. Not only have we been telling those pensioners that they have no vested interest in the fund they have built up themselves—if they have to work or want to work—but we find ourselves taking an increasing proprietary interest in that fund for the purpose of making the Federal budget picture look rosier than it in fact actually is. When we complain about the "cost" of such a bill as I have introduced, it is as if to suggest that the money is to come out of the General Treasury with which the social security trust fund has been lumped for the pur-

poses of the President's annual endeavor to present the Nation a balanced budget. If this shell game persists, I predict that we will soon begin to have real trouble distinguishing between what is "ours," which is to say the Federal Government's, and what is "theirs," which is to say the social security pensioners'. Questions of the cost of this bill, therefore, need concern us only to the extent of its impact on the actuarial soundness of the program. If the money is there, it should be just as readily available to the pensioner who is obliged to make ends meet by continuing to earn a wage as it already is to the pensioner fortunate enough not to have to continue to do a day's work for a day's pay.

Let me say here that I am continuing to investigate the impact of the alleged "cost" of such proposals as mine. If they prove to be profoundly unsettling to the actuarial soundness of the program, I shall admit it. There is no doubt in my mind that social security pensioners would have me pursue a program that would literally "kill the goose that lays the golden eggs." But their letters indicate they share my doubts about some off-the-cuff estimates that have been bandied about concerning the impact of completely eliminating the outside earnings limitation.

Hearings by the Ways and Means Committee could expedite clearing up these questions once and for all. Until that time, however, with my own limited staff resources I shall continue to investigate the pros and cons, the results of which from time to time I mean to share frankly and fully with you. For the moment, I would simply like to share with you some excellent, articulate responses selected from what on the whole has proven to be an outstandingly intelligent influx of mail to my office in the wake of having introduced my bill:

DEAR CONGRESSMAN PIKE: I read with considerable interest your article recently published in some of the local papers in the Hamptons regarding the elimination of the earnings restriction from the Social Security law. The logic behind the restriction was always fuzzy and the passage of years has shown it to be completely erroneous. I have the impression that the number of persons over 65 years of age who continue to forfeit their benefits because of their earning capacity is so small in number that they were simply lost in the shuffle.

Those of us who are affected by this iniquitous situation urge you and your fellow legislators to vigorously press the passage of the necessary law. Many of us have already lost several years of benefits which can never be retrieved and many will soon reach the magical age of 72 when for some mysterious reason our earning capacity no longer is material.

Please let me know how the proposed law is progressing through the Congressional mill and advise me if I can do anything to speed its consideration and passage.

A copy of this letter has been forwarded to the American Association of Retired Persons.

Respectfully yours,

ARTHUR H. PRINTZ,
Attorney at Law.

How right you are! This income limitation for the newly retired is forcing many healthy, capable people into frustrating and unwanted inactivity—or the alternative, if they continue work, of losing their fairly earned social security payments. . .

Mrs. ADA D. SCHNEE.

As everyone knows, especially the golden year citizens, it takes more than a small fixed pension to stay alive . . . I retired 9 Nov. 72 from my Air Technician's position in the 106th Refueling Group at Suffolk County Airport at mandatory age 60. After more than 3 months on retirement with *no* pension from the military as yet, I'm forced to work as a crossing guard (Thank God!) in East Quogue. I get paid only when the E.Q. primary school is in session at the rate of a little more than $50 weekly (after taxes).

My request . . . is not for myself, for the Lord has given me the opportunity to prepare for old age by having a few small pensions come my way now and in the future (after 62).

Respectfully,

SYDNEY STERN.

I am writing to the Ways and Means Committee in support of your bill which provides for the removal of the limitation on earnings above $2100 per year which results in a reduction of benefits from Social Security.

This unjust imposition adversely effects two groups of people:

1. Those whose sole income is from Social Security and consequently living at a poverty level. Obviously this group should be first in your concern as many are at a sub-welfare level.

2. There is a second group of which I am one, with very specialized training who because of a modest additional income from a pension find it inadvisable to earn money beyond the present limits set by Social Security without suffering a large loss in total income. It doesn't take much arithmetic to see that it requires weeks of outside earnings subject to Federal, State and City taxes plus the self-employment tax to balance the loss of benefits from Social Security. As a result there are many instances where specialized skills are needed but rendered unavailable to the economy.

There are many, as in my own case, who because of loyalty to their former organization and colleagues, donate a great deal of time on large urgent projects where their experience and specialized skills are needed. I do not think this situation is fair to the individual who donates such services or to the organization who depends on these services.

Yours truly,

LE ROY ERICSON, P.E.,
Consulting Engineer.

I have been working since 1966 and since I started to receive Social Security in 1967, they have taken back each year the equivalent of half of everything I earned over the imposed limit. This amount would have been a help in paying for the daily necessities and fighting the rising cost of living. I am sending to the organization I belong to (the AARP) a copy of this letter and the article in the Daily News of February 15, 1973.

Yours truly,

GILBERT KLEIN.

I am happy to read in the Three Village Herald that you are trying to remove the limit on outside income that a Social Security pensioner may earn. It is such a wholly unfair and stultifying restriction!

Yours very truly,

MARY MAHONEY.

I couldn't agree with you more. I have bought an annuity and why shouldn't I collect its full value just as I might have had if I purchased it elsewhere? Hang in there—

H.L. REDFIELD.

We all get old sooner or later, Congressman Pike . . . The social security says that at age 72 . . . you can earn without being penalized. That law is a farce because not many live to be 72 years. If you do find one, he is likely to be in a hospital bed.

Sincerely,

THOMAS A. MOTISI.

I am a Supervisor for the Orbit Instrument Corp. in Syosset, New York . . . I have had several of my people retire, and the experience of one of my retired machinists, who incidently is 69 years old, with the vim and vigor of a 40 year old, is being forced to earn only $1680 for the year without losing his Social Security benefits.

It is really a shame when such an individual, who can be a taxpayer and a contributor to the Social Security Program, is forced to cease working in order to protect his benefits. At his age, he can still contribute a great deal in workmanship to society.

Very truly yours,

JOSEPH CASCONE.

Many people, like myself, have paid in the maximum in Social Security for 30 or more years. Had we put the same money into a private pension fund and lived to this date we would be considerably ahead because we could draw larger pensions while continuing to work.

I work of necessity. There is no way I can retire. I feel very strongly about the fact that I cannot begin drawing out my money that I paid in each month. I feel ever more strongly that I continue to have to pay the maximum benefits right now, without any chance I may ever begin to draw out any of this money. Collecting one's Social Security is one only for the very poor or, as you emphasized, the very rich.

Cordially,

DAVID EISENBERG.

I just sent off a letter to the House Ways and Means Committee in Washington urging passage of your Bill HR 3849. The limit of $1680 and $2100 now in 1973 is ridiculous as I know in my case. When I feel that I will go over that amount, I just lock up the joint and take off!

Sincerely,

BILL LE MIEN.

Your proposed Bill to permit oldsters on Social Security, like myself, to earn supplemental income without penalty, is good news indeed. The correction of this unjust and biased law is long overdue.

The contention that the S.S. penalty creates jobs by discouraging people from working, is totally erroneous. It has in fact exactly the opposite effect, because by cutting off a person's S.S. supplemental income, he is right back where he started from and must seek a full time job.

Astoundingly, the present S.S. cut-off policy discriminates against the very people for whom S.S. was established in the first place, the people who reach 65 without pension or other income. It has perverted the "Basic Idea", as stated in the S.S. pamphlet—"to replace a part of the earnings the family has lost", into a grandiose windfall of S.S. checks for the wealthy and the pensioners. The law penalizes the wrong people, and shows a callous disregard for the individual.

Most companies and unions have mandatory retirement policies, closing the door automatically to older people, so it is not necessary to legislate against them. The principal jobs open to older persons are in some specialized skills, part time jobs and the less popular nighttime/holiday fill-ins. However, this is what he wants to do, to keep busy and fill a definite need, and of course, to supplement his S.S. benefits. Certainly not to get rich. Then why this peculiar S.S. cut-off policy, applicable only to the less fortunate who must continue to work?

Social Security is not a welfare handout.

As a charter member, my employers and myself have been paying into my numbered S.S. account for 37 years, interrupted only by 4½ yrs. military service in WW2. And we are still paying into the account at todays higher rates! It is indeed painful that the highly touted S.S. investment of a lifetime will, in all probability, give me nothing in return, penalized only because I choose to be a working citizen on a part time basis.

That is, Mr. Pike, unless your Bill changes things. Oh yes, I am 67 years young, so the change can't come too soon for me.

Yours faithfully,

MAX E. MEYER.

A TRIBUTE TO PEARL S. BUCK

(Mr. LEGGETT asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. LEGGETT. Mr. Speaker, yesterday a life that was full from the moment it began came to an end when Pearl S. Buck, one of the most perceptive and compassionate writers ever to have lived, passed away.

Pearl Buck was uniquely qualified to serve as a conduit of understanding between East and West, and she did so exceptionally well. We have yet to reap the total benefits of Pearl Buck's efforts to help us to understand our Eastern neighbors, for the effects of her work will be with us for a long time to come.

Pearl Buck became successful by writing about what she knew, and those of us who have read her work have no doubt of the depth of her knowledge of the East. Raised in China as the daughter of American missionary parents, she returned to live and teach there for many years. Her knowledge was the first-hand knowledge of one speaking about her own environment, for the East was her home for a large part of her life. This knowledge has been passed on to two generations of Americans, and we are all better for having it. Her prolific works, which brought her the Pulitzer and Nobel Prizes along with the admiration of all who read them, will continue to serve us in our ever-increasing relations with the East for generations to come.

WAR ON ANTIPOVERTY WORKERS WITH HONOR?

(Mr. LEGGETT asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. LEGGETT. Mr. Speaker, the President's proposed fiscal year 1974 budget contains numerous examples of the administration's convoluted set of national priorities, but the best example is the dismembering of the Office of Economic Opportunity. This action demonstrates the President's callous disregard not only for the poor and underprivileged in this country, but also for the Congress of the United States.

The administration's budget submitted for next year contains no requests for funding of the Office of Economic Opportunity for its conduct of programs which it currently administers under the act. The budget states that beginning July 1, 1973, the existence of OEO as a separate Federal agency is no longer necessary and indicates generally that programs now conducted by OEO are to be delegated or transferred to or assumed by other agencies.

In program terms, the budget has scheduled zero funding for: Economic Opportunity Offices, senior opportunities and services, as well as follow through programs. The outlook for legal services is equally grim, as it is to be transferred to an independent corporation when status has not as yet been established.

Despite administration doubletalk about reforming the Federal antipoverty activities and making Federal efforts to aid the poor more effective, these actions amount to no less than the gutting of the Federal antipoverty effort. The administration has promised to transfer some OEO programs to other agencies, but there is a real danger that these programs will not receive the attention they deserve from these other agencies.

The administration also argues that the terminated programs could be continued by local governments with revenue-sharing money, but only last year the President promised the mayors that revenue sharing would not become a substitute for categorically funded programs. Even if a local group did opt to continue a community action or Headstart program with revenue sharing, it would be very difficult to continue the programs at the current funding level, since for all practical purposes, the programs would have to start again from the ground up. All Federal property associated with an OEO program may revert to the Federal Government when Federal funding ends. This means that desks, typewriters, motor vehicles, and other project equipment purchased with Federal funds would have to be replaced in order to continue the project.

These actions, Mr. Speaker, are a clear indication of the President's low regard for the underprivileged in our society. What began as the war on poverty under the late President Johnson has become the war on the poor under President Nixon. It has also become a war on the Congress and the U.S. Constitution.

The Economic Opportunity Act Amendments of 1972 signed by President Nixon on September 19, 1972, before the election provided for a 2-year extension, through fiscal year 1974, of the authorization of appropriations for the Office of Economic Opportunity and programs conducted by the Office under the Economic Opportunity Act of 1964, first proposed and signed by the late President Lyndon B. Johnson. Moreover, the 1972 amendments continued through fiscal 1975 each program authority contained in the act.

Now suddenly we discover that, in the eyes of the Nixon administration, a specific policy of the United States enacted by the Congress and extended twice with the approval of this administration, can be declared null and void by Executive fiat.

My own reading of the Constitution indicates that the President is clearly prohibited from undertaking such an action. If the administration wants to alter the structure of Federal involvement in antipoverty efforts, or if Mr. Nixon seeks a change in the OEO programs that he has twice endorsed, then the proper legal procedure is to present the Congress with a specific plan and let the 535 elected congressional officials debate the relative merits and demerits of the proposal.

Instead, the President has chosen to circumvent the Constitution, and push for a speedy dismantling of OEO before the Congress can mount an effective counterstrategy. Make no mistake about it, this is exactly what the President is attempting to do.

About a week ago, the Washington Post and the New York Times uncovered an OEO interoffice memorandum that spelled out the details of this diabolical plan. This memorandum expressed an arrogant and condescending attitude toward both the people served by OEO and the Congress of the United States.

This strategy paper advised, among other things, that—

> Unless a focus on OEO is politically desirable, program transfers and shutdowns should be prompt, before the opposition musters strength to put Humpty Dumpty together again.

Never mind that the law forbids such an action, the strategy memorandum takes care of all that. It stated that, "a constitutional confrontation may be where the administration is most vulnerable," and advised that the administration should instead try to get support for cutting off poverty agency funds in the House and Senate Appropriations Committee, "whose interests most closely aline with the President's and, which have few members with strong feelings for OEO." The memorandum went on to name those Members of Congress that would most likely lead the fight over OEO.

Mr. Speaker, this strategy paper concerns me not so much for its content, but because of its insolent and insensitive tone.

Acting OEO Director Howard Phillips was quick to argue that the secret memorandum only reflected the views of one staff member. Nevertheless, the pseudo-legal justifications and the condescending rhetoric of the memorandum have found their way into Mr. Phillips' official statements as he has set about to dismantle OEO before the end of the fiscal year.

Let me give an example. Mr. Phillips, in a letter sent to my office describing the destruction of OEO, stated that:

> It has been our goal to . . . return greater authority over the expenditure of public funds to elected officials at the local level who can be credited for their successes and held accountable for their mistakes by the voters from whom they derive political authority.

As an elected official, Mr. Speaker, I strongly object to Mr. Phillips' intimation that I do not derive political authority from my constituents, and that I cannot be held accountable for my mistakes by the voters in California's Fourth Congressional District.

We are being handed a line from the administration. Thankfully, the American public is wise enough to see through it. The public knows that if the President

signed a law extending the life of OEO through mid-1974 and providing funds for its operation, it cannot be legally killed this year without the consent of Congress.

In fact, even Howard Phillips, in a fit of honesty, admitted that he originally thought that OEO could not be dismembered this year. Since then he has changed his tune. He now argues that the authority to abolish OEO programs arises out of the fact that, while the 1974 budget requests no funding for them the statutory basis for these activities will remain intact."

This is double-talk in its basest form. Columnist David Broder has exposed it best. He stated:

To translate those legalisms into the sports metaphors that Mr. Nixon likes, that's the equivalent to saying that while the Washington Senators have 'delegated' their players to the Texas Rangers, their franchise remains intact. That's a comfort to know, but it doesn't mean you'll find any baseball in Washington this summer. Or any anti-poverty programs either.

As we debate, OEO is quickly becoming a thing of the past. Some OEO regional directors have been given a couple of hours notice to terminate their business and clear their offices. The administration is moving ahead in its attempt to kill OEO as soon as possible. It is up to Congress to oppose this unconstitutional action, and preserve the vital function that OEO has served in mobilizing resources for the poor.

Mr. Speaker, it is interesting that the administration has chosen this time to attack the OEO. Only 2 months ago, a comprehensive survey of the community action agencies found that the CAA's had genuinely helped the poor to achieve self-sufficiency.

This utilization test survey indicated that:

The total emerging picture of Community Action clearly shows that CAA's are rapidly becoming very positive forces in their communities that can play a significant role in helping communities rise to the challenges of revenue-sharing and other forms of government decentralization.

At this point in the RECORD, I would like to insert portions of this study, as well as the February 27 Washington Post article by David Broder:

UTILIZATION TEST SURVEY

The new Community Action Mission Statement developed under the Nixon Administration made it clear that it is not enough for this program simply to spend Federal money for poverty programs. The relatively small OEO investment in CAAs and SEOOs is intended to help them mobilize or stimulate better use of other resources—both public and private. This concept had been in the EOA and OEO rhetoric all the way back to 1964, but it was not made broadly operational until the new Administration leadership turned OEO around from simply spending to mobilizing resources.

The new emphasis has also produced other positive results, including closer working relationships between CAAs and state and local governments, which offer genuine help in making the decentralization of government succeed during the next few years.

OEO recently initiated an experimental effort to determine the degree to which CAAs have mobilized non-OEO resources for the poor, or have gained other improvements in the way community resources are used to help the poor become self-sufficient. There is more work to be done in completing the first phase of this Utilization Test Survey. Reports submitted to Headquarters by OEO Regional Offices are still being analyzed, and some will need to be re-done. Both machine and hand analysis have been slow and imperfect under the difficult conditions of this experiment. The identification of outstanding individual cases of mission impact for detailed study to expand the technical know-how of all grantees, has yet to be accomplished. Nevertheless, there is now emerging for the first time a national picture of Community Action achievements in terms of the basic mission emphasized by this Administration. Machine print-outs of the first broad profiles now include 591 CAAs. (The number should increase to about 850 by the end of January.) Even at this early stage in the project, the picture clearly shows that the Administration's re-direction of Community Action was on target. It is already producing highly constructive mission results in both urban and rural communities and the trends indicate that continued effort in this direction will produce substantially greater returns on a small investment.

SIGNIFICANCE

The data from 591 Community Action Agencies does indicate significant trends in the mobilization of resources and institutional change brought about by Community Action. The direction of these trends, the quantities which are assigned to the various institutions and sources of resources as produced by computer analysis are definitely indicative of the state in which we find Community Action in 1973. It is more than a simple trend, it is a pattern which while possibly not correct in the absolute, is basically correct in the relative values assigned to institutions, types of change, sources of resources and amounts of resources secured.

The methodology employed in obtaining the data for the survey described above provides a manner of significant local input or local perception while simultaneously providing a balanced view of OEO Regional personnel in analyzing the records and current information on the agency held by the Regional Office. It contains both a measure of balanced input and completeness that would not be possible had it not been the product of the OEO Regional Office. While it is not assumed that every single item of resource mobilization was thoroughly validated, in the aggregate these data were validated. While it cannot be known to an absolute truth that the Community Action Agency did in fact cause a particular change in institutional behaviour or responsiveness, in the aggregate it was assessed that these changes did occur as a result of the operation, existence and participation of the Community Action Agency in local community program efforts.

SURVEY FINDINGS—MOBILIZATION OF RESOURCES

The criteria for reporting resource mobilization was based on a test of local significance. It was not so much an amount of money which was generated from the private or public sector, but the significance of a particular effort or series of efforts. No non-Federal share for OEO or other Federal grants were to be reported, therefore the report of resources mobilized are all resources over and above non-Federal share requirements. When we look at the total effort of the 591 CAAs it is significant to note that 58 percent of all resources came from non-Federal sources, that 17 percent came from other federal legislation, and that only 25 percent was attributed to other than OEO from the Economic Opportunity Act. (A previous sample survey of Community Action Agencies by OEO has shown that approximately 38% of their total operating budget is funded by OEO). These ratios are brought out in similar patterns reported by both urban and rural CAAs. While there were discrete differences in specific categories they followed the same basic trend. The total reported resources mobilized from 1966 through 1973 was equivalent to 1.3 billion dollars. These resources represented the acquisition of funds, space, equipment, manpower of either paid staff or volunteer, training and technical assistance or an "other" category. It is important to note that a hand tabulation of nearly all of the CAAs utilized in the survey report that over 75 percent of the resources mobilized was cash i.e., contributions from private individuals, foundations, churches, civic and service groups, grants from state agencies, appropriations from municipal and county legislatures and grants from Federal agencies. This is a definite indicator that local Community Action Agencies have been receiving considerably more than "in-kind" contributions but have in fact mobilized a substantial amount of cash for anti-poverty work.

A second significant indicator is the amount which was mobilized in any given year. While it is recognized that the erosion of institutional memory and the lack of adequate records might have hindered reporting in some of the earlier years, it is significant to see a growth from $115,000,000 mobilized in 1968 to $396,000,000 mobilized in 1972.

Although the data is from only 65 percent of the total number of Community Action Agencies which received over $1.5 billion in local initiative funds it is significant to note that a substantial increase of resource mobilization has occurred in every year since the publishing of the OEO mission statement and the instruction on the purposes of Community Action dated November, 1970.

The accomplishments of Community Action Agencies mobilizing resources for programs to aid the poor show a significant increase for 1972 following the publication of the OEO mission statement for Community Action. The gradual increase from 1968 through 1971 shows a steady growth of 115 to 256 million dollars for the 591 CAAs included in the data for this portion of the survey, thus a growing capability to mobilize resources from the non-poor. The substantial increase from 1971 to 1972 from 256 million to 396 million dollars for the 591 CAAs indicates an invigorated effort in the years 1971 and 1972 to mobilize other resources toward anti-poverty programs. It is obvious that the President's program to curb inflation and improve the status of the United States economy had some influence on the availability of resources to be mobilized; however, it can be said that this period was also a time when Community Action Agencies were targeting their efforts to mobilize resources as well as generating community support. Therefore, due to the catalytic activities of Community Action Agencies significant effort in local communities in both the private and public sector as well as state government definitely showed a more responsive pattern to the needs of the poor.

A look at the sources of resources which were mobilized by Community Action Agencies shows several factors:

(1) that municipal and county or local government have been extremely supportive of Community Action programs during the period reported.

(2) that state government has been a vital source in providing funds for local anti-poverty work efforts supported by Community Action Agencies.

(3) the Federal government does continue to be a very large source of resource mobilization for local agencies. While this is slightly higher in rural areas than in urban centers this might be as expected, but the fact that non-Economic Opportunity Act resources were mobilized for the benefit of the poor were in such a large percentage is extremely heartening as local communities

have progressed to look beyond the Economic Opportunity Act for sources of funds to assist in programs to aid the poor.

(4) medical and educational institutions or organizations in local communities were a high source of resources for the poor that were leveraged through Community Action. It is not too difficult to see the difference between urban and rural in these two categories where there are more sources of medical or educational money at the local level in the urban centers as opposed to rural areas.

(5) the contribution by business and industry to anti-poverty efforts as mobilized by Community Action Agencies is highly significant. It was not as high as urban centers as one might have anticipated, on the other hand the urban centers have other program sponsored by other Federal agencies directly with business for which a Community Action Agency is not responsible, therefore, it is not unusual to see a lower amount in urban centers for business contributions as in rural areas. The dollars mobilized by Community Action Agencies from business and industry in the rural sector is extremely heartening. The 60-plus million dollars mobilized by 340 rural Community Action Agencies from business and industry showed a high degree of local participation and effort.

(6) the small amounts mobilized by Community Action Agencies from legal organizations and associations and labor organizations is disheartening. It can be said, however, that since there is a national emphasis OEO Legal Services program that some of the legal support was obtained in this manner. It would be hoped, though, that this particular area would increase in the coming years. The extreme low amount from labor can be partially explained by labor participation in the Manpower Administration programs which are not directly attributable to Community Action Agencies, however, even there, the total or absolute number of dollars is definitely low both for urban and for rural agencies.

(7) contributions from churches and church organizations occurred relatively the same in both urban and rural areas, however, it must be noted that it is from churches that local agencies gain a considerable amount of non-Federal share in order to obtain their federal grant and since this report excludes non-Fedreal share the absolute number of dollars is low. It is hoped that a concerted effort with the church organizations of this country might increase the amount of private resources through religious bodies in coming years.

(8) civic and service organizations played a significant role in providing resources over and above non-Federal share to anti-poverty efforts at the behest of local Community Action Agencies. The combination of resources from local government, state government, medical and educational institutions and organizations as well as the large level of business giving and the significant resources obtained from civic and service organizations shows a high level of commitment from the private and public sector at the local level. It substantiates that there is a large universe of local capability as well as local commitment to the problems of the poor. These data support that assumption and give credence to the value of local institutions working to provide solutions to the problems of local communities. And it shows that local CAAs specifically are valuable in-place capability for mobilizing community efforts and resources.

(9) the support provided by foundations to Community Action Agency efforts in a community is realistically indicated by a larger level in the urban center versus the rural area but it does show a substantial amount of support to anti-poverty work.

SACRIFICING LEGALITY FOR EFFICIENCY

(By David S. Broder)

The man of the week in Washington is Howard Phillips, the 32-year-old acting director of the Office of Economic Opportunity. Phillips is obliterating OEO and the federal antipoverty program even faster than his fellow Harvard man, Henry Kissinger, is ending the Cold War—but to much less general applause.

Because he is going about his work with such enthusiasm that he seems likely to have demolished OEO even before his June 30 target date, Phillips is being attacked as a White House hatchet man. It's a bum rap. He is a 100 per cent true believer in what he's doing, and would take on the job for free if they didn't want to pay him.

His philosophy was summed up in an interview the other evening with Martin Agronsky, in which he said: "One of the things that has disturbed me is the view of many of the organizations that we have funded out of OEO, that poverty is a political and cultural fact of life, rather than an economic fact of life. I don't think poverty is a political question. I don't think it's proper for the government to be in a position of trying to solve the poverty problem through political means."

With that view, it was inevitable that the efficient Nixon personnel computer would identify Phillips as the ideal person to administer the poverty program. But it discredits young Mr. Phillips to think he is just an antipoverty program fanatic. He is a libertarian conservative, suspicious of all connections between government and the public. One of the 11 "general principles" he handed me when I went to see him last week says, "My political liberty is diminished when the government subsidizes political activities."

This suspicion of government and its works is no new thing for him. Years ago, when he was a junior staffer at the Republican National Committee, we used to lean against the wall and argue about the evils of the welfare state.

Little did either of us dream then that he would be chosen to preside over the death of OEO. Indeed, Phillips expressed his own astonishment during our visit last week at discovering what power an acting director has to put his own agency out of business.

"My first reaction when they outlined it to me was that it couldn't be done," he said. The President, you see, had signed into law last fall legislation extending the life of OEO through mid-1974 and providing funds for its operations—not its abolition—this year.

But by the time the White House lawyers had finished interpreting that legislation, Phillips began to savor the possibilities of striking a blow for libertarianism.

The lawyers' reasoning is a marvelous example of Orwellian Newspeak. When Sen. Abraham A. Ribicoff (D-Conn.) wrote Phillips asking him to identify his authority to abolish OEO and "terminate" or "transfer" its functions, it all turned out to be a phantom. "While the 1974 budget requests no funding for them," the letter of reply said, "the statutory basis for these activities will remain intact." Some programs may be "delegated" to other agencies, but none, Ribicoff was told, is being "transferred."

To translate those legalisms into the sports metaphor that Mr. Nixon likes, that's equivalent to saying "that while the Washington Senators have delegated" their players to the Texas Rangers, their franchise remains "intact." That's comfort to know, but it doesn't mean you'll find any baseball in Washington this summer. Or any antipoverty program either.

One of the "general principles" Phillips had given me as a guide to his philosophy read, "The elitist notion that our traditional institutions and democratic processes must be bypassed to achieve 'socially desirable' objectives poses a fundamental threat to our system of government."

In light of that statement, I asked him what he thought of Mr. Nixon's end-run around Congress on the abolition of OEO. "That decision," he said, not batting an eye, "was made on the grounds of effectiveness."

For the same reason, it turns out, Mr. Nixon has decided not to submit Phillips' name to the Senate, despite a recent pointed reminder from Sen. Harrison A. Williams Jr. (D-N.J.), the chairman of the Senate Labor and Public Welfare Committee, that the position of OEO director requires Senate confirmation.

"If my name went up," Phillips said with unassailable logic, "I'd have to spend all my time up there getting confirmed and I'd never get the place dismantled."

So there you have it. Having picked as the poverty program administrator a man who believes that poverty is not "a political question," Mr. Nixon has now authorized him to dismantle the agency, rapidly and totally, despite the fact that its life, under law, is supposed to extend at least until mid-1974. And he is doing it right now without the Senate even having a chance to exercise its statutory and constitutional right to give or withhold its "advice and consent" to the nomination.

All this, mind you, in 1973. It makes you wonder what our government will be like by 1984.

NATO BURDEN-SHARING RESOLUTION

(Mr. YATRON asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. YATRON. Mr. Speaker, in 1948 the 80th Congress debated an historic foreign policy resolution sponsored by the late Senator Arthur H. Vandenberg. That congressional declaration put the Senate on record as favoring collective defense arrangements, based upon continuous and effective self-help and mutual aid.

Adoption of the Vandenberg resolution in June of that year paved the way for Senate ratification of the North Atlantic Treaty and creation of the North Atlantic Treaty Organization—NATO.

Today, more than a quarter of a century after the Marshall plan which rebuilt Europe, the 93d Congress seems likely to begin another great debate on the major question: Should the United States, 28 years after World War II, keep its 303,000 troops in Western Europe?

The Nixon administration outlined its position in December 1970 at the opening session of the NATO Foreign Ministers Conference when Secretary of State Rogers commented that "unless there is reciprocal action from our adversaries," there will be no troop reductions. However, this position had softened by December 1972 when, prior to departure for NATO meetings in Brussels, the Secretary of Defense stated:

There has been great progress during these past four years in achieving a better *sharing of the defense burden* as far as the NATO alliance is concerned. . . . I have great confidence in the future of the Alliance, which means confidence in the U.S. Congress and confidence in the willingness of the NATO

allies to continue their force improvements and to continue with a more proper *sharing of the defense burden.* (Italics supplied)

However, efforts by the distinguished Senator from Montana, MIKE MANSFIELD, and some of my colleagues in the House during the 92d Congress, recommended that we substantially reduce the number of U.S. forces stationed in Europe.

Therefore, Mr. Speaker, while the debate on this critically important question continues, I believe that a number of interim steps could be taken by our NATO allies to ease the financial burden upon the United States. These interim steps represent a middle ground between administration positions and congressional proposals which revolve around the concept of burden sharing.

Burden sharing can be implemented in two principal ways, neither of which involves the withdrawal of American troops: First, our NATO allies could contribute a great deal more to the enormous cost of maintaining our forces in Europe, and second, they could assume some of the military missions and functions now being carried out by the 550,000 U.S. personnel and dependents currently stationed in Europe.

Our allies could also pay the salaries of local nationals employed at American installations; assume responsibility for construction costs; pay for goods purchased on the local market; finance transportation and utility costs; and assume all NATO infrastructure expenses such as roads and runways.

If these recommendations were adopted, a savings of between $500 million and $1 billion would accrue to the American taxpayer. Therefore, while the resolution would not reduce our troops below the present 303,000 level, it would cut back drastically the $16 billion annual cost of maintaining them in Europe. In addition, as ample proof of the need to be frugal, the resolution cites the economic progress Western Europe has made since the end of World War II, the $1.6 billion annual balance-of-payments deficit suffered by the United States because of troop support, and the need to reorder our budget priorities in the effort to solve our critical domestic problems.

Our European allies have come a long way since Senate approval of the North Atlantic Treaty in 1948. While my burden-sharing resolution recognizes this fact, it would keep our military commitment to Europe strong, and, at the same time, reduce the total amount of tax dollars spent for defense—an area which has not yet been cut back. Because of my deep concern for what I consider to be a grossly inequitable situation, I will introduce today, together with 24 of my colleagues, a resolution urging the President to press our NATO allies to contribute their fair share to the cost of their collective security.

Mr. Speaker, the full text of my resolution and a list of cosponsors follows:

NATO BURDEN-SHARING

Whereas our North Atlantic Treaty Organization (NATO) allies have made substantial economic progress since the end of World War II more than a quarter of a century ago; and

Whereas our military presence in Europe—including a total of over five hundred and fifty thousand Department of Defense personnel and dependents—costs the American taxpayer approximately $16,000,000,000 each year; and

Whereas the balance-of-payments deficit resulting from United States defense expenditures in Europe is approximately $1,600,000,000 per year; and

Whereas we must begin to reorder our priorities if we are to solve critical domestic problems; and

Whereas the President has expressed an interest in redistributing the defense burden more equitably among NATO members: Now, therefore, be it

Resolved by the House of Representatives (the Senate Concurring), That it is the sense of Congress that (1) the President vigorously press our NATO allies to assume a greater proportion of the cost of their own defense; and (2) the President, as Commander-in-Chief, take whatever steps he deems necessary to implement this burden-sharing concept; and be it further

Resolved, That no action taken pursuant to this resolution should weaken either our resolve or our ability to fulfill our commitments under the North Atlantic Treaty.

LIST OF COSPONSORS

Mr. Fraser (Minn.), Mr. Mollohan (W. Va.), Mr. Gude (Md.), Mr. Frenzel (Minn.), Mr. Stuckey (Ga.), Mr. Flood (Pa.), Mr. Buchanan (Ala.), Mr. Whitehurst (Va.), Mr. Eilberg (Pa.), Mr. Cleveland (N.H.), Mr. Mazzoli (Ky.), Mr. Brown (Calif.), Mr. Matsunaga (Hawaii), Mr. Won Pat (Guam), Mr. Wolff (N.Y.), Mr. Kemp (N.Y.), Mr. Adams (Wash.), Mr. Roy (Kans.), Mr. Fascell (Fla.), Mr. Henderson (N.C.), Mr. Green (Pa.), Mr. Melcher (Mont.), Mr. Hungate (Mo.), Mr. Shoup (Mont.).

DISTINGUISHED AMERICANS SUPPORT WORK OF THE CRIME COMMITTEE

(Mr. PEPPER asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PEPPER. Mr. Speaker, among the hundreds of letters and telegrams which have come to me commending the work of this House's Select Committee on Crime are those of distinguished Americans in various professions within the criminal justice system. Other communications have come from prominent men and women in vocations affected by hearings held by the Crime Committee these past 4 years.

In the latter category are educators concerned as was our committee with the growing abuse of drugs by students on elementary and secondary school campuses of the country.

During our hearings in six cities across the country we learned much about the problem of drugs in our schools. Much more, I might add, than we could have possibly received by holding hearings in Washington and asking the educators to come to us. We talked to students, police officers, drug counselors, and hundreds of other persons whose ideas we would never have been exposed to in some hearing chamber in Washington.

In short, we went to hear and learn and seek the best advice possible before filing a report and introducing legislation to come to grips with a very significant and critical problem.

In the course of our hearings we had some sharp criticisms to make of many school officials who had not awakened to the extent of the drug problem in the schools and hoped it would simply go away.

Following our hearings in New York City, Miami, Chicago, San Francisco, Los Angeles and Kansas City, we were heartened by the efforts of school officials, parent and teacher associations, drug abuse educators and others to discuss frankly and openly a most serious condition unconfined to any section of the country or any particular neighborhood within a given school district.

Chicago and Los Angeles have asked for a total of nearly $8 million in Federal assistance so that each city's school authorities might begin to institute programs designed to identify and find help for students with drug and drug-related problems. This help must be forthcoming and I am greatly encouraged by the receptive attitude of one of the best friends educators have in America, CARL D. PERKINS, the esteemed chairman of the House Education and Labor Committee.

Among the letters and telegrams I submit today are those of the superintendents of schools in San Francisco, Oakland and Los Angeles, Calif., who testified personally before our committee and are representative of the high caliber of professionals in public education.

I will not attempt to single out any particular communication further as it will become evident that many of those who have commented positively on the work of this body's Select Committee on Crime are, individually, giants in their respective fields.

I would like to express my regret that due to a typographical error yesterday, Mr. Carol S. Vance, president of the National District Attorneys Association, was incorrectly identified.

I, therefore, resubmit Mr. Vance's communication at this point in the RECORD along with other communications on this subject.

NATIONAL DISTRICT ATTORNEYS ASSOCIATION,
Chicago, Ill.:

Honorable Representative Carl Albert, Speaker of the House: As President of the National District Attorneys Association representing 5,000 prosecuting attorneys, as district attorney of Harris County, Texas and as prosecutor I strongly urge the support of House Resolution 205 which is for the continuance of the House Select Committee on Crime. This is one of the few committees in Washington that has been of assistance to the prosecutors of this Nation and has offered invaluable service through its national hearings.

CAROL S. VANCE,
President and District Attorney.

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

Urge your favorable consideration of extension of Congressman Claude Pepper's Select Committee on Crime so that the important studies which the committee began can be completed.

Studies promise much useful insights into difficult city problems of narcotics and street crime.

ALLEN E. PRITCHARD, Jr.,
Executive Vice President, National League of Cities.
JOHN GUNTHER,
Executive Director, U.S. Conference of Mayors.

CENTER FOR STUDIES IN CRIMINOLOGY AND CRIMINAL LAW,
University of Pennsylvania,
Philadelphia, Pa.

Hon. CARL ALBERT,
Speaker of the House:

Continuation of the House Select Committee on Crime is in the national interest. This has been a most important committee. As an university professor of criminology I support the efforts of this committee. Investigating presidential commissions and the work of the Department of Justice need the complement of this House committee to fullfill the government's study of crime.

MARVIN E. WOLFGANG,
University of Pennsylvania.

CARL ALBERT,
Speaker of the House,
U.S. Congress,
Washington, D.C.:

I urgently recommend that you continue for two more years the life of the very important house select committee on crime.

ART LINKLETTER.

FEBRUARY 15, 1973.

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

DEAR CONGRESSMAN ALBERT: I have recently read that the House Crime Committee is up for reconstitution before the Congress and I hasten to write this letter to you for the continuation of this worthwhile organization.

The Huntington Narcotics Guidance Council has worked with the House Crime Committee for several years in an effort to reduce the output of "speed" on a nationwide basis. This combined effort has culminated in the successful effort of the House Crime Committee to date in reducing the overproduction of "speed" and other drugs.

I sincerely hope that the House Crime Committee will be permitted to continue its most worthwhile efforts on behalf of the people of the United States.

Sincerely yours,

ARTHUR GOLDSTEIN,
Chairman, Huntington Narcotics Guidance Council.

FEBRUARY 20, 1973.

Hon. CARL ALBERT,
Speaker, House of Representatives, U.S. Senate, Washington, D.C.

MY DEAR MR. ALBERT: As a physician, a pharmacologist and a research scientist. I have devoted essentially my whole professional life to the study of narcotic problems and what can be done about them from the scientific point of view. After more than thirty years association with the efforts of the National Research Council and twenty-two years in Government service at the National Institutes of Health in this connection, twelve years of official retirement have been spent continuously in study of and consultation with Government and other agency activities along the same lines. I have also had the privilege and honor of serving as consultant to the House Select Committee on Crime, Chaired by Congressman Claude Pepper. I have been greatly impressed by the interest shown and the energy devoted by the Committee members to narcotics problems in their broadest aspects, and particularly impressed by the meticulous detail of Committee reports and suggestions for constructive action. But it is my opinion that there are still many facets of the problem to be explored.

It has come to my attention that the House of Representatives will examine shortly the work of the Committee and come to a decision in respect to continuance of its activities. I strongly urge that the Committee be granted the two additional years which it requests to continue its work. We cannot lose and stand to gain much by allowing the Committee to complete its observations and summarize its accumulated experience with interpretation and constructive recommendation which must surely follow.

I have based my urging of the Committee's continuance on its recognition of the role of narcotic and drug abuse in the overall crime problem, because that, I think, is within my field of competence. Whether we judge drug abuse to be presently epidemic or indigenous in our society, its diminution must, among other things, decrease crime, and every road in that direction must be pursued to the fullest benefit attainable.

Respectfully,

NATHAN B. EDDY, M.D., D.Sc.,
Consultant, National Institutes of Health, National Research Council, et al.

FEBRUARY 21, 1973.

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

The continuance of the House Select Committee on Crime is urgently needed that the work of investigation of street crime and narcotic traffic in the United States can be completed. Support of House Resolution 205 is paramount. Their findings can be valued guidance to needed legislation and to enforcement of the law.

WES H. BARTLETT,
Immediate Past President, Kiwanis International.

FEBRUARY 23, 1973.

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

We urge the extension of the select committee on crime. As an organization greatly concerned with justice for children and our involvement in an investigation of the issue at the present time, we believe that the committee can produce data and develop recommendations for action necessary for the protection of the rights and welfare of children.

MRS. ELEANOR MARVIN,
National Council of Jewish Women.

CONNECTICUT CONFERENCE OF MAYORS AND MUNICIPALITIES,
New Haven, Conn., February 20, 1973.

Hon. CARL ALBERT,
Speaker of the House of Representatives,
U. S. House of Representatives,
Washington, D.C.:

DEAR MR. SPEAKER: It is very important that the Select Committee on Crime be continued. Street crime and narcotics require Federal attention and action.

Your assistance is essential and will be greatly appreciated.

Sincerely,

JOHN J. SULLIVAN, *President.*

JACKSONVILLE, FLA., *February 21, 1973.*

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

We urge the adoption of House Resolution 205 to continue the House Select Committee on Crime. Our Association has been most active in the area of drug abuse, and believe the continuation of this Committee work will be most beneficial to the American people.

WILLIAM J. DEAN, M.D.,
President, Florida Medical Association.

MICHIGAN DEPARTMENT OF AGRICULTURE,
February 22, 1973.

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

I support House Resolution 205 to continue Congressman Claude Pepper's Committee. It is recommended that his committee also include investigation of organized crime into professional and college sports. This committee served a good purpose in 1972 by exposing undesirables in racing and other sports. This committee can greatly facilitate the fight against crime in the United States.

LEO C. SHIRLEY,
Racing Commissioner.

MIAMI, FLA.

DEAR REPRESENTATIVE PEPPER: Today I learned of your fight in Congress to preserve the House Crime Committee. I therefore sent a telegram to Mr. Carl Albert, Speaker of the House with this text:

"As a leader of the church and of the Russian American Community I express my support for the House Crime Committee headed by Rep. Pepper and urge that this important body be retained."

As a Church leader I strongly sympathize with the struggle against crime in our society and the important work of your Committee.

May God's blessing be with you.

ARCHBISHOP NIKON.

DALLAS, TEX.

Congressman CLAUDE PEPPER,
U.S. House of Representatives.

SPEAKER CARL ALBERT: H. Res. 205 should be passed continuing the House Select Committee on Crime. The problems it is dealing with are at least as important as any domestic matter. This Committee is nearing a point at which it will be able to propose powerful legislative solutions that will at once reduce crime to manageable proportions and reassert congressional authority as originating source of important legislation. The poor and helpless of this country will be the big losers if the Committee's work now is interrupted. It makes no sense from the standpoint of any concerned person to cut off a project with so much promise at a cost so small. Street crime will decline as organized crime is forced out of the heroin traffic and kept out.

WILLIAM J. FLITTIE,
Professor of Law, Southern Methodist University.

MARYLAND PSYCHIATRIC RESEARCH CENTER,
Baltimore, Md.

Hon. CARL ALBERT,
Speaker of the House of Representatives:

It has come to my attention that the Select Committee on Crime may be discontinued. The work of this Committee is still in its infancy and desperately needed for the safety of our citizens. I hope that you will use your influence to continue it.

JOHN C. KRANTZ, Jr., Ph. D.,
Maryland Psychiatric Research Center.

CHICAGO, ILL.

The Honorable CLAUDE PEPPER,
Washington, D.C.:

On behalf of the public television and broadcasting community of Illinois we strongly urge that the House Select Committee on Crime be continued for the next two years. The Committee's activity, particularly in the area of drug abuse in the schools, made an indelible impression and had a healthy effect on the Nation's second largest metropolitan area, Chicago, Illinois. All of the television interest worked in tandem with the community to effect a most rewarding result. Again we urge that the committee be continued for two years.

WILLIAM J. MCCARTER,
WTTW, Channel 11.

CHICAGO, ILL.

CARL ALBERT,
Speaker of the House:

The Chicago Region PTA representing 80,000 members urges you to pass Resolution 205 to continue the operation of the Select Committee on Crime chaired by Congressman Claude Pepper. Since this committee's acceptance of testimony in Chicago, this city

and the public school system has finally recognized we have a serious drug problem, this is just the first step, we have only tapped the surface. We need the continued support of this committee to move forward. This committee has served the people of this country. We need them, there is much more to be done.

BARBARA NUESKE,
Juvenile Protection Chairman.

CHICAGO, ILL.

Hon. CARL ALBERT,
House of Representatives.

The Latin community of Chicago through the main Latin rehabilitation and drug education community projects called El Rincon ask of you to support the continuance of the select committee on crime of the House of Representatives. We think highly of that committee because it gives the Congress the opportunity to get in touch with the real problems of drug abuse and very special because it allows the little and forgotten people to communicate with the Congress. The Honorable Pepper should continue as chairman since he is so knowledgeable and resourceful in the matters of the committee. That committee was the best thing that ever happened to Chicago regarding drug education and the problems of drugs in general.

Father JOSE CRUZS J. EL RINCON,
Chicago.

CHICAGO, ILL.

Hon. CLAUDE PEPPER,
Washington, D.C.

The Illinois drug abuse program supports House Resolution 205 which continues the House Select Committee on Crime for 2 more years. We believe the committee serves the public interest.

Dr. EDWARD SENAY,
DENNIS HESTON,
Illinois Drug Abuse Program.

OAKLAND, CALIF.

Hon. CLAUDE PEPPER,
Chairman, Select Committee on Crime, House of Representatives, Capitol Hill, D.C.

Street crime and narcotics traffic are common concerns of all urban school district administrators. House Resolution 205 continues the Select Committee on Crime for two more years. There is great need for this investigative body to continue. We feel that the information which would be gained by the completion of the committee's work would be of enormous assistance to urban school districts. I wish to indicate my support for the Select Committee on Crime and for House Resolution 205.

MARCUS A. FOSTER,
Superintendent.

Hon. CARL ALBERT,
Speaker, House of Representatives.

I have just learned of House Resolution 205 which will allow for the continuance of the House Select Committee on Crime.

Today in our schools more than at any time in my 23 years of service to the District, violence in the community poses a threat of such proportions that we are severely hampered in conducting and maintaining an educational environment conducive to learning. The present community unrest requires immediate and decisive attention.

The following figures indicate the seriousness and prevalence of crime in our community as it reflects itself in our schools:

Assaults on school personnel	30
Assaults on school personnel with weapons	37
Assaults and attempted rape of school personnel	2
Assaults on pupils	71
Assaults on pupils with weapons	57
Assault and rape of a pupil	3
Possession of weapons	37
Murder of a pupil	9
Possession or sale of narcotics	8
Arson	1

These figures are for only a part of the first semester of school year 1972–73.

In addition the Los Angeles Police Department has identified 881 hard-core members (these gang members are all school age youngsters). The Los Angeles Police Department has defined hard core as meaning 10 or more arrests of which 5 include felony arrests. The 881 gang members reflect 9,515 arrests. The Los Angeles Police Department made 6,412 applications for petition to the Probation Department to bring these youngsters to court.

In the first 10 months of 1972 there were 504 arrests for murder in the city of Los Angeles, 96 of which were juveniles, reflecting an increase in juvenile arrests for murder of 62.7%.

Personally, I have been impressed with and heartened by the efforts of the House Select Committee on Crime. The activities of that Committee have served as a hope for the improvement of conditions that presently confront the 700,000 young people in my District.

I sincerely hope that you will actively support the continuance of the House Select Committee on Crime.

Respectfully,
Dr. WILLIAM J. JOHNSON,
Superintendent, Los Angeles Unified School District.

LOS ANGELES, CALIF.

Hon. CLAUDE PEPPER,
Member of Congress and Chairman, House Select Committee on Crime

Wire to Honorable Carl Albert today as follows: Great concern in my jurisdiction that House Select Committee on Crime investigation of street crime and narcotics traffic continue its important functions in areas of immense public concern. Statistics in Los Angeles County give proof to necessity for attack on all fronts. House Committee under Chairman Claude Pepper largely responsible for new action against problem since hearings took place in Los Angeles. I urge that the continuance of the committee investigation in other areas will bring similar results.

THOMAS T. NOGUCHI, M.D.,
County of Los Angeles Medical Examiner.

SELECT COMMITTEE ON CRIME

(Mr. PEPPER asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PEPPER. Mr. Speaker, I include at this point in the RECORD further supporting letters and telegrams on the Select Committee on Crime:

The Narcotics Prevention Project of East L.A. endorses House Resolution 205 to continue for two more years the House Select Committee on Crime. This committee must continue its investigation of street crime and narcotics traffic in America.

It needs additional time to complete its work. Street crime and narcotics traffic are the biggest problems among the Mexican American people of East L.A.

This committee is the only constituted committee with authorized jurisdiction to explore these areas of public concern. It would serve the public interest for the House Select Committee on Crime to be continued for another two years.

JUAN D. AZEVEDO,
Executive Director, Narcotics Prevention Project.

ROOSEVELT HIGH SCHOOL,
LOS ANGELES, CALIF.

I hereby urge the adoption of Resolution 205 for the House Select Committee on Crime to continue another 2 years.

Dr. HILARIO S. PENA,
Principal.

WICHITA COUNCIL ON DRUG ABUSE,
February 17, 1973.

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

We recommend House Resolution 205 be passed. We understand this resolution will continue the U.S. House Select Committee on Crime for 2 more years. Hearings conducted by this committee have had a significant impact on the serious apathy among school administrators regarding the problem of drugs in our schools. Continued effort against this problem is of top priority for our society as a whole and for crime in particular. Knowledge on which to base legislative actions needed in relation to drugs and crime is seriously inadequate as it is in all other areas of need for responsible actions against drug problems. The members of the House Select Committee on Crime have made progress toward becoming informed and knowledgeable about the issues involved. It would be, in our estimation, a tragic loss if this committee were to discontinue its work before adequate legislative action is formulated. Recommend passage of House Resolution 205.

DEE HILL,
Executive Director, Wichita Council on Drug Abuse, Inc.

Copies of this telegram have been sent to: Claude Pepper, Select Committee on Crime; Garner E. Shriver, U.S. Congressman.

COUNTY OF LOS ANGELES,
DEPARTMENT OF HEALTH SERVICES,
Los Angeles, Calif., February 22, 1973.

Hon. CLAUDE PEPPER,
Chairman, House Select Committee on Crime,
Washington, D.C.

DEAR CONGRESSMAN PEPPER: The Interagency Task Force on Drug Abuse of Los Angeles County, the 300 member coordinating and planning body for this County, has voted today to send a telegram to Congressman Albert urging him to continue the House Select Committee on Crime, as per your request which was forwarded to us by Mr. Juan Acevedo, a member of our Steering Committee. We are pleased to have the opportunity to provide whatever assistance we can. This also provides us with an opportunity of making known to you the existence of the Interagency Task Force on Drug Abuse. We would appreciate your contacting us in the future for any investigative activities which you anticipate in Los Angeles County.

Very truly yours,
JOEL SIMON HOCHMAN, M.D.,
Chairman, Interagency Task Force on Drug Abuse.

CHARLESTON, S.C.

Representative CLAUDE PEPPER,
Capitol Hill,
Washington, D.C.

I am asking the House of Representatives to pass House Resolution 205 to continue the house select committee on crime for 2 more years. It is imperative that this nation gain a better understanding of the drug problem since the drug problem is one of many facets. It is vital for the Federal Government to take the leadership in organizing the various institutions of our society to curb this problem. If Congress does not provide the necessary leadership then I am afraid our hope is small.

MICHAEL C. WOODALL,
Charleston County School District,
Charleston, S.C.

SAN FRANCISCO, CALIF.

CARL ALBERT,
House of Representatives.

MR. SPEAKER: Hope you will continue the house select committee on crime for two more years. Feel this is a vital committee needing time to complete work.

STEVEN P. MORENA,
Superintendent of Public Schools.

YONKERS, N.Y.

DEAR MR. SPEAKER: Probably no single social issue is of greater concern to the American people today than crime in the streets and drug abuse. As executive director of a public agency serving the youth of our city, I am continually aware of the impact of these problems on our young people. I believe it is imperative that at the highest level of Government opportunities be created so that the war against crime and narcotics can be intelligently directed.

The House Select Committee on Crime affords such an opportunity.

YONKERS, N.Y.

I believe its work is critical and should be sustained with every possible assistance given to it. We must face up to our responsibilities in this area or face the consequences of seeing our country rot from within because of our unwarranted neglect of these problems.

Therefore, Mr. Speaker, I urge you to permit the House Select Committee on Crime to continue its work. At the local level of government, those of us who face the problem daily are dependent upon your wise leadership in this regard.

Dr. KARL RASMUSSEN,
Executive Director, Youth Services Agency.

ANAHEIM UNION HIGH SCHOOL DISTRICT,
Anaheim, Calif., February 16, 1973.

CARL ALBERT,
Speaker of the House of Representatives:

I wish to indicate to you my concern relative to the need for the continuing function of the House Select Committee on Crime. I feel that is very important for this committee to continue for at least two more years so that its work may have some impact on the problem of street crime and narcotics traffic in America. I urge you to take whatever steps necessary to assure two more years of life to this very important committee."

ROBERT BARK,
President, Board of Trustees.

FORT LAUDERDALE, FLA.,
February 18, 1973.

THE HOUSE SELECT COMMITTEE ON CRIME:

We are deeply disturbed to hear that the House Select Committee on Crime, led by the Honorable Claude Pepper, is in danger of being phased out. On behalf of the 2,600 young people who have been through the Seed Drug Rehabilitation Program, and the thousands of parents and friends, I most humbly urge you to please not let this important body phase out. This is a vital key to the well being of our Nation.

Respectfully yours,

ART BAKER, *President.*

FORT LAUDERDALE, FLA.,
February 18, 1973.

Representative CLAUDE PEPPER,
Chairman, the House Select Committee on Crime:

The following is a copy of the telegram I sent to Speaker Carl Albert: "Sir, it is with strongest vigor that I support House Resolution 205, from personal experience as a drug abuse counselor, it is my considered opinion that America (in this instance, Congress), urgently needs to investigate street crime and narcotics traffic. To my knowledge the House Select Committee on Crime chaired by Honorable Claude Pepper is the only constituted committee with authorized jurisdiction to explore these areas of enormous public concern. I urge support fo House Resolution 205.

If my presence in Washington would assist in any way, please inform me and I will come at once.

Respectfully,

Sister THERESE MARGARET,
Drug Abuse Counselor, Archdiocese of Miami.

SPECTRUM PROGRAMS, INC.,
February 20, 1973.

Hon. CLAUDE PEPPER,
House of Representatives, House of Representatives Office Building, Washington, D.C.

DEAR CONGRESSMAN PEPPER: Following is the telegram that we sent to The Honorable Carl Albert:

The crime rate of this Nation deems it imperative that we continue the efforts of the House Select Committee on Crime.

Representative Claude Pepper's dedication and his assistance to agencies such as this is needed for our survival.

We encourage the adoption of House Resolution 205.

The Rev. FREDERICK C. HARRISON, Jr.,
Executive Director, Spectrum Programs, Inc.

HOUSTON, TEX.

Hon. CLAUDE PEPPER:

In the name of American mankind it is imperative your committee on crime continue to be in operation. If the powers that be, have the decisionmaking skills commensurate with their chronological age they will insist the continuation of your committee investigation on street crime and narcotics in America.

DONNA STEUVER,
Coordinator of Drug Education, Houston Independent School District.

SACRAMENTO, CALIF.

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

We strongly urge your approval of House Resolution 205, which would continue for two more years the invaluable work of the House Select Committee on Crime.

You are aware that it is most difficult to legislatively respond to the many ramifications of crime in America. That, more than any other factor, makes the work of the House Select Committee on Crime an immeasurable tool that can be utilized by every Member of Congress.

JAMES TESTA,
Executive Director, Seventh Step Foundation.

MARLBORO, MASS.

CLAUDE PEPPER,
Chairman of House Committee on Crime, Washington, D.C.:

Have just learned of proposed cutback in House Committee on Crime. I believe such action would be disastrous at this time especially in the area of drug counseling in the nation's public schools.

ROBERT AMASTAS,
Drug Counselor.

BOSTON, MASS.

CLAUDE PEPPER,
Chairman House Select Committee on Crime:

It is imperative that House Select Committee on Crime be continued next 2 years to implement legislation regarding drug advertising and use. Effective legislation requires collection of all available data which necessitates Congressional support for H. Res. 205.

J. WORTH ESTES, M.D.

JACKSON, MISS.

Representative CLAUDE PEPPER,
House Select Committee on Crime:

Street crimes and narcotics traffic are two of the most serious crimes facing our Nation today. I feel that House Resolution 205 would strongly assist law enforcement in combating this problem and would urge passage.

Sincerely,

KENNETH W. FAIRLY,
Director.

NORTHWESTERN UNIVERSITY,
Chicago, Ill., February 19, 1973.

Honorable CLAUDE PEPPER,
Washington, D.C.

DEAR SIR: It is vital to the best interests of law abiding citizens that the House Select Committee on Crime be continued. I urge your support of H. Res. 205.

Sincerely,

FRED E. INBAU,
Professor of Law.

THE CAGE TEEN CENTER, INC.,
White Plains, N.Y., February 20, 1973.

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

Crime in the streets and narcotics traffic continue to plague Americans all over the country. Never before have I been so keenly aware of a social problem having such a stultifying and demoralizing impact on a nation as these two have.

I understand that the important work of the House Select Committee is in jeopardy of being discontinued, and that a decision will be reached within the next few days in Washington.

It is my professional opinion (25 years of experience in education and youth work) that a decision to discontinue the work of the House Select Committee would be a serious mistake which could result in our continued failure to solve these problems. It would also illustrate to Americans the insensitivity of their legislators to the problem which seriously affects their safety and welfare.

It is my plea that this important Committee be continued.

LES FERNANDEZ,
Executive Director.

PETERSBURG ELEMENTARY SCHOOL,
Petersburg, Ind., February 21, 1973.

Representative CLAUDE PEPPER:

Today the following telegram was sent to the Honorable Carl Albert:

Pride Drug Council encourages support to the continuance of House Resolution 205 introduced by Representative Claude Pepper.

Mrs. JUDY ELKINS,
School Nurse.

FARIBAULT, MINN.,
February 22, 1973.

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

Urge your support of House Resolution 205 designed to continue the Crime Committee's investigation of street crime and narcotics traffic.

HELEN FLECKENSTEIN, R.N.,
Public School Nurse.

MIAMI, FLA.

Congressman CLAUDE PEPPER.

Honorable CARL ALBERT: I respectfully suggest that you permit Congressman Claude Pepper's crime committee to continue it's important services for the betterment of our community. His investigation concerning the drug scene has been invaluable to all in the rehabilitation field.

Thank you.

HERE'S HELP, INC.,
MARIAN SIEGEL,
Executive Director.

REALITY HOUSE, INC.,
New York, N.Y., February 23, 1973.
Representative CLAUDE PEPPER,
U.S. Congress,
Washington, D.C.

DEAR REPRESENTATIVE PEPPER: I have today sent the following telegram to the Honorable Carl Albert, Speaker of the House of Representatives:

"As Chairman of the Board of Directors of Reality House, Inc., a state and federally funded narcotics addiction rehabilitation program, I must express vehemently my support of the House Select Committee on Crime, and of Resolution #205 which would extend the life of this Committee for an additional two years. Any group whose investigations promise eventual information of such inestimable effectiveness in the battle against drug abuse and crime must not be curtailed at this crucial point.

I, the staff, and the ex-addict population of Reality House implore you to put forth every possible effort to implement the passage of House Resolution #205 as part of our mutual struggle to rid our nation and its people of this destructive and deadly plague.

We offer our thanks for whatever contribution you may make to this endeavor."

Sincerely,

SAMUEL P. PEABODY,
Chairman of the Board.

DRUG ABUSE INFORMATION SERVICE CENTER,
San Jose, Calif., February 21, 1973.
Hon. CARL ALBERT,
The *Speaker,*
U.S. House of Representatives,
Washington, D.C.

DEAR MR. ALBERT: I am deeply concerned that the House committee on crime continue its very important work in bringing to the attention of the Congress and the American people the criminal forces that are attempting to destroy our nation. I would strongly urge that you lend full support to House resolution 205 that would continue the life and work of the committee for two more years so that the committee will be able to complete its work.

Sincerely yours,

GORDON R. MCLEAN,
Executive Director.

DURAN AND DURAN,
McAlester, Okla., February 20, 1973.
Re: House Committee on Crime.
Hon. CARL ALBERT,
Speaker of the House,
Washington, D.C.

DEAR CARL: I understand there is a movement to abolish this most important committee which is doing a commendable job on their investigative work for the House.

It would be my recommendaton you give serious consideration to the reconstitution of the House Crime Committee—as a select committee to do a specific job of investigating.

I have been aware of their work and it seems they might be used in continuing their investigation, even into high Governmental areas, in which there could be information brought to the American people.

Very respectfully,

OTIS S. DURAN.

HOLIDAY, FLA.,
February 22, 1973.
Representative CARL ALBERT,
Speaker of the House,
Washington, D.C.

HONORABLE SIR: At the February 21st meeting of the Holiday Republican Club, after much discussion, the secretary was ordered to write the Speaker of the House of Representatives requesting that the Members of the House vote to continue to maintain the present Commission on Crime, headed by Claude Pepper and a committee of five Republicans and five Democrats.

It is our feeling that this Committee has done a splendid job and their continuing efforts will further aid in the cut down on criminal activity throughout our Nation.

Yours very truly,

DOROTHY W. POGUE,
Secretary, Holiday Republican Club.

LANDOWNER'S CONSERVATION AND PROTECTIVE ASSOCIATION,
February 19, 1973.
Re: Continue Crime Commission Committee.
Speaker CARL ALBERT,
Capitol Building,
Washington, D.C.

SPEAKER ALBERT: Two thousand, three hundred members of the Landowner's Conservation and Protective Association; all owners of land south of Lake Okochobee and whose members are scattered all over the United States, strongly urge you to support the re-creation of the House Crime Committee.

This organization has done a good job and it is badly needed to keep up the fight against crime.

Very truly yours,

JAMES G. PACE,
President.

H.I.D.E., INC.,
Glendale, Wis., February 19, 1973.
Congressman CLAUDE PEPPER,
Capitol Hill,
District of Columbia:

I strongly encourage you to continue the House Select Committee on Crime. We need this important committee.

L. R. HESS,
President.

ACCREDITATION OF HOSPITALS: A RESPONSE TO THE "POST" SERIES

(Mr. SAYLOR asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. SAYLOR. Mr. Speaker, our colleagues will recall that I have introduced several bills seeking to improve the accreditation of hospitals and that I have had, along with many others in this Chamber, a long-time interest in the hospital and medical field. Recently, I brought to the attention of the Members, a series of articles which were published in the Washington Post concerning the operation of several hospitals in the Washington area. As an aside, it should be pointed out that the recent action taken with regard to Children's Hospital gives, in the very least, some support to the charges made by the reporter in the Post series.

Kenneth Williamson served for many years as the able Washington director of the American Hospital Association. He performed in an excellent fashion for the association but most important, he never forgot the public interest. Mr. Williamson is now a consultant to the American Protestant Hospital Association. He recently made some comments on the Post series which I wish to include as a part of my remarks.

Mr. Williamson's remarks follow:

REMARKS BY KENNETH WILLIAMSON

"The Washington Post series of five articles on the hospital business has now been widely disseminated and is raising many questions. But anyone who concentrates on its sensationalism is bound to overlook some of its serious implications for the whole field and could possbily overlook the fact that any bias—carried to its conclusions—is intended to prove its own point. The articles are very critical of hospitals and score conflicts of interest of trustees; inflated doctor incomes resulting from hospital service agreements; favoritism and lack of competitive bidding; free care to the rich; and the general lack of "public accountability."

The series alleges that such abuses are common in hospitals throughout the country. No nationwide study was made to support such a sweeping allegation, but several individuals are quoted in support of it. None of these, as far as I know, have made any large-scale studies either, assuming they would even be qualified for such research.

To the extent that the articles provide a checklist useful to any hospital interested in self-analysis, they have provided a service. A first example is that the chairman of the board of the hospital which was the primary target of the series immediately replied to the Post to assure the community that wrongs uncovered would be promptly corrected, and that any actions the hospital could take to better serve the community would be considered carefully.

Because the articles appeared in the Washington "fish bowl," they put the spotlight on issues bound to concern members of various House and Senate committees. These members of Congress will want to know if the circumstances apply to their home town hospitals, and they will confront—with tough questions—individuals responsible for the administration of federal programs which purchase hospital services.

The kinds of information that the Congress could require administrators of federal health programs to establish might well include:

1. The name of every hospital trustee (of any hospital providing services under a federal program), his business, and any amount paid to him for goods or services provided the hospital during the past year;
2. Evidence that goods or services purchased by the hospital were purchased on the basis of competitive bids;
3. Certification that free or discount services were not provided to any trustee or member of the medical staff, or to members of their families, if the cost of those services was passed on to purchasers of hospital services;
4. The details of the current financial relationships between the hospital and its medical specialists; and
5. Evidence that the chief administrator, if on full-time salary, spends all of his working hours on the affairs of the hospital and performs no outside services directly or indirectly related to health care for which he receives payment."

I would change Mr. Williamson's emphasis in the last paragraph. In my opinion, it should read, "the Congress should require" the administrators to furnish the information he has listed. To do less would be to ignore public responsibility. I wonder if the Joint Commission on Accreditation of Hospitals in Chicago will require this sort of action and disclosure of information? I doubt it. That organization seems dedicated to the proposition of not rocking the boat of hospital administration. The association seems to be concerned with the "protection" of hospitals and their administration rather than examining such installations on an objective basis.

Mr. Speaker, there has come to hand a publication of the Washington Hospital Center entitled, "An Evaluation of

the Washington Post Series 'The Hospital Business'." The second paragraph of this study states:

A hundred years ago hospitals were places for poor people to go to die. They have become places for people to go to be made well.

Perhaps a statement made with reference to missionaries in Hawaii has application here—"they went to Hawaii to do good and ended up doing well."

In order to give both sides of the issue an airing, I have included the report from the Washington Hospital Center as a part of my remarks.

The report follows:

A MESSAGE TO EMPLOYEES OF THE WASHINGTON HOSPITAL CENTER

Major changes in public attitudes have occurred in the past decade. Justifiably or not, anything related to the "establishment" has been subject to expressions of mistrust and eroded confidence. This has been especially true of charitable institutions. And that includes hospitals.

A hundred years ago hospitals were places for poor people to go to die. They have become places for people to go to be made well.

With all the advances in science, technology and medical knowledge, changes in governance and organization of hospitals have come slowly. In the past thirty years hospitals have discarded many aspects of the "Lady Bountiful" syndrome and have gradually begun to apply modern administrative methods. Vestiges of the old almhouses are still with us but the modern hospital is managing by objectives, hiring industrial engineers, and looking for ways to cut costs and operate more efficiently.

Hospitals have received public support for the work they do and the people who work in hospitals have always been respected for ministering to the sick and injured.

Over the past few years the image of hospitals—that is, simply, how we are perceived by others—has altered. The high cost of care, long waits for treatment, claims of consumer advocates, strained labor relations, and a growing distrust of large institutions in general—have conspired to alter the excellent reputation hospitals have enjoyed for such a long time.

For institutions like ours—so dependent on public trust, yet so openly criticized for quality, availability and costs of care—it has been a matter of great concern.

The attitudes of the hospital's "publics" are difficult to measure. But we can, by evaluating the reactions of certain segments, examine some of the trends in public thought and suggest certain courses of action to restore confidence in our institutional integrity.

We may seek the easy way out and point immediately to inaccurate attacks in the press (and certainly many aspects of the recent Washington Post series have been inaccurate), but this would seem a retreat from reality.

We must, I think, accept the fact that hospitals do have unsolved problems and to some degree warrant censure. Public accountability is an important issue and we need to be responsive and to provide information on the operation of our hospital. I suggest, however, that, more importantly, public reaction and criticisms of hospitals are an expression of the social ferment of the times. The public is suspicious of all institutions and when it is suggested—rightly or wrongly—that hospitals are losing sight of their public obligations, the public is all too willing to see their suspicions confirmed.

Neither employees nor the public can form intelligent opinions without pertinent facts. To deal effectively with our problems, we need the public's understanding and constructive assistance. We can only receive this assistance if accurate facts are made known. It looks as though this will be a long term process. The end of public scrutiny is not in sight, and indeed we should encourage an informed public. All hospitals, the Washington Hospital Center in particular, should go right on explaining policies and practices. The effects of negative criticism can be mitigated if we show a willingness and determination to deal effectively with legitimate complaints from whatever source.

The erosion of public confidence results understandably in negative feelings among employees and medical staff. But we simply *must* replace these feelings with confidence, determination and pride in our work. Our primary job is still saving lives. The hospital we work for continues to be a leader in providing quality medical care. We are still working for administrative efficiency and cost containment to keep the price of quality hospital care as low as possible.

We must speak out forcefully in support of our goals and programs. The answer to misinformed criticism lies in providing truth in massive doses. Both the good and bad news must be made part of public information. The attached Centerscope special is a beginning.

In our evaluation of the Washington Post series we have not tried to respond to every charge nor to correct every inaccuracy. (The Post devoted *55 column feet* to the series). Instead we have selected the areas which your questions and comments indicate are of greatest interest. We hope your questions are answered here. If not, please call the Centerscope office, 541–6301, for further information.

THE SACS STORY

The Washington Post says:

"How Blanco and Loughery were able to start a private company using hospital center funds, and the effect this had on the center's operation, provide an example of the lack of public accountability of hospitals and give insight into why hospital costs have risen since 1965 at four times the rate of other consumer prices."

Facts: The Post has charged that the Space Age Computer System (SACS) contract increased hospital costs. They never say how this was achieved. We say it decreased costs.

At no time since it became operational has the SACS operation cost patients additional dollars. The percentage of expenditures for data processing has fallen dramatically since the SACS contract was signed in 1970.

See the chart below for the facts.

DATA PROCESSING COSTS—WASHINGTON HOSPITAL CENTER

Years	Accounting	Indirect	Total expenses	Increase per year: Amount	Increase per year: Percent	Percent to total hospital expense	Data processing	Indirect	Total expenses	Increase per year: Amount	Increase per year: Percent	Percent to total hospital expense	Hospital total expense
1962	417,536	75,574	493,110			4.15	173,614	31,424	205,038			1.73	11,879,498
1963	442,214	80,041	522,255	29,145	5.91	3.91	197,134	35,681	232,815	27,777	13.55	1.74	13,351,751
1964	478,738	86,652	565,390	43,135	8.26	3.91	207,090	37,483	244,573	11,758	5.05	1.69	14,472,635
1965	479,035	86,705	565,740	350	.06	3.53	238,027	43,083	281,110	36,537	14.94	1.76	16,008,220
1966	505,237	91,448	596,685	30,945	5.47	3.52	266,444	48,226	314,670	33,560	11.94	1.86	16,927,952
1967	644,038	116,571	760,609	163,924	27.47	4.03	314,761	56,972	371,733	57,063	18.13	1.97	18,871,232
1968	889,961	161,083	1,051,044	290,435	38.18	4.48	438,470	79,363	517,833	146,100	39.30	2.21	23,436,940
1969	883,861	159,979	1,043,840	(7,204)	(6.85)	4.01	518,103	93,777	611,880	94,047	18.16	2.35	26,026,717
1970	1,002,490	181,451	1,183,941	140,101	13.42	3.80	599,738		599,738	(12,142)	(1.98)	1.99	30,133,258
1971	1,125,184	203,658	1,328,842	144,901	12.24	3.94	616,241		616,241	16,503	2.75	1.83	33,742,082
1972 [1]	1,320,448	239,001	1,559,449	230,607	17.35	4.05	597,189		597,189	(19,052)	(3.09)	1.55	38,480,271

[1] Projection.

As total hospital expenses increased (last column), the percentage of increase for data processing services has dropped well below the 18.6 per cent yearly increase projected by independent auditors Arthur Anderson and Company in 1970. (Arrow points to yearly percentage of increase or decrease.)

The rise in hospital costs is in direct proportion to two basic factors:

a. salaries

b. technology

Salaries in the health industry (60% of total costs) have increased more than 80% in the last six years.

Technology cannot be quantitatively measured, but the patients we care for know that restored health and the ability to turn to productive work makes these costs worthwhile.

SACS APPROVAL

The Post says:

"Formation by the hospital's administrators of a company whose first contract, amounting to $616,000 last year, was with the hospital and was awarded without competitive bidding or approval by the hospital's board of trustees."

Facts: (Documentation to support all of the following facts is available for study in the public relations office any weekday between 9 a.m. and 5 p.m.)

The original proposal was a computer corporation owned by the Washington Hospital Center.

This idea was discarded because it was felt other hospitals would be more inclined to participate if the company were free standing and because compensation and motivation of employees could be encouraged through stock offerings not available from a WHC owned corporation.

The original SACS contract was developed during six months of study and discussion in late 1969 and early 1970.

An ad hoc committee consisting of Thomas H. Reynolds, president of the hospital, Richard Loughery, administrator, and Webb C. Hayes, III, Randall H. Hagner, Jr., and S. T. Castleman, officers of the Board of Trustees, met on January 12, 1970 to discuss the data processing setup at WHC. Jose Blanco, controller, was also present. The decision was made to accept a contract with the Space Age Computer System (SACS) at this meeting.

The contract was signed by Thomas H. Reynolds, president of the Board of Trustees on May 1, 1970.

A study by independent auditors Arthur Anderson and Co. of the 1969 data processing expenses showed they increased at a rate of 18.16% over the previous year.

The projection for 1970, based on that figure, was $655,957. Since SACS was offering the same service for $580,568, the determination of a savings to the hospital of $75,389 was made. (See chart on Page 4 which clearly indicates data processing costs from 1962 to 1972.) Note that the yearly percentage of increase has dropped markedly since the contract was signed with SACS. The contract was submitted to WHC attorneys for review. There were no comments or suggested changes.

Loughery and Blanco appeared at a January 13, 1971, meeting of the Computer Committee of the Medical Staff to answer queries concerning SACS. A full discussion was held and minutes of the meeting were reviewed by the February meeting of the Medical Board.

Because some trustees requested additional information, a meeting of the Executive Committee of the Board of Trustees listed SACS as one of the 13 agenda items at a February 10, 1971, meeting. An enclosure to the meeting notice contained information on the development of SACS.

According to the minutes, the meeting on February 10 was attended by Reynolds, Hagner, Castleman, Hayes, Milton Barlow, Justin D. Bowerstock, Dr. Ernest A. Gould, Dr. Charles W. Ordman, Dr. Hugo V. Rizzoli, Judge Samuel B. Sterrett, Mrs. Arthur Roe, Dr. Robert Nelson, Samuel Scrivener, Jr., Walter N. Tobriner and members of hospital management. After other business was completed the meeting went into executive session to discuss the SACS contract. Loughery and Blanco were the only members of management invited to the executive session. No minutes of the executive session were kept, but the minutes of the Annual Meeting of the Board of Trustees on February 23, 1971, contain the following statement by President Reynolds:

"The last resolution of the Executive Committee passed in executive session, during my term of office, was a unanimous resolution of confidence in Richard M. Loughery as Administrator and Jose Blanco as Controller."

Data processing services, which increased at a rate of 12% a year between 1962–1966 and a minimum of 18% between 1967 and 1969, have decreased to a *minus* 2% under the 1969 figure since the contract for data processing services was signed with SACS in May 1970.

1972 projected data processing costs of 1.5% of total budget are within national averages as reported by most companies in the nation.

A $50,000 DEPOSIT

The Post says: "To further help the new company along it was given $50,000 by the hospital. The payment was described as a 'deposit.' "

Facts: A $50,000 *deposit* was made by the hospital.

Advance deposits are common in service industries. For example, the Washington Hospital Center has about $1,000,000 in advance deposits from health insurance companies whose policy holders will be receiving care at the hospital.

Because of the wording of the original contract, the deposit was deemed taxable to SACS. To forestall this, the deposit was returned by SACS in September, 1971.

No money was "given" to the "new" company, which had been in existence since 1967.

MISLEADING THE PUBLIC?

The Post says: "The center cited a number of innovations—including taking patients' temperatures fewer than the standard four times a day—as the primary reasons or the price cuts.

Indeed the hospital center claimed it had found the answer to spiraling hospital costs.

Unfortunately for the center's patients and those who pay health insurance premiums, the center had not found the answer to anything—except perhaps how to reap national publicity by misleading the public.

Facts: The primary reason for the room rate drops was increased Medicaid reimbursement. We said so (Centerscope, Winter 1971). The Evening Star said so on June 29, 1971, and September 15, 1971. The Post reported Medicaid as the primary reason on June 29 and September 15. A Post editorial on September 21, 1971, also mentioned increased Medicaid payments as the primary reason. (See news clips on next five pages.) We were careful to stress this fact in news conferences and interviews with reporters, and they in turn reported this fact correctly.

The clippings on the next five pages clearly contradict Kessler's charge that we misled the public.

DAILY ROOM CHARGES REDUCED $3 BY WASHINGTON HOSPITAL CENTER

(By Jeffrey Perlman)

Trustees of the Washington Hospital Center voted yesterday to cut daily room charges for patients by $3 despite the nationwide trend toward spiraling hospital costs.

The decision to lower the rates came one week after hospital administrators disclosed that the hospital's earnings for the first five months of this year were $1.6 million, producing an unexpectedly large surplus.

According to Richard Loughery, chief administrator of the nonprofit, private hospital, this is the first time in reecnt years that a large, metropolitan-area hospital has reduced its charges to patients—anywhere in the United States. Officials of the Washington Area Hospital Council were unavailable for comment.

The rate reduction approved yesterday means that patients will pay $77 instead of $80 per day for a private room in the hospital, and $64 instead of $67 for a semiprivate room.

The rate change takes effect July 5.

In addition to the lower room charges, the trustees voted to:

Study pharmaceutical and other ancillary costs with possible recommendations for further price cutbacks.

Study employee salaries for possible upward adjustment to meet prevailing wage levels elsewhere.

Study proposals for increased community services, with the possible extension of hospital service in the city "where the need for such services is great."

Several factors are cited by hospital officials for the unexpected fund surplus, including increased coverage of charity patients by Medicaid, increased profits from referrals to the hospital's large laboratory test services, and across-the-board cutbacks in most departments, some approaching 10 per cent.

"We asked all departments at the beginning of the year to whittle, and they have," said Loughery.

The hospital has found that by cutting out "useless" procedures for patient care it could get along with fewer employees. One such regulation, recently dropped, required the temperature of all patients—even those with broken bones—to be checked four times a day.

[From the Evening Star, June 29, 1971]

WASHINGTON HOSPITAL CENTER CUTTING ROOM RATES BY $3

The Washington Hospital Center will reduce its room rate charges by $3 a day effective July 5 in contrast to the trend of rising hospital costs.

In announcing the reduction the hospital disclosed a $1.6 million income surplus for the first five months of this year and launched a study looking toward expansion of community services within the hospital or at neighborhood health centers.

STEPS APPROVED

The hospital board of trustees approved the rate reduction, which reduces the charge for a private room from $80 a day to $77, and a semi-private room from $67 to $64, and these other steps yesterday:

A study by the hospital management of charge adjustments in such services as pharmacy and inhalation therapy for a report Aug. 1.

A study of the employe wage structure and fringe benefits, which along with that of the community services proposal is expected to take about six months.

Samuel Scrivener, Jr., president of the hospital center, called the community services investigation "a responsibility we and possible every hospital should assume if financially able.

"We have long recognized a moral responsibility to do this, and now for the first time we have the financial ability and we intend to move ahead with planning commitments," he said.

Richard M. Loughery, hospital administrator, attributed the excess earnings showing to better bed utilization, increased Medicaid coverage and "more efficient performance by employees."

The trustees last fall ordered hospital expenditures cut by 10 percent, and this also has had an effect on the hospital's financial position.

A spokesman said the hospital has cut expenses in part by eliminating some of the unnecessary routine procedures which occupy employe time. An example was a previous requirement for checking temperatures of all patients four times a day, even those with broken bones.

THE 11TH BUSIEST IN NATION

The nonprofit hospital, with 843 beds, is the largest private hospital in the Washington metropolitan area. It is rated the 11th busiest of its kind in the country.

The trend of excess earnings became apparent early in the year, and was followed by trustees and administrators until the first five-months figure came out this month, when the board decided to act.

The hospital center is the largest, but not the first, to counter the trend of spiraling medical care costs in the Washington area in recent months. Last August, Sibley Hospital lowered its daily room rates by $3, as other hospitals in the area were instituting a new round of rate increases.

HOSPITAL TRIMS ROOM CHARGES, CITES MEDICAID

(By Lurma Rackley)

The Washington Hospital Center has announced it is lowering its room rates by $5 a day beginning tomorrow, marking the second decrease in the past three months.

In July, the Hospital Center reduced room rates by $3 a day. Both reductions, combined with other costs decreases, will save the average patient at the center about $11 a day, according to Samuel Castleman, treasurer of the hospital's board of trustees.

Semiprivate room rates will drop from a daily cost of $64 to $59 and private rooms from $77 to $72. The board yesterday also announced decreases in charges for medications and other services estimated to average a $3 a day reduction in costs to patients.

One of the most significant factors making reductions possible, Castleman said, is increased financial support through the medicaid program for many patients who previously could not meet health care costs.

"With the advent of medicaid, we are being reimbursed at approximately our cost level," Castleman said making it no longer necessary to charge paying patients prices

which would make up for the losses on the "medically indigent" patients.

The board also pointed to the hospital's high occupancy level, a "first class" medical staff which is cooperating to achieve economic efficiency, and a decrease in the length of patient hospitalization as factors contributing to the charge decrease.

Jose Blanco, assistant administrator of the center, said the average daily charges for patients this month will be about $109 as opposed to $117 in July.

The board said it did not foresee any problems in keeping the new room rates even though it plans to increase employe wages by as much as 5 percent after the national wage freeze is lifted.

Blanco said the hospital is able to decrease spending by reducing overtime rather than laying off employes or lowering wages. He said in the past year it had reduced overtime from 5 percent to 3 percent of the payroll. He also mentioned the center averages 2.7 employes per bed as opposed to the national average of 3.2.

The rates of semiprivate rooms in 28 metropolitan area hospitals belonging to the Hospital Council range from $40 to $71, according to a Council spokesman.

[From the Washington Post, Sep. 15, 1971]

RATE AGAIN REDUCED BY HOSPITAL CENTER

(By Stuart Auerbach)

The Washington Hospital Center will lower its basic room and board charges by $5 Thursday. It marks the second reduction of rates in two months by the center and leaves it the only major hospital in the nation to so act in the face of rising health costs.

In announcing the reduction yesterday, Hospital Center officials cited as reasons unexpected large payments from Medicaid and newly instituted efficiencies in treatment of patients.

In addition, the Hospital Center reduced charges for medicines and other services, which will amount to an average savings of $3 a day for each patient.

Combined with a $3-day decrease in room rates that went into effect July 5, Hospital Center patients are now saving $11 a day over last year's charges.

William Bucher, executive director of the Hospital Council of the National Capitol Area, said the cost-cutting methods used at the Hospital Center "should be explored by other metropolitan area hospitals."

Charges for a semiprivate room at the Hospital Center will drop to $59 a day from $64. In June, they were $67.

Total daily charges at the center, which include medicines, laboratory and other medical services, average $109.

Rates for semiprivate rooms at Georgetown Medical Center are $73 a day. The same rooms cost $80 to $83 at George Washington Medical Center, $63 at Fairfax Hospital, $68 to $70 at Providence Hospital, $51 to $55 at Sibley Hospital and $56 at Suburban Hospital.

In Chicago, a spokesman for the American Hospital Association said, "Congratulations. I don't know how they did it but it's great. A lot of other hospitals would like to have the formula."

Hospital Center officials said the formula is simple.

For one thing, reported controller Jose Blanco, they underestimated the amount of money the hospital would get from Medicaid patients, who make up about 8 per cent of occupants. This gave the hospital a $500,000 surplus, which is being used to offset the rate increase.

Beyond that, said treasurer Samuel T. Castleman, the Hospital Center worked with its doctors to revamp the way medicine is practiced. This allowed the hospital to do more with a smaller staff.

For example, explained Administrator Richard M. Loughery, doctors decided that it was not necessary that the temperature of all patients be taken four times a day.

And doctors' orders for blood pressure readings, weight and fluid intake and output are now good for only 72 hours. A doctor can renew the order if needed, but that work is not performed for the entire patient stay as before.

Doctors also are questioning purchases of new equipment and discharging patients earlier. The hospital's occupancy rate is about 85 per cent—higher than the area and national average.

And in a precedent-setting action, doctors are contributing to the cost of medical educations—paying part of the salaries of interns and residents who help care for their patients.

The amount is not large—only about $100-000—but experts cannot recall doctors doing this at other teaching hospitals.

[From the Washington Post, Sept. 21, 1971]

THE FISCAL FITNESS OF HOSPITALS

Chalk up a major medical miracle for the Washington Hospital Center, which has—after dedicated research—found a way to reduce patient shock caused by staggering bills. Flying in the face of a frightening national trends, the center has reduced its charges for the second time in two months.

The center first rocked medical circles in July, when officials announced a $3-a-day drop in room rates. Now, citing unexpectedly large payments from Medicaid, and newly instituted efficiencies in the treatment of patients, officials have lowered the basic room and board charges by another $5. In addition, they've lowered charges for medicines and other services, for an average savings of $3 a day for each patient.

This means that the charges for a semiprivate room at the Hospital Center have now dropped from $67 a day in June to $59 a day. Total daily charges, including medicines, laboratory and other medical services, will now average $109, instead of $120, the figures before the cuts.

To officials of the American Hospital Association, which represents 6,300 institutions in this country and Canada, the Hospital Center's action is remarkable; a spokesman, who couldn't recall another general hospital that had reduced its charges in recent years, simply said: "Congratulations. I don't know how they did it, but it's great. A lot of other hospitals would like to have the formula."

Well, fortunately, the center's officials are eager to share it—and we hope it spreads. William Bucher, executive director of the Hospital Council of the National Capital Area, hopes so, too, noting that the cost-cutting methods effected by the center "should be explored by other metropolitan area hospitals."

Basically, center officials simply sat down with doctors and came up with ways to revamp the practice of medicine, thus allowing the hospital to do more with a smaller staff. They concluded, among a number of things, that it really isn't necessary to take everybody's temperature four times a day; that doctor's orders for readings on blood pressures, weights and fluid intake and output can be limited to 72 hours unless renewed by a doctor—instead of doing these chores on everybody for the entire duration of a stay.

The doctors also are ordering fewer duplicate laboratory tests and charging more realistic prices for drugs. And above all, they're still working on still more ideas, spurred by incentive bonuses of up to $100 to employees who can increase efficiency or control costs. In what could be another healthy precedent, doctors at the center are contributing to the cost of medical educations, by paying part of the salaries of interns and residents who help care for their patients.

Obviously, this sort of kick can be carried too far—and we wouldn't want to see them turn off all the lights at night, or cut meals from three to one a day; but it is refreshing to see some serious concern among hospital officials about the high cost of medical attention. Surely, other hospitals could follow suit, for there is evidence that many increases in charges have been more automatic than necessary. For that matter, it is curious that officials and doctors—have not seen fit to act on this score before now.

Only a day before the center's announcement, a management study of Fairfax Hospital, largest in Northern Virginia, charged that the hospital's rising rate structure is based more on prevailing fees at other area hospitals than on its own operation. The draft study alleged that the hospital is overstaffed, is overcharging noninsured patients and is allowing some doctors to charge excessive rates—though it emphasized that in general, the hospital is operated in a "responsible manner."

We are in no position to tell how much fat might be trimmed from the budget at Fairfax Hospital, or any other hospital here, for that matter. But the Washington Hospital Center's progress is worth close scrutiny by every hospital administrator since, as far as the patients are concerned, it's just what the doctor ordered.

RELATING COSTS TO CHARGES

The Post says: ". . . any relationship between the charges on the bill and the actual costs of providing the services charged for is purely coincidental."

"Chargs for x-rays are . . . marked up by 57 per cent, for abortions by 125 per cent, and for drugs by 107 per cent."

Facts: Relating costs to charges in pharmacy was one topic discussed when room rate drops were first announced. Both Post and Star reporters mentioned this in their stories on June 29, 1971. On September 14 in a memo from Mr. Loughery to trustees, he pointed out that the trustee-authorized study leading to relating costs to charges in all departments might, when implemented, lead to increases in room rates. In the meantime while the study was under way, it was felt substantial savings could be passed on to patients through the room rate drop.

To indicate that progress was being made in this area, a story by Star staff reporter Betty James appeared on February 13, 1972. It documents how drug costs have been related to charges at WHC. The final paragraph of her article says, "The second area that has been traditionally overpriced is laboratory tests, Blanco said, and he is turning his attention to this now."

The Star story is correct; our own records back this up. We stand behind the information we provided the Star reporter.

Post reporter Ron Kessler charges a 107% markup for drugs at WHC, and he gives four examples. We don't know where he got the figures. They are incorrect. He says it is difficult to understand the actual costs of services because they bear no relation to charges. Nationwide, hospitals have followed a policy of averaging costs. This has been the most common way of underwriting expenses of charity patients and other money-losing programs. We think it's time to take a businesslike approach to hospital costs. We think we can promote greater public understanding if accurate figures can be examined easily. That's why we are one of the hospitals providing leadership in doing something about relating costs to actual charges.

DRUG PRICES PARED AT HOSPITAL CENTER

(By Betty James)

The Washington Hospital Center—attacking an area in which hospitals traditionally have overcharged paying patients to help subsidize poor ones—has reduced the cost of

about 95 percent of the drugs it dispenses daily.

The markup on drugs of almost 60 percent, which was used to build up a fiscal reserve to finance poor patients, has plunged to 4 percent.

"I personally think this is the most honest thing we have done in a long time," controller Jose Blanco said.

The drop in drug prices will mean an average saving of roughly $2 for each patient each day, Blanco said.

Based on 250,000 patient days a year, the hospital's yearly income from drug charges will decline more than $500,000, he estimated.

But government funds from Medicaid now cover needy patients, giving the hospital a chance to relate charges to real costs without going into bankruptcy, he said.

"The hospital business is one of the most complex there is," Blanco observed. "We play here God, mama, sister, Robin Hood and everyone else."

Like other hospitals, Washington Hospital Center had been playing Robin Hood in the pricing of drugs it has dispensed.

Before Medicaid began to pump in enough government money actually to cover the costs of poor patients, the hospital center had boosted charges for drugs to paying patients as one way of meeting expenses.

The impact of Medicaid began to be felt last year, Blanco said.

So with the aid of a computer, the Hospital Center reassessed prices on all 2,000 drugs in its pharmacy.

As a result, to take one example, the charge for a 100-milligram tablet of the sleeping pill Seconal dropped from 25 cents to 5 cents. About 11,000 pills are dispensed in six months at the Hospital Center.

Inpatient and outpatient prices for drugs are the same now, but 80 percent of the outpatients qualify for the free medication, Douglas Mowrey, director of pharmacy, said. Most of the remaining 20 percent elect to take their prescriptions to a drug store, he said.

"I will defend to the end the reason why medication here would be more than at Peoples (drug store)," Blanco said.

"We are not here to sell medication. We are here to give a service to the patient." Over-all hospital costs must be reflected in the price of medication, but at the same rate for all, he said.

The new drug prices went into effect Sept. 15, a month after the wage-price freeze began. Blanco feels the change was morally justified. Although some items went up, costs to patients will go down more than half a million dollars in a year, he pointed out.

A spokesman for the price commission said that since no one has filed a complaint against the hospital center, no action is pending.

The District's largest private nonprofit hospital, the Hospital Center, at 110 Irving St. NW, made headlines last year when daily room rates were cut as a result of Medicaid payments and the introduction of staff efficiencies.

The second area that traditionally has been overpriced is laboratory tests, Blanco said, and he is turning his attention to this now.

ACCOUNTS RECEIVABLE

The Post says: "One of the most important duties of a hospital controller is to police accounts receivable. These are the bills owed by patients. By sending frequent bills and following up with systematic telephone calls, a hospital can speed up payments, cut down on delinquent accounts and save its patients money.

A hospital's success in dealing with its accounts receivable is measured by the average number of days before a bill is paid. By this standard, the center's bills took an average of 86.6 days to be paid at the end of last year, compared with 74.1 days for all hospitals and 65.7 days for all Northeast teaching hospitals, American Hospital Association statistics show."

Facts: The first paragraph is correct.

Unfortunately Kessler took Hospital Administrative Services statistics and worked out the averages in the second paragraph himself. He used gross receivables in developing his averages. Financial analysts do not consider *gross* receivables in evaluating financial statements. Hospital figures are based on *net* receivables arrived at after the reserve for bad debts has been subtracted from the total receivables.

Hospital Center net days in receivables averaged 54.7 days for 1971. This information is taken from monthly financial statistics which are sent also to HAS, an affiliate of the American Hospital Association. The Hospital Center's *net figure* was better than the national and regional average for 1971 from HAS by about two days.

BAD DEBTS

The Post says: "While all other hospitals were owed an average of $3.9 million at the end of the year, the center was owed $9.4 million statistics show. And while all other hospitals had written off as bad debts $523,000 of these bills, the center wrote off as uncollectable $3.2 million."

Facts: In this paragraph Kessler does not use percentages. This is unfortunate because it would have presented a far more accurate picture.

The average hospital size is about 150 beds. WHC has 888 beds. To compare the two without taking into account that the Center is more than five times larger is naive at best, malicious at worst.

Volume figures quoted above merely represent the difference between an 888 bed hospital with an average of almost 400 outpatient visits a day and the average hospital which is about 150 beds.

CHANGING THE BOOKS

The Post says: "Former employees of Blanco also say he typically changed the figures on the center's books after they came out of his computer each month to make the accounts receivable and bad debts look more favorable to the center."

Facts: The *estimated* allowances and bad debts figure may vary from the *actual* experience figure, so at the end of every accounting period an adjustment is made based on actual experience. This is normal accounting practice. Financial statements have never been cited for improper entries by outside examiners such as the General Accounting Office, Medicare auditors, Medicaid auditors, Blue Cross auditors, and District of Columbia auditors, as well as Arthur Anderson and Co., independent accountants who audit WHC books.

AVERAGE DAILY CHARGE

The Post says: "Hospital bills don't disclose a number of other costs that have nothing to do with medical care. The average daily charge to patients at the hospital center last year was $170 (including a small amount of miscellaneous income)."

Facts: The average daily charge to *all* patients (when a ratio of 3 to 1 for outpatient visits converted to inpatient days is used) was $130 per day. When only inpatient charges are considered, the average was $133. (Source: *Audited Financial Statements for the Washington Hospital Center for 1973*, Arthur Anderson.)

Not only was Kessler's $170 figure wrong, but the figures in the pie charts based on it don't add up either!

SOME EXPENSIVE EXTRAS

The Post says: "Patients who paid this amount unknowingly spent $8 for educating nurses and doctors, $3 for employee and doctor cafeterias, $8 for other patients who didn't pay their bills, $5 for profit to be used for expanding or remodeling the hospital, and $20 for various discounts, charity care . . ."

Facts: The Post figures are incorrect.

The net cost of all cafeteria services was $1.04 per inpatient day.

The cost of nursing and medical education was $6.70 per *inpatient* day or $5.75 for both in and outpatients combined as above.

Bad debts were 4% of total charges or $5.20 per inpatient day. Only patients who pay cash for hospital care and commercial insurance companies paid this amount. Medicare, Medicaid and Blue Cross, because of their cost formula, *do not* pay bad debt components.

Net income for the hospital (before cost formula adjustments) was 3.1% or $3.90 per paying patient. Medicare, Medicaid, and similar programs do not contribute to this figure.

Reductions in prices to Medicare, Medicaid, District of Columbia Medical Charities and Blue Cross contractual patients are called allowances. Allowances in 1971 amounted to $5.3 million, or an average of $17.00 for inpatients and outpatients.

The Center has assumed leadership in urging the government to expand its support of education for medical and allied health personnel. We have spoken out for full reimbursement by the government for health care for the indigent. Until the government assumes its responsibility, we have no choice but to pass these costs on to paying patients—a form of Robin Hooding that we deplore.

MANAGEMENT CONTRACT FOR CONSTRUCTION

The Post says: "Legal memos to the Washington Hospital Center from its counsel, Hogan and Hartson, show that the hospital earlier this year drew up a contract with George Hyman Construction Co. to build its planned $10.4 million extended care building without any competitive bidding. The building is for recuperating patients who don't need extensive hospital services.

The Hyman contract is called a management contract. This means that Hyman is paid for managing the project and securing bids for the actual construction work. Hyman guarantees the total project will not exceed a given figure. If the completed cost is lower than the guaranteed price, Hyman shares in the savings.

Such a contract is not permitted under regulation of the Hill-Burton program which will fund part of the project, according to Smith, the director of architectural services."

Facts: The Hospital Center has worked with the Department of Health, Education and Welfare's Facilities and Engineering Construction section in the development of its contract with George Hyman Construction Company.

There is ample precedent for such a contract. The Government Services Administration has used the management contract concept. A substantial amount of local commercial construction has been and is being done under this type of contract.

Although Kessler quotes a Hill-Burton official as saying a contract is not being permitted under their regulations, the new Children's Hospital is being constructed using Hill-Burton funds under just such a contract, as are other hospitals and commercial construction in the region.

ANESTHESIA DEATHS

The Post says: "Dr. Gould says breathing or heart beat is stopped by anesthesia in about one in every 2,500 operations at the center, and about 30 per cent of these arrests result in death.

He estimates the center has about five anesthesia deaths a year."

Facts: Dr. Gould denies having made these statements.

The facts concerning anesthesia deaths, as gathered by Dr. William Bageant of the department of anethesiology, are that there

were in 1971 a total of 20,807 surgical procedures performed in the hospital in which anesthesia was administered. From this number 103 deaths occurred within 48 hours following surgery.* Investigation of the charts of these patients by Dr. Bageant indicates *one* death directly attributable to anesthesia and a second in which anesthesia was a contributory cause. This amounts to one hundredth of one per cent of total cases receiving anesthesia.

Three doctors quoted in the series have made the statements on the following pages.

WASHINGTON, D.C., *November 8, 1972.*

Mr. BENJAMIN C. BRADLEE,
Executive Editor, the Washington Post,
Washington, D.C.

DEAR MR. BRADLEE: When I was first approached by Mr. Ronald Kessler, I declined to discuss his questions concerning the Washington Hospital Center. At the direction of the President of the Board of Trustees, Mr. Samuel Scrivener, I then agreed to an interview with Mr. Kessler. I spent approximately three hours discussing the questions that were asked by Mr. Kessler and answered his questions honestly. I have found, however, in reading the articles about the Washington Hospital Center that there has been gross misrepresentation of facts, quotes have been taken out of context of the immediate topic under discussion and insinuations have been made and attributed to me when in fact Mr. Kessler misrepresented what I had said to him. The "vicious practice" phrase was in reference to incentive contracts with physicians and in some cases the requirement that physicians pay a percentage of their receipts in order to practice their profession. At no time in my discussion with Mr. Kessler did I state that any anethesiologist at the Washington Hospital Center is incompetent, nor did I state how many deaths could be attributed to anesthesia alone. As a matter of fact, we fully discussed the problem of cardiopulmonary arrest in the operating room and he has been well educated as to what it really means.

It is regrettable that a reporter, having been given the cooperation of the staff at the request of the President of the Board of Trustees, should distort facts, take phrases out of context and submit half truths when he knew the entire truth.

Sincerely yours,

ERNEST A. GOULD, M.D.

Letter to the EDITOR:
The Washington Post

NOVEMBER 7, 1972.

DEAR SIR: I am writing to protest most strongly the distortion of my comments by Mr. Kessler in his recent article on the Washington Hospital Center. Mr. Kessler's statement in the article on Wednesday, November 1, reads: "Anesthesiologists normally are assigned to operations through a random rotation process, but another former chief of surgery at the center, Dr. Nicholas P. D. Smyth, says he rejects the anesthesiologists normally assigned and selects his own when the operation to be performed is a major one or when the patient is old or sick."

What I said was quite different. Mr. Kessler asked me if I had any control over who gave anesthesia to my patients, or did I just take the anesthesiologist assigned. I said that of course I had; that I usually accepted the assigned anesthesiologist but when the operation to be performed was a very major one or when the patient was old or sick I would select an anesthesiologist of my choosing.

The selection of a particular anesthesiologist is done in advance, well before the assignments are made, to give him time to see the patient in consultation. No rejection of any anesthesiologist is therefore involved since no assignments have yet been made, nor did I use that word.

I do not believe this is a misrepresentation, or unintended misrepresentation, but rather a deliberate distortion of what I said to further the bias of Mr. Kessler's article. It has done great harm to a group of physicians who do not deserve it, and who enjoy the complete support and confidence of the surgeons at this hospital. It has also done great harm by needlessly frightening patients about to undergo surgery.

I told Mr. Kessler at the start of our talk that physicians had little expectation of fair play from reporters in general and the Washington Post in particular. Many of my colleagues said don't talk to him at all, he will simply misquote you. I gave Mr. Kessler the benefit of the doubt, but they were right.

NICHOLAS P. D. SMYTH, M.D.

Washington, D.C.

WASHINGTON HOSPITAL CENTER,
Washington, D.C.

PHILIP J. LOWENTHAL, M.D.,
Chairman, Department of Anesthesiology.

DEAR DR. LOWENTHAL: Of course, there is little I or anyone can do or say now, but I want you and your associates to understand that like other physicians mentioned in the newspaper article, I was grossly misquoted by the Post. I want to sincerely apologize for what is a most unpleasant and unfortunate situation that I find extremely embarrassing. This is an evil, malicious thing that this newspaper has done to all of us.

Sincerely,

DICK REBA.

The Post says: "Despite the increase in room rates and lab charges, the Center probably would not have cut its prices if it had not been for the unexpected increase in money received from Medicaid.

"The reason for the increase is simple: The hospital previously either had not been applying for the money, or had been applying improperly."

Facts: The hospital had always billed Medicaid for services. However, the original manual system was slow at both the hospital and the Medicaid ends.

It was at Mr. Blanco's suggestion that the Medicaid program of the District of Columbia explored the possibility of "direct" billing by computer of outpatient Medicaid services. As soon as the District developed the criteria for direct billing by computer, the Center was ready and became the first hospital to participate.

Now Medicaid pays more rapidly than any other hospitalization program.

MILLION DOLLAR ACCOUNT

The Post says: "Until two years ago, the hospital's balances in an American Security checking account typically hovered at around $1 million and ranged as high as $1.8 million. The account paid no interest—so the bank had use of the money at no cost."

Facts: During 1969 the checking account did not "typically hover around $1 million and reach as high as $1.8 million." It actually ranged from $207,185.80 to $1,497,891.57. A payroll of over $800,000 had to be paid from this account every two weeks as did other operational and capital expenses.

PRESENT BANKING ARRANGEMENTS

The Post says: "However, there is evidence that the new arrangement with American Security continues to favor the bank at the expense of the hospital."

Facts: The hospital has obtained proposals from other banking institutions and has not found a better proposal than its arrangement with American Security.

The hospital would welcome the specifics as to:

(a) What we should get.
(b) Where we can get it.

INVESTMENT COMMITTEE

The Post says: "Another hospital trustee, Robert W. Fleming, said it would be too difficult for him to compute how much money he received from the center last year.

As executive vice president and secretary of Folger, Nolan Fleming, Douglas, Inc., another local stock brokerage house, Fleming is the broker who buys and sells most of the stock for the center's $4.4 million general investment and endowment fund.

As chairman of the center's six-man investment committee, Fleming is also one of the trustees who decides when to buy and sell the stock on which he receives commissions as broker."

Facts: The Post was correct in pointing out that Fleming receives the same commission as any broker who might handle the stock sales.

The performance of WHC investments was not mentioned and we think it is of importance. In 1971 earnings on an investment of $2,920,036 were 11.4%. In 1972 earnings on an investment of $3,000,051 were 13.4%.

WASHINGTON HOSPITAL CENTER,
Washington, D.C., November 17, 1972.

LETTER TO THE EDITOR:
The Washington Post,
Washington, D.C.

DEAR SIR: As President of the Washington Hospital Center, I believe that we have a responsibility to the people of this area, and that they are entitled to hear our response to the recent articles in the public press and to judge whether we have discharged our responsibilities honestly and well. We believe that we have done so.

No trustee or employee of the Washington Hospital Center derives any income except for services openly and honorably rendered, at the going rate or less, and without adding to the charges or prices paid by patients. In the past, policies were followed (such as the ratio of checking account balances to current liability balances) which were fully justified and proper at the time. But other policies have now been adopted without derogation of the earlier policies and long before publication of articles about this hospital. This is true of many aspects of our busy, ever-changing hospital, as it is of any dynamic business. If, after careful study, the published stories reveal anything requiring correction, correction will be made.

Our primary concern is to provide the best medical care at proper prices. As the stories pointed out, we are far from the most expensive hospital in this area. Our medical, surgical and ancillary departments have the full support and confidence of the trustees, administration and employees of the Center. Apparently, they also have the support of the physicians and public, as our bed occupancy is as high now as at any time in the past six months.

Some of the stories critical of certain of our medical services were based on statements purported to have been made by physicians on our staff, and each of these doctors has written a letter to the editor, denying or setting these published remarks in proper context. We *are* responsible people and we would not tolerate medical situations as alleged in the published stories.

Out of our operating budget we have provided medical services to the poor and needy. In the first nine months of this year we lost close to $1,800,000 by providing free services. This included close to $1,000,000 in services only partially supported by the Federal and District of Columbia governments.

Our statistics for the first nine months of this year are:

Bed patients admitted, 24,260.
Outpatients treated, 102,287.
Births, 2,341.
Surgical operations, 15,053.
Interns in training, 46.

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*Medical Board Monthly Statistics.

Residents in training, 147.
Student nurses, 240.
Employees, 2,800.
Physicians on active staff, 544.
Gross receipts, $31,078,898.
Adjustment of all kinds, $4,190,626.
Net loss for first nine months of 1972, $228,890.

Population growth in the metropolitan area has increased referrals to the Hospital Center from smaller suburban hospitals, especially for serious cases. We believed, and still do, that our responsibilities are both those of a downtown neighborhood hospital and also those of an area medical center providing the complicated, sophisticated equipment and services not available at most other hospitals in the Washington area.

May we leave a few thoughts with you:

1. We do provide quality medical care.
2. Our prices are fair.
3. The public has confidence in us. Our bed census is as high since the articles were published as at any time in the past six months.
4. If we find or learn of anything that should be corrected, it will be corrected, as has been our practice since 1958.
5. No institution, public or private, achieves perfection. However, the Center will never cease trying, and in doing so the published articles will be carefully reviewed to determine what aspects of our hospital operations may be improved.

Sincerely yours,

SAMUEL SCRIVENER, Jr.,
President, Washington Hospital Center.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. MOORHEAD of California (at the request of Mr. GERALD R. FORD), on account of official business.

Mr. CORMAN, for today, on account of official business.

Mr. HINSHAW (at the request of Mr. GERALD R. FORD), for today, on account of official business in the 39th Congressional District of California.

SPECIAL ORDERS GRANTED

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

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

Mr. WILLIAMS, for 5 minutes, today.
Mr. HANRAHAN, for 10 minutes, today.
Mr. ESCH, for 5 minutes, today.
Mr. BURKE of Florida, for 10 minutes, today.
Mr. HOGAN, for 15 minutes, today.
Mr. WALSH, for 5 minutes, today.
Mr. MCKINNEY, for 5 minutes, today.
Mr. BAKER, for 30 minutes, today.

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

Mr. DINGELL, for 15 minutes, today.
Mr. REUSS, for 15 minutes, today.
Mr. ALEXANDER, for 5 minutes, today.
Mr. GONZALEZ, for 5 minutes, today.
Mr. PODELL, for 10 minutes, today.
Mr. MCFALL, for 5 minutes, today.
Mr. MONTGOMERY, for 10 minutes, today.
Mr. FUQUA, for 10 minutes, today.
Mr. RODINO, for 5 minutes, today.
Mr. FLOOD, for 5 minutes, today.
Mr. ADDABBO, for 5 minutes, today.
Mr. VANIK, for 5 minutes, today.
Mr. STOKES, for 5 minutes, today.
Mr. BRADEMAS, for 5 minutes, today.
Mr. FLOWERS, for 5 minutes, today.

EXTENSION OF REMARKS

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

Mr. MAHON.

Mr. SAYLOR and to include extraneous matter notwithstanding the fact that it exceeds two pages of the CONGRESSIONAL RECORD and is estimated by the Public Printer to cost $977.50.

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

Mr. WILLIAMS.
Mr. SNYDER in three instances.
Mr. ESCH.
Mr. ASHBROOK.
Mr. DON H. CLAUSEN.
Mr. RONCALLO of New York in two instances.
Mr. WYMAN in two instances.
Mr. MCEWEN.
Mr. ROBERT W. DANIEL, JR.
Mr. DELLENBACK.
Mr. HOGAN in three instances.
Mr. ZWACH.
Mr. YOUNG of South Carolina.
Mrs. HOLT.
Mr. GOODLING.
Mr. CRANE in five instances.
Mr. HUNT.
Mr. FRENZEL in three instances.
Mr. MCCLORY.
Mr. MINSHALL of Ohio.
Mr. SPENCE.
Mr. WYDLER.
Mr. TALCOTT in three instances.

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

Mr. YATRON in two instances.
Mr. BRADEMAS in six instances.
Mr. FISHER in three instances.
Mr. ROY.
Mr. MCKAY.
Mr. LEHMAN in three instances.
Mr. NATCHER.
Mr. DRINAN.
Mrs. BURKE of California in 10 instances.
Mr. GONZALEZ in three instances.
Mr. RARICK in three instances.
Mr. FRASER in five instances.
Mr. CLARK in two instances.
Mr. ROUSH in three instances.
Mr. JAMES V. STANTON.
Mr. WALDIE in seven instances.
Mr. STEED.
Mrs. SCHROEDER.
Mr. O'HARA.
Mr. DONOHUE.
Mr. BOLLING.
Mr. BREAUX in three instances.
Mr. HAWKINS in two instances.
Mr. BINGHAM in two instances.
Mr. RANGEL in 10 instances.
Mr. DINGELL in two instances.
Mr. MINISH.
Mr. JARMAN.
Mr. MAZZOLI.
Mr. ZABLOCKI in two instances.
Mr. KOCH in two instances.

SENATE BILLS AND CONCURRENT RESOLUTION REFERRED

Bills and a concurrent resolution of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 49. An act to amend title 38 of the United States Code in order to establish a National Cemetery System within the Veterans' Administration, and for other purposes; to the Committee on Veterans' Affairs.

S. 284. An act to amend chapter 17 of title 38, United States Code, to require the availability of comprehensive treatment and rehabilitative services and programs for certain disabled veterans suffering from alcoholism, drug dependence, or alcohol or drug abuse disabilities, and for other purposes; to the Committee on Veterans' Affairs.

S. 721. An act to authorize appropriations for the Indian Claims Commission for fiscal year 1974, and for other purposes; to the Committee on Interior and Insular Affairs.

S. Con. Res. 6. Concurrent resolution making apportionment of funds for the National System of Interstate and Defense Highways; to the Committee on Public Works.

BILL PRESENTED TO THE PRESIDENT

Mr. HAYS, from the Committee on House Administration, reported that that committee did on March 6, 1973, present to the President, for his approval, a bill of the House of the following title:

H.R. 3694. An act to amend the joint resolution establishing the American Revolution Bicentennial Commission, as amended.

ADJOURNMENT

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

The motion was agreed to; accordingly (at 6 o'clock and 44 minutes p.m.), the House adjourned until tomorrow, Thursday, March 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:

546. A letter from the Under Secretary of Agriculture, transmitting a draft of proposed legislation to continue mandatory price support for tung nuts only through the 1976 crop; to the Committee on Agriculture.

547. A letter from the Secretary of Health, Education, and Welfare, transmitting a draft of proposed legislation to amend the Federal Food, Drug, and Cosmetic Act to establish a code system for the identification of prescription drugs, and for other purposes; to the Committee on Interstate and Foreign Commerce.

548. A letter from the Acting Assistant Secretary of State for Congressional Relations, transmitting a draft of proposed legislation to increase benefits provided to American civilian internees in Southeast Asia; to the Committee on Interstate and Foreign Commerce.

549. A letter from the Secretary of Commerce, transmitting a draft of proposed legislation to authorize appropriations for the fiscal year 1974 for certain maritime programs of the Department of Commerce; to the Committee on Merchant Marine and Fisheries.

550. A letter from the Secretary of the Army, transmitting a letter from the Chief

of Engineers, Department of the Army, dated December 11, 1972, submitting a report, together with accompanying papers and illustrations, on Buena Vista, Va., requested by resolutions of the Committees on Public Works, U.S. Senate and House of Representatives, adopted August 6, 1964, and May 8, 1964 (H. Doc. No. 93–56); to the Committee on Public Works and ordered to be printed with illustrations.

551. A letter from the Secretary of the Treasury, transmitting a draft of proposed legislation to amend the Internal Revenue Code of 1954 to provide rules for the tax treatment of survivor benefit plans of the uniformed services; to the Committee on Ways and Means.

552. A letter from the Secretary of the Treasury, transmitting a draft of proposed legislation to amend the Internal Revenue Code of 1954 to permit charges for certain services; to the Committee on Ways and Means.

REPORT OF COMMITTEE ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committee were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HUNGATE: Committee on the Judiciary. S. 583. An act to promote the separation of constitutional powers by securing to the Congress additional time in which to consider the Rules of Evidence for U.S. courts and magistrates, the amendments to the Federal Rules of Civil Procedure and the amendments to the Federal Rules of Criminal Procedure which the Supreme Court on November 20, 1972, ordered the Chief Justice to transmit to the Congress; with amendment (Rept. No. 93–52). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

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

By Ms. ABZUG:

H.R. 5267. 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.

By Mr. BENNETT:

H.R. 5268. A bill to authorize additional funds for the elimination of hazards of railway-highway crossing; to the Committee on Public Works.

By Mr. BIAGGI (for himself, and Mr. ROE):

H.R. 5269. A bill to amend the student loan provisions of the National Defense Education Act of 1958 to provide for cancellation of student loans for service in mental hospitals and schools for the handicapped; to the Committee on Education and Labor.

H.R. 5270. A bill to pay grants to students enrolled in psychology, sociology, or social work in institutions of higher education to encourage their part-time employment and clinical training in certain hospitals for mental rehabilitation; to the Committee on Education and Labor.

By Mr. BURKE of Florida:

H.R. 5271. A bill to amend title 10 of the United States Code in order to make certain totally and permanently disabled World War II servicemen and their dependents eligible for CHAMPUS medical benefits; to the Committee on Armed Services.

By Mr. BURTON:

H.R. 5272. A bill to enlarge the Sequoia National Park in the State of California; to the Committee on Interior and Insular Affairs.

By Mr. CLARK:

H.R. 5273. A bill to amend the Gun Control Act of 1968 to provide for separate offense and consecutive sentencing in felonies involving the use of a firearm; to the Committee on the Judiciary.

By Mr. CLARK (for himself, Mr. MURPHY of New York, Mr. GROVER, Mr. MOSHER, Mr. JAMES V. STANTON, Mr. TIERNAN, Mr. BIAGGI, Mr. DOWNING, Mr. BRAY, Mr. GOODLING, Mr. MILLS of Maryland, and Mr. JONES of North Carolina):

H.R. 5274. A bill to amend section 40(b) of the Merchant Marine Act of 1970; to the Committee on Merchant Marine and Fisheries.

By Mr. CONTE:

H.R. 5275. A bill to authorize appropriations for certain transportation projects in accordance with title 23 of the United States Code, and for other purposes; to the Committee on Public Works.

By Mr. CULVER:

H.R. 5276. A bill to provide for the establishment of a veterinary biologics facility by the U.S. Department of Agriculture, and for other purposes; to the Committee on Agriculture.

By Mr. FORSYTHE:

H.R. 5277. 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. 5278. A bill to assure protection of environmental values while facilitating construction of needed electric power supply facilities, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 5279. A bill to require the Secretary of Transportation to prescribe regulations requiring certain modes of public transportation in interstate commerce to reserve some seating capacity for passengers who do not smoke; to the Committee on Interstate and Foreign Commerce.

H.R. 5280. A bill to amend title 5, United States Code, to correct certain inequities in the crediting of National Guard technician service in connection with civil service retirement, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. FULTON:

H.R. 5281. 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. GIBBONS (for himself, Mr. HALEY, Mr. YOUNG of Florida, and Mr. BENNETT):

H.R. 5282. A bill to establish in the State of Florida the Egmont Key National Park; to the Committee on Interior and Insular Affairs.

By Mr. KEMP:

H.R. 5283. A bill to amend the Gun Control Act of 1968 to provide for separate offense and consecutive sentencing in felonies involving the use of a firearm; to the Committee on the Judiciary.

By Mr. LEHMAN:

H.R. 5284. A bill to amend the Controlled Substances Act to move certain barbiturates from schedule III of such act to schedule II; to the Committee on Interstate and Foreign Commerce.

H.R. 5285. A bill to amend the Controlled Substances Act to require identification by manufacturer of each schedule II dosage unit produced; to the Committee on Interstate and Foreign Commerce.

H.R. 5286. A bill to amend the Controlled Substances Act to establish effective controls against diversion of particular controlled substances and to assist law enforcement agencies in the investigation of the diversion of controlled substances into other than legitimate medical, scientific, and industrial channels, by requiring manufacturers to incorporate inert, innocuous tracer elements in all schedule II and III depressant and stimulant substances, and for other purposes; to the Committee on Foreign Commerce.

H.R. 5287. A bill to amend title II of the Social Security Act to provide that an insured individual otherwise qualified may retire and receive full old-age insurance benefits, at any time after attaining age 60, if he has been forced to retire at that age by a Federal law, regulation, or order; to the Committee on Ways and Means.

By Mr. MATHIAS of California (for himself, Mr. ANDERSON of California, Mr. BELL, Mr. DON H. CLAUSEN, Mr. DEL CLAWSON, Mr. CORMAN, Mr. DANIELSON, Mr. DELLUMS, Mr. EDWARDS of California, Mr. GOLDWATER, Mr. GUBSER, Mr. HAWKINS, Mr. HOSMER, Mr. LEGGETT, Mr. MCCLOSKEY, Mr. MAILLIARD, Mr. REES, Mr. ROYBAL, Mr. TALCOTT, Mr. TEAGUE of California, Mr. VAN DEERLIN, and Mr. VEYSEY):

H.R. 5288. A bill to provide for the establishment of the California Desert National Conservation Area; to the Committee on Interior and Insular Affairs.

By Mr. MATHIAS of California (for himself, Mr. WALDIE, Mr. WIGGINS, Mr. BOB WILSON, Mr. KETCHUM, and Mr. SISK):

H.R. 5289. A bill to provide for the establishment of the California Desert National Conservation Area; to the Committee on Interior and Insular Affairs.

By Mr. MCKAY (for himself, and Mr. OWENS):

H.R. 5290. A bill to authorize and direct the Secretary of Agriculture to acquire certain lands and interests therein within the boundaries of the Cache National Forest in the State of Utah; to the Committee on Interior and Insular Affairs.

By Mr. MCKINNEY:

H.R. 5291. A bill to provide for repayment of certain sums advanced to providers of services under title XVIII of the Social Security Act; to the Committee on Ways and Means.

By Mr. MOAKLEY:

H.R. 5292. A bill to amend the State and Local Fiscal Assistance Act of 1972 to provide that general revenue sharing payments to local governments may be used only to reduce school taxes; to the Committee on Ways and Means.

By Mr. MORGAN:

H.R. 5293. A bill authorizing continuing appropriations for the Peace Corps; to the Committee on Foreign Affairs.

By Mr. O'HARA:

H.R. 5294. A bill to amend title 5 of the United States Code with respect to the observance of Veterans Day; to the Committee on the Judiciary.

By Mr. PATMAN:

H.R. 5295. A bill to reestablish November 11 as Veterans Day; to the Committee on the Judiciary.

H.R. 5296. A bill to abolish the U.S. Postal Service, to repeal the Postal Reorganization Act, to reenact the former provisions of title 39, United States Code, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 5297. A bill to authorize construction of the Little Cypress Lake and Reservoir, Texas; to the Committee on Public Works.

H.R. 5298. A bill to amend title 38 of the United States Code to provide that certain beneficiaries of National Service Life Insurance policies may elect lump-sum settlements after attaining age 65; to the Committee on Veterans' Affairs.

By Mr. PEPPER:

H.R. 5299. A bill to abolish the U.S. Postal Service, to repeal the Postal Reorganization Act, to reenact the former provisions of title 39, United States Code, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 5300. A bill to amend title 39, United States Code, as enacted by the Postal Reorganization Act, to facilitate direct communication between officers and employees of the U.S. Postal Service and Members of Congress, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. PIKE:

H.R. 5301. A bill to amend the Judiciary and Judicial Procedure Act of 1948; to the Committee on the Judiciary.

By Mr. QUILLEN:

H.R. 5302. 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.

By Mr. RAILSBACK (for himself, and Mr. VEYSEY):

H.R. 5303. 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. REUSS:

H.R. 5304. A bill to amend the Par Value Modification Act; to the Committee on Banking and Currency.

By Mr. ROYBAL (for himself, Mr. HARRINGTON, Mr. HAWKINS, Mr. HECHLER of West Virginia, Mr. HELSTOSKI, Miss HOLTZMAN, Mr. KOCH, Mr. MATHIS of Georgia, Mr. MAZZOLI, Mr. MOAKLEY, Mr. MOORHEAD of Pennsylvania, Mr. MOSS, Mr. MURPHY of ILLINOIS, Mr. NEDZI, Mr. O'HARA, Mr. OWENS, Mr. PETTIS, Mr. PODELL, Mr. PRICE of Illinois, Mr. RANGEL, Mr. REES, Mr. RIEGLE, Mr. ROSENTHAL, Mr. ROY, and Mr. RYAN):

H.R. 5305. A bill to amend the Fair Credit Reporting Act, and to create a new title in the Consumer Credit Protection Act in order to license consumer credit investigators; to the Committee on Banking and Currency.

By Mr. SIKES (for himself and Mr. BENNETT):

H.R. 5306. A bill to amend the Soil Conservation and Domestic Allotment Act, as amended, to provide for a South Atlantic Basin environmental conservation program; to the Committee on Agriculture.

By Mr. SISK:

H.R. 5307. A bill to provide for the reimbursement of medical treatment facilities for emergency medical treatment given to aliens unlawfully in the United States; to the Committee on the Judiciary.

By Mr. STUCKEY:

H.R. 5308. A bill to amend the Public Works Economic Development Act of 1965 to extend the authorizations for a 1-year period; to the Committee on Public Works.

By Mr. TIERNAN (for himself, Mr. FAUNTROY, Mr. HECHLER of West Virginia, Mr. GIBBONS, Mr. MOSS, Mr. EILBERG, Mr. PEPPER, Mr. PODELL, Mr. BRASCO, Mr. HELSTOSKI, Mrs. GRASSO, Mrs. CHISHOLM, Mr. BROWN of California, Mrs. MINK, Mr. CORMAN, Mr. FRASER, Mr. ROONEY of Pennsylvania, Ms. ABZUG, and Mr. ROSENTHAL):

H.R. 5309. A bill to establish an independent agency to be known as the Intergovernmental Officer of Consumers' Counsel to represent the consumers of the Nation before Federal and State regulatory agencies with respect to matters pertaining to certain regulated services; to provide grants and other Federal assistance to State and local governments for the establishment and operation of such consumers' counsels; to improve methods for obtaining and disseminating information with respect to the operation of regulated companies of interest to the Federal Government and other consumers; and for other purposes; to the Committee on Government Operations.

By Mr. TIERNAN (for himself, Mr. BADILLO, Mr. DAVIS of Georgia, Mr. DOWNING, Mr. WON PAT, Mr. ALEXANDER, and Mr. MOLLOHAN):

H.R. 5310. A bill to amend the Communications Act of 1934 to provide for loan assistance to certain cable television systems; to the Committee on Interstate and Foreign Commerce.

By Mr. WILLIAMS (for himself, Mr. ARCHER, Mr. BEVILL, Mr. BINGHAM, Mr. BROWN of California, Mr. BYRON, Mr. CLARK, Mr. CONTE, Mr. COUGHLIN, Mr. DENT, Mr. DERWINSKI, Mr. EILBERG, Mr. GUDE, Mr. HUBER, Mr. KETCHUM, Mr. LUJAN, Mr. MCCLORY, Mr. MINSHALL of Ohio, Mr. RARICK, Mr. SAYLOR, Mr. ROBINSON of Virginia, Mr. VEYSEY, Mr. WARE, Mr. WHITEHURST, and Mr. YATRON):

H.R. 5311. A bill to amend section 167 of the Internal Revenue Code of 1954 to provide a special allowance for depreciation with respect to certain byproducts and waste energy conversion facilities; to the Committee on Ways and Means.

By Mr. CHARLES H. WILSON of California:

H.R. 5312. A bill to amend the Postal Reorganization Act of 1970, title 39, United States Code, to provide for uniformity in labor relations; to the Committee on Post Office and Civil Service.

By Mr. ANDERSON of California:

H.R. 5313. A bill to amend the Federal Food, Drug, and Cosmetic Act to include a definition of food supplements, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. BEARD:

H.R. 5314. 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. BERGLAND (for himself, Mr. KARTH, Mr. MELCHER, Mr. ALEXANDER, Mr. BLATNIK, Mr. RIEGLE, Mr. KASTENMEIER, Mr. REUSS, and Mr. HICKS):

H.R. 5315. A bill to require the Secretary of Agriculture to carry out a water bank program; to the Committee on Merchant Marine and Fisheries.

By Mr. BINGHAM (for himself, and Mr. RIEGLE):

H.R. 5316. A bill requiring congressional authorization for the reinvolvement of American forces in further hostilities in Indochina; to the Committee on Foreign Affairs.

By Mr. BROOMFIELD:

H.R. 5317. A bill to assure the free flow of information to the public; to the Committee on the Judiciary.

H.R. 5318. A bill to provide additional protection for the rights of participants in employee pension and profit-sharing retirement plans, to establish minimum standards for pension and profit-sharing retirement plan vesting and funding, to establish a pension plan reinsurance program, to provide for portability of pension credits, to provide for regulation of the administration of pension and other employee benefit plans, to establish a U.S. Pension and Employee Benefit Plan Commission, to amend the Welfare and Pension Plans Disclosure Act, and for other purposes; to the Committee on Ways and Means.

H.R. 5319. A bill to establish the Advisory Commission on Federal Tax Forms, and for other purposes; to the Committee on Ways and Means.

By Mr. BROYHILL of North Carolina (for himself, Mr. ROONEY of Pennsylvania, and Mr. MCCLORY):

H.R. 5320. 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.

By Mr. COUGHLIN:

H.R. 5321. A bill to authorize the Secretary of the Interior to assist the States in controlling damage caused by predatory animals; to establish a program of research concerning the control and conservation of predatory animals; to restrict the use of toxic chemicals as a method of predator control; and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. COUGHLIN (for himself, Mr. FREY, and Mr. HASTINGS):

H.R. 5322. 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 the Judiciary.

By Mr. DANIELSON:

H.R. 5323. A bill to amend the Bankruptcy Act of 1898, as amended, to permit the Judicial Conference of the United States to change salaries of Referees in Bankruptcy more often than once in any 2 years; to the Committee on the Judiciary.

By Mr. DELLENBACK:

H.R. 5324. A bill to amend title 38 of the United States Code increasing income limitations relating to payment of disability and death pension, and dependency and indemnity compensation; to the Committee on Veterans' Affairs.

By Mr. DELLUMS:

H.R. 5325. A bill to establish a National Environmental Bank, to authorize the issuance of U.S. environmental savings bonds, and to establish an environmental trust fund; to the Committee on Banking and Currency.

By Mr. DE LUGO:

H.R. 5326. 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.

By Mr. DINGELL:

H.R. 5327. A bill to establish an independent agency to be known as the U.S. Office of Consumers' Counsel to represent the interests of the consumers of the Nation; and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 5328. A bill to prohibit commercial flights by aircraft capable of flying at supersonic speeds within the United States; to the Committee on Interstate and Foreign Commerce.

H.R. 5329. A bill to extend the Solid Waste Disposal Act and the Clean Air Act for 1 year, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 5330. A bill to amend the Internal Revenue Code of 1954 to designate the home of a State legislator for income tax purposes; to the Committee on Ways and Means.

H.R. 5331. A bill to impose a minimum income tax on certain individuals and corporations with substantial incomes; to the Committee on Ways and Means.

H.R. 5332. A bill to amend section 252 of the Trade Expansion Act of 1962 to provide that the President shall impose reciprocal import restrictions whenever such action is necessary or appropriate to obtain the removal of foreign nonduty trade restrictions which are substantially curtailing U.S. exports; to the Committee on Ways and Means.

By Mr. DINGELL (for himself, Mr. ANDERSON of California, Mr. WILLIAM D. FORD, and Mr. MOSS):

H.R. 5333. A bill to prohibit the leasing or rental of public lands of the United States

except on condition that free public access thereto be provided; to the Committee on Interior and Insular Affairs.

By Mr. DINGELL (for himself, Mr. Moss and Mr. REUSS):

H.R. 5334. A bill to promote the abatement of atmospheric sulfur pollution by the imposition of a tax on the emission of sulfur into the atmosphere, and for other purposes; to the Committee on Ways and Means.

By Mr. DONOHUE:

H.R. 5335. A bill to amend the Internal Revenue Code of 1954 to provide an additional income tax exemption for a taxpayer supporting a dependent who is mentally retarded; to the Committee on Ways and Means.

H.R. 5336. A bill to amend the Internal Revenue Code of 1954 to provide that pensions paid to retired policemen or firemen or their dependents, or to the widows or other survivors of deceased policemen or firemen, shall not be subject to the income tax; to the Committee on Ways and Means.

By Mr. DUNCAN:

H.R. 5337. A bill to amend title II of the Social Security Act to extend the time within which certain Federal-State agreements may be modified to give noncovered State and local employees under the divided retirement system procedure an additional opportunity to elect coverage; to the Committee on Ways and Means.

H.R. 5338. A bill to require States to pass along to individuals who are recipients of aid or assistance under the Federal-State public assistance programs or under certain other Federal programs, and who are entitled to social security benefits, the full amount of the 1972 increase in such benefits, either by disregarding it in determining their need for assistance or otherwise; to the Committee on Ways and Means.

By Mr. ESCH:

H.R. 5339. 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. ESCH (for himself, Mr. FRASER, and Mr. STEIGER of Wisconsin):

H.R. 5340. A bill to provide for the use of certain funds to promote scholarly, cultural, and artistic activities between Japan and the United States, and for other purposes; to the Committee on Foreign Affairs.

By Mr. GRAY:

H.R. 5341. A bill to strengthen and improve the Older Americans Act of 1965, and for other purposes; to the Committee on Education and Labor.

By Mrs. GRIFFITHS (for herself, Mr. CORMAN, Mr. BINGHAM, Mrs. CHISHOLM, Mr. EILBERG, Mr. FAUNTROY, Miss HOLTZMAN, Mr. PODELL, and Mr. SARBANES):

H.R. 5342. A bill to create a national system of health security; to the Committee on Ways and Means.

By Mr. GUBSER:

H.R. 5343. A bill to permit American citizens to hold gold; to the Committee on Banking and Currency.

By Mr. GUBSER (for himself, Mr. COLLINS, Mr. EDWARDS of California, Mr. FISHER, Mr. HARRINGTON, Mr. KEMP, Mr. MAZZOLI, Mr. WARE, and Mr. RHODES):

H.R. 5344. A bill to establish a commission to encourage, process, and make awards with respect to citizens' suggestions for the improvement of Government operations, and for other purposes; to the Committee on Government Operations.

By Mr. GUDE:

H.R. 5345. A bill to amend the Public Health Services Act and the Federal Food, Drug, and Cosmetic Act to assure that the public is provided with safe drinking water, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. HAMMERSCHMIDT (for himself and Mr. ROBERTS):

H.R. 5346. A bill to amend section 210 of the Flood Control Act of 1968; to the Committee on Public Works.

By Mr. HARVEY:

H.R. 5347. 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. HÉBERT:

H.R. 5348. A bill to permit certain individuals who claim title to certain land in the Parish of Plaquemines, La., to bring an action against the United States to determine ownership of the land; to the Committee on the Judiciary.

By Mr. HECHLER of West Virginia:

H.R. 5349. A bill to assist the States in raising revenues by making more uniform the incidence and rate of tax imposed by States on the severance of minerals, and to impose a countervailing duty on imported minerals; to the Committee on Ways and Means.

By Mr. HUNGATE:

H.R. 5350. A bill to permit American citizens to own gold; to the Committee on Banking and Currency.

H.R. 5351. 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.

By Mr. McCLORY:

H.R. 5352. A bill to authorize the State of Illinois and the Metropolitan Sanitary District of Greater Chicago, under the direction of the Secretary of the Army, to test, on a 3-year basis, the effect of increasing the diversion of water from Lake Michigan into the Illinois Waterway, and for other purposes; to the Committee on Public Works.

By Mr. McKINNEY (for himself, Mr. FREY, and Mr. PREYER):

H.R. 5353. A bill to permit the transportation in interstate commerce of goods manufactured by prisoners engaged in Federal or State work release programs and to permit the employment of such prisoners under Federal contract; to the Committee on the Judiciary.

By Mr. MELCHER:

H.R. 5354. A bill to require the President to notify the Congress whenever he impounds funds, or authorizes the impounding of funds, and to provide a procedure under which the House of Representatives and the Senate may disapprove the President's action and require him to cease such impounding; to the Committee on Rules.

By Mr. MEZVINSKY:

H.R. 5355. A bill to require States to pass along to individuals who are recipients of aid or assistance under the Federal-State public assistance programs or under certain other Federal programs, and who are entitled to social security benefits, the full amount of the 1972 increase in such benefits, either by disregarding it in determining their need for assistance or otherwise; to the Committee on Ways and Means.

By Mr. MOSS (for himself, Mr. STUCKEY, Mr. ECKHARDT, and Mr. HELSTOSKI):

H.R. 5356. A bill to regulate interstate commerce to protect health and the environment from hazardous chemical substances; to the Committee on Interstate and Foreign Commerce.

By Mr. NIX:

H.R. 5357. A bill to amend title 5, United States Code, relating to qualifications for appointment and retention in the civil service; to the Committee on Post Office and Civil Service.

By Mr. ROONEY of Pennsylvania (for himself, Mr. BURTON, Mr. CLARK, Mr. CONYERS, Mr. DENT, Mr. HOWARD, Mr. McDADE, Mr. MAZZOLI, Mr. MOORHEAD of Pennsylvania, Mr. PODELL, and Mr. CHARLES H. WILSON of California):

H.R. 5358. A bill to amend section 1130 of the Social Security Act to repeal the provision presently limiting to 10 percent the portion of the total grants for social services paid to a State which may be paid with respect to individuals not actually recipients of or applicants for aid or assistance, and to amend the public assistance provisions of such act to specify the minimum periods within which an individual (not receiving aid or assistance) must have been or be likely to become an applicant for or recipient of aid or assistance in order for expenditures for services provided to him to qualify for Federal matching; to the Committee on Ways and Means.

By Mr. ROYBAL (for himself, Ms. ABZUG, Mr. ADDABBO, Mr. ALEXANDER, Mr. ANDERSON of California, Mr. BINGHAM, Mr. BOLAND, Mr. BROWN of California, Mr. BUCHANAN, Mrs. BURKE of California, Mr. CARNEY of Ohio, Mr. CLAY, Mr. CLEVELAND, Mr. CONYERS, Mr. CORMAN, Mr. DIGGS, Mr. DONOHUE, Mr. DRINAN, Mr. ECKHARDT, Mr. EDWARDS of California, Mr. FASCELL, Mr. FRASER, Mr. GAYDOS, Mrs. GRASSO, and Mrs. GRIFFITHS):

H.R. 5359. A bill to amend the Fair Credit Reporting Act, and to create a new title in the Consumer Credit Protection Act in order to license consumer credit investigators; to the Committee on Banking and Currency.

By Mr. ROYBAL (for himself, Mr. SANDMAN, Mr. STARK, Mr. STOKES, Mr. STUDDS, Mr. TIERNAN, Mr. WALDIE, Mr. CHARLES WILSON of Texas, Mr. WOLFF, Mr. WON PAT, Mr. WRIGHT, Mr. YATRON, Mr. YOUNG of Georgia, Mr. DANIELSON, and Mr. ROE):

H.R. 5360. A bill to amend the Fair Credit Reporting Act, and to create a new title in the Consumer Credit Protection Act in order to license consumer credit investigators; to the Committee on Banking and Currency.

By Mr. ROYBAL:

H.R. 5361. A bill to amend title VII of the Civil Rights Act of 1964 to protect the employment rights of the elderly; to the Committee on Education and Labor.

By Mr. SAYLOR (for himself, Mr. UDALL, Mr. BURTON, Mr. KASTENMEIER, Mr. O'HARA, Mr. VIGORITO, Mr. RONCALIO of Wyoming, Mr. BINGHAM, Mr. SEIBERLING, Mr. KETCHUM, Mr. WON PAT, Mr. OWENS, Mr. DE LUGO, Mr. DULSKI, Mr. SCHNEEBELI, Mrs. SULLIVAN, Mr. McDADE, Mr. REUSS, Mr. MOSS, Mr. LENT, Mr. DINGELL, Mr. THOMPSON of New Jersey, Mr. LATTA, Mrs. HANSEN of Washington, and Mr. VANDER JAGT):

H.R. 5362. A bill to designate certain lands as wilderness for inclusion in the National Wilderness Preservation System, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. SAYLOR (for himself, Mr. EILBERG, Mr. FASCELL, Mr. HECHLER of West Virginia, Mr. FRASER, Mr. KEMP, Mr. DERWINSKI, Mr. WILLIAM D. FORD, Mr. REES, Mr. PEPPER, Mr. HEINZ, Mr. CORMAN, Mr. MAZZOLI, Mr. PETTIS, Mr. BIESTER, Mr. RODINO, Mr. SARBANES, Mr. DENNIS, Mr. MAILLIARD, Mr. GROVER, Mr. HARRINGTON, Mr. WALSH, Mr. McKINNEY, Mr. MANN, and Mr. ANDERSON of Illinois):

H.R. 5363. A bill to designate certain lands as wilderness for inclusion in the National

Wilderness Preservation System, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. SAYLOR (for himself, Mr. UDALL, Mr. BURTON, Mr. KASTENMEIER, Mr. O'HARA, Mr. VIGORITO, Mr. SEBELIUS, Mr. BINGHAM, Mr. SEIBERLING, Mr. KETCHUM, Mr. WON PAT Mr. OWENS, Mr. DE LUGO, Mr. DULSKI, Mr. SCHNEEBELI, Mrs. SULLIVAN, Mr. MCDADE, Mr. REUSS, Mr. MOSS, Mr. LENT, Mr. DINGELL, Mr. THOMPSON of New Jersey, Mr. LATTA, Mrs. HANSEN of Washington, and Mr. VANDER JAGT):

H.R. 5364. A bill to provide for the study of certain lands to determine their suitability for designation as wilderness in accordance with the Wilderness Act of 1964, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. SAYLOR (for himself, Mr. RODINO, Mr. WILLIAM D. FORD, Mr. REES, Mr. PEPPER, Mr. HEINZ, Mr. CORMAN, Mr. MAZZOLI, Mr. PETTIS, Mr. BIESTER, Mr. SARBANES, Mr. DENNIS, Mr. MAILLIARD, Mr. GROVER, Mr. HARRINGTON, Mr. WALSH, Mr. MCKINNEY, Mr. STARK, Mr. COLLINS, Mr. MANN, and Mr. ANDERSON of Illinois):

H.R. 5365. A bill to provide for the study of certain lands to determine their suitability for designation as wilderness in accordance with the Wilderness Act of 1964, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. SAYLOR (for himself, Mr. CLARK, Mr. DENHOLM, Mr. GREEN of Pennsylvania, Mr. MINSHALL of Ohio, Mr. ROSENTHAL, Mr. ZWACH, Mr. STEELE, Mr. ESCH, Mr. GIBBONS, Mr. FRELINGHUYSEN, Mr. CARNEY of Ohio, Mr. BROWN of California, Mr. RIEGLE, Mr. PREYER, Mr. HELSTOSKI, Mr. MCCLOSKEY, Mr. EDWARDS of California, Mr. COUGHLIN, Mr. EILBERG, Mr. FASCELL, Mr. HECHLER of West Virginia, Mr. FRASER, Mr. KEMP, and Mr. DERWINSKI):

H.R. 5366. A bill to provide for the study of certain lands to determine their suitability for designation as wilderness in accordance with the Wilderness Act of 1964, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. SAYLOR (for himself, Mr. BAFALIS, Mr. BEVILL, Mr. LEHMAN, Mr. KYROS, Mr. BUCHANAN, Mrs. HOLT, Mr. CLARK, Mr. DENHOLM, Mr. GREEN of Pennsylvania, Mr. MINSHALL of Ohio, Mr. ROSENTHAL, Mr. ZWACH, Mr. STEELE, Mr. ESCH, Mr. GIBBONS, Mr. FRELINGHUYSEN, Mr. CARNEY of Ohio, Mr. BROWN of California, Mr. RIEGLE, Mr. PREYER, Mr. HELSTOSKI, Mr. MCCLOSKEY, Mr. EDWARDS of California, and Mr. COUGHLIN):

H.R. 5367. A bill to designate certain lands as wilderness for inclusion in the National Wilderness Preservation System, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. STAGGERS (for himself and Mr. DEVINE):

H.R. 5368. A bill to assure that the public is provided with safe drinking water, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 5369. A bill to amend section 318 of the Communications Act of 1934, as amended, to enable the Federal Communications Commission to authorize translator broadcast stations to originate limited amounts of local programing, and to authorize FM radio translator stations to operate unattended in the same manner as is now permitted for television broadcast translator stations; to the Committee on Interstate and Foreign Commerce.

By Mr. STEELE:

H.R. 5370. A bill to amend the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 to provide for minimum Federal payments for 4 additional years, and for other purposes; to the Committee on Public Works.

By Mr. STOKES:

H.R. 5371. A bill to prohibit psychosurgery in federally connected health care facilities; to the Committee on Interstate and Foreign Commerce.

By Mr. WHITEHURST:

H.R. 5372. A bill to direct the Secretary of Labor to study the feasibility of and need for a cost of existence index; to the Committee on Education and Labor.

By Mr. WOLFF (for himself and Mr. RINALDO):

H.R. 5373. A bill to require States to pass along to individuals who are recipients of aid or assistance under the Federal-State public assistance programs or under certain other Federal programs, and who are entitled to social security benefits, the full amount of the 1972 increase in such benefits, either by disregarding it in determining their need for assistance or otherwise; to the Committee on Ways and Means.

By Mr. WYDLER:

H.R. 5374. A bill to repeal the bread tax on 1973 wheat crop; to the Committee on Agriculture.

By Mr. WYMAN:

H.R. 5375. A bill to amend the Federal Food, Drug, and Cosmetic Act to include a definition of food supplements, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. WYMAN (for himself, Mr. CLEVELAND, Mr. KETCHUM, Mr. RARICK, Mr. CAMP, Mr. BLACKBURN, Mr. WARE, Mr. HUBER, and Mr. LANDGREBE):

H.R. 5376. A bill to amend the Clean Air Act to modify the emission standards required for light duty motor vehicles and engines manufactured during or after model year 1975; to the Committee on Interstate and Foreign Commerce.

By Mr. HECHLER of West Virginia (for himself, Mr. GREEN of Pennsylvania, Mrs. HECKLER of Massachusetts, Mr. LEHMAN, Mr. LENT, Mr. MOAKLEY, Mr. MOORHEAD of Pennsylvania, Mr. NEDZI, Mr. PODELL, Mr. RONCALLO of New York, Mr. STUDDS, Mr. WALDIE, and Mr. WHALEN):

H.R. 5377. A bill to provide for the control of surface and underground coal mining operations which adversely affect the quality of our environment, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. CHAPPELL (for himself, Mr. WON PAT, Mr. BROWN of California, Mr. GUNTER, Mr. ROSE, Mr. HUBER, Mr. MITCHELL of Maryland, Mr. TAYLOR of North Carolina, Mrs. CHISHOLM, Mr. RYAN, Mr. DE LUGO, Mr. FLYNT, Mr. ESHLEMAN, Mr. STARK, Mr. HELSTOKI, Mr. DAVIS of Georgia, Mr. FREY, Mrs. SCHROEDER, Mr. FAUNTROY, and Mr. FULTON):

H.J. Res. 409. Joint resolution relating to the war power of Congress; to the Committee on Foreign Affairs.

By Mr. COUGHLIN (for himself and Mr. TAYLOR of North Carolina):

H.J. Res. 410. Joint resolution to authorize and request the President to issue a proclamation designating the calendar week beginning May 6, 1973, as "National Historic Preservation Week"; to the Committee on the Judiciary.

By Mr. DE LUGO (for himself, Mr. WON PAT, Mr. BURTON, Ms. ABZUG, Mr. ADAMS, Mr. ALEXANDER, Mr. BUCHANAN, Mrs. CHISHOLM, Mr. CLAY, Mr. CONYERS, Mr. CORMAN, Mr. DELLUMS, Mr. DRINAN, Mr. FRASER, Mr. HARRINGTON, Mr. HAWKINS, Mr. HECHLER of West Virginia, Mr. JOHNSON of California, Mr. KETCHUM, Mr. LEGGETT, Mr. Matsunaga, Mr. MAZZOLI, Mr. MEEDS, Mrs. MINK, and Mr. MITCHELL of Maryland):

H.J. Res. 411. Joint resolution proposing an amendment to the Constitution to provide for the participation of Guam and the Virgin Islands in the election of the President and Vice President; to the Committee on the Judiciary.

By Mr. DE LUGO (for himself, Mr. WON PAT, Mr. MOSS, Mr. OWENS, Mr. PRICE of Illinois, Mr. RONCALIO of Wyoming, Mr. SEIBERLING, Mr. STARK, Mr. STOKES, Mr. THOMPSON of New Jersey, Mr. VIGORITO, Mr. WARE, Mr. CHARLES H. WILSON of California, and Mr. YOUNG of Georgia):

H.J. Res. 412. Joint resolution proposing an amendment to the Constitution to provide for the participation of Guam and the Virgin Islands in the election of the President and Vice President; to the Committee on the Judiciary.

By Mr. DINGELL (for himself and Mr. WIGGINS):

H.J. Res. 413. Joint resolution to establish the Tule Elk National Wildlife Refuge; to the Committee on Merchant Marine and Fisheries.

By Mr. KEMP:

H.J. Res. 414. Joint resolution calling for an immediate moratorium on the killing of the North American timber wolf; to the Committee on Foreign Affairs.

H.J. Res. 415. Joint resolution to authorize the President to designate April 30, 1973, as "Pledge of Allegiance to Our Flag Day"; to the Committee on the Judiciary.

By Mr. RUNNELS (for himself and Mr. DAN DANIEL, Mr. DAVIS of South Carolina, Mr. DENHOLM, Mr. HECHLER of West Virginia, Mr. KETCHUM, Mr. MCSPADDEN, Mr. MURPHY of Illinois, Mr. NICHOLS, Mr. RANGEL, Mr. ROE, Mr. ROY, Mr. SIKES, and Mr. WON PAT):

H.R. Res. 416. Joint resolution establishing expenditure priorities between care for American war dead, American prisoners of war, American veterans, and the reconstruction of North Vietnam; to the Committee on Foreign Affairs.

By Mr. HOGAN:

H. Con. Res. 144. Concurrent resolution expressing the sense of Congress that no pardon, reprieve, or amnesty be given to deserters or draft evaders; to the Committee on the Judiciary.

By Mr. MCCLORY:

H. Con. Res. 145. Concurrent resolution requesting the President to negotiate with the Government of Canada to establish water levels for the Great Lakes; to the Committee on Foreign Affairs.

By Mr. YATRON (for himself, Mr. FRASER, Mr. MOLLOHAN, Mr. GUDE, Mr. FRENZEL, Mr. STUCKEY, Mr. FLOOD, Mr. BUCHANAN, Mr. WHITEHURST, Mr. EILBERG, Mr. CLEVELAND, Mr. MAZZOLI, Mr. BROWN of California, Mr. MATSUNAGA, Mr. WON PAT, Mr. WOLFF, Mr. KEMP, Mr. ADAMS, Mr. ROY, Mr. FASCELL, Mr. HENDERSON, Mr. GREEN of Pennsylvania, Mr. MELCHER, Mr. HUNGATE, and Mr. SHOUP):

H. Con. Res. 146. Concurrent resolution expressing the sense of Congress that our NATO allies should contribute more to the cost of their own defense; to the Committee on Foreign Affairs.

By Mr. DUNCAN:

H. Res. 276. Resolution to declare U.S. sovereignty and jurisdiction over the Panama Canal Zone; to the Committee on Foreign Affairs.

By Mr. HOLIFIELD:

H. Res. 277. Resolution to provide funds for the expenses of the investigation and study authorized by rule XI(8) and House Resolution 224; to the Committee on House Administration.

By Mr. MORGAN:

H. Res. 278. Resolution to provide funds for the expenses of the investigation and study authorized by House Resolution 267, 93d Congress; to the Committee on House Administration.

By Mr. O'NEILL:

H. Res. 279. Resolution to create a special committee to investigate campaign expenditures; to the Committee on Rules.

By Mr. STUDDS:

H. Res. 280. Resolution to amend the Rules of the House of Representatives to create a standing committee to be known as the Committee on Transportation, and for other purposes; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BRASCO:

H.R. 5378. A bill for the relief of Domenico Musso; to the Committee on the Judiciary.

By. Mr. DONOHUE:

H.R. 5379. A bill for the relief of John B. Clayton; to the Committee on the Judiciary.

By Mr. GRAY:

H.R. 5380. A bill for the relief of Alfredo Fugaccia and his family: Anna Maria Franchi Fugaccia (wife), Alberto Fugaccia (son), Isabella Fugaccia (daughter); to the Committee on the Judiciary.

By Mr. MITCHELL of Maryland:

H.R. 5381. A bill for the relief of Elijah Stith; to the Committee on the Judiciary.

By Mr. REES:

H.R. 5382. A bill for the relief of Gregory Barrett; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

SALUTE TO NICOLAUS COPERNICUS AND TO THE PEOPLE OF POLAND

HON. ANGELO D. RONCALLO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 6, 1973

Mr. RONCALLO of New York. Mr. Speaker, on the occasion of the 500th anniversary of the birth of Nicolaus Copernicus, I should like to make the following remarks:

NICOLAUS COPERNICUS

Nicolaus Copernicus, Polish astronomer, propounded the Copernican theory, which revolutionized planetary astronomy and laid the foundation stone for modern developments. He was born on February 14, 1473, at Torun on the Vistula river where his father was a merchant of some social standing. In 1491 Copernicus went to the University of Cracow. There he came under the influence of the mathematician Wojciech Brudzewski (1445–97), a supporter of the geocentric system of Ptolemy, who is believed to have awakened his genius.

Copernicus became increasingly dissatisfied with the Ptolemaic system of astronomy. He was not alone in this dissatisfaction; indeed he himself said that the many divergent views prevalent in his day gave him cause for profound thought. These difficulties had arisen as the accumulated observations on the position of the sun, moon and planets had made it necessary to elaborate the arrangement of deferents and epicycles which the Ptolemaic system contained. It was therefore an increasingly laborious task to compute the future positions of these bodies and, of course, much of the elegance of the Ptolemaic hypothesis was lost. Ptolemy's system contained not only some original work but also a synthesis of the views of previous Greek philosophers and was based on a purely geocentric basis. By the 16th century this geocentric idea had become not only firmly entrenched in astronomical thought but also had the virtual standing of an article of faith. Although certain Greek philosophers had, as far back as the third century B.C., suggested that the sun and not the Earth was the centre of the universe, their ideas had not been developed. However, Copernicus concluded that, in view of the plethora of epicycles and other complexities needed by the Ptolemaic system so that it might still account for the observed motions of heavenly bodies, it must contain some basic error. In consequence he read many original Greek authors and discovered that heliocentric hypotheses had been suggested. The idea of a moving Earth seemed absurd at first but when Copernicus used this assumption he found that a much simpler and aesthetically superior system resulted even though, as might be expected, he still believed that the planets moved with uniform circular motion. After many years of labour he became convinced of the truth of his new ideas, but made no attempt to publish them. It was only the efforts of his friends and, more particularly, those of his pupil and disciple Georg Joachim Rhaticus (1514–76), who studied with him for two years, that finally resulted in the publication in 1543 of the great *De revolutionibus orbium coelestium*. Although not widely accepted at once, the heliocentric views of Copernicus in due course exerted a vital influence on astronomy. (Extracted from the Encyclopedia Britannica, Inc., Volume 6.)

It is, therefore, with a great deal of pride, Mr. Speaker, that we salute Nicolaus Copernicus and the people of that ancient and noble nation, Poland, who during the year 1973 will be hosts to the educators and scientists of the world on this forthcoming 500th anniversary of the birth of Nicolaus Copernicus.

VOICE OF DEMOCRACY WINNER JEFFREY LEE DETROW

HON. RALPH S. REGULA

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 6, 1973

Mr. REGULA. Mr. Speaker, young Americans today have a greater role in our society than at any time in our history. This expanded role makes it increasingly more important that they fully understand the value of the freedoms and privileges guaranteed by the Constitution and statutes of the United States. It is in this interest that the Veterans of Foreign Wars of the United States and its Ladies Auxiliary conducts the Voice of Democracy program. It is a national broadcast script-writing program designed to give high school students an opportunity to think, write, and speak up for freedom and democracy. This year over 500,000 students from over 7,000 secondary schools participated in the 26th annual Voice of Democracy program. This week the State finalists in the program are competing here in Washington for scholarships provided by the VFW.

I am pleased that the winner of the Ohio program, Mr. Jeffrey Lee Detrow is a resident of the 16th Congressional District. I would like to recognize Mr. Detrow's achievement by calling his speech to the attention of the Members of Congress by inserting it into the RECORD:

VOICE OF DEMOCRACY

The date is November 8th, 1972 . . . the time. . . . 4 a.m. . . . and I am now sleepily pulling myself together after an evening which will be recorded in history. I've spent the last 10 hours compiling results in a presidential election . . . and I guess, one never realizes just how great democracy is until it's seen in action at a time such as this! When I hear of people speaking out against the United States . . . I wonder if there is a single citizen left who still feels the deep cry of America . . . but in these early morning hours when the final votes are trickling in . . . it's evident that many still do consider that undefinable word patriotism as more than just old hat!

When asked why one votes a common answer is . . . "It's my constitutional right" . . . and this reply is an excellent one . . . for whether it be a small town farmer in his fields . . . or a corporate magnate in his New York office building . . . all are granted these same basic freedoms . . . or inalienable rights.

When 56 men banded together at Philadelphia's Independence Hall in 1776 to sign our Declaration of Independence . . . and in 1789 when their dreams for this new nation were more clearly defined in the Bill of Rights . . . what they wrote was not only a revolutionary theory of government . . . it came to be a way of life! These documents are a series of rights which these men and the people whom they represented felt were God given to all human beings.

Now that we have established that freedom has certain responsibilities to us . . . let us stop and think for a moment . . . isn't there something which has been omitted? ? ? . . . something which goes far beyond freedom's basic responsibilities to us? ? ? . . . I believe there is! ! ! An idea which is so often forgotten . . . yet is so important . . . so vital . . . that we dare not forget it! . . . for in all this talk of freedom's responsibilities to us . . . we often forget that we have responsibilities to freedom.

It is easy in a time when we have not recently been posed with an immediate threat on our nation . . . to become indifferent . . . to consider the battle for freedom as already won . . . but this is where we must scrape off the outer cover and look deeper into this thing called freedom. It is often suggested that the American of today is programmed by the government to be the type of citizen that they want him to be . . . the so called "American Machine" . . . but may I offer another suggestion for your consideration? ? ? instead of being run through the American machine. . . . I believe that we are often caught up in the anti-American machine. How many times have you found yourself speaking out against your country? ? ? . . .