

HOUSE OF REPRESENTATIVES—Thursday, May 2 1974

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

The kingdom of God does not mean food and drink but righteousness and peace and joy in the Holy Spirit.—Romans 14: 17.

Gracious Father of us all whose still, small voice calls us to turn aside from the worried ways of a working world to find our strength in Thee we kneel at this altar of prayer conscious of our need of Thee and confident that Thou art nigh, closer than breathing, nearer than hands and feet. Breathe upon us, breath of God, fill us with life anew that we may love what Thou dost love and do what Thou wouldest do.

Grant unto the Members of this body insight and inspiration for their daily duties and make them worthy of the high trust our people have placed in their hands.

Bless Thou this dear land of our life and love. By Thy grace help us to work for a higher level of life for all and for a greater unity of spirit as we seek to keep freedom and justice, peace and good will alive in our Nation and in our world.

In the spirit of Him who is the Way 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. Sparrow, one of its clerks, announced that the Senate agrees to an amendment of the House to a bill of the Senate of the following title:

S. 1115. An act to amend the Controlled Substances Act to provide for the registration of practitioners conducting narcotic treatment programs.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 11793) entitled "An act to reorganize and consolidate certain functions of the Federal Government in a new Federal Energy Administration in order to promote more efficient management of such functions."

PERSONAL EXPLANATION

Mr. DULSKI. Mr. Speaker, I was detained in my district on April 29, 1974, and so missed two rollcall votes. I would like the RECORD to show that had I been present and voting, I would have voted

"yea" on rollcall No. 189 and "yea" on rollcall No. 190.

CASE OF MISTAKEN IDENTITY

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

Mr. HECHLER of West Virginia. Mr. Speaker, perhaps I should rise to a point of personal privilege, but I recognize that honest mistakes can be made.

This morning's Washington Post on page A14, in printing the transcripts provided to the Judiciary Committee, includes a discussion between President Nixon and John Dean sizing up the members of the House Banking and Currency Committee. The President observes and I quote: "They have some weak men and women on that committee, unfortunately." And then the President adds: "Heckler is alright." To which John Dean responds: "Heckler was great."

Mr. Speaker, the Washington Post in its usually helpful and gratuitous fashion has added to the transcript the Post printed this morning the notation that the President and Mr. Dean were referring to Representative KEN HECHLER of West Virginia.

I would simply observe that there are two "hecklers" in the House. I do not believe there has ever been an occasion when either President Nixon or Mr. Dean would have said that I was either "alright" or "great." Paraphrasing an old Abraham Lincoln story about the fellow who was tarred and feathered and ridden out of town on a rail, when asked how he liked it he replied: "If it was not for the honor of the thing, I would much rather walk."

ABOLISH THE VICE PRESIDENCY

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

Mr. BINGHAM. Mr. Speaker, yesterday Vice President Ford announced that the 1,200 pages of transcript of the Watergate tapes, which he admits he has not personally studied in detail, totally exonerate the President of any involvement in Watergate.

I cannot help wondering if some of my colleagues who voted for the confirmation of Mr. Ford have not had second thoughts when they see the Vice President continually engaging in this kind of undiscriminating support of the President.

I say this not to criticize the Vice President. When he was confirmed, it was entirely predictable that he would give the President 100-percent support, just as he had done in the past. I pointed this out at the time as the main basis for my vote against confirmation.

What strikes me forcibly is the weakness of the 25th amendment procedure. Perhaps the best policy would be to abolish the Vice Presidency altogether.

I would call the attention of my colleagues to an excellent article by Prof. Arthur Schlesinger which argues that solution, which I introduced into the RECORD yesterday on pages E2666-E2670.

CALL OF THE HOUSE

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

The SPEAKER. Evidently a quorum is not present.

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

A call of the House was ordered.

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

[Roll No. 202]

Abzug	Frey	Murphy, III.
Andrews, N.C.	Fulton	Myers
Barrett	Grasso	Nix
Biaggi	Gray	Obey
Blatnik	Green, Oreg.	Patman
Buchanan	Gude	Pickle
Burke, Calif.	Haley	Quie
Carey, N.Y.	Hanna	Regula
Chisholm	Hansen, Wash.	Reid
Clancy	Hébert	Roberts
Clark	Henderson	Robison, N.Y.
Conlan	Holifield	Roncallo, N.Y.
Conyers	Howard	Rooney, N.Y.
Crane	Jarman	Rose
de la Garza	Johnson, Pa.	Shuster
DeLumis	Jones, N.C.	Steiger, Ariz.
Dennis	Kazan	Stokes
Diggs	Kyros	Stubblefield
Drinan	Leggett	Stuckey
Eckhardt	Madden	Teague
Esch	Madigan	Udall
Evins, Tenn.	Martin, Nebr.	Wiggins
Findley	Milford	Williams
Fraser	Minshall, Ohio	Wright
Frenzel	Mitchell, Md.	

The SPEAKER. On this rollcall 359 Members have recorded their presence by electronic device, a quorum.

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

LET US GET IMPEACHMENT BEHIND US

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

Mr. SIKES. Mr. Speaker, the controversy continues on whether the President has complied sufficiently with the demands of the House Judiciary Committee for material needed for the orderly completion of their work on the impeachment resolution.

First, let me commend the committee for abstaining from theatrics. It has done an orderly work. Much credit is due to the chairman, the ranking minority member, and to the membership generally for the distinguished manner in which they have conducted this unprecedented responsibility. But now, please, let us get on with it.

It would appear to this very interested observer that the sparring has gone on long enough. There is considerable doubt that the committee, in the foreseeable future, can digest the volume of material it already has accumulated. Obviously, there are some that will not be satisfied, even if they are given Mr. Nixon's underpants. But it would appear the committee can base its judgment on the information at hand. The American people want the business of impeachment settled one way or another.

Let us get the job done and let the Congress get back to full-scale consideration of the many serious legislative responsibilities which, at best, are hampered by the controversy on impeachment. America needs to have impeachment behind us as quickly as possible, whatever the outcome.

REVISION OF INTERNAL REVENUE CODE

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

Mr. TREEN. Mr. Speaker, the Committee on Ways and Means has just commenced a substantial review of the Internal Revenue Code looking toward revision of many of its provisions. I know that many Members of the House join with me in urging the Ways and Means Committee to carefully consider the impact of inflation on the income tax structure.

While wages and salaries, with some exceptions, have generally risen with inflation, such raises offsetting the effects of inflation, the net effect of inflation over the past few years has been to increase taxes in terms of constant dollars. This is true for the simple reason that the tax brackets have not been altered.

By way of illustration, a 1964 taxpayer with taxable income of \$8,000 would have paid \$1,380 in income taxes. He would have reached the 19-percent tax bracket.

Since 1964 the inflation factor has been approximately 50 percent. Thus, our same taxpayer would have to have a taxable income of \$12,000 in 1974 to equal his 1964 taxable income in terms of constant dollars. He would now be pushed into the 22-percent bracket, and his 1974 tax would amount to \$2,260. This is an increase in taxes of 65 percent. Thus, while our taxpayer had no increase in real income, he would have suffered a real increase in income taxes of 15 percentage points.

I urge the members of the Ways and Means Committee to consider rearranging the tax bracket structure to take into account the inflationary impact on the dollar. The U.S. Government has, in effect, enjoyed a considerable increase in taxes without any statutory action. The time has come to take statutory action to reverse this inequity.

NATIONAL CANCER AMENDMENTS OF 1974

Mr. STAGGERS. Mr. Speaker, I move that the House resolve itself into the

Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 13053) to amend the Public Health Service Act to improve the national cancer program and to authorize appropriations for such program for the next 3 fiscal years, and for other purposes.

The SPEAKER. The question is on the motion offered by the gentleman from West Virginia (Mr. STAGGERS).

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 13053, with Mr. FOLEY in the chair.

The Clerk read the title of the bill.

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

The CHAIRMAN. Under the rule, the gentleman from West Virginia (Mr. STAGGERS) will be recognized for 30 minutes, and the gentleman from Kentucky (Mr. CARTER) will be recognized for 30 minutes.

The Chair recognizes the gentleman from West Virginia (Mr. STAGGERS).

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

Mr. Chairman, I rise in support of H.R. 13053, a bill to improve the national cancer program and to authorize appropriations for such program for the next 3 fiscal years.

In 1971 the Congress passed the National Cancer Act calling for a major new attack on this dread disease. Since that time expenditures on cancer research and control programs have grown rapidly and much progress has been made in our understanding of the many forms of cancer. The original act expires at the end of this June and the bill we have before us provides a 3-year extension of the national cancer program. It authorizes appropriations during fiscal years 1975-77 of \$2.77 billion and makes a variety of modest changes and improvements in the existing program. The bill was reported unanimously from the Subcommittee on Public Health and Environment all of whose members have joined in cosponsoring it and from the Committee on Interstate and Foreign Commerce.

The changes which would be made in the existing act include: Changing the \$35,000 limit on the discretionary authority of the Director of NCI for direct awarding of grants to apply to the direct costs of such grants; adding a requirement for information programs on nutrition and cancer; adding a requirement that the cancer program budget estimates include personnel estimates; removing the limitation on the number of cancer centers which may be funded; adding a requirement that the NCI disseminates new information developed by the program; and requiring peer review of research grants and contract projects.

Cancer is the second leading cause of death in the United States. In 1974, 655,000 Americans will develop one of the more than 100 forms of this dread disease and 355,000 will die of them. The toll in suffering, family disruption, and eco-

nomic loss will be unmeasurable but devastating. The cancer program has responded to these appalling figures with expenditures in the last 3 years of \$1.4 billion for cancer research and control. Because of this effort the outlook for those who suffer from cancer is improving at a steadily increasing pace. The national cancer program research strategy hierarchy which I have here and will place in the RECORD suggests the magnitude and complexity of this program. It is also producing results. One of every three people who now have cancer will be alive 5 years from now. Over 1½ million Americans have now been cured of cancer. The conquest of cancer is a great goal in which all Americans can share, a goal which will be achieved in part by joining me in voting for this important legislation.

I am including in the RECORD for the interest of the Members a letter we have just received from HEW on the bill:

THE SECRETARY OF HEALTH,
EDUCATION, AND WELFARE,
Washington, D.C., May 1, 1974.

Hon. HARLEY O. STAGGERS,
Chairman, Committee on Interstate and Foreign Commerce, House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: As you know, on March 26 the Senate passed S. 2893, a bill which would amend the Public Health Service Act to extend the national cancer program for the next three fiscal years. A similar House bill, H.R. 13053, is expected to be considered on the House Floor in the near future.

The Administration strongly supports an extension of the authority for the expanded cancer research effort. The existing law, the National Cancer Act of 1971, resulted from the President's initiative and widespread support in the Congress. The Act has made possible intensified cancer research efforts and brought major achievements in the nation's efforts against this disease. The President, in his message of health care on February 20, 1974, again emphasized the importance of these activities. As he then noted, the appropriations for the National Cancer Institute have risen from \$233 million in FY 1971 to a budget request for FY 1975 of \$600 million. In testimony before the House and Senate Committees earlier this year, I strongly supported extension of the cancer research authority.

We believe that the Congress shares our hope that a sound cancer program extension can be passed soon and sent to the President for his approval. However, there are certain features of the bills now pending before the Congress to which we must object.

PRESIDENT'S BIOMEDICAL RESEARCH PANEL

The most objectionable provision in the Senate-approved bill is creation of a five-member, Presidential-appointed panel to oversee all the biomedical research activities carried on by the National Institutes of Health and the National Institute of Mental Health. The proposed panel would report directly to the President and would also be charged with bringing directly to the attention of the Congress any "delays or blockages in rapid execution of the biomedical research programs of these Institutes."

I should first note that the proposal for the Presidential Biomedical Research Panel (PBRP) has not been the subject of hearings in either the House or the Senate. Moreover, the National Cancer Institute, the National Institutes of Health, and the separate NIH Institutes already have the benefit of a large number of advisory panels. The Director of the National Institutes of Health, for

example, is assisted by 140 advisory committees of outstanding leaders in science and public life. One of these is the Advisory Council to the Director of the National Institutes of Health. The Secretary of HEW appoints this 16-member Advisory Committee to advise the NIH Director on the overall activities of the National Institutes of Health. In addition, the Secretary appoints an advisory council for each of the ten Institutes.

The National Cancer Institute, of course, has its own panel of advisors appointed by the President and approved by the Senate. The President's Cancer Panel was created by the Act to advise the President on the progress of the program.

The addition of the PBRP to the panoply of existing advisory groups is clearly unnecessary. With the aid of the existing panels, we believe that the National Institutes of Health has been and will continue to be well managed. An additional advisory group would simply be a redundant addition to the many groups which now provide counsel to the leadership of our nation's biomedical research efforts.

An additional panel is also unnecessary to provide for accessibility to Congressional review. Through Congressional oversight and legislative and appropriation hearings, officials of the Department, including the National Institutes of Health, are available to the committees and Members of Congress to report on the conduct of the nation's biomedical research programs.

With specific regard to the intensified cancer effort, a Presidential panel overseeing all biomedical research could well lead to loss of the priority which the Administration and the Congress both chose to give to cancer research programs, a result directly contrary to that sought by S. 2893 and H.R. 13083.

The Chairman of the President's Cancer Panel, Mr. Benno Schmidt, shares this view and has grave reservations about the panel proposed in the Senate bill. Enclosed for your information is a copy of Mr. Schmidt's recent telegram to this effect to Senate Subcommittee Chairman Kennedy, which was reprinted in the Senate Committee report on S. 2893.

As the Department noted in its letter to you at the time that your Committee was considering the Senate version of the bill, we find the creation of a Presidential Biomedical Research Panel so undesirable that, if a bill were sent to the President providing for such a Panel, I would be compelled to recommend that the President veto the bill in spite of the Administration's strong support for an extension of the cancer research authority. I strongly urge the Members of the Senate and House who are charged with the responsibility for reaching an accommodation between the differing versions of this bill to reject provisions for this Panel.

INFLEXIBLE MANAGEMENT OF FUNDS

We also object to a further provision of S. 2893 unrelated to the bill's basic purpose of extending the cancer research authority. This provision would make permanent section 601 of the Medical Facilities and Construction Act of 1970.

Section 601 specifically provided that funds appropriated for any program authorized by the Public Health Service Act or the Mental Retardation Facilities and Community Mental Health Centers Construction Act shall remain available for obligation and expenditure until the end of such fiscal year. We understand this provision to have been intended, and its extension to be intended, to preclude the Executive Branch from withholding funds from expenditure even when the expenditure of such funds is administratively unsound. We have testified in the past in opposition to the extension of this provision on the grounds that the President's discretion, which would otherwise be avail-

able, to manage spending for overall budgetary purposes should not be impaired.

OFFICE OF MANAGEMENT AND BUDGET POSITION ALLOCATIONS FOR THE NATIONAL CANCER INSTITUTE

We also oppose a requirement for the Office of Management and Budget to make specific personnel allocations for the National Cancer Institute. This provision would inappropriately remove the National Cancer Institute from the overall personnel management responsibilities of the Secretary of Health, Education, and Welfare and it would force the Office of Management and Budget to make isolated judgments about personnel needs in one small area of the Department. Only the Secretary is in the informed position to make these critical judgments.

PEER REVIEW FOR GRANTS AND CONTRACTS

Finally, we oppose provisions of both bills which would require scientific peer review of contracts. The Senate bill would require it for the National Cancer Institute only; the House bill, for all of the National Institutes of Health and the National Institute of Mental Health. The House provision is apparently more limited in its application to the various steps in the contracting process. We believe that all these statutory provisions are unnecessary.

The Department administers its contract program pursuant to the Federal Procurement Regulations and the HEW Procurement Regulations. These regulations have sufficed to meet our needs, particularly with respect to non-research types of projects. However, due to the expanded use of contracts for research, we are now modifying our procurement procedures to expand the guidelines for review of research proposals. In doing so we are taking into consideration the proposal review procedures, utilized by other agencies, including NASA as well as those utilized in our own grant review process.

In our judgment, however, it would be unwise to adopt in their totality grant review procedures for research contracts. To do so could place the Department in direct conflict with requirements of the Federal Procurement Regulations which presently afford many safeguards and benefits for contracts. Moreover, this procedure may introduce unnecessary delays in the review process, and may increase the possibility of conflict of interest problems. These procedures would also run the risk of undermining the contributions which small business can make to these programs and generally would serve to infringe on the Congressional mandate to afford small business a fair share of the procurement dollar.

We are confident that we can satisfy the objectives of this provision through internal procedures which will maintain consistency with Federal procurement practices, make appropriate distinctions between the grant and contract instruments, and retain the contract mechanism as a useful tool for accomplishing our program objectives.

We would appreciate the consideration of these concerns in the deliberations of the conference committee. We would be happy to work with the Committee members and staff to elaborate further on these issues.

We are advised by the Office of Management and Budget that there is no objection to the presentation of this report from the standpoint of the Administration's program.

Sincerely,

CASPAR WEINBERGER,
Secretary.

MARCH 26, 1974.

Senator EDWARD M. KENNEDY,
Senate Health Subcommittee, U.S. Senate,
Washington, D.C.:

Although I favor stronger support for many areas of basic biomedical research and will for the reasons set forth in my testimony do

all in my power to obtain such support. I have very serious reservations about the proposed legislation which would create a President's biomedical research panel for the following reasons: (1) the cancer panel is a very unusual and unorthodox organizational arrangement that will only work effectively if it's reserved for unusual circumstances of extraordinary and specific priority as cancer research was felt to be. The Secretary of HEW could not be expected to accept this organizational anomaly for substantially increased areas of his basic responsibility; (2) the cancer panel has been an effective tool because the President has genuinely shared the priority it was designed to implement, and the President has made his support of the panel clear to all concerned. As an instrument to propose the President's priorities, the panel would not in my opinion be effective. The panel could easily be rendered ineffective without the President's strong and well publicized support; (3) by trying to extend the special emphasis that the panel has helped to achieve for cancer to all areas of biomedical research we are more likely to lose the cancer priority to gain the same priority for a vastly extended area; (4) the effective discharge of the duties as chairman of the President's cancer panel requires a very substantial portion of the time of the occupants of the position. The added duties envisaged by the proposed bill would make this a full time job. Such a full time person attempting to function outside the regular organizational setup would be likely to become a nuisance who would soon lose his effectiveness; (5) in my opinion, there is a better prospect of achieving the desired ends with the present setup and a much better chance of continuing a vital and effective cancer program; (6) I made these views known to Lee Goldman and Jay Cutler before my departure. I assure you they will come as no surprise to you; (7) I am highly hopeful that with a little more time we can obtain the desired priorities with respect to other biomedical research with the present organization without risking the loss of the momentum in the cancer program by changing the setup in mid stream. I hope these views will be helpful in your deliberations.

Warm regards,

BENNO SCHMIDT.

I might say that I had an amendment which I had hoped to put onto the bill at this time, which I will not offer because I think that the bill should pass in the House the way it is. The amendment that I was going to offer is too important and should stand on its own. The amendment would bring together the people of the world who have any knowledge on cancer and its treatment, and who have been working on it down through the years in an international conference. It would bring them together in Washington for a symposium, which would take 3 weeks, so they could exchange their ideas. In this way by using the best brains of the world, we could speed the finding of a cure and prevention for cancer.

In that amendment I would also propose that we would gather together the experts on heart disease, and stroke as well as cancer—the three great killers—so I believe it would be wise for this amendment to stand on its own. We will bring it up as a separate bill later.

There has been some talk of extending the Cancer Act a little bit longer, but we have had a rule in our committee that each Congress should have a chance to review the work that was done in the

previous Congress, so we have always extended all of our bills for 3 years for as long as I have been on this committee.

The amount of money that we put in is the full amount that the experts say can be used in any effective way in cancer research. For that reason we have even gone a little bit beyond what was recommended by the President's budget, because some of the experts have said that they could use \$750 million in money.

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

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

Mr. PEPPER. I thank the gentleman for yielding.

In the first place, I want to commend the distinguished chairman and the members of this committee for all the great work that they have done in the field of cancer. My memory goes back to the time in 1937 when we set up the National Cancer Institute. I was one of the authors of that bill in the Senate. Since that time there has been a great increase in the amount of money made available by the Congress, and I think the expansion of the program has added to our hope of finding the cause and cure of cancer. What has concerned me and what I want to ask the chairman to comment on is this question.

Does the distinguished chairman and his committee have any concern as to whether, on account of the broad proliferation of this program and the numerous research projects that are in progress, we have the maximum effectiveness in coordination of all these programs so there is the greatest possible information and wisest possible overall direction of the program to get the best results?

Mr. STAGGERS. We have certainly had that concern in each and every bill. In this bill we even require that everything learned must be given to the public. I think the gentleman has made a good point. We are trying to get all the many advances which have been made within the last few years coordinated for the best possible use.

One of the first bills I introduced in Congress 26 years ago authorized \$100 million for work on cancer, and I have been concerned with it ever since.

Mr. PEPPER. I was the author of that bill in the Senate while you along with the distinguished colleague of ours, Senator Neely, then in the House was in the House.

Mr. STAGGERS. That is right. I have long been interested in these programs. I think anyone who has seen cancer in its deadliest forms in the human body will be willing to sacrifice and do everything within reason to conquer it. We intend to do whatever is possible. That is why I wanted to offer an amendment to bring all the best minds in the world together in a symposium here because this problem affects all the world and not just America, and of course so do heart disease and stroke problems.

Mr. PEPPER. I want to support that amendment in the strongest way I can because when we offered that original bill for \$100 million we provided for the money to be available until spent and

we provided for the bringing together here of the best minds in the world in the field of cancer as was done in the development of the atomic bomb.

We did it with the atomic bomb. The outstanding authorities in the world were convened. It would seem to me if we can split the atom and produce fission; if we can create the atomic and hydrogen bombs, we should find the cause and cure of cancer.

I commend the able gentleman. I hope he will continue his great work in this area in which lies so much death and tragedy for so many of our fellow Americans and for so many others in the world.

Mr. STAGGERS. Mr. Chairman, I might say to the gentleman that I have that in a bill and that I hope the matter can be pursued and can be pursued in the Senate. We hope to carry this House bill to the Senate and pass this House bill as it is because this is the product I think of the finest minds there are in this Congress, those who have heard the great experts of America when they testified before our committee. This is what the subcommittee has brought out and it has been discussed in the full committee.

Again I want to say thanks to the Subcommittee on Public Health and Environment for the great work they have done. I think all America owes a great debt of gratitude to each member of that committee.

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

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

Mr. Chairman, cancer in its countless forms and 36 major types affects 655,000 Americans each year, and of this disease 355,000 will die. Actuarially, at least one Member of this group will be stricken with cancer within the year.

Assuming that each Member has approximately two children, two of the 870 children of Members of this House will come down with cancer. Presuming that your fathers and mothers are living, it is actuarially estimated that two of them may well come down with cancer. What you least expect always occurs; what you dread the most never happens.

You may think it cannot happen to you but you one day may suddenly realize that it has. However, there is hope for all who are stricken. Acute lymphocytic leukemia, for which there was no effective treatment 10 years ago, now has a survival rate of 50 percent when such cases are treated with massive doses of X-ray and with chemotherapy. Hodgkin's disease, which once was always fatal, is now amenable to treatment, and 90 percent of those affected can be cured.

The survival rate for those with breast cancer has been tremendously increased.

The success of treatment for the various forms of cancer can be attributed largely to the work of the National Cancer Institute, the three original comprehensive cancer care centers, the nine new centers which have been established since the enactment of the Cancer Control Act of 1971.

The cause of most forms of cancer is

yet unknown. I am informed by specialists in this field that in this case successful treatment will probably be developed before the causes are identified. In order to prevent, detect and treat adequately the various forms of cancer, it is necessary that we continue and improve upon the programs which have thus far been developed.

The Cancer Act of 1971 is amended and strengthened in the present legislation in this manner: It is specified that the Director of the National Cancer Institute may make research and training grants without National Advisory Board review having direct costs of up to \$35,000.

One amendment requires the Director to collect, analyze and disseminate information on nutrition programs for cancer patients and the relationship between nutrition and cancer.

Another requires the use of training stipends and fellowships and career awards for training relevant to cancer. The Director is required to submit with NCI's budget his estimate for the personnel needs for the cancer program.

The limitation of 15 on the number of cancer research and demonstration centers which the NCI may support is removed. The Director of NCI is given authority to employ up to 100 experts and consultants in super grades after consultation with the National Advisory Board—actually, they have not had as many physicians and experts at NCI as they should have had.

Also, they think they can now make grants for construction, alteration or renovation of research facilities, and to disseminate and interpret information concerning cancer.

It is a sad thing today that not enough physicians in our country are actually trained and knowledgeable enough to treat many forms of cancer. The best places for treatment, of course, are the different cancer centers in the country, of which at the present time there are 12.

It mandates in law peer review throughout NIH of grant applications and contract projects; and it extends permanently the present expiring authority for the Secretary of Health, Education, and Welfare to contract for research projects.

In the diagnosis, prevention, and treatment of cancer, there is provided for the fiscal year ending June 30, 1975, \$50 million, for the fiscal year ending June 30, 1976, \$65 million; and for the fiscal year ending June 30, 1977, \$85 million. This would be a total of \$200 million.

For the purpose of carrying out research grants, fellowships, construction, renovation, there is provided for the fiscal year ending June 30, 1975, \$750 million; for fiscal year 1976, \$830 million; and for fiscal year 1977, \$985 million, which would be a total of \$2,565 billion. The total appropriation provided in this proposal is \$2,765 billion for the 3 fiscal years.

In talking with the people of the National Cancer Institute just this morning, they told me that they had the funds which they needed, all the funds which

they needed and could wisely spend at this time.

I think that Members of the House know—

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

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

Mr. BRINKLEY. In response to the question that the gentleman asked today of the National Cancer Institute, in which they responded that they had all the money which they could spend for projects which had been approved, I wish to inquire of the gentleman, has he seen the chart which I have provided in the Speaker's lobby which lists some \$69 million of approved, but unfunded projects, for 1 year alone, the fiscal year 1974, which was provided by the National Cancer Institute from Dr. Rauscher?

Mr. CARTER. I do not hear the gentleman too well, but I say this. I talked to the National Cancer Institute this morning and I am giving exactly the information which I received.

They were getting all the money that gentleman realizes that if they could wisely spend more, I would strongly support it. I have many, many reasons for saying this, and I think the gentleman realizes it.

Mr. Chairman, our actual appropriation and expenditure for cancer last year was \$550 million. In 1970, the actual expenditure was \$181 million. If we express it in dollars, counting inflation, the expenditure in 1974 was \$372 million.

Mr. Chairman, when this bill was enacted into law, the country had three comprehensive cancer centers. Nine have since been completed. Six more will be completed by July of this year, for a total of 18. At first, it was projected that 15 new centers would be built. Since the need is greater than the new centers can supply, the limit of 15 was lifted, so that as many centers as are necessary can be constructed, and the early diagnosis and the best treatment possible can be given to the affected people of our country.

Mr. Chairman, this program has a sound foundation. The centers are doing tremendously important and effective work. Research is proceeding at a steady rate. New techniques for diagnosis are being used and new treatments are being developed regularly. If we persevere with dedication, cures of many of the 36 major forms of cancer are within reach within the next few years.

Mr. Chairman, I strongly support this legislation and urge its passage.

Mr. WHITE. Will the gentleman yield?

Mr. CARTER. I will be happy to yield to the gentleman from Texas.

Mr. WHITE. Mr. Chairman, I note in the committee report a portion pertaining not to cancer research, but to the National Institute of Mental Health, the National Institute of Alcohol Abuse and Alcoholism, and the National Institute of Drug Abuse. I am trying to determine the impact of this particular provision of the bill. Would the gentleman like to elaborate on that?

Mr. CARTER. Mr. Chairman, these were placed in the report. Of course, this

legislation does not affect them, but they were placed in there for comparison. It was felt by some that some of the other institutes of health have been shorted dollar-wise for the last several years, and actually that argument cannot be refuted, but this simply refers to the peer review mechanism. It would also apply in this instance as well.

Mr. WHITE. Is this part of the bill?

Mr. CARTER. The references to other institutes are not.

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

Mr. CARTER. I will be happy to yield to the gentleman from Florida.

Mr. ROGERS. Mr. Chairman, I think what the gentleman said is true, and also I think the gentleman might want to know that this provision revises to the peer review mechanism with respect to contracts. The provisions would apply to the Cancer Institute and other institutes as well.

Mr. CARTER. This is really not part of this bill.

Mr. STAGGERS. I yield to the gentleman from Florida (Mr. ROGERS) such time as he may consume.

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

Mr. Chairman, as the Members know, the National Cancer Act, signed in December 1971, expires on June 30 of this year. H.R. 13053 provides a 3-year extension of the act with increased funding levels and substantial changes developed by the Subcommittee on Public Health and Environment. The bill was reported unanimously by the subcommittee and the full Committee on Interstate and Foreign Commerce.

Cancer continues to be the second leading cause of death in this country and the incidence of new cases is on the increase. Nevertheless, progress is being made. The National Institutes of Health reports that one out of every three persons who now have cancer can expect to be alive 5 years from now. Remarkably increased survival rates have been demonstrated at Roswell Park Memorial Institute in Buffalo, M. D. Anderson Clinic in Houston, and other cancer centers supported under the National Cancer Act.

Increased research funds—authorized by the 1971 act—have resulted in some important breakthroughs. Half of the children with acute lymphocytic leukemia, a cancer of the blood, now are alive 5 years after diagnosis when treated aggressively with radiation and a combination of anticancer drugs. Radiotherapy in the early stages of Hodgkin's disease produces 5-year survival rates of more than 90 percent.

Much needs to be done. Research funds must be increased. Cancer centers must continue to grow. The National Cancer Institute must be given new authority to more effectively combat cancer. This bill will insure these results.

Briefly, Mr. Chairman, the bill would do the following:

First. Afford the Director of the National Cancer Institute the authority to approve grants of up to \$35,000 in direct costs without the prior approval of the

National Cancer Advisory Board. Present law authorizes the Director to approve grants of up to \$35,000 in total cost—direct costs plus indirect overhead costs. The indirect costs may total 29 percent of the \$35,000;

Second. Deletes the limitation in the present law on the establishment of more than 15 cancer research and demonstration centers. This will provide greater flexibility to the National Cancer Institute in the funding of new centers. NCI expects to have funded all 15 centers mandated by the present law by the end of this fiscal year.

Third. Authorizes appropriations of \$50 million for fiscal year 1975, \$65 million for fiscal year 1976, and \$85 million for fiscal year 1977 to continue and expand cancer control programs in cooperation with State and other health agencies in the diagnosis, prevention, and treatment of cancer.

Fourth. Provides for an expanded program of disseminating and interpreting new scientific and other information respecting the cause, prevention, diagnosis, and treatment of cancer for practitioners, other health professionals, scientists, and the general public.

Fifth. Authorizes \$750 million for fiscal year 1975, \$830 million for fiscal year 1976, and \$985 million for fiscal year 1977 to carry out the purposes of the National Cancer Act; and

Sixth. Mandates for the first time scientific peer review of grant applications and contract projects within the National Institutes of Health, and, where appropriate, the National Institute of Mental Health, the National Institute on Alcohol Abuse and Alcoholism, and the National Institute on Drug Abuse.

Finally, Mr. Chairman, I would like to especially commend the Director of the NCI, Dr. Frank Rauscher, the members of National Cancer Panel—Benno Schmidt, Dr. Ray Owens, and Dr. R. Lee Clark—and the members of the Advisory Council for their tireless efforts toward the advancement of cancer research. They are unique and tireless public servants and they deserve the continuing thanks of the members of this body and of the American people.

Mr. Chairman, the National Cancer Act deserves the continuing support of this body. I respectfully ask my colleagues to unanimously approve H.R. 13053.

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

Mr. ROGERS. I will be delighted to yield to the gentleman from Florida.

Mr. PEPPER. Mr. Chairman, I wish to repeat what I said to the distinguished chairman. I express my warmest commendations to the chairman of the subcommittee and to members of the subcommittee for their efforts in working with the full committee, as they did, in the field of cancer.

Will the gentleman tell me, what is the procedure in the National Cancer Institute for reviewing and coordinating and assimilating, as it were, all of the various research programs that are being carried out? And in addition, how many

research programs are there in the country?

Mr. ROGERS. Mr. Chairman, I am not sure of the number. I could not give the gentleman a specific number. I am sure that we could get that information for the gentleman.

Mr. PEPPER. About how many?

Mr. ROGERS. There are various major programs, such as those in chemotherapy and immunologic techniques and programs in the field of radiation.

Mr. PEPPER. I understand there are programs in the immunologic field. I know that is one of the approaches. There must be a great number of people doing work in the immunologic field.

Mr. ROGERS. The gentleman is correct.

Mr. PEPPER. Mr. Chairman, let me ask the gentleman further:

How are all of these various programs coordinated so that one little item can be assimilated? If we had, say, a solution to a problem lacking just one little item, how are all of these brought together?

Mr. ROGERS. Mr. Chairman, these are reported by their sponsors to the National Cancer Institute, where they are computerized and assimilated.

Also the National Library of Medicine on the campus at the National Institutes, gathers and compiles all of the literature on research reports made by researchers. This, too, is computerized so that they have a quick way of bringing together all the knowledge on the various aspects of cancer research.

Mr. PEPPER. Then, there are competent people who are examining all of that material?

Mr. ROGERS. Yes. Not only that, but, as I am sure the gentleman knows, there is a National Advisory Board that must review all of the research that is going on. Its members review existing information, and how it is being integrated. The Advisory Board does that.

In addition to that, in 1971 this committee adopted, and the House and the Senate approved, the establishment of a Presidential panel—called the National Cancer Panel—of 3 men. We did this as a safeguard, and the gentleman from Minnesota (Mr. NELSEN) was the author of this idea. This was for the purpose of insuring that if any researchers anywhere feel things are not running properly, if they have criticism of what is going on in the Institute, they can go to this panel and make their views known, and the panel will check that information.

We always need to make improvements, of course, but I think the proper mechanisms are in place now.

I want to commend the gentleman for his continued interest in this program. I know he was a Member of the Senate and was author of the Senate bill that established the cancer institute, and his continuing support has been helpful to the committee.

Mr. STAGGERS. Will the gentleman yield?

Mr. ROGERS. I am glad to yield to the chairman.

Mr. STAGGERS. I might say to the gentleman, if he wants to know how

information is disseminated, any doctor anywhere at any time can pick up a telephone and ask for information from the National Library of Medicine, and the computer there will answer with whatever he wants to know.

Mr. PEPPER. That is very good.

Mr. STAGGERS. That is the way it is done, and it is very fast.

Mr. PEPPER. I commend the chairman of the committee and the chairman of the subcommittee.

Mr. ROGERS. I thank the gentleman.

Mr. CARTER. Mr. Chairman, I yield such time as he may consume to the distinguished gentleman from California (Mr. DON H. CLAUSEN).

Mr. DON H. CLAUSEN. Mr. Chairman, I rise in support of this legislation.

Mr. CARTER. Mr. Chairman, I yield 5 minutes to the distinguished gentleman from Indiana (Mr. HEDNUT), a member of the subcommittee.

Mr. HEDNUT. Mr. Chairman, as a member of the Subcommittee on Public Health and Environment and as a co-sponsor of H.R. 13053, I rise in support of this vital legislation.

As reported from our committee, H.R. 13053 provides a 3-year extension of the National Cancer Act with total authorizations for fiscal years 1975-77 of \$2,565 million for the national cancer program and \$200 million for cancer control programs.

Cancer in its more than 100 forms constitutes one of the most devastating health problems of the American people. It is estimated that 655,000 Americans will develop cancer in 1974 and 355,000 will die. This makes cancer the second leading cause of death, behind heart disease. Beyond an incalculable toll in suffering and family disruption, this disease produces an economic loss in the United States estimated at more than \$15 billion annually.

While a cure for cancer is not yet within sight, scientists and physicians are exploring all promising avenues of research that may lead to identifying the causes of cancer, preventing cancer whenever possible, diagnosing cancer earlier and more accurately, and treating it more effectively.

We can find much encouragement in the progress that has been made under the auspices of the National Cancer Act of 1971. For example:

Half of those children with acute lymphocytic leukemia, a terrible cancer of the blood, now are alive 5 years after diagnosis when treated aggressively with radiation and a combination of anticancer drugs. Twenty years ago, this disease killed most of its victims within a few months and all of them within several years.

Radiotherapy for the early years of Hodgkin's disease, another cancer of the circulatory system, now produces 5 year survival rate of more than 90 percent. This is compared to a 68 percent survival rate for early Hodgkin's disease 5 years ago. A four-drug combination treatment for advanced Hodgkin's give 65 percent survival after 5 years, a vast improvement over the survival rate of less than 10 percent 5 years ago.

Patients with another form of lymphoma can achieve a 5-year survival rate of 66 percent when this cancer is diagnosed early and treated with a combination of drugs. Five years ago the rate was only about 20 percent.

There are indications that breast cancer may yield eventually to a combination of drugs, surgery, and radiation. Five-year survival rates for this disease, which kills more women than any other form of cancer, have remained 60 percent for the past two decades.

Scientists now have found significant decreases in tumor size when advanced breast cancer patients are treated with any one of six drugs. Although these observations do not show any lengthening of these patients' lives, they are essential first steps toward improved treatment for breast cancer in the future.

One out of every three persons who now have cancer can expect to be alive 5 years after treatment. There are one and a half million Americans who have had cancer, but are now well. An additional 1 million cancer patients diagnosed and treated in the last 5 years are expected to live to join these ranks.

By passing H.R. 13053, the national cancer program will be continued and improved. It is hoped that even greater progress can be made that will result in the saving of many more lives and the prevention of suffering.

Mr. CARTER. Will the gentleman yield?

Mr. HEDNUT. I am glad to yield to the gentleman.

Mr. CARTER. I want to compliment the distinguished gentleman from Indiana for the wonderful work he has done on the subcommittee and the tireless and very effective work he has done on the committee. He has done a tremendous job.

I thank the gentleman for yielding.

Mr. HEDNUT. I thank the gentleman from Kentucky for those kind words.

Mr. STAGGERS. Mr. Chairman, I yield 5 minutes to the distinguished gentleman from Georgia (Mr. BRINKLEY).

Mr. BRINKLEY. Mr. Chairman, the slogan of the American Cancer Society is "to cure cancer in your lifetime." The question I would like to ask today is this: In whose lifetime shall a cure for cancer be found?

I hold in my hand a bill the caption of which reads "To authorize the Public Health Service and the National Academy of Sciences jointly to investigate the means and methods for affording Federal aid in discovering a cure for cancer, and for other purposes."

That bill was introduced in 1929—45 years ago—by Senator Harris, of Cedar- town, Ga., the State from which I come.

Mr. Chairman, in my hand I have a concurrent resolution introduced by the gentleman from New York, the Honorable JOHN J. ROONEY, which was passed by this body on July 15, 1970. The major portion of this resolution reads as follows:

Resolved by the House of Representatives (the Senate concurring), That it is the sense of the Congress that the conquest of cancer is a national crusade to be accomplished by 1976 as an appropriate commemo-

ration of the two hundredth anniversary of the independence of our country; and be it further

Resolved, That the Congress appropriate the funds necessary for a program of cancer research and for the buildings and equipment with which to conduct the research and for whatever other purposes are necessary to the crusade so that the citizens of this land and of all other lands may be delivered from the greatest medical scourge in history.

Mr. Chairman, everyone of us wants to find a cure for cancer. I, too, compliment this committee for the excellent progress that is being made, but I submit that it is not enough.

I salute the American Cancer Society, for they have been in this battle for a long time, but the issue today is simply: How much funding, and for how long?

Mr. Chairman, I shall offer an amendment today that will double the authorizations as contained in the committee bill and which would extend the act for an additional 2 years, for a total of 5 years.

I would ask the pages to bring in my chart at this time, so that we might talk about the large number of approved projects which have gone unfunded in previous years.

First of all I want to read about three or four paragraphs from an Atlanta Journal article of April 21, 1974, by Mr. Charles Seabrook in which he talks about "A Place To Die":

Among the most unwanted people in Atlanta are dying cancer patients who have been ruined financially by the disease. Hospitals don't want them, and nursing home operators are increasingly reluctant to take them.

As a result, Atlanta's only free home for destitute cancer victims, Our Lady of Perpetual Help operated by the Catholic church, is being deluged with calls from families who are at the end of their financial rope but still want some decent place for their loved ones to die.

"I wake up in the middle of the night trying to decide who to take next," said Our Lady's director, Sister Mary Eucharia.

"We get frantic phone calls every day from families whose financial resources have been wiped out by cancer, and who have exhausted their chances for any possible government medical aid," she said.

Now, listen to this:

Ironically, said Sister Eucharia, Our Lady is being filled more and more with incurable cancer victims in their mid 30s or early 40s—people who are ineligible for government medical assistance.

That is the point, it is afflicting younger people in their most productive years, and in this respect, it is our Nation's No. 1 killer.

Mr. Chairman, before the day is over, 900 people in this country will have died of cancer, and one in every four sitting in this room, according to current statistics, will die of cancer. Yet even in view of this staggering figure, this great loss of life in this country, the National Cancer Institute reports that they can fund only about half of the scientifically approved cancer research projects which they receive.

This is totally unacceptable to those 900 people who are going to die today,

and it should be unacceptable, and I know it is unacceptable to all of us, whose lives are affected by this disease. I refer the Members to this chart. These are approved but unfunded projects from the National Cancer Institute for 1 year. And, remember, any one of these projects might well be the project which could produce a cure for cancer or a preventive treatment.

Dr. Solomon Garb, scientific director of American Medical Center in Denver, Colo., and also cochairman of the Citizens' Committee for the Conquest of Cancer, has told me that there exists in this country the need for twice the amount of dollars as are currently being used or even asked for in the effort to conquer cancer.

He has also stated that—

The CHAIRMAN. The time of the gentleman has expired.

Mr. STAGGERS. Mr. Chairman, I will be happy to yield 2 additional minutes to the gentleman from Georgia (Mr. BRINKLEY).

Mr. BRINKLEY. Mr. Chairman, would the gentleman from Kentucky also yield me time?

Mr. CARTER. Mr. Chairman, I would inquire how much time I have remaining?

The CHAIRMAN. The Chair will state that the gentleman from Kentucky has 15 minutes remaining.

Mr. CARTER. Mr. Chairman, I will yield 2 minutes to the gentleman from Georgia, the same amount of time as was yielded to the gentleman by the chairman of the committee, the gentleman from West Virginia (Mr. STAGGERS).

The CHAIRMAN. The gentleman from Georgia is recognized for 4 additional minutes.

Mr. BRINKLEY. Dr. Garb stated that it was his impression that the National Cancer Institute had not asked for this additional funding simply because administrators there felt it was unlikely that such increases in Government outlays could be passed by Congress now, today. To me, Mr. Chairman, it is an omission of enormous proportions for the National Cancer Institute to ask for any lesser sum simply because they do not think they will get it. It seems to me it is the responsibility of organizations which want to find a cure to ask for what is needed, not what they think they can get or what they think is possible, and to do less is not squaring with the American people.

Mr. Chairman, are the levels of funding authorized in H.R. 13053 sufficient to fund only half of the approved projects at NCI? Hear me now.

It is significant to note that in 1971 the National Panel of Consultants for the Conquest of Cancer recommended to Congress a \$1 billion yearly budget by 1976 with which to fund our Nation's cancer research efforts. This panel was composed of outstanding businessmen, scientists, and cancer researchers from around the country and was headed by Mr. Benno C. Schmidt, now the President's top cancer adviser.

In addressing the Interstate and Foreign Commerce Subcommittee on Pub-

lic Health and Environment concerning the 1974 Cancer Act Amendments, Dr. A. Hamblin Letton—a fellow Georgian and chairman of the legislative committee as well as past president of the American Cancer Society made the following comparison:

For comparison purposes I would like to cite the NASA budget. We do not oppose it. NASA has provided some important biomedical advances such as extremely delicate heat sensors useful in the detection of breast cancer. But I think that this committee might be interested in the fact that, while we look sharply at a \$1 billion budget for the Conquest of Cancer, we are still spending upwards of \$3 billion per year on the conquest of space. NASA to date has spent approximately \$54 billion.

Mr. Chairman, we have landed on the Moon within this decade. By way of analogy, that is exactly what my amendment proposed to do by 1980 in the field of cancer research. This is strictly in keeping with the concurrent resolution passed by this Congress in 1970.

One final thing and I will be through. Dr. Linus Pauling, a former Nobel Prize winner, has been called one of this Nation's "most valuable natural resources." I will just briefly tell the Members about him. He is the man who discovered the abnormality in the red blood cells which leads to sickle cell anemia. The Saturday Evening Post reports in May of this year that he has been denied a \$37,000 grant to study possible cancer causes by NCI, because the funds are not available.

Mr. Chairman, in conclusion, my amendment does two things. It extends the act for an additional 2 years. It doubles the authorizations contained in the committee bill. We are going to have more facts and figures when I rise to offer my amendment in the nature of a substitute, and I hope that we can get a vote on it. I hope that we can supply the Members with the facts that will compel their hearts and their minds to support my amendment.

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

Mr. CARTER. Mr. Chairman, I yield such time as he may consume to the distinguished ranking minority member, the gentleman from Minnesota (Mr. NELSEN).

Mr. NELSEN. Mr. Chairman, I first want to thank our chairman of the subcommittee and our chairman of the full committee, Mr. ROGERS, and Mr. STAGGERS, and also pay my respects to Dr. CARTER on the committee, a medical doctor, who works with us in the health field on the Health and Environmental Sub-committee, and who provides valuable professional information that we need.

A moment ago we heard the gentleman from Indiana (Mr. HEDNUT), a new member of our committee, speak. He is a very brilliant and dedicated person and I must pay my respect to him also.

Now dealing with the whole cancer problem, in 1971 our committee proceeded to try to do something about a very necessary endeavor. On the House side under the leadership of the gentleman from Florida, Mr. PAUL ROGERS, we thought it was a mistake to fragment what had already been done, but we

wanted to do a better job than had been done in the past. The bill we passed did exactly that.

Many times we seem to think by throwing a bucket of money at something we cure it. But if we are going to do a proper job of research we are going to have to have manpower available to do it and that manpower is not always there, and we must also have other things such as facilities and equipment necessary to the research effort. So we tried to hit a medium that was attainable and have a goal that would be an effective and attainable one.

At times in the past money was wasted and manpower was not there to do a job that had to be done, so we have tried to do our level best to correct these problems with the kind of legislation we have produced.

We have always gone on a 3-year basis, feeling that we need to have a reexamination of programs as we go along. If we extend it on a longer term basis we are apt to lose touch with what is being done in the program.

We have tried to be conservative and yet be sure that the job will be done. I have had some experience with this illness, with cancer in my own family. I know what a concern it is and I also know how successful some research has already been because of an incident I have in mind wherein a cure was effected, so I am grateful for that.

I hope this House passes the bill as it has been proposed by our subcommittee and I hope the Senate and House will agree—and I believe they will—on the bill the Members have before them for consideration at this time.

Mr. STAGGERS. Mr. Chairman, I have no further request for time.

Mr. CARTER. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from California (Mr. LAGOMARSINO).

Mr. LAGOMARSINO. Mr. Chairman, I thank the gentleman from Kentucky for yielding.

Mr. Chairman, gentlemen, I rise to support the measure, H.R. 13053, National Cancer Amendments of 1974, and wish to associate myself with the remarks made by the committee members. I compliment the members of the committee for their fine work.

Mr. Chairman, all too many of my friends—and relatives—have died of cancer and leukemia after almost—but only almost—winning the battle. This legislation can and will help to defeat this dread disease.

Mr. KEMPF. Mr. Chairman, I rise in support of the bill pending before us, H.R. 13053, the proposed National Cancer Amendments of 1974.

Cancer in its many forms constitutes one of the most devastating health problems of the American people, striking 655,000 each year and claiming 355,000 each year among its victims. Cancer is the second leading cause of death, second only to heart disease. And, beyond the incalculable toll in human suffering and family distress, cancer produces an economic loss in the United States estimated at a staggering \$15 billion annually.

Yet, the outlook is improving—at an accelerating pace. One out of every three persons who now have cancer can expect to be alive at least 5 years after treatment. The odds for survival and the length of life after treatment both continue to rise. There are one and a half million Americans who have had cancer but are now well. And, an additional 1 million cancer patients diagnosed and treated in the last 5 years are expected to live to join these ranks.

The very fact that we are learning to control this disease is an indication that we are winning the fight. The proposed amendments now before us are an extension of our commitment to see this battle through to the end—to the development and use of cures to cancer.

What, then, will this bill do to bolster this commitment?

H.R. 13053, as reported, provides a 3-year extension of the National Cancer Act with total authorizations for fiscal years 1975-77 of \$2.565 billion for the national cancer program, authorized by section 410C of the Public Health Service Act, and an additional \$200 million for cancer control programs, authorized by section 409(6) of that later act.

The legislation would also make the following substantive modifications in the National Cancer Act. It would—

Specify that the director of the National Cancer Institute—NCI—may make research and training grants without national advisory board review, provided such individual grants made directly by the Director do not exceed \$35,000 each:

Require the director of NCI to collect, analyze and disseminate information on nutrition programs for cancer patients and the relationship between nutrition and cancer;

Require use of stipends, fellowships, and career awards for training relevant to cancer;

Require the director to submit, with the NCI's budget, estimates of the personnel needed for the cancer program;

Remove the limitation of 15 on the number of cancer research and demonstration centers which the NCI may support;

Provide the director of NCI with additional authority to employ experts and consultants, make grants for construction, alteration and renovation of research facilities, and disseminate and interpret new information concerning cancer;

Mandate in law peer review throughout NIH of grant applications and contract projects in a manner comparable to that presently done administratively for grant applications; and

Extends permanently the present, expiring authority for the Secretary of Health, Education, and Welfare to contract for research projects.

The need for this authority has been well documented in the hearings and consideration of the committee.

I have come in the past several years to have a much deeper appreciation for the value of this type of search for cures to cancer. I have come to this apprecia-

tion for two principal reasons: The outstanding work which I see being done in this subject field, and my own personal encounter with this disease.

Some of the most significant strides made toward curing cancer have occurred at the Roswell Park Memorial Institute in Buffalo, an Institute known worldwide for its endeavors in this regard. Dr. Gerald P. Murphy, institute director, serves on the President's National Cancer Advisory Board and has major responsibility in developing a program for national cancer control. The national program for immunotherapy—developing immunities within the body to the causes of cancer—is centered at Roswell Park, under the direction of Dr. Edmund Klein, chief of dermatology service at the institute.

The extent of the institute's outstanding work is evidence in its yearend report for 1973, which follows:

ROSWELL PARK MEMORIAL INSTITUTE—YEAR END REVIEW 1973
RPMI CONTRIBUTION TO THE NATIONAL CANCER PROGRAM

The Institute continues to be involved with the National Cancer Program established by the National Cancer Act of 1971. Substantial input by the staff to the National Cancer Program is demonstrated by cooperative studies and by grant awards to the staff to explore various top priority studies designated by the offices of the National Cancer Program.

Dr. Gerald P. Murphy, Institute Director, RPMI, serves on the President's National Cancer Advisory Board and has major responsibility in developing a program for National Cancer Control. Such programs should continue to have major impact at Comprehensive Cancer Centers such as Roswell Park, particularly in its efforts to reach out to community hospitals to improve its management of the cancer patient.

The National Prostatic Cancer Project, a National Cancer Institute grant-supported program of research, was granted funds to establish a center at Roswell Park Memorial Institute under the direction of Dr. Gerald P. Murphy. The Center's prime objective is to develop a national prostate program to assist in learning more about prostate cancer.

A national program for immunotherapy has been developed, with the major center at Roswell Park. The immune system of the body has been known to be a primary defense against bacteria, viruses and foreign invaders. It has recently been found to play a major role against cancer. Immunotherapy is also important as part of the comprehensive care for the cancer patient. Treatment of cancer patients at Roswell Park Memorial Institute include immunotherapy as well as surgery, radiation therapy, and chemotherapy. The program is under the direction of Dr. Edmund Klein, Chief of Dermatology Service at RPMI.

PHYSICAL EXPANSION AT RPMI

Construction made possible by the \$5,500,000 construction grant awarded by the National Cancer Institute to Roswell Park for the Cancer Cell Center is on schedule. The facility will house the cancer cell activities of Dr. Pressman, Dr. Sandberg, and Dr. Weiss in a co-ordinated fashion. This building will represent a major thrust forward for basic cancer-research programs directly applied to clinical settings at the Institute. It represents substantial amount of Federal funds awarded for cancer research to New York State, to the Health Department, and to the Institute.

Construction has started on the Ambulatory Care Center, to be located in the entrance

area of the present clinical facilities. Structure will serve the needs of the Institute by permitting appropriate expansion of outpatient diagnosis and treatment efforts. It will enable treatment of larger numbers of patients more rapidly, and to handle a suitable increase in patient referral. Patient treatment is an integral part of the Institute's cancer research program, and contributes indirectly to fiscal stability of the health income plan.

Construction has been underway to provide adequate space for a team approach to patient rehabilitation between seven major services. The program will allow assistance to each patient with his own particular program in helping to restore him to his former life of purposeful activity.

Continued growth at RPMI is exemplified by the new 1500 car parking ramp for the use of employees, patients and visitors. It occupies a full city block, has been completed, and is expected to open by the first of March 1974.

NEW PROGRAM ORIENTATION AT RPMI

From available State resources, a new Department of Molecular Biology was formed and is now functioning. This department is currently supported by seven grants totaling \$505,000, representing support from the National Science Foundation, American Cancer Society, and National Institutes of Health. The department objective is to study cancer on a molecular level.

At Roswell Park, a number of investigators having widely different disciplines have joined together to develop a further understanding of the mechanism by which environmental contaminants and synthetic chemicals produce cancer. The Membrane and Carcinogenesis Research Program at Roswell Park is studying carcinogenesis at the cellular level—with particular emphasis on chemical carcinogenesis. Scientific exchange with colleagues at RPMI is facilitated by weekly discussion groups which focus on different aspects of cancer research. The combined resources at the Orchard Park Laboratories with its 20,000 sq. ft. of space, and the Roswell Park Memorial Institute Buffalo campus are committed to a concerted research attack on the enigma of the carcinogenic process.

The pharmacology program with current annual support of \$1,030,000 from NIH grants has aided in expanding the Institute's efforts to develop and study new chemotherapeutic drugs. Progress made in this area on a rapid basis would not be possible without continued and substantial State support and NIH grant support. The pharmacology program expansion has been made physically possible through the opening of the James T. Grace Cancer Drug Center facility.

RPMI has expanded its effort to educate the public about cancer. Cancer information through the telephone has been instituted at RPMI as a public service. The Cancer Dial Tape Library consisting of 25 tapes are presented in an easy-to-understand language and help answer common questions about cancer. The tapes may be requested to be played from 9 a.m. to 1 a.m. Monday thru Sunday by dialing one telephone number. The service is to alert the public to cancer problems, not to be used in an emergency to diagnose illness, or to replace the family doctor.

SOME ACCOMPLISHMENTS AT RPMI

A cancer patient skin test for determining the immunological status of the patient has been developed.

It was initially most clearly demonstrated at RPMI that a variety of tumors have some materials with a common antigen site, i.e., a feature at the molecular level to which a patient's immunological system may react. The extent of this reaction can be measured in some cases and used as an index for

modifying and improving the patient's therapy.

The activity of a particular chemical, Di-aminodichloroplatinum, is striking in all cell types of testicular tumors. Three of 11 patients showed complete tumor regression. Three of 11 showed partial regression and 3 of 11 showed objective improvement but less than 50% regression.

A long-term clinical study demonstrated that modest doses of thyroid hormone may induce a persistent regression of some non-toxic goiters.

A correlation between the chromosomal findings in acute myeloblastic leukemia with the survival of such patients was found. There is a definite indication that the absence of some certain readily recognizable cells (diploid cells) carries a very grave prognosis in this disease.

If a patient is made hypersensitive to Bacillus Calmette Guefaine Vaccine (BCG), the capacity to establish reaction to other antigens is markedly increased.

Evidence has been reported for the presence of a common tumor specific antigen in human serious cystadenocarcinomas of the ovary. This antigen is absent in normal ovarian tissue and other normal organs and is immunologically unrelated to other known tumor antigens. Further immunological testing of various tumors to date has revealed this antigen to be present only in serious and mucinous cystadenocarcinomas of the ovary.

Adriamycin, a new antitumor antibiotic, has been shown to be highly active against uterine sercomas, squamous cell carcinomas of the female genital tract and some unusual cancers. Since these tumors usually do not respond to other chemotherapeutic agents, Adriamycin is a valuable addition to the chemotherapeutic armamentarium of the gynecologic oncologist.

A new and simple method has been developed for the synthesis of some sugar-like compounds (oligosaccharides) which are useful in investigating particular enzymes (glycosidases and glycosyl transferases) involved in the biosynthesis and metabolism of the glycoproteins of gynecologic cancers.

The method of prefabrication in pharyngoesophageal reconstruction developed by Bakamjian has proven to be a significant contribution to head and neck cancer surgery.

The reed fistula method of speech rehabilitation, developed at Roswell Park Memorial Institute, has restored vocal function to a group of pharyngolaryngectomy patients who otherwise would not have been able to develop good oral communication.

A particular compound, SCH 13521, has been found useful in treating far advanced prostatic cancer.

It was demonstrated that the assay of carcinoembryonic antigen (CEA) can be used to detect the early recurrence of metastatic disease in patients with carcinomas of the colon and lung and as an adjuvant in the treatment of patients.

The techniques for viewing essentially live cells in an electron microscope have been developed, and many electron micrographs of cancer cells have been obtained.

A new animal kidney cancer that can be transplanted has been developed and is of value in screening anticancer compounds.

The antileukemia action of B-deazauridine in mice was established.

Statistical studies have shown that present methods of calculating "safe" levels of radiation are seriously in error: they may protect the normal individual but they fail to protect the susceptible individuals who need this protection most.

Hybrid man-mouse cells, formed through special techniques, have been used to assign certain genes to positions on particular chromosomes and should be useful in mapping genes on rearranged chromosomes in tumors.

C-type tumor virus production was demonstrated in man-mouse cell hybrids derived from parent cells not producing the virus. The virus production was presumably stimulated by the interaction and complementation of the human and mouse genes being in the same hybrid cell.

Cigarettes made with paper modified in either of two ways are moderately less carcinogenic than are standard cigarettes. The modifications include the addition of ammonium sulfamate to the paper or the addition of a thin film of aluminum on the inner surface of the paper. In both cases, the cigarettes burn more slowly between puffs.

Recent data indicate that plasma from human leukemia patients has helped activity for defective Friend spleen focus-forming virus. This may have potential value in determining the etiologic agent responsible for the induction of various forms of leukemia and lymphoma in man. Studies on the levels of helper activity recovered from the plasma of leukemic patients and from members of their families may contribute to our knowledge of the effectiveness of various chemotherapeutic agents in the treatment of leukemia and may also enable us to determine if certain forms of leukemia are infectious (i.e., transmitted either vertically or horizontally by a human leukemia virus.)

Long-term culturing of normal mammary cells directly from mammary tissue is possible. This will provide a model for the study of mammary carcinogenesis.

Evidence that an important part (the variable regions of two different kinds of human antibodies may be synthesized using genetic information from the same gene was found in the myeloma proteins from a single patient.

A distinctive component of the human HLA histocompatibility antigen, important in tissue transplantation, has been isolated.

A second T-cell line has been established in culture starting with cells in the blood of a patient with acute lymphoblastic leukemia. T-cells are a cell type important in combatting cancer cells and such cell lines are of value in gaining an understanding of how this occurs.

The genetic site controlling cellular differentiation of an important enzyme, B-galactosidase, in mice has been identified. It is located in chromosome 9.

I am deeply indebted to Roswell Park Institute and its dedicated staff.

Not too long ago, I was told I, too, had cancer, skin cancer. You have not had a shock quite go through you like being told you have cancer, for all its forms still claim lives. Thankfully, skin cancer is one of the least dangerous forms, but we must understand why it is. Why? Because they have found cures and controls for it; it can now be treated. But, at one time it, too, could not.

That is what the purpose of the bill before us is: To give us more cures for more kinds of cancer, so that one day someone being told that they have lymphocytic leukemia—one of the most dreaded forms of cancer today—can regard it with the same view that we do skin cancer now.

Every bit of meaningful research done moves us closer to that goal, closer to cures for all forms of cancer. I am aware of the great work being done on cancer research around the country and they certainly deserve our support.

Mr. YATRON. Mr. Chairman, of all diseases and fears that have plagued mankind for as long as he has inhabited the Earth, I have always believed that the word "cancer" and what it denotes

strikes a stronger sense of fear and dread than any other.

Surely, it will be a time of great triumph and achievement when, at last, man has truly made significant inroads in isolating and finding cures for the various types of cancer that exist. Those of you who have lost a loved one to cancer know the magnitude of the challenge that lies ahead.

It is for this reason that I rise to speak in behalf of the substitute to H.R. 13053, the Cancer Act amendments, being offered by my colleague from Georgia (Mr. BRINKLEY).

In my view, the channeling of our financial resources into this particular area is not merely desirable nor necessary—it is imperative. And, it is crucial that we not merely provide token nor partial funds for cancer research programs. We must direct as much as possible into the effort. I do not believe that the authorization of some \$2.7 billion, as called for in H.R. 13053, represents an adequate authorization. If we are going to relate, in any way, the issue of Federal spending with the fight against cancer, then we can never hope to defeat nor turn back the threat of this dreaded disease. An authorization of \$11.5 billion, however, as called for in the Brinkley amendment, is not excessive. It is responsible.

As a matter of fact, I do not believe that we can afford to direct a lesser amount into the assault against cancer.

In addition to calling for necessary increase in the funding authorization for the National Cancer Institute, Congressman BRINKLEY's substitute proposal would also double each of the three yearly appropriations authorized in the committee bill. It would extend these appropriations for an additional 2 years, through fiscal year 1979.

It is startling to note that the National Cancer Institute has reported that they are able to fund only one-half of the scientifically approved cancer research projects which they received. This is a shameful record, for which we certainly cannot blame the Cancer Institute. The blame must fall on the Congress, for research is the only means of achieving success in combating this disease, which is second only to heart disease in claiming lives. Research is the main thrust of the long and difficult struggle to remove the fear of the cancer threat from our lives. We cannot afford to delay, nor can we afford to provide anything less than a total commitment to the effort.

Our colleagues in the Interstate and Foreign Commerce committee have devoted time and effort to the development of cancer research legislation. Through their efforts, we now have an opportunity to consider and act upon this critical issue at this time.

However, the task that lies ahead and the goal we seek to achieve demands that we approve Mr. BRINKLEY's substitute bill. To do less would be failing in our determination to attack the problem fully and completely.

Mr. LEHMAN. Mr. Chairman, I rise in support of my colleague's amendment to increase the authorizations in the bill for the conquest of cancer.

This is the most terrifying of diseases, and the second leading cause of death in this country. The energy crisis, pollution, crime and communism together will never cripple, bankrupt, devastate and destroy as many of us as will cancer.

Today, there are unfunded grants at the National Cancer Institute that total more than \$2 million. Despite a shortage of laboratory facilities, there is at present over \$29 million in construction grant applications which have been approved, but remain unfunded.

Recently, Dr. A. Hamblin Letton, past president of the American Cancer Society, made a comparison between cancer research and the budget for space exploration, and stated that while we look sharply at a \$1 billion budget for the conquest of cancer, we are still spending upward of \$3 billion per year on the conquest of space, and the NASA to date has spent approximately \$54 billion.

We must not negate nor disparage space exploration. In fact, NASA has provided some important biomedical advances, such as extremely delicate heat sensors useful in the detection of breast cancer. However, it is so essential that we reorganize our priorities, especially our scientific and medical expenditures, so that our first concern will always be to reduce disease, pain and suffering among our people.

Mr. CONTE. Mr. Chairman, I rise in support of H.R. 13053, the National Cancer Amendments of 1974.

I commend my colleagues on the Legislative Committee for their foresight in writing the original legislation establishing the national cancer and cancer control programs and for this bill extending and strengthening those programs and clarifying Congress' intent for them.

As a member of the Labor-Health, Education, and Welfare Appropriations Subcommittee, I have been hearing testimony from the Director of the National Cancer Institute on the progress we have been making in the fight against cancer. It is essential that we continue that effort and strengthen it.

I am impressed by the excellence of our basic research effort and the new knowledge we are gaining on the origins and treatment of this terrible disease.

I am even more impressed at the way in which we are learning to use the results of that basic research in diagnosis and treatment and what this means in human terms. For example, 20 years ago most children with acute lymphocytic leukemia died within a few months. All of them died within a few years. Now half of those treated with radiation and a combination of anticancer drugs are alive 5 years after diagnosis.

We are proving that by making a concerted effort, by mobilizing our resources, we can more quickly apply what we learn in the medical laboratory in the research clinic. The next step is to make that application in general medical practice.

This bill extends the national cancer and cancer control programs for 3 more years.

It has some important new provisions.

It requires the collection and dissemination of information on nutrition programs for cancer patients and on the relation between nutrition and cancer.

It insists that training stipends, fellowships, and career awards be used to train researchers and other professionals in the field of cancer. I feel very strongly about this provision of the act. No greater threat to our biomedical research programs has been made than efforts to weaken and dismantle our training programs.

Congress will now receive from the director of the National Cancer Institute his estimates of the personnel he needs to carry out these programs. We have had considerable evidence in the appropriations hearings that personnel ceilings and reductions made for purely budgetary considerations are undercutting our research and treatment programs.

The limitation of 15 on the number of cancer research and demonstration centers is removed.

Congress restates its determination that the National Institutes of Health carry forward a balanced biomedical research program.

And, in a very important provision, the peer review system is legislatively established for NIH and NIMH. The excellence of our biomedical research programs, the greatest in the world, rests on the participation of the scientific community in making judgments on the merit of proposed research.

Mr. Chairman, there are few pieces of legislation I can support as wholeheartedly as this one. I urge my colleagues to add their support.

Mr. BURKE of Massachusetts. Mr. Chairman, I feel it essential that this Congress pass H.R. 13053, the National Cancer Amendments of 1974. The continuation of research into the causes and cures of cancer is an endeavor of high priority in eliminating such fatal diseases as cancer.

In recent years, we have seen cancer claiming the lives of hundreds of thousands of Americans annually. Recent studies indicate to us that cancer is on the rise in America, and will prove fatal to millions of Americans in the years to come, unless we act now to check the spread of this crippling disease.

H.R. 13053 provides for total appropriations over the next 3 fiscal years in the amounts of \$2.5 billion for the national cancer program, and \$200 million for cancer control programs. In my opinion, these appropriations represent money well spent; the Federal Government, through channeling large sums of money into the research of cancer, can assure future generations of existence free from the threat of this dreaded disease.

In the history of the past century, there are many instances where maladies originally considered to be incurable and fatal have been brought under human control through the amazing accomplishments of medical research. It is time, I feel, that the Federal Government provide the mechanisms through which cancer can be overcome. Much progress has been made; there still remains, however, much to be done. To bring to a halt the progress of research made possible through Federal funding would indeed be a grave error on the part of Congress;

our commitment to the goal of the elimination of the threat of cancer cannot be abandoned so easily. The potential victims of cancer in the future will not permit us to shirk our duty on their behalf.

Mr. Chairman, I ask for the speedy passage of H.R. 13053. To halt the spread of cancer, we must act, and act quickly.

Mr. HEINZ. Mr. Chairman, Congressman PAUL FINDLEY is out of the country on official business for the House of Representatives today, but he has written me expressing his strong and enthusiastic support for H.R. 13053, the National Cancer Act amendments. I would like to place his letter in the RECORD at this point:

Hon. H. JOHN HEINZ III,
House of Representatives,
Washington, D.C.

DEAR JOHN: I am sorry I will not be present when H.R. 13053 comes to the floor, but I will be in the Middle East on a matter of considerable humanitarian concern.

The National Cancer Act Amendments proposal is one of the most important measures to come before Congress in the medical field.

All of us are aware of the appalling number of deaths each year from cancer. Virtually every family has been touched—directly or indirectly—by this dread disease. It is perhaps the most feared cause of death in the United States.

Modern medical science is struggling to overcome this killer, but the help of the Congress is needed.

This bill is designed to implement the National Cancer Act of 1971, which launched a sustained commitment to fight and conquer cancer. It strengthened the National Cancer Institute, established a National Cancer Advisory Board, and most important of all, it authorized fifteen comprehensive cancer centers.

The expanded cancer research program which resulted from that legislation has focused on two objectives—first, to speed research on early diagnosis, the causes of cancer and preventive and treatment techniques; and second, to educate the general public on the most effective methods of detecting and combatting cancer.

This concerted effort has already led to significant results. New methods of treatment have been found, largely as a result of research in radiation, immunology, drug therapy and surgical techniques.

Twelve of the fifteen authorized cancer centers are now in operation.

H.R. 13053 extends the National Cancer Act for three years, and adds several important new provisions. These are designed to make it possible for the program to go forward with a minimum of red-tape and bureaucracy. In addition, the bill removes the fifteen-center limit imposed by the original Act, so that additional centers may be constructed should the need arise.

The bill also contains commendable provisions for the dissemination of information on the causes, prevention, diagnosis and treatment of cancer.

This measure will make possible significant progress in the area of cancer research and treatment.

Your committee has done an excellent job in drafting this important bill. It has my full support.

Sincerely yours,

PAUL FINDLEY,
Representative in Congress.

Mr. MINISH. Mr. Chairman, I rise in enthusiastic support of the National Cancer Amendments of 1974. As a co-sponsor of this legislation, I want to commend the Committee on Interstate and Foreign Commerce for the excellent measure they have reported and for

their prompt action in bringing it to the House floor.

There can be little doubt that cancer is the most terrifying disease we face today. Cancer victims include people in all walks of life, all races, and all ages. I venture to say there is probably not a man or woman in this chamber whose life has not been touched by cancer at one time or another.

It is estimated, Mr. Chairman, that 655,000 Americans will develop cancer during 1974, and 355,000 will die from the disease, more than 14,000 of them in my own State of New Jersey alone.

It is clear, therefore, that we must move ahead with, and intensify, the Federal Government's effort to find the cause and cure for cancer. We have an opportunity to strive for that goal under this legislation.

H.R. 13053 authorizes appropriations for the cancer program for 3 additional years in the amount of \$2.765 billion, almost \$1 billion more than the last 3 years.

Besides the overall increase in funding, the bill authorizes an increase in the number of comprehensive cancer centers which are designed to disseminate information about new discoveries, new and improved methods of diagnosis, and new approaches to the treatment of cancer.

Mr. Chairman, I urge overwhelming approval of this bill by the House, and prompt agreement with the Senate version in order that there may be no delay in the vital work of combating cancer.

Mr. DRINAN. Mr. Chairman, I rise in support of the National Cancer Amendments of 1974, H.R. 13053.

Over 350,000 persons, victims of the over 100 forms of cancer known today, will die in the United States this year. Another 650,000 or more will contract this insidious disease. Many of these will die in the ensuing months unless we are successful in winning the battle against cancer.

A great deal of progress has been made in the past few years by research scientists in discovering the causes and improving the treatments available to those struck by this affliction. A greater amount of progress remains yet to be achieved.

H.R. 13053, under consideration today, is intended to extend and augment the vital research effort that has been wisely expanded over the last several years. It would extend the National Cancer Act of 1971, with positive modifications, through 1977. It will, if enacted into law, increase funding of the national cancer program as well as provide funds for other cancer control programs.

We cannot, in good conscience, argue against this vitally needed research effort. Still, we must remember the other valuable research efforts conducted by the National Institutes of Health that also need our support. We must not, above all, increase our cancer effort at the expense of other desperately needed medical research efforts. We can and must afford to do both. We cannot afford not to.

Mr. Chairman, the need is obvious. The cause is worthwhile. I urge my colleagues to move in support of saving

lives now and in the future by voting for H.R. 13053.

Mr. KYROS. Mr. Chairman, as a member of the Public Health and Environment Subcommittee, I rise in strong support of the legislation under consideration to extend the National Cancer Act through 1977. This legislation would not only extend the Nation's national cancer program but would also make several substantive changes in the act to significantly improve it.

Throughout the United States the national cancer program has been progressing well. To my own State of Maine, the program has brought pap tests and cancer information. This year Maine's program will fund the administration of pap tests through the National Cancer Society and Regional Medical Centers. Also in Maine, the National Cancer Institute has helped to initiate research projects in chemotherapy and immunology. The use of chemotherapy has already reaped benefits nationally, and the concept that our own bodies can, with help, develop immunity is most promising. In this connection, the Jackson Laboratory in Bar Harbor has approximately \$700,000 in Federal grants to study the viral and genetic influences in cancer. The University of Maine at Orono is also engaged in cancer research under institute grants.

Despite all of this progress, cancer remains, of course, the second greatest cause of death in our country. It is, perhaps, the most dread disease known to man, and now is certainly not the time to let up on our efforts to combat it. I strongly urge passage, therefore, of H.R. 13053, the National Cancer Amendments of 1974.

Mr. BIAGGI. Mr. Chairman, I rise to urge my colleagues to quickly pass H.R. 13053, the National Cancer Amendments of 1974. It is vitally important that we extend the life of this most important agency, the National Cancer Institute.

Cancer is the No. 2 killer of Americans today. Only heart disease takes the lives of more people each year. But in some ways cancer is more horrible, because the victim is far more likely to suffer, to waste away, and to be in deep pain during his last days.

The cure for this deadly disease, one which may strike almost any part of the body, has eluded us to this day. Despite the fact that we have developed amazing scientific, and specifically medical, capabilities, we are still almost totally in the dark about cancer.

Accordingly, in 1971 the Congress recognized that it was time for the resources of the Federal Government to be committed to the fight against cancer. We determined that a National Cancer Institute should be set up and generously funded for 3 years. I wholeheartedly supported that important legislative effort.

Now that the bill is up for renewal, I wish to restate my unqualified support for the National Cancer Institute and its objectives. I am particularly pleased that the legislation before us today significantly increases funding for the National Cancer Institute. I am especially pleased that some important procedural modifications are contained in the bill which will increase the value of the effort of the National Cancer Institute.

In the next 3 years, we are proposing to spend \$2.765 billion in the fight against cancer. This is an increase of almost \$1 billion over what we spent in the last 3 years. We will spend \$200 million for cancer control alone during the life of this bill, where we spent only \$110 million under the old bill. These amounts speak eloquently of the commitment we are making to finding the causes of cancer and to develop a cure.

The improvements in the operation of the program are also significant. We are doubling the number of consultants to the National Cancer Institute, from 50 to 100 experts. We are directing the Institute to gather and disseminate information on the relation between nutrition and cancer so that research breakthroughs in this critical area of health can save lives as soon as possible. Finally, we are eliminating the present restriction of 15 on the number of comprehensive cancer centers which may be established to get new knowledge into the medical mainstream. It is inescapable that if research information is not shared quickly, lives may be lost. That is the very opposite of what we are trying to do, and the elimination of this restriction goes a long way to making that priority clear. We are not just dealing with a scientific problem. We are trying to help people stay alive.

In sum, Mr. Chairman, I urge prompt passage of H.R. 13053.

Mr. MATSUNAGA. Mr. Chairman, the bill before the House renews our national commitment to conquer that dreaded killer disease, cancer. As a cosponsor of the original Conquest of Cancer Act legislation, I am pleased to express my support for H.R. 13053.

This bill authorizes \$2.8 billion over the next 3 years to continue the work of the national cancer program. It discharges well the dual responsibilities of the original act—intensive, coordinated research into the disease, and demonstration and education efforts to put the fruits of the research into use.

Since Congress enacted the program in 1971, progress toward cures and preventatives for cancer has been improving at an accelerating rate. Fully one-third of those who now have cancer will be alive 5 years from now. A million and a half Americans have had cancer and recovered; another million now undergoing treatment can be expected to be cured.

Yet no one denies the enormity of the task remaining. It is estimated that another two-thirds of a million Americans will develop cancer in 1974; more than half of these victims will die as a result. Cancer is still, next to heart disease, the second most frequent cause of death in the country.

Mr. Chairman, the commendable momentum achieved by the national cancer program must be maintained. New knowledge is desperately needed about causes, detection, prevention, and treatment. The system of comprehensive cancer centers must be expanded and strengthened. Administrative functioning of the National Cancer Institute needs to be improved. And we need to insure that emphasis on finding a cure

for cancer does not stifle scientific research carried out by other programs at the National Institutes of Health.

I believe that H.R. 13053 will accomplish all of these goals, and I urge the House to approve it overwhelmingly.

Mr. GILMAN. Mr. Chairman, I rise in support of H.R. 13053, the National Cancer Amendments of 1974.

Cruel cancer is one of the most devastating health problems facing our Nation. The second leading cause of death in our Nation, cancer is a monster which indiscriminately afflicts both the young and old, the rich and poor, in its more than a hundred varying forms.

In recognizing the urgent need to combat the suffering and deaths from cancer, Congress authorized the National cancer program in 1971. As the termination of that program is approaching, the 93d Congress has recognized the necessity of continuing and stepping up our Nation's efforts in researching and developing cures for this dread disease. Accordingly, the House Interstate and Foreign Commerce Committee has brought before us today a measure which provides the wherewithall for intensified efforts in researching and disseminating information about cancer.

It is heartening to learn that the Administration supports this legislative effort seeking cures and cancer prevention. There is hardly an individual within our Nation whose family or friends have not been touched by some form of cancer. While we have made some gains in the battle—there is a million and a half people who were reported to have been afflicted but are now well—the need to intensify our efforts is an understood and accepted fact.

The bill now before us, authorized increased funding to speed the development of new knowledge by coordinated research efforts within the National Cancer Institute. Accordingly, I am pleased to add my support to this worthy legislation and urge my colleagues to join in seeking a remedy for this most serious health problem by voting in favor of H.R. 13053.

Mr. DONOHUE. Mr. Chairman, this bill before us, H.R. 13053, designed to improve the national cancer program and to authorize appropriations for that program for the next 3 fiscal years, certainly merits and should receive our overwhelming endorsement.

In simple substance this measure will coordinate, strengthen, and accelerate our national commitment to eventually control and eliminate the curse of cancer upon our citizens.

As is commonly known, cancer is truly the No. 1 health problem affecting the American people, and the occurrence of cancer is, unfortunately, increasing.

In appreciation of the significance of such increase, together with the warning of the experts that the nature of cancer still remains largely unknown, we have the clear legislative duty of enlisting and marshaling the most effective scientific resources of this country to win the fight against cancer.

The medical authorities advise us that there has been some limited encouraging

progress in the war on cancer but there is a current urgent need for the projection of a more coordinated and better concentrated program in order to more effectively pursue recent advances in diagnosing, curing, and eliminating cancer.

This measure is a sound response to the recommendation of our best medical experts to heighten a systematic attack on the terribly complex causes of cancer and it contains prudent and reasonable appropriation authorizations to achieve this national objective.

Mr. Chairman, the vital importance of the cancer solution problem to all the American people is obvious and the adoption of this bill will constitute a major forward step in our persevering determination to overcome the scourge of cancer in this country and the world. Therefore, I urge the House to resoundingly approve this measure.

Mr. CARTER. Mr. Chairman, I have no further request for time.

The CHAIRMAN. The Clerk will read. The Clerk read as follows:

H.R. 13053

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "National Cancer Amendments of 1974".

SEC. 2. Section 402(b) of the Public Health Service Act is amended—

(1) by striking out "in amounts not to exceed \$35,000" in paragraph (1) and inserting in lieu thereof "if the direct costs of research and training do not exceed \$35,000, but only"; and

(2) by striking out "in amounts exceeding \$35,000" in paragraph (2) and inserting in lieu thereof "if the direct costs of such research and training exceed \$35,000, but only".

SEC. 3. Section 407(b)(4) of the Public Health Service Act is amended by striking out "all data" and inserting in lieu thereof "information (including information respecting nutrition programs for cancer patients and the relationship between nutrition and cancer)".

SEC. 4. Section 407(b)(7) of the Public Health Service Act is amended by striking out "where appropriate".

SEC. 5. Section 407(b)(9)(A) of the Public Health Service Act is amended by inserting "(including an estimate of the number and type of personnel needed for the National Cancer Program)" after "budget estimate."

SEC. 6. Section 408(a) of the Public Health Service Act is amended by striking out "fifteen".

SEC. 7. Section 409(b) of the Public Health Service Act is amended by striking out "and" before "\$40,000,000" and by inserting before the period at the end thereof a comma and the following: "\$50,000,000 for the fiscal year ending June 30, 1975, \$65,000,000 for the fiscal year ending June 30, 1976, and \$85,000,000 for the fiscal year ending June 30, 1977".

SEC. 8. Section 410 of the Public Health Service Act is amended—

(1) by striking out "fifty" in paragraph (1) and inserting in lieu thereof "one hundred";

(2) by striking out "and" at the end of paragraph (7);

(3) by striking out the period at the end of paragraph (8) and inserting in lieu thereof "and";

(4) by adding after paragraph (8) the following new paragraph;

"(9) to award grants for new construction as well as alterations and renovations for improvement of basic research laboratory

facilities, including those related to biohazard control, as deemed necessary for the National Cancer Program."; and

(5) by inserting "(a)" after "410." and by adding after paragraph (9) the following new subsection:

"(b) (1) The Director of the National Cancer Institute may provide and contract for a program to disseminate and interpret, on a current basis, for practitioners and other health professionals, scientists, and the general public new scientific and other information respecting the cause, prevention, diagnosis, and treatment of cancer.

"(2) The Director of the National Cancer Institute shall include in the annual report required by section 410A(b) a report on the progress, activities, and accomplishments of, and expenditures for, the information services of the National Cancer Program."

Sec. 9. Section 410C of the Public Health Service Act is amended by striking out "and" before "\$600,000,000" and by inserting before the period at the end thereof a semicolon and the following: "\$750,000,000 for the fiscal year ending June 30, 1975; \$830,000,000 for the fiscal year ending June 30, 1976; and \$985,000,000 for the fiscal year ending June 30, 1977".

Sec. 10. Part G of title IV of the Public Health Service Act is amended by adding at the end the following new section:

"PEER REVIEW OF GRANT APPLICATIONS AND CONTRACT PROJECTS

"Sec. 455. (a) The Secretary, after consultation with the Director of the National Institutes of Health, and, where appropriate, the Director of the National Institute of Mental Health, the National Institute on Alcohol Abuse and Alcoholism, or the National Institute on Drug Abuse, shall by regulation require appropriate scientific peer review of—

"(1) applications made after the effective date of such regulations for grant under this Act for biomedical and behavioral research; and

"(2) biomedical and behavioral research and development contract projects to be administered after such effective date through an institute established under this title, the National Institute of Mental Health, the National Institute on Alcohol Abuse and Alcoholism, or the National Institute on Drug Abuse.

"(b) Regulations promulgated under subsection (a) shall to the extent practical, require that the review required by the regulations be conducted—

"(1) in a manner consistent with the system for scientific peer review applicable on the date of the enactment of this section to applications for grants under this Act for biomedical and behavioral research and to biomedical and behavioral research contract projects administered by the institutes referred to in paragraph (2) of subsection (a), and

"(2) by peer review groups performing such review on or before such date.

The members of any peer review group established under such regulations shall be individuals who by virtue of their training or experience are eminently qualified to perform the review functions of the groups and not more than one-fourth of the members of any peer review group established under such regulations shall be officers or employees of the United States."

Sec. 11. Section 301(h) of the Public Health Service Act is amended by striking out "during the fiscal year ending June 30, 1966, and each of the eight succeeding fiscal years".

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

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

There was no objection.

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
OFFERED BY MR. BRINKLEY**

Mr. BRINKLEY. Mr. Chairman, I offer an amendment in the nature of a substitute.

The Clerk read as follows:

Amendment in the nature of a substitute offered by Mr. BRINKLEY: Strike out all after the enacting clause and insert in lieu thereof the following:

SECTION 1. This Act may be cited as the "National Cancer Amendments of 1974".

Sec. 2. It is the purpose of the amendments made by this Act to substantially increase the authorizations of appropriations for the National Cancer Program and the National Cancer Institute over the period of the next five fiscal years to provide an effective acceleration in cancer research activities to find a preventative and cure for cancer within such period.

Sec. 3. Section 402(b) of the Public Health Service Act is amended—

(1) by striking out "in amounts not to exceed \$35,000" in paragraph (1) and inserting in lieu thereof "if the direct costs of such research and training do not exceed \$35,000, but only"; and

(2) by striking out "in amounts exceeding \$35,000" in paragraph (2) and inserting in lieu thereof "if the direct costs of such research and training exceed \$35,000, but only".

Sec. 4. Section 407(b)(4) of the Public Health Service Act is amended by striking out "all data" and inserting in lieu thereof "information (including information respecting nutrition programs for cancer patients and the relationship between nutrition and cancer)".

Sec. 5. Section 407(b)(7) of the Public Health Service Act is amended by striking out "where appropriate".

Sec. 6. Section 407(b)(9)(A) of the Public Health Service Act is amended by inserting "(including an estimate of the number and type of personnel needed for the national cancer program)" after "budget estimate".

Sec. 7. Section 408(a) of the Public Health Service Act is amended by striking out "fifteen".

Sec. 8. Section 409(b) of the Public Health Service Act is amended by striking out "and" and before "\$40,000,000" and by inserting before the period at the end thereof a comma and the following: "\$100,000,000 for the fiscal year ending June 30, 1975, \$130,000,000 for the fiscal year ending June 30, 1976, \$170,000,000 for the fiscal year ending June 30, 1977, \$220,000,000 for the fiscal year ending June 30, 1978, and \$280,000,000 for the fiscal year ending June 30, 1979."

Sec. 9. Section 410 of the Public Health Service Act is amended—

(1) by striking out "fifty" in paragraph (1) and inserting in lieu thereof "one hundred";

(2) by striking out "and" at the end of paragraph (7);

(3) by striking out the period at the end of paragraph (8) and inserting in lieu thereof "and";

(4) by adding after paragraph (8) the following new paragraph:

"(9) to award grants for new construction as well as alterations and renovations for improvement of basic research laboratory facilities, including those related to biohazard control, as deemed necessary for the National Cancer Program."; and

(5) by inserting "(a)" after "410." and by adding after paragraph (9) the following new subsection:

"(b) (1) The Director of the National Cancer Institute may provide and contract

for a program to disseminate and interpret, on a current basis, for practitioners and other health professionals, scientists, and the general public new scientific and other information respecting the cause, prevention, diagnosis, and treatment of cancer.

"(2) The Director of the National Cancer Institute shall include in the annual report required by section 410A(b) a report on the progress, activities, and accomplishments of, and expenditures for, the information services of the National Cancer Program."

Sec. 10. Section 410C of the Public Health Service Act is amended by striking out "and" before "\$600,000,000" and by inserting before the period at the end thereof a semicolon and the following: "\$1,500,000,000 for the fiscal year ending June 30, 1975; \$1,660,000,000 for the fiscal year ending June 30, 1976; \$1,970,000,000 for the fiscal year ending June 30, 1977; \$2,500,000,000 for the fiscal year ending June 30, 1978; and \$3,000,000,000 for the fiscal year ending June 30, 1979".

Sec. 11. Part G of title IV of the Public Health Service Act is amended by adding at the end the following new section:

"PEER REVIEW OF GRANT APPLICATIONS AND CONTRACT PROJECTS

"Sec. 455. (a) The Secretary, after consultation with the Director of the National Institutes of Health, and, where appropriate, the Director of the National Institute of Mental Health, the National Institute on Alcohol Abuse and Alcoholism, or the National Institute on Drug Abuse, shall by regulation require appropriate scientific peer review of—

"(1) applications made after the effective date of such regulations for grants under this Act for biomedical and behavioral research; and

"(2) biomedical and behavioral research and development contract projects to be administered after such effective date through an institute established under this title, the National Institute of Mental Health, the National Institute on Alcohol Abuse and Alcoholism, or the National Institute on Drug Abuse.

"(b) Regulations promulgated under subsection (a) shall to the extent practical, require that the review required by the regulations be conducted—

"(1) in a manner consistent with the system for scientific peer review applicable on the date of the enactment of this section to applications for grants under this Act for biomedical and behavioral research and to biomedical and behavioral research contract projects administered by the institutes referred to in paragraph (2) of subsection (a), and

"(2) by peer review groups performing such review on or before such date. The members of any peer review group established under such regulations shall be individuals who by virtue of their training or experience are eminently qualified to perform the review functions of the groups and not more than one-fourth of the members of any peer review group established under such regulations shall be officers or employees of the United States."

Sec. 12. Section 301(h) of the Public Health Service Act is amended by striking out "during the fiscal year ending June 30, 1966, and each of the eight succeeding fiscal years".

Mr. BRINKLEY (during the reading). Mr. Chairman, I ask unanimous consent that the amendment in the nature of a substitute be considered as read and printed in the RECORD.

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

There was no objection.

Mr. BRINKLEY. Mr. Chairman, the

amendment which I am now offering in the nature of a substitute does basically two things. It corresponds to the bill which I introduced last year, with the exception of the financing provisions. The financing provisions in my earlier legislation provided for a surtax which would be imposed upon all people in this country to pay for this measure. That bill is now pending in the Committee on Ways and Means.

This effort is almost identical, but it was drafted upon the tracks set forth by this committee. It would extend the present act for a period of 5 years in order to conform to my earlier bill which provided for a 5-year authorization so as to eradicate cancer within the lifetime of the people of this decade, before 1980.

In addition, there is a substantial beefing up of funds, namely, it doubles the amount of funding in both section 8 and section 10.

In section 10, for example, it provides in place of \$750 million for the fiscal year 1975, \$1,500 million.

The next year, \$1,660 million.

The next year, \$1,970 million.

The fourth year \$2,500 million, and the final year the goal is \$3 billion.

Mr. Chairman, a few days ago I inserted in the CONGRESSIONAL RECORD information we had earlier received from Dr. Rauscher, director of the national cancer program at NCI, giving us the listing of the amount of funding needed for approved, but unfunded projects, for the fiscal year 1973.

Look at it, gentlemen, line by line, a half page here, another page here, line by line of approved, but unfunded projects in 1973.

This is the historic pattern. Then for 1974 we come to these 43 pages of projects which were approved by the National Cancer Institute, but were unfunded for the fiscal year 1974.

Well, some may say the existing committee bill provides more than this \$69 million, because we upped the funds from fiscal year 1974 and fiscal year 1975 to take care of that. However, if the growth is proportionate, certainly there will be a repeated performance of unfunded, though approved, project.

The American Cancer Society gives me figures of \$988 million needed for the fiscal year 1975, whereas the committee bill says \$750 million.

Let me tell the Members that appropriations of \$988 million would certainly fit in an authorization of \$1.5 billion, but it certainly would not fit in an authorization of \$750 million.

Let me read the chart prepared by the American Cancer Society. It will not take but a minute.

We are assuming, the American Cancer Society says, a \$750 million NCI budget with no new strategic manpower institutions; but the shortages which are left after spending this \$750 million, in their opinion, could be spent wisely and is desperately needed in the following areas:

Research grants, \$151 million.

Grants and contracts to 16 newly designated comprehensive cancer centers

needed to provide geographic coverage of the United States in addition to 12 existing centers, \$32 million.

Grants to use fully the lesser centers, \$10 million.

Training and fellowship grants, \$27 million.

NCI staff addition of 200 persons, which would leave a per-person workload double the load in 1970, \$3 million.

Cancer prevention research, \$9 million.

Bladder, colon, other organ site task forces, \$16 million.

Construction, \$12 million.

Total shortage, \$260 million.

They have a minus estimated item overlap of \$22 million.

Net shortage surveyed, \$238 million.

Dr. Solomon Garb is the scientific director of the American Medical Center in Denver.

He advised me that a potential cancer cure drug, Maytansine, was discovered in 1962.

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

(By unanimous consent Mr. BRINKLEY was allowed to proceed for an additional 5 minutes.)

Mr. BRINKLEY. Mr. Chairman, Dr. Garb said that Maytansine is derived from the maytenus plant of Africa. Twelve years have elapsed since the potential cure qualities of the drug were first revealed, but according to Dr. Garb, because of the lack of funding, Maytansine has not even been tested on animals, and I think it is far away from being tested on human beings.

Mr. Chairman, Dr. Garb said that people closely involved in cancer research are totally exasperated because of the lack of funding capability which could be directed to testing this new drug.

Also, Dr. Morris Kupchan of the University of Virginia Medical School in Charlottesville, Va., has done a great deal of research work on another plant-derived cancer preventative drug, Tripdiolide, which is considered to have a great deal of potential. However, again according to Dr. Garb, Dr. Kupchan's research work on this drug is sitting on a desk at the National Cancer Institute with no action being taken.

I submit, Mr. Chairman, a lot of people have died of cancer since 1962. This is not our will. Money cannot achieve a cure, but it can make available more research. It can set the road map, and it can provide the destination to eradicate cancer. It can be a matter of talent, of priorities; it must be a matter of priorities, and our priorities should be exactly what we said in the concurrent resolution, to eradicate cancer by the bicentennial year 1976. Not having done that, let us make it 1980.

Mr. Chairman, Dr. Arthur James, who is a past president of the American Cancer Society, made this statement, which I think is quite important:

The ideal chemical could be developed that would be effective in killing cancer cells or a vaccine could be developed at any time that would actually prevent cancer.

Mr. Chairman, he said that we are on the threshold:

How soon depends on how badly you and I want it and how much effort we are willing to make and how much support we are willing to give.

Mr. Chairman, he is talking about funding. He is not talking about a moderate level of funding. He is talking about the same crusade that the gentleman from New York (Mr. ROONEY) talked about back in 1970. How soon depends on how badly you and I want it and whether or not we are willing to give it that priority.

Mr. Chairman, again I remind the Members of Dr. Pauling, the man who has been called a valuable natural resource, who discovered the red blood cell abnormality which causes sickle cell anemia, who could not even get a \$37,000 grant. This is all evidence, 43 pages of other researchers who did not make it, simply because their projects were considered low priority.

Mr. Chairman, I want to show this funding chart before I leave this subject. It starts back in 1938. Senator Pepper indicated that he was involved in this in 1937, and I commend him for that. But let us call the roll of those years from 1938 until 1973. What do we have? We have \$3,107,567,873, a little over \$3 billion in funding. That is a lot of money, but it represents a period of some 35 years.

Mr. Chairman, we propose over 5 years to substantially increase that. Our proposal is \$11.5 billion for 5 years, but it is entirely a long-range goal, and it will work, as the man pointed out, like the Manhattan Project worked and like the splitting of the atom.

Mr. DAVIS of South Carolina. Mr. Chairman, will the gentleman yield?

Mr. BRINKLEY. I will be happy to yield to the gentleman from South Carolina.

Mr. DAVIS of South Carolina. Mr. Chairman, I rise to support the amendment and the substitute offered by the gentleman from Georgia. I would like to take the liberty to thank the gentleman for bringing these facts of the knowledge and the research on the unfunded projects that have to do with this disease.

I want to thank the gentleman for bringing in this substitute, which would really bring us into the battlefield in this war against cancer.

Mr. Chairman, we have all experienced in our districts days when we have had families call us on problems dealing with government hospitals, when they said they could no longer treat the patient because it was a terminal case. We have failed in the funding of our hospitals.

Let us not fail in the field of research in trying to find a cure for this disease.

Mr. Chairman, I salute the gentleman from Georgia (Mr. BRINKLEY) for bringing us his amendment.

Mr. BRINKLEY. Mr. Chairman, I certainly appreciate those remarks from the gentleman from South Carolina (Mr. DAVIS). I ask that my colleagues support me in asking for a record vote at the appropriate time.

Mr. STAGGERS. Mr. Chairman, I rise reluctantly in opposition to the amendment in the nature of a substitute offered by the gentleman from Georgia.

I agree with everything that the gentleman has said that we should do. However, we must look at the reasons for the things we are doing. The gentleman has an elaborate list here of unfunded projects.

The NIH has never funded all its approved projects. Approval has always been a two-stage process. Approved projects are all those which are scientifically found, but only those which are also needed for the program are funded. To force NCI to fund all the approved projects would waste a lot of money on things which the program does not need.

Mr. Chairman, I would like to say that this year there was \$589 million spent, and it was felt that this was all they could fund at the present time that was worthwhile under the budget for the year. After going over the program, the OMB said:

We think we can spend \$600 million for worthwhile projects in the next fiscal year.

We listened to the witnesses who appeared before the committee, and they said probably there could be some extra projects funded if they get a little more money, so we raised the figure to \$750 million.

Mr. Chairman, the gentleman from Georgia (Mr. BRINKLEY), I will say, is one of the finest gentlemen whom I know in the House of Representatives. I want the gentleman to know that. I feel he is great.

I want to ask the gentleman if he appeared at the hearings of this committee when they heard from all the experts in America concerning what is happening in this area?

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

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

Mr. BRINKLEY. Mr. Chairman, yes, indeed, I did appear. I testified before the committee.

Mr. STAGGERS. And the gentleman stayed throughout the hearings and heard all the witnesses?

Mr. BRINKLEY. No, of course not. No, Mr. Chairman.

Mr. STAGGERS. That is what I wanted to ask the gentleman. This was a great hearing, and we heard from all the experts in America in this field.

Mr. BRINKLEY. I am sure the gentleman is correct.

Mr. STAGGERS. I will ask the gentleman, did the gentleman offer his amendment before the subcommittee, or did he offer it before the committee?

Mr. BRINKLEY. Mr. Chairman, I explained to the subcommittee the situation on my pending bill before the Committee on Ways and Means. It is virtually the same bill with exactly the same goals.

The direct answer to the question is: "No."

Mr. STAGGERS. The gentleman says that it would have been before the Committee on Ways and Means. I might say that I have every confidence in the men

who sit on the Subcommittee on Public Health and Environment in this House. I think they are the greatest members we could find for this purpose. If we were going to handpick a group, I want to say that they are the finest ones I know if we are looking for members who are going to do a great job, working for the best interests of America.

Mr. Chairman, I thought the gentleman from Indiana made a very pertinent statement, when he said that if there was ever a bipartisan or nonpartisan committee in the House of Representatives, it was the Subcommittee on Health, and we tried to make the full committee work the very same way. We try to work together as a team in doing what we think is in the best interests of this land.

If we thought there could be another penny spent in a judicious way for cancer research, we would work toward that end. To me, authorizing \$11 billion is like saying, "All right, we are spending so much that we must just put the rest of it out in the ground, and hope it will grow a cure."

We cannot do that. We must have men, we must have doctors, we must have hospitals. There are some things in life that we cannot buy. We are following every lead now, as I understand it, that can be followed. We have been told that this is adequate for every conceivable thing that can be followed right now.

I realize that the intentions of the gentleman are great, but money just will not do all of the things we want done in this life. We must have intellect, we must have preparation, we must have many other things.

I would say, let us spend \$100 billion this year if we could insure we would cure this disease. But I think we have to use the rule of reason if we expect to do a job here in the House.

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

Mr. STAGGERS. I would be happy to yield to the gentleman from Georgia.

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

I could not agree with the gentleman more when he speaks about this subcommittee. The members of the subcommittee were certainly courteous to me when I explained my approach to them. They did a fine job; they heard all of the witnesses, they have come forward with a number of answers, and they have gone somewhat above the budget figure.

I commend the subcommittee, but I just want to remind this House with one sentence, if I may, to remember the authorities, such as the American Cancer Society, who do disagree with the committee.

Mr. ROGERS. Mr. Chairman, I rise in opposition to the amendment. I am not going to take very long.

I also want to say that I appreciate the sincerity of the gentleman from Georgia. He has made a very appealing argument. However, the subcommittee looked at the approach suggested in the substitute, and has had to balance the authorizations with authorizations for

other national institutes, in order to try to strike a proper balance as to what amount of money can be used in order to get the necessary results.

The recommendations of the President's Cancer Panel, were considered. They, and many other witnesses recommended what the funding should be.

The subcommittee after hearing all of the testimony thought that the recommendations of the panel were justified and adopted them. We did not cut them.

Every institute in the National Institutes of Health always has more projects than are going to be funded. The fortunate thing about the National Cancer Institute is that most of them are being funded. Sixty-nine million dollars, I believe, was the figure used by the gentleman which are approved but not funded. Most of the other institutes are only able to fund about 30 percent of all of the applications that are approved.

We do not know that the answer to cancer will come from the National Cancer Institute's projects. It may come from another institute. This is being shown daily. To place all research money into the NCI would have the effect of cutting the authorizations of the others, then you may destroy the possibility of finding a quicker answer to cancer.

I am sure all of us will agree with the gentleman that if just by appropriating more money instantly, we would arrive at the solution, all of us would support the \$11 billion he asks for—\$11 billion this year. Unfortunately, cancer research is too discrete and too intricate to respond that way.

Let me tell you what has been done. The gentleman mentioned there was some chemical from Africa that had not been tested. I am sure you can pick out a chemical from every nation on the face of the Earth that has not been tested. But let me tell you what has been done. More than 78,000 compounds have been screened for anticancer activity just in 1972 and 1973. That is an increase of some 15,500 over 1971. It is an active program now. We are moving ahead as rapidly as we can. The only thing that I am concerned about is in the clinical center at NCI. The Institute needs to hire about 27 more nurses so that they can open up a couple of wards they have closed.

So I think we have presented the House with a balanced, a constructive, and a scientifically recommended program which will advance this Nation's cancer research not in a wasteful way, and not in a way that will not solve the problem, but in the best way.

True, if we could only have a moonshot to handle this problem, that would be fine, but the problem is that there are over 100 different types of cancer, and one single shot, unfortunately, will not solve them all.

We have to take a scientific approach. We cannot simply take an accountant's approach and put in a lot of money at once, hoping that something will happen.

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

Mr. ROGERS. I am happy to yield to the gentleman from Georgia.

MR. BRINKLEY. Mr. Chairman, I thank the gentleman from Florida for yielding to me in order that I might have the opportunity to correct the statement as to the amount of money that my amendment seeks.

The amendment proposes to increase the authorization, it doubles it in the first 3 years, and then continues for another 2 years, so there would be a total of \$11.5 billion for 5 years. That is the entire program.

MR. ROGERS. I understood that.

MR. BRINKLEY. The gentleman said I believe for 1 year.

MR. ROGERS. No, I said that if the theory were correct that just putting in more money would solve the problem we would all be prepared to authorize expenditure of the money the gentleman recommends in his bill in just 1 year, but, that, unfortunately, I think, would not be the result.

MR. BRINKLEY. Mr. Chairman, if the gentleman will yield still further, when the gentleman said that this was wasteful, I am certain that the gentleman was not saying that this money that is recommended by the American Cancer Society, and these physicians whom I have referred to, would do this in a wasteful manner. I am sure the gentleman from Florida would give them good faith, I think, in the way that they intend to spend that money.

MR. ROGERS. Everyone I know who is involved in the cancer research, Dr. Hamilton Letton, who is a very close friend of mine, is very pleased with this bill. And let me tell the gentleman from Georgia this: that we are putting money in not just for research, but we have money in this bill to do some control programs for early detection.

MR. BRINKLEY. You have \$200 million.

MR. ROGERS. And Dr. Letton says that if we will use early detection and current knowledge, that we can reduce cancer right now by two-thirds, so we have made great progress.

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

(On request of Mr. BRINKLEY, and by unanimous consent, Mr. ROGERS was allowed to proceed for 1 additional minute.)

MR. ROGERS. I thank the gentleman for the additional time, and I yield to the gentleman from Georgia.

MR. BRINKLEY. Mr. Chairman, I thank the gentleman for yielding to me.

The gentleman says that the bill increases by \$200 million those projects for detecting cancer early, but I would also like to point out that my amendment would be for an additional \$200 million.

Also, when the gentleman from Florida refers to many hundreds of different types of cancer, that is why I think it is so clearly important that all of these 41 papers be funded. Sixty-nine million dollars is not much when we can possibly cure cancer.

MR. ROGERS. Mr. Chairman, I would point out to the gentleman from Georgia that many of these are duplicative. So I think we have presented a balanced program, and one that the scientific community is very pleased with.

THE CHAIRMAN. The time of the gentleman has again expired.

MR. NELSEN. Mr. Chairman, I move to strike the requisite number of words, and I rise in opposition to the amendment offered by the gentleman from Georgia (Mr. BRINKLEY).

First, Mr. Chairman, I want to say to the gentleman from Georgia that his concern in this endeavor certainly is to be complimented. I am calling attention, however, to an incident that happened when we were dealing with the medical schools of the country. The University of Minnesota Medical School came in with some problems, and their criticism of the Congress was that we authorize big figures, but that we appropriate small ones, and that they begin to gear their operations to the authorization which never materializes. I do not say "never," but often it does not.

What our committee has tried to do is to bring out a bill that can handle the problem sensibly, and can move in the right direction with obtainable goals, because we believe that the dollars are there that we can carefully use in this endeavor. So I want to say that the bipartisan coalition here in this effort has been solid. We have reviewed this thing carefully, and I hope the amendment will be defeated and the bill passed in its present form.

MR. CARTER. Mr. Chairman, will the distinguished gentleman yield?

MR. NELSEN. I yield to the gentleman from Kentucky.

MR. CARTER. Again, Mr. Chairman, I wish to state that I talked with people at the National Cancer Institute just this morning. They said that they had every penny they could wisely spend. Therefore, I think it would be folly for us to authorize more. I think that most of the Members of this House know that we would be authorizing every cent which would be wisely used, and we are doing just that today.

MR. NELSEN. I thank the gentleman.

MR. BRINKLEY. Mr. Chairman, I make a point of order that a quorum is not present.

THE CHAIRMAN. The Chair will count. 103 Members are present, a quorum.

The question is on the amendment in the nature of a substitute offered by the gentleman from Georgia (Mr. BRINKLEY).

The question was taken; and the Chairman announced that the noes appeared to have it.

MR. BRINKLEY. Mr. Chairman, I demand a recorded vote.

A recorded vote was refused.

So the amendment was rejected.

THE CHAIRMAN. Are there further amendments? If not, under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. FOLEY, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H.R. 13053) to amend the Public Health Service Act to improve the national cancer program and to authorize appropria-

tions for such program for the next 3 fiscal years, and for other purposes, pursuant to House Resolution 1081, he reported the bill back to the House.

THE SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

THE SPEAKER. The question is on the passage of the bill.

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

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

THE SPEAKER. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 390, nays 1, not voting 42, as follows:

[Roll No. 203]

YEAS—390

Abdnor	Clausen	Fuqua
Abzug	Don H.	Gaydos
Adams	Clawson, Del	Gettys
Addabbo	Clay	Gialmo
Alexander	Cleveland	Gibbons
Anderson,	Cochran	Gilman
Calif.	Cohen	Ginn
Anderson, Ill.	Collier	Goldwater
Andrews, N.C.	Collins, Ill.	Gonzalez
N. Dak.	Collins, Tex.	Goodling
Annunzio	Conable	Gray
Archer	Conlan	Green, Pa.
Arends	Conte	Griffiths
Armstrong	Conyers	Gross
Ashbrook	Corman	Grover
Ashley	Cotter	Gubser
Aspin	Coughlin	Gude
Badillo	Cronin	Gunter
Bafalis	Culver	Guyer
Baker	Daniel, Dan	Hamilton
Barrett	Daniel, Robert	Hammer-
Bauman	W., Jr.	schmidt
Beard	Daniels	Hanley
Bell	Dominick V.	Hanrahan
Bennett	Danielson	Hansen, Idaho
Bergland	Davis, Ga.	Harrington
Bolling	Davis, S.C.	Harsha
Bowen	Davis, Wis.	Hastings
Blestter	Delaney	Hays
Bingham	Dellenback	Hebert
Blackburn	Dellums	Heckler, W. Va.
Boggs	Denholm	Heinz
Boland	Dennis	Hełstoski
Bolling	Dent	Henderson
Bowen	Derwinski	Hicks
Brademas	Devine	Hillis
Brasco	Dickinson	Hinshaw
Brotzman	Dingell	Hogan
Brown, Calif.	Donohue	Holifield
Brown, Mich.	Dorn	Holt
Brown, Ohio	Downing	Holtzman
Broyhill, N.C.	Drinan	Horton
Broyhill, Va.	Dulski	Hosmer
Burgener	Duncan	Huber
Burke, Calif.	du Pont	Heudnut
Burke, Fla.	Edwards, Ala.	Hungate
Burke, Mass.	Edwards, Calif.	Hunt
Burleson, Tex.	Elberg	Hutchinson
Burlison, Mo.	Erlenborn	Ichord
Burton	Esch	Jarman
Butler	Eshleman	Johnson, Calif.
Byron	Evans, Colo.	Johnson, Colo.
Camp	Evins, Tenn.	Jones, Ala.
Carney, Ohio	Fascell	Jones, Okla.
Carter	Fish	Jones, Tenn.
Casey, Tex.	Fisher	Jordan
Cederberg	Flood	Karth
Chamberlain	Flowers	Kastenmeier
Chappell	Flynt	Kemp
Chisholm	Foley	Ketchum
Clark	Ford	King
	Forsythe	Kluczynski
	Fountain	Koch
	Fraser	Kuykendall
	Frelighuysen	
	Frenzel	
	Froehlich	

Landrum	Pepper	Stark
Latta	Perkins	Steed
Lehman	Pettis	Steele
Lent	Peyser	Steelman
Litton	Pike	Steiger, Ariz.
Long, La.	Poage	Steiger, Wis.
Long, Md.	Powell, Ohio	Stephens
Lott	Preyer	Stratton
Lujan	Price, Ill.	Studds
Lukas	Price, Tex.	Sullivan
McClory	Pritchard	Symington
McCloskey	Quie	Symms
McCullister	Quillen	Talcott
McCormack	Railsback	Taylor, Mo.
McDade	Randall	Taylor, N.C.
McEwen	Rangel	Teague
McFall	Rarick	Thompson, N.J.
McKinney	Rees	Thomson, Wis.
McSpadden	Regula	Thone
Macdonald	Reuss	Thornton
Mahon	Rhodes	Tiernan
Mallary	Riegle	Towell, Nev.
Mann	Rinaldo	Traxler
Maraziti	Robinson, Va.	Treen
Martin, Nebr.	Robison, N.Y.	Udall
Martin, N.C.	Rodino	Ullman
Mathias, Calif.	Roe	Van Deerlin
Mathis, Ga.	Rogers	Vander Jagt
Matsunaga	Roncalio, Wyo.	Vander Veen
Mayne	Rooney, Pa.	Vanik
Mazzoli	Rosenthal	Veysey
Meeds	Rostenkowski	Vigorito
Melcher	Roush	Waggoner
Metcalfe	Rousselot	Walde
Mezvinsky	Roy	Walsh
Michel	Royal	Wampler
Miller	Runnels	Ware
Mills	Rupple	Whalen
Minish	Ruth	White
Mink	Ryan	Whithurst
Minshall, Ohio	St Germain	Whitten
Mitchell, Md.	Sandman	Widnall
Mitchell, N.Y.	Sarasini	Wiggins
Mizell	Sarbanes	Wilson, Bob
Moakley	Satterfield	Wilson, Charles H., Calif.
Mollohan	Scherle	Wilson, Charles, Tex.
Montgomery	Schneebell	Winn
Moorhead,	Schroeder	Wolff
Calif.	Sebelius	Wright
Moorhead, Pa.	Seiberling	Wyatt
Morgan	Shipley	Wyder
Mosher	Shoup	Wyler
Moss	Shriver	Wylie
Murphy, N.Y.	Shuster	Wyman
Murtha	Sikes	Yates
Natcher	Sisk	Yatron
Nedzi	Skubitz	Young, Alaska
Nelsen	Slack	Young, Fla.
Nichols	Smith, Iowa	Young, N.Y.
O'Brien	Smith, N.Y.	Young, Ga.
O'Hara	Snyder	Young, Ill.
O'Neill	Staggers	Young, S.C.
Owens	Stanton	Young, Tex.
Parris	J. William	Zablocki
Passman	Stanton	Zion
Patten	James V.	Zwach

NAYS—1

Landgrebe

NOT VOTING—42

Biaggi	Haley	Nix
Blatnik	Hanna	Obey
Buchanan	Hansen, Wash.	Patman
Carey, N.Y.	Hawkins	Pickle
Clancy	Howard	Reid
Crane	Johnson, Pa.	Roberts
de la Garza	Jones, N.C.	Roncalio, N.Y.
Diggs	Kazan	Rooney, N.Y.
Eckhardt	Leggett	Rose
Findley	Madden	Spence
Frey	Madigan	Stokes
Fulton	Milford	Stubblefield
Grasso	Murphy, Ill.	Stuckey
Green, Oreg.	Myers	Williams

So the bill was passed.

The Clerk announced the following pairs:

Mr. Rooney of New York with Mr. Eckhardt.

Mr. Howard with Mr. Stokes.

Mr. de la Garza with Mrs. Hansen of Washington.

Mr. Stubblefield with Mr. Leggett.

Mr. Diggs with Mr. Blatnik.

Mr. Kazan with Mr. Madden.

Mr. Biaggi with Mr. Madigan.

Mr. Fulton with Mr. Buchanan.

Mr. Carey of New York with Mr. Findley.

Mrs. Grasso with Mr. Clancy.

Mr. Pickle with Mr. Frey.
 Mr. Nix with Mr. Hanna.
 Mr. Obey with Mr. Milford.
 Mr. Reid with Mr. Hawkins.
 Mr. Rose with Mr. Crane.
 Mr. Murphy of Illinois with Mr. Johnson of Pennsylvania.
 Mr. Haley with Mr. Myers.
 Mr. Stuckey with Mr. Patman.
 Mrs. Green of Oregon with Mr. Roncalio of New York.
 Mr. Jones of North Carolina with Mr. Spence.
 Mr. Roberts with Mr. Williams.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the Senate bill (S. 2893), to amend the Public Health Service Act to improve the national cancer program and to authorize appropriations for such program for the next 3 fiscal years, a bill similar to H.R. 13053, just passed, by the House.

The Clerk read the title of the Senate bill.

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

There was no objection.

The Clerk read the Senate bill, as follows:

S. 2893

An act to amend the Public Health Service Act to improve the national cancer program and to authorize appropriations for such program for the next three fiscal years

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "National Cancer Act Amendments of 1974".

SEC. 2. Section 301(h) of the Public Health Service Act (42 U.S.C. 201) is amended by striking the words "during the fiscal year ending June 30, 1966, and each of the eight succeeding fiscal years".

SEC. 3. Section 402(b) of the Public Health Service Act is amended—

(1) by striking out "in amounts not to exceed \$35,000" in paragraph (1) and inserting in lieu thereof "if the direct costs of such research and training do not exceed \$35,000, but only"; and

(2) by striking out "in amounts exceeding \$35,000" in paragraph (2) and inserting in lieu thereof "if the direct costs of such research and training exceed \$35,000, but only".

SEC. 4. (a) Section 407(b)(7) of the Public Health Service Act is amended by striking out "where appropriate".

(b) Section 407(b)(4) of such Act is amended by inserting after the word "data" the following: "(including where appropriate nutritional programs for persons under treatment for cancer)".

(c) Section 407(b)(9)(A) of such Act is amended by inserting after the words "National Cancer Program," the words "including the number and types of personnel necessary to carry out such program".

(d) Section 407(b)(9)(B) of such Act is amended by inserting immediately before the period at the end thereof the following: ", and the allocation of personnel requested to carry out the National Cancer Program".

(e) Section 407(b) of such Act is amended by adding the following new paragraph:

"(10) The Director of the National Cancer Institute shall conduct or contract for programs to disseminate and interpret on a current basis for practitioners and other health

professionals, scientists, and the general public, scientific and other information respecting the cause, prevention, diagnosis, and treatment of the disease or other health problem to which the activities of the Institute are directed. The Director of the National Cancer Institute shall issue such regulations as are necessary to carry out this activity".

SEC. 5. Section 408(a) of the Public Health Service Act is amended by striking out "fifteen".

SEC. 6. (a) Section 409(a) of the Public Health Service Act is amended by inserting before the period at the end thereof a comma and the following: "Including programs to provide routine exfoliative cytology tests conducted for the diagnosis of uterine cancer".

(b) Section 409(b) of the Public Health Service Act is amended by striking out "and" before "\$40,000,000" and by inserting before the period at the end thereof a comma and the following: "\$57,000,000 for the fiscal year ending June 30, 1975, \$72,000,000 for the fiscal year ending June 30, 1976, and \$92,000,000 for the fiscal year ending June 30, 1977".

SEC. 7. Section 410 of the Public Health Service Act is amended—

(1) by striking out "fifty" in paragraph (1) and inserting in lieu thereof "one hundred";

(2) by striking out "and" at the end of paragraph (7);

(3) by striking out the period at the end of paragraph (8) and inserting in lieu thereof "; and"; and

(4) by adding after paragraph (8) the following new paragraph:

"(9) to award grants for new construction as well as alterations and renovations for improvement of basic research laboratory facilities, including those related to biohazard control, as deemed necessary for the National Cancer Program."

SEC. 8. Section 410A(a) of the Public Health Service Act is amended by inserting the word ". contracts," after the word "grants".

SEC. 9. Section 410C of the Public Health Service Act is amended by striking out "and" before "\$600,000,000" and by inserting before the period at the end thereof a semicolon and the following: "\$750,000,000 for the fiscal year ending June 30, 1975; \$830,000,000 for the fiscal year ending June 30, 1976; and \$985,000,000 or the fiscal year ending June 30, 1977".

SEC. 10. Part A of title IV of the Public Health Service Act is amended by adding at the end thereof the following new section:

"AVAILABILITY OF APPROPRIATIONS"

"SEC. 410D. Notwithstanding any other provision of law, unless enacted after the date of enactment of this section expressly in limitation of the provisions of this section, funds appropriated for any fiscal year to carry out any program for which appropriations are authorized by the Public Health Service Act (42 U.S.C. 201) or the Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963 (42 U.S.C. 2661) shall remain available for obligation and expenditure until the end of such fiscal year."

SEC. 11. Section 454 of the Public Health Service Act is amended to read as follows:

"DIRECTORS OF INSTITUTES"

"SEC. 454. (a) The Director of the National Institutes of Health shall be appointed by the President by and with the advice and consent of the Senate. Appointees shall be eligible for reappointment.

"(b) The Director of the National Cancer Institute shall be appointed by the President. Except as provided in section 407(b)(9), the Director of the National Cancer Institute shall report directly to the Director of the National Institutes of Health."

TITLE II—BIOMEDICAL RESEARCH

SEC. 201. Title IV of the Public Health Service Act is amended by adding at the end thereof the following new section:

"SEC. 455. (a) There is established the President's Biomedical Research Panel (hereinafter in this section referred to as the 'Panel') which shall be composed of (1) the Chairman of the President's Cancer Panel; and (2) four members appointed by the President, who by virtue of their training, experience, and background are exceptionally qualified to appraise the biomedical research program of the National Institutes of Health (including the research program of the National Institute of Mental Health). At least three of the members of the Panel shall be distinguished scientists or physicians.

"(b) (1) Appointed members of the Panel who are appointed pursuant to clause (2) of subsection (a), shall be appointed for three-year terms, except that (i) in the case of the four members first appointed after the date on which this section becomes effective, two shall be appointed for a term of one year and two shall be appointed for a term of two years, as designated by the President at the time of appointment, and (ii) any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed only for the remainder of such term.

"(2) The President shall designate one of the appointed members to serve as Chairman of the Panel for a term of one year.

"(c) Appointed members of the Panel shall each be entitled to receive the daily equivalent of the annual rate of basic pay in effect for grade GS-18 of the General Schedule for each day (including traveltine) during which they are engaged in the actual performance of duties vested in the Panel, and shall be allowed travel expenses (including per diem allowance) under section 5703(b) of title 5, United States Code.

"(d) The Panel shall meet at the call of the Chairman, but not less often than twelve times a year. A transcript shall be kept of the proceedings of each meeting of the Panel, and the Chairman shall make such transcript available to the public.

"(e) The Panel shall monitor the development and execution of the biomedical research programs of the National Institutes of Health (including the research program of the National Institute of Mental Health) under this section, and shall report directly to the President. Any delays or blockages in rapid execution of the biomedical research programs of the National Institutes of Health (including the research program of the National Institute of Mental Health) shall immediately be brought to the attention of the President and the Senate Committee on Labor and Public Welfare, the House Committee on Interstate and Foreign Commerce, the Senate Committee on Appropriations and the House Committee on Appropriations. The Panel shall submit to the President periodic progress reports on the biomedical research programs of the National Institutes of Health (including the research program of the National Institute of Mental Health) and annually an evaluation of the efficacy of the biomedical research programs of the National Institutes of Health (including the research program of the National Institute of Mental Health) and suggestions for improvements, and shall submit such other reports as the President shall direct. At the request of the President, it shall submit for his consideration a list of names of persons for consideration for appointment as Director of the National Institutes of Health."

MOTION OFFERED BY MR. STAGGERS

Mr. STAGGERS. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. STAGGERS moves to strike out all after the enacting clause of the Senate bill (S. 2893, and insert in lieu thereof the provisions of H.R. 13053, as passed by the House.

The motion was agreed to.

The Senate bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

A similar House bill (H.R. 13053) was laid on the table.

PERMISSION FOR COMMITTEE ON FOREIGN AFFAIRS TO FILE REPORT ON H.R. 13261

Mr. ROSENTHAL. Mr. Speaker, I ask unanimous consent that the Committee on Foreign Affairs may have until midnight tonight to file a report on the bill, H.R. 13261.

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

There was no objection.

RESEARCH ON AGING ACT OF 1974

Mr. STAGGERS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 6175) to amend the Public Health Service Act to provide for the establishment of a National Institute on Aging, and for other purposes.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 6175 with Mr. FUQUA in the chair.

The Clerk read the title of the bill.

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

The CHAIRMAN. Under the rule, the gentleman from West Virginia (Mr. STAGGERS) will be recognized for 30 minutes and the gentleman from Kentucky (Mr. CARTER) will be recognized for 30 minutes.

The Chair recognizes the gentleman from West Virginia.

Mr. STAGGERS. Mr. Chairman, I yield myself whatever time I may need.

Mr. Chairman, I rise in support of H.R. 6175, a bill to provide for the establishment of a National Institute on Aging. This is a similar bill to that which was passed last session. It was known then as the Springer bill. Mr. Springer of Illinois was the original sponsor of the bill. He is now a member of the Federal Power Commission, but Mr. Springer was the ranking minority member of our committee.

This bill, the Research on Aging Act of 1974, H.R. 6175, would create a new institute in the National Institutes of Health which would focus their efforts on the process of aging, a problem common to us all.

Similar legislation passed the House and Senate last year but was pocket vetoed by the President after adjourn-

ment. His major objections at that time were that we did not need a new institute at this time and that a program of support for the mental health of the aged was unnecessary. In this bill the program of support for the mental health of the aged has been removed as suggested by the President but the rest of the bill is identical with last year's legislation.

The bill also would direct the Secretary to: First, conduct scientific studies, through the Institute, for the purpose of measuring the impact on the biological, medical, and psychological aspects of aging of all programs conducted or assisted by HEW designed to meet the needs of the aging; second, carry out public information and education programs to disseminate the findings of the Institute and all other relevant information which may assist all Americans, and especially the elderly, in dealing with the problems, and understanding the processes, associated with aging; and third, prepare a comprehensive aging research plan within 1 year after enactment for presentation to the Congress and the President, along with a statement of the staffing and funding requirements necessary to implement the plan.

The legislation contains no new authorizations. Administrative costs of creating the new institute are expected to be minimal.

Gentlemen, this National Institute of Aging will allow us to pursue the great goal of keeping people as young as possible for as long as possible. In the last 25 years in this country the average life span has not increased and yet the number of old people in the United States is growing faster than the rest of the population, such that by the end of the century there will be over 28 million people over 65 years old. We have been told that increased and improved research on aging could slow the aging process, improve the quality of life for the elderly, and possibly increase our average life by as much as 25 years. I do not know whether aging is a disease but I know we all have it and I urge you to join me in doing something about it.

I would like to say that when the bill passed the House the first time it passed with such an overwhelming vote, 380 to 10, that we believe it will pass again overwhelmingly. It was Mr. Springer's bill that passed last time, and I hope the House will see fit to pass this bill this time and give recognition to this great segment of our population.

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

Mr. STAGGERS. I am happy to yield to the gentleman from Florida.

Mr. PEPPER. Mr. Chairman, I warmly commend the distinguished chairman of the Commerce Committee, Mr. STAGGERS, and his committee for bringing to the House this bill to set up a National Institute on Aging in the National Institutes of Health. In this Institute will be concentrated research and study on the problems of aging and what may be done to prolong in health the lives of the older people of this country. It is shocking to observe in the report of the committee that—

For men who reach age 65, the expected number of remaining years of life—13—has risen by less than two years since 1900; for women it has risen by four years or to an expected age of 82.

With all our modern knowledge and expertise we have only been able to extend by 2 years the life expectancy of men who reach the age of 65. I understand that for the last 20 years the life expectancy of men who attain age 65 has not been increased at all. Surely we have not been applying to the problem of prolonging the lives of our older citizens our vaunted modern expertise. Let us hope that this Institute will be able to lengthen the lives of the men and women of this country who reach age 65 beyond the life expectancy of today.

It is tragic, Mr. Chairman, that in the field of health and in income supplement we are not able to do more for the older people of this country. Medicare and medicaid do not nearly provide the hospital, nursing home, and medical care older Americans vitally need. Social security, commendable as it is, does not nearly provide even bare adequate assistance for millions of older Americans. In my county of Dade, over 14,000 applicants, mostly older people, have tried to get into low-cost housing without success because adequate low-cost housing is not available. Many of those applications have been pending as much as 5 years.

We have just begun to try to help older people find the transportation that means so much to them. I am proud to have been the original author of the nutrition program which today is providing at least one good meal a day for 212,000 Americans but in the low-income groups there are 4 to 5 million more of whom need this nourishment and cannot get it because the amount appropriated is inadequate.

I have hoped that we could set up in the House a special, either select or legislative, committee dealing with the problems of the elderly. I am disappointed that such a committee has not been recommended by the Select Committee on Committees making recommendations for the reorganization of the structure of the committees of the House. I am going to continue to fight for such a committee. So I am hopeful that this Institute will supply some of the pressing needs of the older Americans of today and of tomorrow.

Mr. STAGGERS. Mr. Chairman, I thank the gentleman from Florida for his remarks, but I must again say that we have to pay tribute to the gentleman from Florida (Mr. ROGERS) and his subcommittee, because they are the ones who did the research, who did the work, who wrote the bill and brought the bill before the full committee.

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

Mr. STAGGERS. I am happy to yield to the gentleman from New York.

Mr. WOLFF. Mr. Chairman, I thank the gentleman from West Virginia for yielding to me, and I just want to add my words of praise, as well, to those made by the gentleman from Florida who just preceded me.

Mr. Chairman, I rise in support of H.R. 6175, the Research on Aging Act and to congratulate the chairman of this committee for his leadership. As a cosponsor of this legislation, I am deeply concerned that the House evidence sufficient support for this measure to prevent it from being vetoed again by the President, as happened when we passed a similar measure in 1972.

This important measure would establish a new National Institute on Aging which would be authorized to conduct and support research and training related to the aging process and to the special problems and needs of the elderly. It would also create a new National Advisory Council on Aging and require HEW to develop a comprehensive aging research plan.

In the past 20 years or so, this country has been pretty much of a youth-oriented society. Yet, the number of persons 65 or older in the country is growing faster than the population as a whole; by the end of the century, it is predicted that there will be close to 30 million senior citizens in the United States. The special problems and needs of the elderly have not received adequate attention; we are certainly miles away from guaranteeing every American security, dignity and comfort in his retirement years. We are also miles away from even understanding the aging process, the special problems related to it, and the ultimate goal of prolonging mental and physical capabilities so as to make life worth living for as long as possible.

The committee noted in its report that existing programs have not focused adequate attention on the problems of the elderly or on the aging process. Although both White House Conferences on Aging in 1961 and 1971 called for the creation of a National Institute on Aging, we do not yet have such an institute committed solely to the problems and concerns of the elderly. If we are going to make major advances in understanding, and hopefully slowing, the aging process, a National Institute on Aging must be a top priority.

Because this legislation contemplates the possibility of increasing human life expectancy by a significant number of useful, healthy years, it carries tremendous significance for every American. The legislation enjoys the support of the National Council of Senior Citizens and the American Association of Retired Persons, and National Retired Teachers Association, and a similar bill has already passed the Senate. It is incumbent upon the House to demonstrate its overwhelming support of this measure; we must not allow our elderly to remain forgotten Americans.

Mr. STAGGERS. Mr. Chairman, I thank the gentleman from New York for the remarks he has made. I must say again that the credit for this legislation belongs to the gentleman from Florida (Mr. ROGERS) and to that gentleman's subcommittee, for the great work that they have all done.

Certainly I believe that it is high time that we gave recognition to this segment of our society.

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

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

Mr. GILMAN. Mr. Chairman, I, too, rise in support of this legislation, and I wish to congratulate the chairman of the full committee and the chairman of the subcommittee for bringing this legislation to the House.

With extended life expectancies increasing the rolls of our senior citizens, there is a pressing need for our Government to take a searching look at the health and maintenance problems of the elderly.

The White House Conference on Aging, held in 1971, was a national recognition of the need to focus governmental attention on our older population. As a result of that conference which brought to light the critical problems of the elderly, the committee is today proposing implementation of the Research on Aging Act.

This legislation provides for the creation of a National Institute on Aging to be established within the Department of HEW. The Institute will conduct research into the process of aging and all of the related problems of the elderly, with particular emphasis on health and maintenance.

One troubling area of concern is the rising expenses of adequate health care. While a person under 65 pays an average \$250 annually for medical expenses and prescription drugs, the older American must expend \$861 for his medical expenses—with these expenses drawn from an income of only half that of a younger person.

The mandate of the Institute, however, is not limited to health care. In studying the aging process our specialists will be taking a hard look at alternatives to institutionalizing the elderly. This is no simple task due to the varying considerations which must be met, including: availability of housing; adequacy of income; physical condition and family relationships as well as a host of other factors.

While it is easy to cite the problems of the elderly, it is much more difficult to propose solutions. I am hopeful that in considering this legislation today, we will be started on the road to reaching not only a better understanding of the needs, but also in approaching viable solutions into the far reaching problems of the elderly.

Accordingly, Mr. Chairman, I am pleased to lend my support to this proposal and I urge my colleagues to vote in favor of this worthy legislation.

Mr. STAGGERS. Mr. Chairman, I thank the gentleman from New York for the remarks he has made.

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

Mr. Chairman, the bill we have before us is the Research on Aging Act of 1974. It amends the Public Health Service Act to provide for the establishment in the National Institutes of Health a new Institute to be known as the National Institute on Aging to conduct and support biomedical, social, and behavioral re-

search and training relating to the aging process and the diseases and other special problems and needs of the aging, and a new National Advisory Council on Aging.

The Secretary of Health, Education, and Welfare is required to conduct scientific studies through the Institute for the purpose of measuring the impact of the biological, medical, and psychological aspects of aging of all programs conducted or assisted by Health, Education, and Welfare intended to meet the needs of aging; to carry out public information and education programs to disseminate the findings of the Institute and all other relevant information which may assist all Americans, and particularly the elderly, in dealing with the problems of aging; and to prepare a comprehensive aging research plan within 1 year after enactment for presentation to the Congress and the President, along with a statement of the staffing and funding requirements.

The legislation requires no new authorizations. It will require minimal administration costs for the creation of a new National Institute on Aging. The White House Conference on Aging recommended the creation of a National Institute. At the present time, research into these problems is conducted within the Institute of the National Institute of Child Health and Human Development.

Approximately \$12 million is spent each year on this work. By the year 2000, it is estimated there will be 28,000 citizens over the age of 65 in this country. This number will constitute between 11 and 16 percent of the population. For any man who reaches the age of 65, his expected number of remaining years is 13; for women, the expected number of remaining years is 17. It has been found that antioxidants given to certain animals does increase the life span 25 to 45 percent.

The purpose of this bill is to maintain health and vitality at its best so that until his demise, man will retain his vigor and his eyesight will be undimmed. At the present time, within HEW there are three agencies engaged in problems of the aging. These are, Administration on Aging, the Social Security Administration, and the Social and Rehabilitation Service. The Institute of Aging will coordinate the work of these other agencies.

If our Institute of Aging is successful, we will continue as did the prophet, "his eye was not dim, nor his natural force abated."

In fact, they will after perfect health for years—

Our poor old bodies in a heap or mound,
As if we had been to the mill and ground!
You see, of course, if you're not a dunce,
How we will go—to pieces all at once.—
All at once, and nothing first,—
Just as bubbles do when they burst.
End of a wonderful lifetime stay.
Logic is logic. That's all I'll say.

I support this legislation.

Mr. Chairman, I include a letter from the Secretary of Health, Education, and Welfare:

THE SECRETARY OF
HEALTH, EDUCATION, AND WELFARE,
Washington, D.C., May 1, 1974.
Hon. HARLEY O. STAGGERS,
Chairman, Committee on Interstate and Foreign Commerce, Washington, D.C.

DEAR MR. CHAIRMAN: The House Committee on Interstate and Foreign Commerce reported on March 13, 1974, a bill providing for a National Institute on Aging. This bill differs only slightly from S. 755 passed by the Senate July 9, 1973. I feel compelled at this time to reiterate the Administration's position on these bills—a position which has been spelled out in public hearings, in bill reports, and in the Presidential veto message on a similar bill passed by the 92nd Congress.

S. 755 and H.R. 6175 would establish a National Institute on Aging within the National Institutes of Health to conduct and support biomedical, social, and behavioral research, and to establish training programs. These bills also provide for a National Advisory Council on Aging to advise the Secretary on programs relating to the aged. They direct the Secretary of Health, Education, and Welfare, with the Institute (through the Council) to develop a plan for an HEW aging research program.

The President did not sign a similar bill, H.R. 14424, in the 92d Congress because it would have needlessly created another institute in NIH and would have unnecessarily duplicated authorities for activities already carried on by the National Institute of Child Health and Human Development. S. 755 and H.R. 6175 have the same flaws. They would not improve the quality or progress of aging research. They would simply create a new administrative structure with attendant overhead costs and administrative jobs to do what is already being done by the NICHD and the disease-oriented Institutes at the National Institutes of Health. They would adversely affect ongoing aging research by fragmenting existing, well-integrated research efforts.

Moreover, S. 755 and H.R. 6175 contain numerous authorities which overlap those contained in the Older Americans Act. Examples of such duplication are as follows:

1. Sec. 461 and 463(a) overlap with Title IV of the Older Americans Act authority on research and training.

2. Sec. 462 overlaps with Sec. 205 of the Older Americans Act on the Federal Council on the Aging.

3. Sec. 463(b) overlaps with Sec. 202(a) (14) of the Older Americans Act on functions of the Administration on Aging; Sec. 205(d) (3) of the Older Americans Act on the Federal Council on the Aging; and with Sec. 207 of the Older Americans Act on evaluation.

4. Sec. 463(c) overlaps with Sec. 202(a) (1) of the Older Americans Act on functions of the Administration on Aging; with Sec. 204 of the Older Americans Act on the National Information and Resource Clearing House for the Aging; and with Sec. 205 (d) (5) of the Older Americans Act on the Federal Council on the Aging.

5. Sec. 464 overlaps with Sec. 202(a) (4) (10) (16) of the Older Americans Act on functions of the Administration on Aging; and with Sec. 402 of the Older Americans Act on appraising personnel needs in the fields of aging.

Although I certainly share your desire to alleviate problems of the aging, this bill, in my judgment, would only hamper already ongoing attempts to do so. The President in his Special message to the Congress on Older Americans in March 1972 emphasized the need to develop a comprehensive, coordinated program of aging research. A Technical Ad-

visory Committee on Aging Research has been appointed to develop a plan to bring together all the activities and resources of the Federal Government. Some of the agencies and departments involved in the development of the comprehensive and co-ordinated research programs are: NIH, NIMH, OE, Administration on Aging, National Center for Health Services Research and Development, Social Security Administration, the Veterans Administration, HUD, DOT, DOL, Atomic Energy Commission, National Science Foundation, National Aeronautics and Space Administration, and the Law Enforcement Assistance Administration. It would be most unwise to hamper these ongoing efforts by adding duplicative authority. It would be most unwise to confuse existing administrative relationships and cooperative efforts by adding a new administrative structure, new committees and new reporting relationships.

The Department is strongly opposed to this legislation and I urge that it not be enacted.

We are advised by the Office of Management and Budget that there is no objection to the presentation of this report from the standpoint of the Administration's program.

Sincerely,

CASPAR W. WEINBERGER,
Secretary.

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

Mr. CARTER. I will be happy to yield to the gentleman from Connecticut (Mr. STEELE).

Mr. STEELE. Mr. Chairman, I wish to congratulate the gentleman from Kentucky, the gentleman from Florida (Mr. ROGERS) and the other members of the committee for their leadership on the Research on Aging Act of 1974, which would amend the Public Health Service Act to establish a new National Institute on Aging within the National Institutes of Health.

As chairman of the House Republican Task Force on Aging—the only body in the House devoted solely to the problems and issues facing the elderly—I am acutely aware of the need for coordinating and expanding the Federal role in research pertaining to the aging. With the elderly population of our society increasing steadily each year, there is a critical need for the establishment of a program to broaden our understanding of the aging process and to explore ways of alleviating the problems associated with old age. No American institution has undertaken, or is capable of undertaking, comprehensive and systematic studies of the biomedical and behavioral aspects of aging or the related training of necessary personnel, and this bill would create the capacity for developing this type of aging program.

Mr. Chairman, the Federal aging research effort is itself quite young. In 1962, Congress created the National Institute of Child Health and Human Development to study the broad area of human growth. Although this was meant to bring about a greater understanding of the entire life process—from cradle to grave—the practical result has been a lopsided interest in the problems of child health—which utilizes about 58 percent of the NICHD budget—and population research—about 31 percent. Aging research has averaged only 10 percent of

the NICHD budget. Moreover, the NIH Gerontological Center in Baltimore has been operating at less than 50 percent of capacity, which clearly indicates the low priority that has been accorded aging research.

I firmly believe that the time has come for Congress to assert, in the clearest terms possible, its concern for the problems of the aged and its dedication to a rigorous gerontological research effort. Most importantly, we must insure that research into the aging process is not crowded out by other research fields, as it has been so far.

In my view, the most effective way of doing so is through the formation of a National Institute on Aging, which would have responsibility for conducting and supporting biomedical, social, and behavioral research relating to the aging process. By concentrating aging research resources in one Institute, with precisely defined jurisdiction in this specific area, we will expedite our understanding of the aging process and the development of responses to the mental, physical, and social problems older persons suffer.

Moreover, a National Institute of Aging could play a vital role in social policymaking as it affects the elderly. Not only would its research provide important leads for legislative action, but, as a source of extensive information about the lives of our senior citizens, it would also be an integral part of the process of measuring and evaluating the impact—biological, medical, psychological, and social—of Federal programs on the elderly.

Mr. Chairman, too often elderly Americans have felt neglected, crowded out by a heavy emphasis on youth. Ironically enough, research into the aging process has met exactly the same fate. The bill before us now reverses this practice by giving the elderly a singular, effective voice within the National Institutes of Health. I strongly urge its passage.

Mr. NELSEN. Mr. Chairman, my colleague, Congressman PAUL FINDLEY is currently in the Middle East on official business for the House of Representatives. Although he very much regrets his consequent inability to speak and vote in favor of the Research on Aging Act, he has written a letter to me expressing his support for the measure. I would like to insert it into the CONGRESSIONAL RECORD at this point.

APRIL 29, 1974.

Hon. ANCHER NELSON,
House of Representatives,
Washington, D.C.

DEAR ANCHER: I am sorry that I will not be present to support the Research on Aging bill when it comes to the floor on Thursday. However, I will be on a mission of great humanitarian importance to my constituents at that time.

This bill is extremely important for millions of our elderly citizens.

Last year the Congress passed an increase in Social Security benefits, the first installment of which took place in March, the second being scheduled for next month. The assistance entailed in H.R. 6175 is of a different, more indirect kind, but it is still important.

It directs the Secretary of Health, Education, and Welfare to establish a new and separate National Institute on Aging. The purpose of the new Institute is to inquire into a variety of questions, the answers to which would in many cases be of great benefit to the elderly.

This bill provides for a much-needed examination of our programs for the elderly to determine their present levels of effectiveness and possible ways of improving their operations.

Of greatest importance is the bill's directive that the Secretary take any and all necessary steps to ensure the education and training of adequate numbers of doctors, nurses and other health personnel to care for the elderly.

Our senior citizens need and deserve this commitment to their future from Congress. The nation must ensure that everything possible is done to adequately care and provide for them.

It is my earnest hope that the President will approve this bill. Two years ago a similar bill was vetoed. The certainty of that veto caused me to vote—regretfully—against the bill because it seemed doomed to a hopeless fate. I felt that a compromise which would produce a bill acceptable to the President, and thus immediate assistance to our older Americans, was better than no bill at all.

Although this year the President still has reservations about the bill, no threat of a veto has been raised.

The Committee on Interstate and Foreign Commerce and you personally are to be commended for your diligent work on this bill. The nation owes you a debt of gratitude, just as it owes its thanks to its senior citizens who have contributed so much to our society. This bill is only partial payment of that debt, but it is important. It has my enthusiastic support.

Sincerely,

PAUL FINDLEY,
Representative in Congress.

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

Mr. ROGERS. Mr. Chairman, one of the most serious and perplexing problems this country faces is the problem of aging, and its associated sociological and biological problems. These include problems surrounding research, retirement, and health status. The major problem of the aged is the maintenance of functional capabilities, both mental and physical, to the maximum extent so as to make life worth living for as long as possible.

The National Institute of Child Health and Human Development was established pursuant to legislation recommended to the House by the Committee on Interstate and Foreign Commerce in 1962. This institute today does research on the process of development of the young, the adult population, and the elderly. However, only 11 percent of the budget of the National Institute of Child Health and Human Development, since 1964, has been devoted to aging. The remainder of the funds appropriated to that institute have been devoted primarily to child health—approximately 58 percent—and population research—approximately 31 percent. Simply stated, aging has not received proper emphasis.

Mr. Chairman, the reported bill would help enhance and focus on the

problems of aging by providing for the establishment in the National Institutes of Health a new institute to be known as the National Institute of Aging, to serve as a focal point for the activities of the National Institutes of Health which relate to the elderly, including the aging process and diseases which affect primarily the aged. The bill also provides for the establishment of an Advisory Council similar to the other advisory councils in the National Institutes of Health, but with the additional duties of advising the Secretary of Health, Education, and Welfare on programs relating to the aged which are administered by him, and reporting to the President for transmittal to the Congress an evaluation of those programs. The bill was reported unanimously by the Interstate and Foreign Commerce Committee. Similar legislation passed both the House and the Senate in the second session of the 92d Congress and was cleared for the President, who pocket-vetoed it after final adjournment.

Mr. Chairman, in 1971, the President convened a White House Conference on Aging, which was held November 28 through December 2, 1971, involving 3,400 delegates from every State in the Union. The recommendations of that conference were printed as Senate Document 92-53. That conference made a substantial number of recommendations, including recommendations for the establishment of a National Institute of Aging. This legislation would carry out that recommendation.

Mr. Chairman, this legislation has passed the House once and the Senate twice. It should pass the House today unanimously.

Mr. CARTER. Mr. Chairman, I yield such time as he may consume to the gentleman from Nebraska (Mr. McCOLLISTER).

Mr. McCOLLISTER. Mr. Chairman, I take this time to engage in colloquy with, first, the gentleman from Kentucky and, subsequently, with the gentleman from Florida.

On page 3 of the bill, line 2, reference is made to the conduct and support of biomedical, social, and behavioral research and training. Would the gentleman from Kentucky agree with me that the language of the report seems to emphasize—certainly I hope it does—the emphasis given to the biomedical aspects of the aging process as opposed to the social and behavioral research?

Mr. CARTER. I believe that it does. In fact, it is mentioned more often. I believe it is mentioned twice. But the emphasis, of course, should be on biomedical to determine the cause of aging, as I see it, in biomedical research. Arteriosclerosis, for instance, might affect and actually does cause aging.

Mr. McCOLLISTER. Would the gentleman from Florida agree?

Mr. ROGERS. Will the gentleman yield?

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

Mr. ROGERS. Yes. I think definitely we want the biological research carried

on, I think we addressed this on page 5 of the report, saying that emphasis is on biological research, although we have given this authority where it has some significance, so I think the real thrust of this bill is the biological research.

Mr. McCOLLISTER. I appreciate the comments of the gentleman from Florida, the chairman of the subcommittee, and the ranking minority member, the gentleman from Kentucky. I should have preferred reference to the social and behavioral medical research and training then omitted, and to have had the bill concentrate on the biomedical aspects of the aging process. But I am grateful for this legislative history in order that the intent and emphasis of the legislation may subsequently be determined.

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

Mr. CARTER. Mr. Chairman, I yield 1 minute to the distinguished gentleman from New York (Mr. PEYSER).

Mr. PEYSER. I thank the gentleman for yielding.

I very strongly support this legislation and feel that it is long overdue.

I do have a question dealing with one of the purposes in the bill. I wonder if under the discretion of this new organization they could study problems that deal with food and marketing of products for the aging. I wonder if that can come under this organization. I will ask either of the gentlemen involved.

Mr. CARTER. I do not believe that nutritional aspects are mentioned, but I would hope they would be included, since they do involve the biomedical aspects, and nutrition would be a part of it.

Mr. PEYSER. The point that I was making is that in studies that we have recently been doing in the New York area, we have found that the present marketing and merchandising of food is not geared to elderly consumption. An older person buying food has to buy it on the basis of what man or woman in his or her middle thirties or forties consumes, which is a great deal more food than an elderly person does.

Therefore elderly people in many cases are paying more money for more food than they want to buy because it is the only way that they can buy it. We are interested in seeing these studies developed and I hope it is possible under this type of legislation.

Mr. CARTER. Mr. Chairman, I certainly feel studies can be made in this area. It is an unhappy fact however that according to present scientific knowledge babies who come into the world nursing begin with food which may cause atherosclerosis. Their diet from the mother's breast is colostrum for the first few days and it is very heavy in cholesterol and it might be the beginning of an atherosclerotic process. I hope our food processors may be more thoughtful of the older generation and that we can be helpful in having them select a proper diet.

Mr. PEYSER. I thank the gentleman from Kentucky.

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

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

Mr. ESCH. Mr. Chairman, I thank the gentleman for yielding. I have one question in relationship to the research traineeships. It is my understanding it is the intent of the bill to allow research and training not only in the National Institute but that it would utilize such other institutes as the Institute of Gerontology at Wayne State University, an institute which has been very effective in this area in a cooperative program. Is it the intent of the legislation to work through the National Institute in funding and developing programs throughout the country in a cooperative manner?

Mr. CARTER. This will be arrived at by the National Advisory Commission but it is a purpose of the bill to establish scholarships in gerontology.

Mr. ESCH. I would commend the gentleman from Kentucky and the chairman of the committee and the gentleman from Florida and members of the committee for bringing this to the floor. It is a major step forward in dealing with the problems of aging. I believe it will be a catalyst for further studies in this subject throughout the country.

Mr. CARTER. I thank the gentleman from Michigan for his remarks.

Mr. STAGGERS. Mr. Chairman, I have no further request for time.

Mr. CARTER. I yield such time as he may consume to the gentleman from Indiana (Mr. HUDNUT).

Mr. HUDNUT. Mr. Chairman, as a co-sponsor of H.R. 6175, the Research on Aging Act of 1974, and as a member of the Subcommittee on Public Health and Environment, I am pleased to give my support to this legislation.

At the present time responsibility for carrying out research on aging is assigned to the National Institute on Child Health and Human Development. Approximately 12 percent of the NICHD budget has been devoted to the aging, the remainder being spent on research into child health, 58 percent, and general population, 30 percent. The White House Conference on Aging which was held in 1971 recommended the establishment of a separate National Institute on Aging to coordinate and expand research related to the aging process and the diseases and other special problems and needs of the aged.

The population aged 65 or older in the United States has grown at a much faster rate than other groups, increasing more than sevenfold since 1900 to approximately 20 million individuals today. Between 1960 and 1970, the number of older citizens increased by 21 percent, while the population below age 65 increased by 12.5 percent.

The health problems of the aged are such that some 80 percent are reported to have at least one chronic health problem, making hospitalization twice as likely and health care costs twice as great.

The new National Institute on Aging established through H.R. 6175, will provide a national focus for the research necessary to achieve the great goal of keeping our people as young as possible for as long as possible. Only if we can understand the process of aging can we begin to both slow it and treat its mani-

festations. Historically, aging has been associated with a deterioration of the mental, physical, and emotional abilities which makes us human. This frightening loss has left many of our older Americans lonely, sick, poor, unhappy, and dependent for survival upon their families and society. Through an aggressive research effort progress can be made in understanding, preventing, and treating these losses. The establishment of a National Institute on Aging will begin the creation of such a research effort. Therefore, I urge my colleagues to approve this bill.

I would point out that H.R. 6175 grants no new authority and does not create any new programs. It simply consolidates existing authorities and provides for the establishment of a single institute designed to eliminate duplication of effort, lack of coordination, and gaps in overall approach which have marked our national efforts in aging research up to this time. In addition, enactment of H.R. 6175 would fulfill a recommendation of the 1971 White House Conference on Aging.

Mr. BURKE of Massachusetts. Mr. Chairman, I rise today in favor of H.R. 6175, the Research on Aging Act of 1974. This bill, which provides for the enactment of a National Institute on Aging, which will conduct and support biomedical, social, and behavioral research and training relative to the aging process and the diseases and other special problems and needs of the aged, is vital.

I feel that this legislation should be passed by this House for several reasons. The needs and interests of America's aged must be protected by this Nation. As recent figures indicate, an increased proportion of America's citizens are persons age 65 or over. The average longevity of the American is higher than preceding generations, and we have reason to believe that our senior citizens will comprise even a larger proportion of the Nation's human resources.

I need not remind my colleagues of the steps Congress has taken in assuring our aged citizens the opportunity to live their golden years with a greater degree of comfort and pleasure than many preceding generations of aged Americans were able to do. Beginning with medicare, this Congress has made a commitment to providing relief to the aged of our Nation. This commitment can only be enhanced by this important measure before us. Research on aging can provide us with useful information in attempting to ease the burden of old age on our Nation's senior citizens.

The senior citizen is indeed worthy of all assistance such research and the other measures we can take will provide. After long years of work, setting an example of love of country and of family, America's aged deserve the very best this country can provide to make their senior years as pleasant as possible.

Mr. Chairman, we cannot ignore this opportunity to show our appreciation and commitment to our country's aged. Let us speedily enact H.R. 6175, the Research on Aging Act, and let us begin the great work ahead of us in the field of providing for the needs of America's senior citizens.

Mr. TIERNAN. Mr. Chairman, this afternoon we are considering H.R. 6175

which will establish a National Institute on Aging. Scientific developments have made it possible for our people to live longer, but unfortunately we have shown too little concern that they also live "better." It is not socially responsible to extend life with one hand only to turn our backs on the special needs created by a longer life.

The Institute created by this bill will involve itself not only with biomedical problems, but also will conduct and support social and behavioral research. Many of the problems of old age can be, and should be, approached by the social scientist even though they may also involve questions relating to physical health. For example, the search for alternatives to institutionalizing the elderly cannot be limited to consideration of their physical condition; family relationships, availability of housing, adequacy of income, personal attitudes, and many other factors may be as decisive as is the health of the individual involved. Funding for this kind of research is presently minimal, but the problem is immediate.

The 1961 White House Conference on Aging recommended creation of a National Institute of Aging and this recommendation was repeated in the report of the 1971 conference. Clearly the reiteration of this recommendation underlies the necessity for concentrated effort. Existing programs have not given sufficient emphasis to the problems of aging and the problems of the aged. However, the mandate given to the Institute will assure our senior citizens that we in Congress care about the quality of their life and want to assure them a full life with a place in society to which their years of service and experience entitle them.

Mr. EILBERG. Mr. Chairman, I will support the amendment that will be offered by the gentleman from Georgia (Mr. BRINKLEY). I was happy to join JACK BRINKLEY when he introduced the National Cancer Research Act last year, and I am pleased to be with him today.

Mr. Chairman, within this present year more than 350,000 Americans will die of cancer—approximately 960 people every day—one human being every 2 minutes. This scourge must be ended. And yet the National Cancer Institute reports that it can fund only about half of the scientifically approved cancer research projects received.

We here in this House, who have the power to take effective action, must act decisively. We have legislated in the past, but it has not been enough. And even though the proposal presented today by the fine Committee on Interstate and Foreign Commerce provides for improvement in the level of funding, it still does not establish the kind of massive effort which alone can lead to control of cancer.

The substitute amendment as proposed differs from the committee recommendation in two essential ways: first of all, it seeks to extend the existing Federal cancer research structure for 5 years instead of 3. Second, it doubles each of the three yearly appropriations authorized in the committee bill and extends the third year authorization level for 2 additional years—through 1979.

In summary, the Commerce Committee seeks an authorization of approximately \$2.7 billion over a 3-year period for cancer research; the Brinkley substitute proposes that \$11.5 billion be expended over 5 years for the same purpose.

There are those who will say that this is too much. But I say that humanity requires that those steps necessary to bring pain and suffering to an end must be taken—cost notwithstanding.

Finally, I would like to point out that it has been estimated that there currently exists in this country the need for twice the amount of dollars as are being used or even asked for in the effort to conquer cancer. I say those dollars must be provided. The time for half measures is past.

Let us be about the business of ending the tragedy of cancer. And the way to begin is for the House today to approve the amendment in the nature of a substitute offered by the gentleman from Georgia.

Mr. KYROS. Mr. Chairman, I rise today in strong support of H.R. 6175, which would provide for the establishment within the National Institutes of Health a new Institute, to be known as the National Institute on Aging. This institute would conduct and support biomedical, social, and behavioral research and training relating to the aging process and the diseases and other special problems and needs of the aged.

The need for this legislation, Mr. Chairman, is as simple as it is great. As we heard over and over in hearings, the needs and problems of the aged have for too long been competing within NIH with the needs and problems of children, as dealt with by the National Institute of Child Health and Human Development. While the work of that institute is highly commendable, its aging program is simply inadequate. With the number of older people in the United States growing faster than the population is growing as a whole, the problems of the aged deserve to be given a higher priority. The National Institute on Aging would give that priority to the needs and special problems of the aging, for the fact is that we know very little about the aging process itself and how to deal with it. For this reason, I strongly urge passage of H.R. 6175.

Mr. BINGHAM. Mr. Chairman, I rise to express my enthusiastic support for H.R. 6175 a bill which would establish a National Institute on Aging. This legislation is designed to provide an intense, centrally coordinated investigation on the aging process.

As early as May of 1969 I joined with Senator WILLIAMS of New Jersey to introduce similar legislation entitled the "Research on Aging Act". During the intervening 5 years I have pushed for and supported efforts to learn more about aging so that a Federal program could be developed to aid older citizens lead healthy, happy, productive, and comfortable lives.

The National Institute of Child Health and Human Development is now researching the process of development of youths, adults, and the elderly population, but only 11 percent of their budget is devoted to research on the

aging. This certainly falls short of present needs and illustrates the unfortunate second-class status we ascribe to our senior citizens—a situation which must finally be remedied. Aging is a process which affects us all, it should not be treated as a crime. The number of elderly in this country is growing at a faster rate than the population as a whole. Breakthroughs are now occurring in molecular biology, immunology and many other fields that may have application in understanding and controlling the aging process. Furthermore, researchers in the field of aging say we have reached a point in our knowledge and technology where mastery over the very process of aging is very nearly within the grasp of scientific and medical knowledge. Therefore, now is the time to pull together all of this new knowledge within a meaningful organizational structure so that progress in slowing the aging process can be made. If we could expand our research efforts, I am confident that we could begin to combat one of the major problems affecting the elderly, that of maintaining their physical and mental capabilities so as to make life as enjoyable for as long as possible.

The National Institute on Aging requires no new authorizations or appropriations and the small cost required to create the Institute is well worthwhile.

Mr. BAUMAN. Mr. Chairman, America's elderly stand to benefit greatly by the measure before us, and I enthusiastically support its passage.

That portion of our population which is 65 or older has steadily grown throughout this century. Roughly 20 million Americans are in this group today, and an estimated 80 percent suffer from at least one chronic health problem. The bill before us will create a new National Institute on Aging within the National Institutes of Health, and will be charged with the responsibility for biomedical and other forms of research into the problems of aging.

The new Institute will be primarily composed of other projects now operating or contemplated, but will bring them together under a common roof, with common goals, for the first time. The bill directs the Secretary of HEW to organize the new institute in a way that avoids duplication and overlapping with other programs in NIH, which I hope will satisfy administration worries that efficiency at NIH might suffer. I believe that the formation of a health institute concerned solely with the problems unique to the aging, giving such research a clear focus which it has not had up to this point, is vital if we are to make progress in dealing with the many problems, especially medical problems, which our Nation's elderly must face.

One particularly important feature of this bill is a provision for training adequate numbers of personnel in the fields of allied health, nursing, and paramedical activity. The shortage of available personnel in these areas is perhaps the greatest single problem in providing health care for America's elderly. It is necessary that we take steps quickly to ease this shortage and provide the best care possible for those in their golden years.

Between 1960 and 1970 the number of senior citizens in the United States grew almost twice as fast as the rest of the population. Thus, their needs, in terms of sheer numbers, are great. With the passage of this bill, we take a significant step forward in dealing with their needs, and I am happy to lend to it my support.

Mr. BIAGGI. Mr. Chairman, I rise in enthusiastic support of H.R. 6175 to establish a National Institute on Aging under the auspices of the National Institutes of Health. I consider this to be an innovative and urgently needed piece of legislation which seeks to find solutions to one of our most serious national health problems, that of aging.

The numbers of older people in the United States is growing at a faster rate than that of the population as a whole. At continued present rates of growth, the population of the United States age 65 and over will total nearly 28 million in the next 25 years.

The process of aging represents a major mystery to the scientific and lay worlds alike. Aging has traditionally meant an inevitable deterioration of the mental, physical, and emotional processes. As a result, many elderly citizens find themselves gripped by loneliness, anxiety and above all, a lack of understanding as to why.

Most authorities agree that if the problems associated with aging are to be eliminated, comprehensive and ambitious research programs are needed. The Federal Government thus far has not made this kind of commitment. Research on aging is presently conducted by the National Institute of Child Health and Human Development. Yet, only a meager 11 percent of their budget is spent directly on investigating the problems of aging. This is a tragic inadequacy which stands to be remedied with the passage of this bill.

In addition to actively researching the problems associated with aging, this bill will develop important public information and educational programs to assist all Americans, particularly the elderly, in understanding and coping with the processes associated with aging.

Yet, the most exciting potential of this legislation is the prospect it holds for developing methods to extend the life expectancies of Americans by as much as 25 years. These increases can be expected if the major advances in the control of the intrinsic aging influences can be achieved. I am glad to see that the great scientific and medical technology and expertise which this country possesses can now be directed at prolonging the lives of Americans.

Mr. Chairman, we in the Congress can be proud of the legislation we have passed on behalf of older Americans. We have provided them with substantial economic assistance to help them through this difficult period of inflation. We are likely to pass legislation to insure them the best possible health care at low cost. Yet, this bill we are considering today may be the most important bill of all, for with its passage stands the possibility that many of our senior citizens can begin to enjoy their retire-

ment years free from the cares and worries previously associated with aging.

I applaud the initiative taken by the distinguished gentleman from West Virginia, Mr. STAGGERS, and I recommend that his bill be given the swift approval of my fellow colleagues. Millions of Americans both young and old will anxiously be awaiting our action on this bill today.

Mr. ADDABBO. Mr. Chairman, I rise in support of H.R. 6175 to establish a National Institute on Aging. I am pleased to be able to speak in behalf of this important legislation which promises to open new horizons for the elderly.

The bill establishes a new National Advisory Council on Aging appointed by the Secretary of Health, Education, and Welfare. The bill also directs the Secretary to: First, conduct scientific studies, through the Institute, for the purpose of measuring the impact on the biological, medical, and psychological aspects of aging of all programs conducted or assisted by Health, Education, and Welfare designed to meet the needs of the aging; second, carry out public information and education programs to disseminate the findings of the Institute and all other relevant information which may assist all Americans, and especially the elderly, in dealing with the problems, and understanding the processes, associated with aging; and third, prepare a comprehensive aging research plan within 1 year after enactment for presentation to the Congress and the President, along with a statement of the staffing and funding requirements necessary to implement the plan.

The true objective of the research authorized by H.R. 6175 is to explore the possibility of increasing the average lifespan of the residents of America. That lifespan has remained at 70 years of age for the past two decades. If we can slow that aging process we will have achieved a goal shared by all Americans—a goal which will directly benefit an estimated 20 million Americans who will have reached age 65 by the end of this century.

Mr. Chairman, the other body has acted favorably on similar legislation to that pending before us today. I urge my colleagues to vote favorably on H.R. 6175 to create a National Institute on Aging.

Mr. MAYNE. Mr. Chairman, I rise in full support of H.R. 6175, the Research on Aging Act of 1974. I strongly urge all my colleagues to vote for House passage today and to aid its early enactment into law.

I commend the members of the House Committee on Interstate and Foreign Commerce who unanimously reported this needed legislation to the House on March 13. I immediately urged the House leadership to place H.R. 6175 on the calendar for early House action, as I advised Senior Citizen groups in Le Mars, Iowa, and elsewhere in Iowa's Sixth Congressional District on March 15 and since. I do not understand why the House Democratic Leadership did not see fit to have this legislation called up for House action until this second day of May, but at long last it is before the House, which I urge to approve this bill with such a resound-

ing and lopsided vote that no thought of veto could possibly be entertained.

The National Institute of Child Health and Human Development since 1962 has had the responsibility for research on aging. The NICHD devotes 58 percent of its budget to child health, 31 percent to population research, and only 11 percent to research on aging. I do not intend in any way to short the NICHD, for it has done wonders with the funds available and deserves full credit for the progress it has made—but it is clear that the primary interest of the Institute has been regarding the child, rather than the aging. I can well understand the feeling of many older Americans, so well expressed in the White House Conference on Aging in 1961 and again in the 1971 conference, that research on aging has been somewhat neglected compared to other NIH programs, and that there is a great need to establish a National Institute on Aging.

A separate National Institute on Aging must be established and given the responsibility for research on aging so that it can receive the attention it deserves.

I supported passage of legislation in 1972 that would have accomplished this objective, but the bill was pocket-vetoed at the end of the 92d Congress, primarily because it included a new program of grants for community mental health centers for mental health services for the aged. The bill now before the House, H.R. 6175, does not contain the controversial community mental health center language. Furthermore, the present bill provides sufficient authority to the Secretary of Health, Education, and Welfare to assign aging research in its different fields so as to coordinate the programs of the various National Institutes of Health and prevent overlap. I believe the President and his advisors will find that H.R. 6175 has been very carefully drafted and is a far better bill than the one which failed to become law in 1972. I shall urge the President to sign this Research on Aging Act of 1974 into law, and to implement its provisions immediately.

Medical science has magnificently extended the quantity of life through extension of life expectancy—but there has been comparatively little research regarding the aging process in order to find means to slow or arrest that process. Much more needs to be done to improve the quality of life for the elderly. We seem to be near the practical limit of our ability to increase the average lifespan through conventional means. For the past 20 years, the average lifespan has remained essentially constant at around 70 years. It is now time to devote greater research efforts toward trying to slow the aging process, thereby obtaining increases in the years of useful and healthful life. It will be the purpose of the National Institute on Aging to actively expand research on the maintenance of both mental and physical functional capabilities to make life worth living for as long as possible.

H.R. 6175 grants no new authority, and does not create any new programs—it simply consolidates existing authorities presently scattered among a variety of

Federal departments and agencies, and provides for the establishment of a single institute designated to eliminate duplication of effort, lack of coordination, and gaps in overall approach which have marked our national efforts in aging research up to this time. Americans over age 65 today number more than 20 million. Older Americans make up the fastest growing segment of our population. Older persons tend to be plagued by uncertain health. More than 80 percent suffer from one or more chronic health problems, making hospitalization twice as likely and health care costs twice as great.

This bill not only creates the single institute needed to concentrate research efforts in this area, it all requires the Secretary of Health, Education, and Welfare to prepare for consideration by the Congress and the President a plan for an aging research program designed to coordinate and promote research into all aspects of aging, along with a statement of the staffing and funding requirements necessary to carry out such a program.

This bill is not a panacea, but it will provide a progressive step, perhaps even a giant step, toward achieving the worthy goals of alleviating problems of old age—not only the problems caused by the physical infirmities suffered by the elderly but also those economic, social, and psychological factors associated with aging, all combining to exclude millions of older Americans from the full life and the place in our society to which their years of service and experience surely entitle them.

Mr. Chairman, I cannot strongly enough urge this House to approve this worthy legislation and, through overwhelming votes in its support, speed it to the President for signature into law and immediate implementation. The elderly of America deserve no less.

Mr. DONOHUE. Mr. Chairman, I hope that this pending bill, H.R. 6175, will be overwhelmingly approved by the House this afternoon.

In substance, it is designed to establish a new unit within the National Institutes of Health to be known as a National Institute on Aging and also a new National Advisory Council on Aging.

The specific purpose of these two new units will be to combine their resources for the conduct and support of biomedical, social, and behavioral research and training programs related to the aging process and the diseases and other particular problems and needs of the aged.

Mr. Chairman, as one of the cosponsors and supporters of the original Older Americans Act, I am, of course, somewhat gratified at what has so far been done to help our elderly citizens. But much more remains to be done, particularly in the area of health needs for our older citizens.

The critical nature of the problems faced by so many older Americans carries a far-ranging impact for all American citizens. More than 7 out of every 10 children born today can now expect to live until age 65. As man's longevity increases and as the number of older Americans increases, it becomes all the more important that we develop a better

coordinated national program for scientific research on the biological aspects of aging. It is a proven fact that we have a very limited accumulation of gerontological information on which to base critical health decisions affecting the elderly and this deficiency makes the establishment of a gerontological research center a prudent and a worthwhile pursuit.

Mr. Chairman, this measure is designed to overcome these deficiencies and it gives every promise of effectively so doing. The institution of innovative new programs of research, as provided by this measure, together with our own unyielding determination to alleviate some of the haunting health fears of the aging will permit us to move from that which is to that which ought to be.

Mr. Chairman, our older Americans are not only entitled to lives of dignity and security but they have the right to expect that their country to which they have given so much of themselves through their most productive years, will not forsake them when their need is greatest. The approval of this bill will give them that assurance and, on its inherent merit, this measure deserves and ought to be resoundingly adopted in the national interest.

Mr. CARTER. Mr. Chairman, I have no further request for time.

The CHAIRMAN. The Clerk will read. The Clerk read as follows:

H.R. 6175

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. This Act may be cited as the "Research on Aging Act of 1973."

Sec. 2. The Congress finds and declares that—

(1) the study of the aging process, the one biological condition common to all, has not received research support commensurate with its effects on the lives of every individual;

(2) in addition to the physical infirmities resulting from advanced age, the economic, social, and psychological factors associated with aging operate to exclude millions of older Americans from the full life and the place in our society to which their years of service and experience entitle them;

(3) recent research efforts point the way toward alleviation of the problems of old age by extending the healthy middle years of life;

(4) there is no American institution that has undertaken comprehensive systematic and intensive studies of the biomedical and behavioral aspects of aging and the related training of necessary personnel;

(5) the establishment of a National Institute on Aging within the National Institutes of Health will meet the need for such an institution.

Sec. 3. Title IV of the Public Health Service Act is amended by adding at the end thereof the following new part:

"PART H—NATIONAL INSTITUTE ON AGING
"ESTABLISHMENT OF NATIONAL INSTITUTE ON AGING

Sec. 461. The Secretary shall establish in the Service an institute to be known as the National Institute on Aging (hereinafter in this part referred to as the 'Institute') for the conduct and support of biomedical, social, and behavioral research and training related to the aging process and the diseases and other special problems and needs of the aged.

"NATIONAL ADVISORY COUNCIL ON AGING

Sec. 462. (a) The Secretary shall establish a National Advisory Council on Aging to advise, consult with, and make recommendations to him on programs relating to the aged which are administered by him and on those matters which relate to the Institute.

(b) The provisions relating to the composition, terms of office of members, and re-appointment of members of advisory councils under section 432(a) shall be applicable to the Advisory Council established under this section, except that (1) the Secretary may include on such Advisory Council such additional ex officio members as he deems necessary, and (2) the Secretary shall appoint to the Council leading medical or scientific authorities skilled in aspects of the biological and the behavioral sciences related to aging.

(c) Upon appointment of such Advisory Council, it shall assume all, or such part as the Secretary may specify, of the duties, functions, and powers of the National Advisory Health Council relating to programs for the aged with which the Advisory Council established under this part is concerned and such portion as the Secretary may specify of the duties, functions, and powers of any other advisory council established under this Act relating to programs for the aged.

"FUNCTIONS

Sec. 463. (a) The Secretary (1) shall, through the Institute, carry out the purposes of section 301 with respect to research investigations, experiments, demonstrations, and studies related to the aging process and the diseases and other special problems and needs of the aged, except that the Secretary shall determine the area in which and the extent to which he will carry out such activities in furtherance of the purposes of section 301 through the Institute or another institute established by or under other provisions of this Act, or both of them, when both such institutes have functions with respect to the same subject matter, and (2) shall be responsible for coordinating such activities so as to avoid unproductive and unnecessary overlap and duplication of such functions. The Secretary may also provide training and instruction and establish traineeships and fellowships, in the Institute and elsewhere, in matters relating to study and investigation of the aging process and the diseases and other special problems and needs of the aged. The Secretary may provide trainees and fellows participating in such training and instruction or in such traineeships and fellowships with such stipends and allowances (including travel and subsistence expenses and dependency allowances) as he deems necessary, and, in addition, provide for such training, instruction, and traineeship and for such fellowships through grants to public or other nonprofit institutions. In carrying out his health manpower training responsibilities under this Act or any other Act, the Secretary shall take appropriate steps to insure the education and training of adequate numbers of allied health, nursing, and paramedical personnel in the field of health care for the aged.

(b) The Secretary shall, through the Institute, conduct scientific studies to measure the impact on the biological, medical, and psychological aspects of aging of all programs and activities assisted or conducted by the Department of Health, Education, and Welfare.

(c) The Secretary, through the Institute, shall carry out public information and education programs designed to disseminate as widely as possible the findings of Institute-sponsored and other relevant aging research and studies and other information about the process of aging which may assist elderly and near-elderly persons in dealing with, and all Americans in understanding, the problems and processes associated with growing older.

"RESEARCH PROGRAM

"SEC. 464. (a) The Secretary, in consultation with the Institute and the National Advisory Council on Aging and such other appropriate advisory bodies as he may establish, shall within one year after the effective date of this section develop a plan for a research program on aging designed to coordinate and promote research into the biological, medical, psychological, social, educational, and economic aspects of aging. Such program shall be carried out, as to research involving the functions of the Institute, primarily through the Institute, and as to other research shall be carried out through any other institute established by or under other provisions of this Act or through any appropriate agency or other organizational unit within the Department of Health, Education, and Welfare.

"(b) Upon its completion, the plan for a research program on aging, required by subsection (a) of this section, shall be transmitted to the Congress and to the President and shall set forth the staffing and funding requirements to carry out such program."

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

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

There was no objection.

COMMITTEE AMENDMENTS

The CHAIRMAN. The Clerk will report the first committee amendment.

The Clerk read as follows:

Committee amendment: Page 1, line 4, strike out "1973" and insert in lieu thereof "1974".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Committee amendment: Page 5, line 3, strike out "and traineeship and for such" and insert in lieu thereof "traineeships".

The committee amendment was agreed to.

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

Mr. Chairman, this is a bill in which, because of aging, I ought to have an interest, perhaps a conflict of interest. I find it intriguing. To put first things first, I wonder what this Institute to take the aging by the hand will eventually cost. Is it to help along life's way, is it not?

I would like the attention of our distinguished Speaker to point out to him that this bill also offers hope to those in middle life, as well as the aging like myself.

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

Mr. GROSS. I am always delighted to yield to the distinguished and genial Speaker.

Mr. ALBERT. The gentleman was just a little late in making the proposition.

Mr. GROSS. I wonder what this Institute for the Aging will eventually cost; can anyone tell me? Has the Bureau of the Budget been advised whether it is worthy of being established and financed at some later time?

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

Mr. GROSS. I prefer to yield to the

chairman first, but I will yield to the gentleman from Florida.

Mr. PEPPER. I would like to observe, and I am sure the gentleman will agree, that if the Institute would enable us senior citizens to enjoy life a little longer, the cost would be cheap, would it not?

Mr. GROSS. I do not know about that. It depends on how much is proposed to be spent to enhance our lives.

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

Mr. GROSS. I yield to the distinguished Chairman.

Mr. STAGGERS. I would say to the distinguished gentleman, there is no cost in the bill other than forming the National Institute. I might say at the present time it is divided up among the present institutions we have. We are spending about \$10 million a year.

Mr. GROSS. What are we spending \$10 million on?

Mr. STAGGERS. On research right now.

Mr. GROSS. On the aging?

Mr. STAGGERS. That is right, but in many different institutions.

Mr. GROSS. That has not helped me as yet, but go ahead. I am aging.

Mr. STAGGERS. We hope it will do the gentleman from Iowa (Mr. GROSS), some good, and I hope the gentleman might be able to live to 100 or 125 after we get this thing working and we find out how to cure the ills that affect the aging and it will make life more pleasant in what we call the golden years of our lives.

I do not know that there will be any more appropriations than right now are being spent.

Mr. GROSS. Give me a little help on this, Mr. Chairman. What will this do for me and others like me, us old geezers, by way of social uplift as mentioned in the bill.

Mr. ROGERS. Mr. Chairman, if the gentleman will permit, I would like to answer that.

Mr. GROSS. Yes, I will be glad to yield.

Mr. ROGERS. The major thrust of the bill is for research of a biological nature.

Mr. GROSS. Biological?

Mr. ROGERS. Well, if the gentleman will permit me to proceed, I will tell him what I am getting at.

Mr. GROSS. When the gentleman gets to be 75, he will not be thinking in terms of certain biological matters; but go ahead.

Mr. ROGERS. There are other biological purposes than the gentleman may be referring to; for instance, the aging process. What we are trying to do is encourage enough research to learn about the aging process and some of the experiments are already indicating that great progress can be made, not only here but in other countries.

Also, the real thrust of this is to try to help people. Our goal is to try to help people remain active in an active capacity until then.

Mr. GROSS. Well, I am still active.

Mr. ROGERS. If the gentleman will permit just one more sentence, we are trying to reduce, for instance, the time when one is incapacitated, when one may become senile, when one has to be placed in a nursing home. We are trying to reduce this time so that one can be active and use his own faculties to proceed and

take care of himself without going into a nursing home.

Mr. GROSS. I would like a copy of the gentleman's book or formula for escaping senility.

Mr. ROGERS. Well, this is what we really want to try to get for the gentleman. There are really some encouraging signs in the scientific community. This is the goal we ought to try to reach, to reduce the problems of old age.

The CHAIRMAN. The time of the gentleman has expired.

(By unanimous consent Mr. Gross was allowed to proceed for an additional 5 minutes.)

Mr. GROSS. Did the gentleman say: Ought to try?

Mr. ROGERS. I say, does not the gentleman think that we ought to try to reduce the time that people have to be kept in nursing homes? Think of the savings that that would bring about to an individual and to the family; not only to the suffering of the person.

Mr. GROSS. Mr. Chairman, the point is that I am aging and I will soon be unemployed.

Mr. ROGERS. The gentleman has a good pension.

Mr. GROSS. Mr. Chairman, I would like to know what benefit from this proposed Institute will accrue to me and others in similar aging situations such as I am in. Tell me, how am I going to be benefited psychologically by this? I note there will be psychological training and psychological factors involved.

Mr. ROGERS. I think this is more research in trying to find out what can be done. Of course, we are just setting up the Institute, as I am sure the gentleman realizes, so we cannot give the gentleman all the results until we get them. As I said, I think it would be rather psychologically important to the gentleman if we can help bring about from research some activity in his life which will prevent his going into a nursing home 1 year or 2 or 3 years before he might ordinarily have to.

Mr. GROSS. Mr. Chairman, does the gentleman from Florida, looking at the gentleman from Iowa in the well of the House, think he needs immediate guidance as to activity, and have I aged sufficiently?

Mr. ROGERS. I have never known the gentleman to age since I have been here. I think the gentleman has been the great conscience of the House. We will miss him, and I hope the gentleman will keep those bright faculties forever.

Mr. GROSS. I appreciate the gentleman's kind remarks, but I see that my friend, the genial doctor from Kentucky, wants to get into this aging business. I hope the gentleman can help me solve my problems.

Mr. CARTER. Mr. Chairman, we need to start to find a way to rebuild the gentleman's body so that one part is as strong as the other; mind, heart, all over, so that when it comes his time, he will go all at once like the deacon's masterpiece, the one-hoss shay.

Mr. GROSS. Tell me, Dr. CARTER, how is this behavioral research going to work and how would it apply to me, for instance?

Mr. CARTER. Of course, they are going to study a lot of people, who, when

they grow older, become arteriosclerotic. Many people have mental aberrations. They imagine things and so on. The research is to determine the cause of this and to prevent it, to make their arterial pathways more perfect so that they can live a better life, a more perfect life. As I said, when they go, they go all at once; no nursing home, just pick up the pieces and take them to the boneyard.

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

Mr. GROSS. I am glad to yield to one of the younger generation, to help me out.

Mr. BAUMAN. Mr. Chairman, I suggest to the gentleman from Iowa that he has picked a very poor example of the aging process when he refers to himself. The gentleman from Maryland has known the gentleman from Iowa.

Mr. GROSS. The gentleman from Maryland may not know the full story.

Mr. BAUMAN. The gentleman from Maryland has known the gentleman from Iowa for in excess of 20 years, and during that time I have not known the gentleman to age at all. His hairline has not changed; his stature has not changed. Certainly, he has never changed his mind, and for that I admire him. So, I really think the gentleman abuses himself when he suggests that he can benefit from these programs. I do not think he will ever change, and I hope he will not.

Mr. GROSS. The gentleman from Maryland is kind. Mr. Chairman, I do not think this bill can do much harm. I do not think it can do much good. If the Members will be reasonable in the future—I will not be here when they start putting money into it—maybe somebody will get a little good out of this new Institute, this new bureaucracy the Members are establishing allegedly for the benefit of the aging.

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

Mr. GROSS. Mr. Chairman, I yield to the gentleman from West Virginia.

Mr. STAGGERS. Mr. Chairman, I would like to say that I have the keenest confidence in the gentleman in the well. I first met him 18 years ago.

Mr. Chairman, the gentleman from Iowa and I have both seen a great many Members come and go; we have seen many bills passed and many programs put into operation.

I will certainly miss the gentleman from Iowa, if I am reelected and he does not return. I will miss him terribly. Certainly the gentleman will still retain whatever age he says he is; I am sure he will retain that.

There are several matters that we want to consider in this bill. We know that some older people get cantankerous, and we want to find out why they get cantankerous; we will try to prevent that. Not all of them get cantankerous, just some of them.

I want to say that there are many other things we are trying to investigate with this bill. One of them is diet. Some older people have bad diets, some have good diets. Some of them get depressed, and we want to find out why. Some of them commit suicide, and we want to find out why.

Mr. Chairman, we want to study many of the problems that do afflict the aged and see if we can make their lives a little bit better.

Mr. GROSS. Mr. Chairman, I want to be sure to reserve enough time to again remind my good friend, the distinguished Speaker of the House, that this Institute will be looking into his middle aging.

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

Mr. GROSS. I yield to the distinguished Speaker.

Mr. ALBERT. Mr. Chairman, I believe the gentleman from Iowa is a little overly pessimistic about himself. Once in a while it seems that I feel older, but I do not believe the gentleman from Iowa ever does.

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

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

Mr. GUYER. Mr. Chairman, I believe that this definition might help to climax the very pleasant dialog we have heard here on the floor of the House today. The quotation I have in mind is as follows: A man is not old when his hair turns gray, Nor is he old when his teeth decay, But he is certainly headed for the last long sleep.

When his mind makes plans his body can't keep.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the Chair, Mr. FUQUA, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H.R. 6175) to amend the Public Health Service Act to provide for the establishment of a National Institute on Aging, and for other purposes, pursuant to House Resolution 1079, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment adopted by the Committee of the Whole? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

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

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

The SPEAKER. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 379, nays 1, answered “present” 2, not voting 51, as follows:

[Roll No. 204]

YEAS—379

Abdnor	Dickinson	McCollister
Abzug	Dingell	McCormack
Adams	Donohue	McDade
Addabbo	Dorn	McEwen
Alexander	Downing	McFall
Anderson,	Drinan	McKay
Calif.	Dulski	McKinney
Anderson, III.	Duncan	McSpadden
Andrews, N.C.	du Pont	Macdonald
Andrews,	Edwards, Ala.	Mahon
N. Dak.	Edwards, Calif.	Mallary
Annunzio	Ellberg	Mann
Archer	Esch	Maraziti
Arends	Eshleman	Martin, Nebr.
Armstrong	Evans, Colo.	Martin, N.C.
Ashbrook	Evins, Tenn.	Mathias, Calif.
Ashley	Fascell	Mathis, Ga.
Aspin	Fish	Matsunaga
Badillo	Fisher	Mayne
Bafalis	Flood	Mazzoli
Baker	Flynt	Meeds
Barrett	Foley	Melcher
Beard	Ford	Metcalfe
Bell	Forsythe	Mezvinsky
Bennett	Fountain	Michel
Bergland	Fraser	Miller
Bevill	Frelinghuysen	Mills
Blester	Frenzel	Minish
Bingham	Froehlich	Mink
Blackburn	Fuqua	Minshall, Ohio
Boggs	Gaydos	Mitchell, Md.
Boland	Gettys	Mitchell, N.Y.
Boiling	Giaimo	Mizell
Bowen	Gibbons	Moakley
Brademas	Gilman	Mollohan
Brasco	Goldwater	Montgomery
Bray	Gonzalez	Moorehead,
Breaux	Gray	Calif.
Breckinridge	Green, Pa.	Moorhead, Pa.
Brinkley	Griffiths	Morgan
Brooks	Grover	Mosher
Broomfield	Gubser	Moss
Brotzman	Gude	Murtha
Brown, Calif.	Gunter	Natcher
Brown, Mich.	Guyer	Nedzi
Brown, Ohio	Hamilton	Neilsen
Bryonhill, N.C.	Hammer-	Nichols
Bryonhill, Va.	schmidt	O'Brien
Burgener	Hanley	O'Hara
Burke, Calif.	Hanrahan	O'Neill
Burke, Fla.	Hansen, Idaho	Owens
Burke, Mass.	Harrington	Parris
Burleson, Tex.	Harsha	Passman
Burlison, Mo.	Hastings	Patten
Burton	Hays	Pepper
Butler	Hebert	Perkins
Byron	Hechler, W. Va.	Pettis
Camp	Heckler, Mass.	Peyser
Carney, Ohio	Heinz	Pike
Carter	Helstoski	Poage
Casey, Tex.	Henderson	Podell
Cederberg	Hicks	Powell, Ohio
Chamberlain	Hillis	Preyer
Chappell	Hinshaw	Price, Ill.
Chisholm	Hogan	Price, Tex.
Clark	Holfeld	Pritchard
Clausen,	Holt	Quie
Don H.	Holtzman	Quillen
Clawson, Del.	Horton	Railsback
Clay	Hosmer	Randall
Cleveland	Huber	Rangel
Cochran	Hudnut	Rarick
Cohen	Hungate	Rees
Collier	Hunt	Regula
Collins, Ill.	Hutchinson	Reuss
Collins, Tex.	Jarman	Rhodes
Conable	Johnson, Calif.	Riegle
Conlan	Johnson, Colo.	Rinaldo
Conte	Jones, Okla.	Robinson, Va.
Conyers	Jones, Tenn.	Robison, N.Y.
Corman	Jordan	Rodino
Cotter	Karth	Roe
Coughlin	Kastenmeier	Rogers
Cronin	Kemp	Roncalio, Wyo.
Culver	Ketchum	Rooney, Pa.
Daniel, Dan	King	Rosenthal
Daniel, Robert	Kluczynski	Rostenkowski
W., Jr.	Koch	Roush
Daniels,	Kuykendall	Rousselot
Dominick V.	Lagomarsino	Roy
Danielson	Landrum	Royal
Davis, Ga.	Latta	Runnels
Davis, S.C.	Leggett	Ruth
Davis, Wis.	Lehman	Ryan
Delaney	Lent	St Germain
Dellenback	Litton	Sandman
Dellums	Long, La.	Sarasin
Denholm	Long, Md.	Sarbanes
Dennis	Lujan	Satterfield
Dent	Luken	Scherle
Derwinski	McClory	Schneebell
Devine	McCloskey	Schroeder

Sebelius	Symms	Whitten
Selberling	Talcott	Widnall
Shipley	Taylor, Mo.	Wiggins
Shoup	Taylor, N.C.	Wilson, Bob
Shriver	Thompson, N.J.	Wilson, Charles H.
Shuster	Thompson, Wis.	Calif.
Sikes	Thone	Charles, Tex.
Sisk	Thornton	Wilson,
Skubitz	Tiernan	Charles, Tex.
Slack	Towell, Nev.	Winn
Smith, Iowa	Traxler	Wolff
Smith, N.Y.	Treen	Wyatt
Snyder	Udall	Wydler
Staggers	Ullman	Wylie
Stanton, J. William	Van Deerlin	Wyman
Stanton, James V.	Vander Jagt	Yates
Stark	Vander Veen	Yatron
Steed	Vanik	Young, Alaska
Steele	Veysey	Young, Fla.
Steelman	Vigorito	Young, Ga.
Steiger, Ariz.	Waggoner	Young, Ill.
Steiger, Wis.	Walde	Young, S.C.
Stratton	Walsh	Young, Tex.
Studds	Wampler	Zablocki
Sullivan	Ware	Zion
Symington	Whalen	Zwach
	White	
	Whitehurst	
	NAYS—1	
	Landgrebe	

ANSWERED "PRESENT"—2

Goodling	Gross	
NOT VOTING—51		
Biaggi	Hanna	Obey
Blatnik	Hansen, Wash.	Patman
Buchanan	Hawkins	Pickle
Carey, N.Y.	Howard	Reid
Clancy	Ichord	Roberts
Crane	Johnson, Pa.	Roncallo, N.Y.
de la Garza	Jones, Ala.	Rooney, N.Y.
Diggs	Jones, N.C.	Rose
Eckhardt	Kazan	Ruppe
Eriksen	Kyros	Spence
Findley	Lott	Stephens
Flowers	Madden	Stokes
Frey	Madigan	Stubblefield
Fulton	Milford	Stuckey
Grasso	Murphy, Ill.	Teague
Green, Oreg.	Myers	Williams
Haley	Nix	Wright

So the bill was passed.

The Clerk announced the following pairs:

Mr. de la Garza with Mrs. Hansen of Washington.

Mr. Rooney of New York with Mrs. Grasso.

Mr. Kazan with Mr. Williams.

Mr. Howard with Mr. Spence.

Mr. Carey of New York with Mr. Ruppe.

Mr. Stubblefield with Mr. Roncallo of New York.

Mr. Biaggi with Mr. Madigan.

Mr. Diggs with Mr. Blatnik.

Mr. Fulton with Mr. Eriksen.

Mr. Nix with Mr. Hanna.

Mr. Pickle with Mr. Buchanan.

Mr. Obey with Mr. Findley.

Mr. Stokes with Mr. Madden.

Mr. Rose with Mr. Frey.

Mr. Murphy of Illinois with Mr. Myers.

Mr. Haley with Mr. Clancy.

Mr. Stuckey with Mr. Crane.

Mr. Green of Oregon with Mr. Johnson of Pennsylvania.

Mr. Roberts with Mr. Lott.

Mr. Hawkins with Mr. Patman.

Mr. Jones of North Carolina with Mr. Kyros.

Mr. Jones of Alabama with Mr. Ichord.

Mr. Flowers with Mr. Wright.

Mr. Milford with Mr. Reid.

Mr. Teague with Mr. Stephens.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent that the Committee on Interstate and Foreign Commerce be discharged from further consideration of the Senate bill (S. 775) to amend the Public Health Service Act to provide for

the establishment of a National Institute on Aging, a bill similar to H.R. 6175 just passed by the House, and ask for immediate consideration of the Senate bill.

The Clerk read the title of the Senate bill.

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

There was no objection.

The Clerk read the Senate bill as follows:

S. 775

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION 1. This Act may be cited as the "Research on Aging Act of 1973".

FINDINGS AND DECLARATION OF PURPOSES

SEC. 2. The Congress hereby finds and declares—

(1) that the study of the aging process, the one biological condition common to all, has not received research support commensurate with its effects on the lives of every individual;

(2) that, in addition to the physical infirmities resulting from advanced age, the economic, social, and psychological factors associated with aging operate to exclude millions of older Americans from the full life and the place in our society to which their years of service and experience entitle them;

(3) that recent research efforts point the way toward alleviation of the problems of old age by extending the healthy middle years of life;

(4) that there is no American institution that has undertaken, or is now capable of undertaking, comprehensive systematic and intensive studies of the biomedical and behavioral aspects of aging and the related training of necessary personnel;

(5) that the establishment of a National Institute on Aging within the National Institutes of Health will meet the need for such an institution.

SEC. 3. Title IV of the Public Health Service Act is amended by adding at the end thereof the following new part:

PART G—NATIONAL INSTITUTE ON AGING

"ESTABLISHMENT OF NATIONAL INSTITUTE ON AGING

"SEC. 461. The Secretary shall establish in the Public Health Service an institute to be known as the National Institute on Aging (hereinafter in this part referred to as the 'Institute') for the conduct and support of biomedical, social, and behavioral research and training relating to the aging process and the diseases and other special problems and needs of the aged.

"NATIONAL INSTITUTE ON AGING ADVISORY COUNCIL

"SEC. 462. (a) The Secretary shall establish a National Institute on Aging Advisory Council to advise, consult with, and make recommendations to him on matters which relate to the Institute.

"(b) The provisions relating to the composition, terms of office of members, and reappointment of members of advisory councils under section 432(a) shall be applicable to the Advisory Council established under this section, except that the Secretary may include on such Advisory Council such additional ex officio members as he deems necessary. The Secretary shall appoint to the Council leading medical or scientific authorities skilled in aspects of the biological and the behavioral sciences related to aging.

"(c) Upon appointment of such Advisory Council, it shall assume all, or such part as the Secretary may specify, of the duties, functions, and powers of the National Ad-

visory Health Council relating to programs for the aged with which the Advisory Council established under this part is concerned and such portion as the Secretary may specify of the duties, functions, and powers of any other advisory council established under this Act relating to functions of the Institute.

"FUNCTIONS

"SEC. 463. (a) The Secretary shall, through the Institute, carry out the purposes of section 301 with respect to research, investigations, experiments, demonstrations, and studies related to the aging process and the diseases and other special problems and needs of the aged, except that the Director of the National Institutes of Health shall determine the area in which and the extent to which he will carry out such activities in furtherance of the purposes of section 301 through the Institute or another institute established by or under other provisions of this Act, or both of them, when both such institutes have functions with respect to the same subject matter, and shall be responsible for coordinating such activities so as to avoid unproductive and unnecessary overlap and duplication of such functions. The Secretary may also provide training and instruction and establish traineeships and fellowships, in the Institute and elsewhere, in matters relating to study and investigation of the aging process and the diseases and other special problems and needs of the aged. The Secretary may provide trainees and fellows participating in such training and instruction or in such traineeships and fellowships with such stipends and allowances (including travel and subsistence expenses) as he deems necessary, and, in addition, provide for such training, instruction, and traineeships and for such fellowships through grants to public or other nonprofit institutions. In carrying out his health manpower training responsibilities under the Public Health Service Act or any other Act, the Secretary shall take appropriate steps to insure the education and training of adequate numbers of allied health, nursing, and paramedical personnel in the field of health care for the aged.

"(b) The Secretary shall, through the Institute, conduct scientific studies to measure the impact on the biological, medical, and psychological aspects of aging of all programs and activities assisted or conducted by him.

"(c) The Secretary, through the Institute, shall carry out public information and education programs designed to disseminate as widely as possible the findings of Institute sponsored and other relevant aging research and studies, and other information about the process of aging which may assist elderly and near-elderly persons in dealing with, and all Americans in understanding, the problems and processes associated with growing older.

"SEC. 464. (a) The Secretary, in consultation with the Institute (acting through the Council) and such other appropriate advisory bodies as he may establish, shall within one year after the effective date of this section develop a plan for an aging research program to coordinate and promote research into the biological, medical, psychological, social, educational, and economic aspects of aging. Such program shall be designed to be carried out, as to research involving the functions of the Institute, primarily through the Institute, and as to other research shall be designed to be carried out through any other institute established by or under other provisions of this Act or through any appropriate agency or other organization unit within the Department of Health, Education, and Welfare.

"(b) The plan required by subsection (a) of this section shall be transmitted to the Congress and the President and shall set

forth the staffing and funding requirements to carry out the program contained therein."

MOTION OFFERED BY MR. STAGGERS

MR. STAGGERS. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. STAGGERS moves to strike out all after the enacting clause of the Senate bill (S. 775), and to insert in lieu thereof the provisions of the bill H.R. 6175 as passed by the House.

The motion was agreed to.

The Senate bill was ordered to be read a third time, was read the third time and passed.

A motion to reconsider was laid on the table.

A similar House bill (H.R. 6175) was laid on the table.

GENERAL LEAVE

MR. STAGGERS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the two bills just passed.

THE SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

PERMISSION FOR COMMITTEE ON FOREIGN AFFAIRS TO FILE REPORT ON H.R. 13973, RELATING TO OVERSEAS PRIVATE INVESTMENT CORPORATION

MR. CULVER. Mr. Speaker, I ask unanimous consent that the Committee on Foreign Affairs may have until midnight tonight to file a report on H.R. 13973, relating to the Overseas Private Investment Corporation.

THE SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

COMMUNICATION FROM THE CHAIRMAN OF THE COMMITTEE ON PUBLIC WORKS

THE SPEAKER laid before the House the following communication from the chairman of the Committee on Public Works, which was read and referred to the Committee on Appropriations:

WASHINGTON, D.C.,
April 26, 1974.

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

MY DEAR MR. SPEAKER: Pursuant to the provisions of section 201 of Public Law 89-298, the Committee on Public Works of the House of Representatives on April 11, 1974, adopted Committee resolutions authorizing the following water resources development projects:

Pecos River, Vicinity of Alpine, Texas.
Kansas River Navigation, Lawrence to Mouth, Kansas.

With kindest personal regards.

Sincerely,

JOHN A. BLATNIK,
Chairman, Committee on Public Works.

LEGISLATIVE PROGRAM

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

MR. RHODES. Mr. Speaker, I take this time in order to ask the distinguished majority leader if he is in a position to inform the House as to the program for the remainder of the week, if any, and the week ensuing.

MR. O'NEILL. Mr. Speaker, will the distinguished gentleman from Arizona yield?

MR. RHODES. I yield to the gentleman from Massachusetts.

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

The program for the House of Representatives for the week of May 6, 1974, is as follows:

Monday is Consent Calendar day, and under suspensions we will have two bills:

H.R. 296, preservation of historical and archaeological data; and

S. 1125, Comprehensive Alcohol Abuse and Alcoholism Prevention Treatment and Rehabilitation Act, and that will be to concur in the Senate amendment.

On Tuesday we will have the Private Calendar and four bills which have been reported unanimously from the Committee on Ways and Means, as follows:

H.R. 6191, duty-free entry of certain forms of zinc;

H.R. 11251, duty-free entry of methanol imported for use as fuel;

H.R. 11452, temporary suspension of duty on certain feathers and down; and

H.R. 12035, temporary suspension of duty on certain carboxymethyl cellulose salts.

Under suspensions we will have 10 bills, as follows:

H.R. 11035, metric system conversion;

H.R. 14117, veterans and survivors compensation increases;

H.R. 11013, Farallon National Wildlife Refuge, Calif.;

H.R. 8545, relief of Russell G. Wells;

H.R. 14354, National School Lunch Act Amendment;

H.R. 13871, Federal Employees' Compensation Act amendment;

H.R. 13342, Farm Labor Contractor Registration Act;

H.R. 14291, Northwest Atlantic Fisheries Act amendment;

S. 3304, People's Republic of China Archaeological Exhibit Agreement; and

H.R. 13261, International Claims Settlement Act amendment.

Wednesday and the balance of the week we will consider H.R. 8193, the Energy Transportation Security Act, subject to a rule being granted.

Following that, we will consider H.R. 8053, the Voter Registration Act, with an open rule, and 2 hours of debate.

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

May I say that we have the bulk of the suspensions on Tuesday, although we could have placed them on Monday. There are five election primary contests going on throughout the country and many of the Members have come and asked in view of that fact that the program on Monday not be heavy in order that they can vote at home on Tuesday and come into Washington immediately

after voting. That is why we have so many bills coming up on Tuesday.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

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

THE SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

PROPOSED RECESS

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

MR. RHODES. I am happy to continue to yield to the distinguished majority leader.

MR. O'NEILL. Mr. Speaker, I take this time to announce the following recess schedule for Memorial Day and Independence Day. We will adjourn for Memorial Day at the close of business on Thursday, May 23, until noon, Tuesday, May 28.

For Independence Day, we will adjourn at the close of business on Wednesday, July 3, until noon, Monday, July 8.

This, of course, is with the agreement of the minority leader.

MR. RHODES. I am sure that the distinguished majority leader knows that some of the Members will have to be away necessarily on the traditional Memorial Day, May 30. Does the gentleman have any idea as to the type of schedule of legislation that will be in the House for the remainder of that week?

MR. O'NEILL. At this time I have no idea what the schedule would be for that week; but let me today make this announcement to the Members. We have been informed by the chairman of the Committee on Appropriations that for the last 2 weeks in June it is his intention to call up an appropriation bill every day, including Fridays.

SUMMARY OF 1974 HOUSING AND COMMUNITY DEVELOPMENT ACT

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

MR. BARRETT. Mr. Speaker, the Subcommittee on Housing of the House Committee on Banking and Currency on Tuesday, by unanimous vote of 12 to nothing, approved for full committee consideration the 1974 housing and the new community development bill.

I am enclosing, following my remarks, a summary of the provisions of this bill, which I believe will be of great interest to all of the Members of the House. I believe that we have drafted a bill which has the support of the administration and merits the careful consideration and, hopefully, the support of most of the Members of the House. We have greatly curtailed provisions in the bill, and I congratulate the members of the House.

ing Subcommittee for their hard work and willingness to cooperate in not moving many controversial amendments which have in the past bogged down consideration of important housing and community development legislation.

I include the summary at this point: **HIGHLIGHT OF THE "HOUSING AND URBAN DEVELOPMENT ACT OF 1974" AS APPROVED BY THE SUBCOMMITTEE ON HOUSING, APRIL 30, 1974**

TITLE I—COMMUNITY DEVELOPMENT BLOCK GRANTS

This title authorizes a new Community Development Block Grant Program, to be initiated during Fiscal Year 1975, under which HUD community development programs would be consolidated into single block grant. The new program would have the following major features:

Authorizations. \$8.05 billion in contract authority approved in an appropriation act would be authorized for the first three years of the program, with limits on obligations of \$2.45 billion in FY 1975, \$2.65 billion in FY 1976, and \$2.95 billion in FY 1977. In addition, \$100 million would be authorized annually for FY's 75, 76, and 77 for assistance to communities with urgent community development needs which cannot be met through the entitlements received pursuant to the Act.

Distribution of funds

(1) 80 percent of the funds available each year would be allocated for use in metropolitan areas, 20 percent for use in nonmetropolitan areas.

(2) In metropolitan areas, funds would be distributed first, to metropolitan cities and urban counties pursuant to a 3-part formula (based on population, housing overcrowding, and poverty counted twice); and second, to meet the "hold harmless" needs of metropolitan cities and urban counties (where those needs exceeded their formula entitlements) and other units of general local government which qualify for "hold harmless" treatment. Funds remaining in the metropolitan area allocation would be distributed among the metropolitan areas pursuant to the 3-part formula for use by States and units of local government in those areas.

(3) In nonmetropolitan areas, funds would be used to meet the "hold harmless" needs of units of general local government which qualify for "hold harmless" "treatment", with the remaining funds to be allocated among the States pursuant to the 3-part formula for use by States and units of general local government in each State.

(4) HUD Discretionary Fund—2 percent of the funds available each year would be reserved by HUD for certain special community development needs, for incentive grants to communities carrying on areawide programs, and for carrying on innovative community development activities.

A more detailed explanation of these distribution provisions is attached.

Eligible Activities. In general, block grant funds may be used to finance the full cost of carrying on all activities currently assisted under the following programs: the urban renewal program (including NDP, code enforcement, and rehabilitation grants); the model cities program; the section 312 rehabilitation loan program; the open space—urban beautification—historic preservation program; the neighborhood facilities program; the advance acquisition of land program; and the water and sewer facilities program. Funds may also be used to finance the local share required under other Federal grant programs which are part of the community development program, to carry on special projects to remove architectural barriers which restrict the mobility and accessibility of the elderly and handicapped, and to

carry on comprehensive planning and executive-management activities.

Application Requirements. Applicants for block grants would be required to (1) identify community development and housing needs, including the submission of a housing assistance plan, (2) describe planned activities to meet those needs, and (3) provide assurances of compliance with civil rights and citizen participation requirements. Metropolitan cities and urban counties would also be required to submit three-year programs designed to eliminate slum, blight, and deterioration where they exist, and to provide improved community facilities and services where necessary.

HUD would be required to approve applications of metropolitan cities and urban counties unless the Secretary found that the applicant's description of needs was clearly inconsistent with generally available data, or that its proposed activities were clearly inappropriate to meet those needs. HUD would also be required to conduct annual post-audits to determine whether the applicant had carried out its program in a satisfactory manner.

Transition to New Program. The new block grant program is expected to begin midway through FY 1975 (approximately January 1, 1975). To enable communities to continue existing urban renewal, NDP, and model cities programs through the first half of FY 1975, such additional amounts, as may be necessary, would be authorized to be appropriated for the urban renewal and model cities programs. Amounts received by cities pursuant to these transition authorizations would be deducted from their first year entitlements under the new block grant program.

TITLE II—ASSISTED HOUSING

This title authorizes a new program of housing assistance for lower income persons through the construction or substantial rehabilitation of housing or the leasing of existing housing. This new program, which would be carried on under a new section 23(h) of the Housing Act of 1937, would have the following major elements:

(1) New Construction.

(a) Assistance contracts. HUD would enter into contracts to make housing assistance payments with housing owners who construct or substantially rehabilitate housing to be occupied in whole or in part by lower-income families.

(b) Eligible owners/developers. Private profit and nonprofit entities and State and local public housing agencies would be eligible owners or developers of housing.

(c) Type of housing. Any newly constructed or substantially rehabilitated rental or cooperative housing units, including congregate housing, and housing especially designed for elderly and handicapped families, would be eligible for assistance.

(d) Financing of projects. Conventional or FHA-insured loans, loans from State housing finance agencies, and bonds issued by State or local public housing agencies may be used to finance housing. Housing assistance contracts may be pledged to lenders to facilitate the provision of long-term financing for housing projects.

(e) Amount of assistance per unit. The amount of assistance per unit would be the difference between the market rental established for the unit and from 20 to 25 percent of the tenant's gross income, as determined by HUD; market rentals would be established by HUD at levels determined to be reasonable for modest newly constructed rental or cooperative housing in the area, except that HUD would be permitted to set slightly higher market rentals when necessary because of special circumstances.

(f) Term of assistance contracts. The term of an assistance contract may not ex-

ceed 20 years for privately-owned housing or 40 years for publicly-owned or financed housing; assistance payments may be made only (1) while a unit is occupied, (2) for up to 60 days while vacant due to a breach by the tenant, or (3) for up to 60 days while the owner is making a good faith effort to secure an eligible occupant.

(g) Number of assisted units in a project. 100 percent of the units in a project may be assisted, except that HUD may give preference to applicants requesting assistance for 20 percent or fewer units in projects.

(h) Increased operating costs. Assistance payments may be increased as necessary to meet changes in reasonable and necessary operating expenses in projects.

(i) Eligible occupants. Generally, those categories of families and individuals eligible for assistance under the public housing program whose incomes do not exceed 80 percent of the median income in the area (as determined by HUD for various-sized families). At least 30 percent of families and individuals under the program assisted must be of very low income (that is, having incomes less than 50 percent of median income in the area).

(2) Existing Housing. Existing housing units may be leased by local housing authorities under the same terms and conditions applicable to newly constructed or substantially rehabilitated units; in communities without local housing authorities, HUD would lease units directly from housing owners.

State and local housing assistance plans and allocation of units

Housing Assistance Plans. Applications for housing assistance (under the new section 23(h) program or any comparable HUD program) in communities participating in the community development block grant program must be consistent with housing assistance plans submitted by them under the block grant program. These plans must:

(1) survey the condition of the community's housing stock and assess the housing needs of low- and moderate-income families living or expected to live in the community,

(2) specify the number and types of units to be assisted and the mix between new and existing units,

(3) formulate procedures to promote greater choice of housing opportunities and to avoid undue concentrations of assisted persons in areas containing a high proportion of low-income persons, and

(4) assure the availability of public facilities and services adequate to serve proposed housing projects.

In communities not participating in the community development block grant program, HUD may not approve an application for housing assistance unless it found that (a) the assistance to be provided is consistent with a housing assistance plan meeting the above requirements, or (b) where no such plan exists, there is an urgent need for the housing, that housing opportunities would be expanded and undue concentrations of lower-income persons avoided, and that public facilities and services adequate to serve the proposed housing would be available.

Allocation of Units. HUD would allocate units available under the new section 23(h) program to States and units of general local government, taking into consideration assistance needed to fulfill local housing assistance plans and its own determination of housing needs (which would be based on such objective measurements as population, poverty, housing overcrowding, housing vacancies, and substandard housing). Twenty percent of the units available would be allocated to rural areas.

This title also amends the 1937 Act to—

(1) authorize HUD to prescribe requirements as to sound management practices to be met by local public authorities;

(2) establish a minimum rent for occupants of public housing which would be equal to the greater of 80 percent of the operating costs attributable to their units or that portion of welfare assistance attributable to shelter (Brooke III, which prohibits the reduction of welfare assistance where public housing rentals are reduced, would be repealed, and rent increases resulting from the minimum rent provisions would be phased in to alleviate undue hardships); and

(3) increase by \$1.225 billion the authority of HUD to enter into annual contributions contracts in Fiscal Years 1974 and 1975 to finance housing to be assisted under the new section 23(h) program, conventionally built public housing pursuant to bona fide commitments, modernization of projects and adjustments to existing leases, and operating subsidies.

This title also extends the sections 235 homeownership and 236 rental assistance programs for one additional year to June 30, 1975 (with an increase in contract authority for the latter program) in order to meet bona fide program commitments established by HUD at the time of the suspension of the programs.

TITLE III—MORTGAGE CREDIT

This title contains provisions designed to increase the availability of and liberalize mortgage credit for housing and to abolish discrimination in mortgage lending on account of sex.

FHA Insurance. FHA's authority to insure mortgages and loans would be extended from October 1, 1974, to June 30, 1977, with the following important changes in existing law:

(1) maximum mortgage and loan amounts would be increased substantially, with single-family home mortgage limits increased from \$33,000 to \$45,000 and home improvement loan limits increased from \$5,000 to \$10,000;

(2) the downpayment required on FHA-financed homes would be reduced to 3 percent of the first \$25,000 of the home's value, 10 percent of value between \$25,000 and \$35,000, and 20 percent of value in excess of \$35,000; a \$1,750 downpayment would be required on a \$35,000 home, approximately half the downpayment required under existing law; and

(3) FHA would be permitted, on a demonstration basis until June 30, 1977, to insure mortgages on a co-insurance basis, under which lenders would bear at least 10 percent of any loss on mortgages in return for carrying out certain functions now performed by the FHA.

Fannie Mae and Freddie Mac Secondary Market Operations. The Federal National Mortgage Association and the Federal Home Loan Mortgage Corporation would be permitted to purchase conventional mortgages of up to \$50,000 (\$35,000 under existing law).

Maximum Loan for Savings and Loan Associations. The statutory lending limit for single-family homes financed by savings and loan associations would be increased from \$45,000 to \$50,000.

Prohibition Against Sex Discrimination in Mortgage Lending. The denial of any Federally-related mortgage loan, insurance guarantee, or other aid on account of sex would be prohibited, and lenders would be required to consider without prejudice the combined incomes of both husband and wife in extending mortgage credit on Federally-related loans.

TITLE IV—RURAL HOUSING

This title extends from October 1, 1974, to June 30, 1977, the authority of the Secretary of Agriculture to administer various rural

housing programs; and makes the following important changes in those programs:

Authorizations. Cumulative authorizations for section 504 repair loans and grants would be increased from \$50 to \$75 million; for farm labor housing grants from \$50 to \$75 million; for self-help housing programs from \$5 to \$10 million; and for annual research grants from \$250,000 to \$1 million.

FmHA Service Area. The Farmers Home Administration rural housing programs would be permitted to serve residents of communities of up to 25,000 population where the Secretaries of Agriculture and HUD jointly determine that there exists a serious lack of mortgage credit.

Repair Loans and Grants. The maximum amount of repair loans and grants would be increased from \$3,500 to \$5,000.

Self-Help Housing. The FmHA would be authorized to make advances to nonprofit organizations carrying out self-help housing programs to enable them to establish revolving land purchase accounts.

TITLE V—MISCELLANEOUS

This title establishes a new HUD program to encourage the formation of State development corporations, makes various amendments to the law governing the "new communities" program, and authorizes additional funds for the section 701 comprehensive urban planning program.

State Development Agencies. HUD would be authorized to guarantee the taxable bonds of State development agencies authorized by State law to provide housing for lower income families, to revitalize slum and blighted areas, and to improve employment opportunities. In addition to the guarantees, HUD would make interest subsidy grants to cover 30 percent of the interest due on the bonds. The amount of obligations guaranteed may not exceed \$500 million.

New Communities. The name of the Community Development Corporation (established by title VII of the 1970 HUD Act to administer the "new communities" program) would be changed to the "New Community Development Program"; the size of the Board of Directors of the Corporation would be increased from 5 to 7 members; and interest subsidy grants in connection with taxable bonds issued by public developers would be permitted to cover 30 percent of interest payable on the bonds (rather than the difference between the taxable and tax-exempt interest rate plus one-half of one percent, as under existing law).

Section 701 Planning. An additional \$100 million would be authorized for the section 701 program for fiscal year 1975.

DETAILED SUMMARY OF THE DISTRIBUTION OF COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS AGREED UPON BY THE HOUSING SUB-COMMITTEE

(1) Effective date. The new program would begin in FY 1975.

(2) Authorization. Three-year contract authority of \$8.05 billion would be authorized, with a limitation on annual disbursements of \$2.45 billion in FY 75, \$2.65 billion in FY 76, and \$2.95 billion in FY 77; in addition, \$100 million would be authorized annually for the first three fiscal years for post-transition assistance to communities with urgent community development needs.

(3) Distribution between SMSA and non-SMSA areas. Each year, 80 percent of the funds available would be allocated to SMSA's and 20 percent to non-SMSA areas.

(4) Distribution in SMSA areas.

(a) Out of the amount available to SMSA's, HUD would determine the amount to be distributed in metropolitan cities and urban counties according to a 3-part formula (population, poverty counted twice, and housing overcrowding).

(b) HUD would then determine the specific formula share for each metropolitan city and urban county.

(c) Metropolitan cities and urban counties would be "phased-in" to their full formula shares in the following manner: in the first program year, each metro city and urban county would receive the greater of one-third its formula share or "hold harmless" amount; in the second year, they would receive the greater of two-thirds of their formula shares or "hold harmless" amounts; in the third year, they would receive their full formula shares.

(d) Out of the balance remaining in the SMSA allocation, HUD would then distribute funds to meet the "hold harmless" needs of metropolitan cities and urban counties and small communities within SMSA's.

(e) Funds remaining in the SMSA allocation would be allocated by HUD among the 267 metropolitan areas on the basis of the 3-part formula and distributed on a discretionary basis to State agencies, small communities, and counties for use in each metropolitan area.

(5) Distribution in non-SMSA areas. Out of the non-SMSA allocation, HUD would distribute funds to meet the "hold harmless" needs of counties and small communities; the remainder in the non-SMSA fund would be allocated by HUD among the States on the basis of the 3-part formula and distributed on a discretionary basis to State agencies, counties, and small communities for use in the non-SMSA areas of the States.

(6) "Hold harmless".

(a) Eligibility for "hold harmless" treatment. All metropolitan cities and urban counties qualify for "hold harmless" treatment; however, eligibility for "hold harmless" treatment for other counties and small communities would be restricted to those carrying on at least one urban renewal, NDP, or model cities program under a commitment received during the 5-year period FY 70-FY 74.

(b) Amount of "hold harmless" entitlement. "Hold harmless" amounts would be computed similarly for all communities, as follows:

(1) the average amount of grants and loans received under the consolidated programs during the 5-year period FY 68-FY 72, plus

(2) the average annual grant made under the neighborhood development program and the model cities program (where necessary to complete five action years).

(c) Duration of "hold harmless" entitlement. All communities would receive their full "hold harmless" entitlements for three years; however, during the second three program years (FY's 78-79-80), each metropolitan city or urban county whose "hold harmless" entitlement exceeded its formula share would be "phased-down" by thirds from its "hold harmless" amount to its formula share; in the case of other communities, "hold harmless" would be "phased-down" in a similar fashion, and such communities would then be funded solely from discretionary funds; "hold harmless" would be phased out completely in the sixth year of the program.

(7) Definition of "urban county." The term "urban county" means any county within a metropolitan area which (A) is authorized under State law to undertake essential community development and housing assistance activities in its unincorporated areas which are not units of general local government and (B) has a combined population of 200,000 or more (excluding the population of metropolitan cities therein) in such unincorporated areas and in its included units of general local government (1) in which it has authority to undertake essential community development and housing assistance activities and which do not elect to have their

populations excluded or (ii) with which it has entered into cooperation agreements to undertake or to assist in the undertaking of essential community development and housing assistance activities.

(8) HUD discretionary fund. Out of the \$8.05 billion authorization for community development block grants, 2 percent (\$49 million in FY 75, \$53 million in FY 76, and \$59 million in FY 77) would be reserved by HUD for the following uses—

(a) grants in behalf of new communities assisted under title VII of the 1970 HUD Act or title IV of the 1968 HUD Act so long as such Federal assistance is outstanding; such grants could be in addition to block grants made to States and units of general local government under other provisions of the Act which are used in behalf of new communities;

(b) grants to States and units of general local government which join in carrying out housing and community development programs which are areawide in scope; these would be incentive grants to encourage areawide programs and would be in addition to grants received by such States or units of general local government under other provisions of the Act;

(c) grants in Guam, the Virgin Islands, American Samoa, and the Trust Territory of the Pacific Islands;

(d) grants to States and units of general local government in excess of the grants available to them under other provisions of the Act for the purpose of demonstrating innovative community development projects;

(e) grants to States and units of general local government in excess of the grants available to them under other provisions of the Act for the purpose of meeting emergency community development needs caused by Federally recognized disasters; and

(f) grants to States and units of general local government in excess of grants available to them under other provisions of the Act where HUD deems necessary to correct inadequacies resulting from the basic allocation system.

Not more than one-fourth of these discretionary funds could be used in any year to meet emergency disaster needs. Funds not used in any year would be carried over to the succeeding fiscal year.

FEDERAL RULES ON CRIMINAL PROCEDURE

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

Mr. HUNGATE. Mr. Speaker, on April 24, the Chief Justice of the United States transmitted to the Congress proposed amendments to the Federal rules of criminal procedure. These amendments become effective on August 1, 1974, unless Congress enacts legislation to provide otherwise.

The proposed amendments have been referred to the Subcommittee on Criminal Justice of the Committee on the Judiciary.

All persons or organizations desiring to comment on the proposed amendments should direct those comments as follows:

Congressman William L. Hungate, Chairman, Subcommittee on Criminal Justice of the Committee on the Judiciary, 2137 Rayburn House Office Building, Washington, D.C. 20515.

Comments should be submitted as soon as possible so that they may be con-

sidered in time for the Congress to act if action is deemed necessary.

A copy of the proposed rules follows:

AMENDMENTS TO THE FEDERAL RULES OF CRIMINAL PROCEDURE

Rule 4. Arrest warrant or summons upon complaint.

(a) *Issuance of a summons.*—If it appears from the complaint, or from an affidavit or affidavits filed with the complaint, that there is probable cause to believe that an offense has been committed and that the defendant has committed it, the magistrate shall issue a summons for the appearance of the defendant except as provided in subdivision (b) (2).

(b) *Issuance of an arrest warrant.*—A warrant shall issue whenever:

(1) a defendant fails to appear in response to a summons; or

(2) a valid reason is shown for the issuance of an arrest warrant rather than a summons; or

(3) a summons having issued, a valid reason is shown for the issuance of an arrest warrant. This showing may be made to a magistrate either in the district in which the summons was issued or in the district in which the defendant is found.

(c) *Probable cause.*—The finding of probable cause may be based upon hearsay evidence in whole or in part. Before ruling on a request for a summons or warrant, the magistrate may require the complainant to appear personally and may examine under oath the complainant and any witnesses he may produce. The magistrate shall promptly make or cause to be made a record or summary of such proceeding. More than one warrant or summons may issue on the same complaint or for the same defendant.

(d) *Form.*

(1) *Warrant.*—The warrant shall be signed by the magistrate and shall contain the name of the defendant or, if his name is unknown, any name or description by which he can be identified with reasonable certainty. It shall describe the offense charged in the complaint. It shall command that the defendant be arrested and brought before the nearest available magistrate.

(2) *Summons.*—The summons shall be in the same form as the warrant except that it shall summon the defendant to appear before a magistrate at a stated time and place.

(e) *Execution or service; and return.*

(1) *By whom.*—The warrant shall be executed by a marshal or by some other officer authorized by law. The summons may be served by any person authorized to serve a summons in a civil action.

(2) *Territorial limits.*—The warrant may be executed or the summons may be served at any place within the jurisdiction of the United States.

(3) *Manner.*—The warrant shall be executed by the arrest of the defendant. The officer need not have the warrant in his possession at the time of the arrest, but upon request he shall show the warrant to the defendant as soon as possible. If the officer does not have the warrant in his possession at the time of the arrest, he shall then inform the defendant of the offense charged and of the fact that a warrant has been issued. The summons shall be served upon a defendant by delivering a copy to him personally, or by leaving it at his dwelling house or usual place of abode with some person of suitable age and discretion then residing therein or by mailing it to the defendant's last known address.

(4) *Return.*—The officer executing a warrant shall make return thereof to the magistrate or other officer before whom the defendant is brought pursuant to Rule 5. At the request of the attorney for the government any unexecuted warrant shall be returned to the magistrate by whom it was

issued and shall be cancelled by him. On or before the return day the person to whom a summons was delivered for service shall make return thereof to the magistrate before whom the summons is returnable. At the request of the attorney for the government made at any time while the complaint is pending, a warrant returned unexecuted and not cancelled or a summons returned unserved or a duplicate thereof may be delivered by the magistrate to the marshal or other authorized person for execution or service.

Rule 9. Warrant or summons upon indictment or information.

(a) *Issuance.*—Upon the request of the attorney for the government the clerk shall issue a summons for each defendant named:

(1) in the information, if it is supported by oath; or

(2) in the indictment.

The court shall order issuance of a warrant instead of a summons if the attorney for the government presents a valid reason therefor. The clerk shall deliver the warrant or summons to the marshal or other person authorized by law to execute or serve it. More than one warrant or summons may be issued on the same information and indictment or for the same defendant. If a defendant fails to appear in response to the summons, a warrant shall issue.

Rule 11. Pleas.

(a) *Alternatives.*—A defendant may plead not guilty, guilty, or nolo contendere. If a defendant refuses to plead or if a defendant corporation fails to appear, the court shall enter a plea of not guilty.

(b) *Nolo contendere.*—A defendant may plead nolo contendere only with the consent of the court. Such a plea shall be accepted by the court only after due consideration of the views of the parties and the interest of the public in the effective administration of justice.

(c) *Advice to defendant.*—The court shall not accept a plea of guilty or nolo contendere without first, by addressing the defendant personally in open court, informing him of and determining that he understands the following:

(1) the nature of the charge to which the plea is offered; and

(2) the mandatory minimum penalty provided by law, if any, and the maximum possible penalty provided by law for the offense to which the plea is offered; and

(3) that the defendant has the right to plead not guilty, or to persist in that plea if it has already been made; and

(4) that if he pleads guilty or nolo contendere there will not be a further trial of any kind, so that by pleading guilty or nolo contendere he waives the right to a trial.

(d) *Insuring that the plea is voluntary.*—The court shall not accept a plea of guilty or nolo contendere without first, by addressing the defendant personally in open court, determining that the plea is voluntary and not the result of force or threats or of promises apart from a plea agreement. The court shall also inquire as to whether the defendant's willingness to plead guilty or nolo contendere results from prior discussions between the attorney for the government and the defendant or his attorney.

(e) *Plea agreement procedure.*

(1) *In general.*—The attorney for the government and the attorney for the defendant or the defendant when acting pro se may engage in discussions with a view toward reaching an agreement that, upon the entering of a plea of guilty or nolo contendere to a charged offense or to a lesser or related offense, the attorney for the government will move for dismissal of other charges, or will recommend or not oppose the imposition of a particular sentence, or will do both. The court shall not participate in any such discussions.

(2) *Notice of such agreement.*—If a plea agreement has been reached by the parties which contemplates entry of a plea of guilty or nolo contendere in the expectation that a specific sentence will be imposed or that other charges before the court will be dismissed, the court shall require the disclosure of the agreement in open court at the time the plea is offered. Thereupon the court may accept or reject the agreement, or may defer its decision as to acceptance or rejection until there has been an opportunity to consider the presentence report.

(3) *Acceptance of plea.*—If the court accepts the plea agreement, the court shall inform the defendant that it will embody in the judgment and sentence the disposition provided for in the plea agreement or another disposition more favorable to the defendant than that provided for in the plea agreement.

(4) *Rejection of plea.*—If the court rejects the plea agreement, the court shall inform the parties of this fact, advise the defendant personally in open court that the court is not bound by the plea agreement, afford the defendant the opportunity to then withdraw his plea, and advise the defendant that if he persists in his guilty plea or plea of nolo contendere the disposition of the case may be less favorable to the defendant than that contemplated by the plea agreement.

(5) *Time of plea agreement procedure.*—Except for good cause shown, notification to the court of the existence of a plea agreement shall be given at the arraignment or at such other time, prior to trial, as may be fixed by the court.

(6) *Inadmissibility of plea discussions.*—Evidence of a plea of guilty, later withdrawn, or a plea of nolo contendere, or of an offer to plead guilty or nolo contendere to the crime charged or any other crime, or of statements made in connection with any of the foregoing pleas or offers, is not admissible in any civil or criminal proceeding against the person who made the plea or offer.

(f) *Determining accuracy of plea.*—Notwithstanding the acceptance of a plea of guilty, the court should not enter a judgment upon such plea without making such inquiry as shall satisfy it that there is a factual basis for the plea.

(g) *Record of proceedings.*—A verbatim record of the proceedings at which the defendant enters a plea shall be made and, if there is a plea of guilty or nolo contendere, the record shall include, without limitation, the court's advice to the defendant, the inquiry into the voluntariness of the plea including any plea agreement, and the inquiry into the accuracy of a guilty plea.

Rule 12. Pleadings and motions before trial; defenses and objections.

(a) *Pleadings and motions.*—Pleadings in criminal proceedings shall be the indictment and the information, and the pleas of not guilty, guilty and nolo contendere. All other pleas, and demurrers and motions to quash are abolished, and defenses and objections raised before trial which heretofore could have been raised by one or more of them shall be raised only by motion to dismiss or to grant appropriate relief, as provided in these rules.

(b) *Pretrial motions.*—Any defense, objection, or request which is capable of determination without the trial of the general issue may be raised before trial by motion. Motions may be written or oral at the discretion of the judge. The following must be raised prior to trial:

(1) Defenses and objections based on defects in the institution of the prosecution; or
(2) Defenses and objections based on defects in the indictment or information (other than that it fails to show jurisdiction in the court or to charge an offense which objections shall be noticed by the court at any

time during the pendency of the proceedings); or

(3) Motions to suppress evidence; or

(4) Requests for discovery under rule 16; or

(5) Requests for a severance of charges or defendants under Rule 14.

(c) *Motion date.*—Unless otherwise provided by local rule, the court may, at the time of the arraignment or as soon thereafter as practicable, set a time for the making of pretrial motions or requests and, if required, a later date of hearing.

(d) *Notice by the government of the intention to use evidence.*

(1) *At the discretion of the government.*—At the arraignment or as soon thereafter as is practicable, the government may give notice to the defendant of its intention to use specified evidence at trial in order to afford the defendant an opportunity to raise objections to such evidence prior to trial under subdivision (b) (3) of this rule.

(2) *At the request of the defendant.*—At the arraignment or as soon thereafter as is practicable the defendant may, in order to afford an opportunity to move to suppress evidence under subdivision (b) (3) of this rule, request notice of the government's intention to use (in its evidence in chief at trial) any evidence which the defendant may be entitled to discover under Rule 16 subject to any relevant limitations prescribed in Rule 16.

(e) *Ruling on motion.*—A motion made before trial shall be determined before trial unless the court orders that it be deferred for determination at the trial of the general issue or until after verdict. Where factual issues are involved in determining a motion, the court shall state its essential findings on the record.

(f) *Effect of failure to raise defenses or objections.*—Failure by a party to raise defenses or objections or to make requests which must be made prior to the trial, at the time set by the court pursuant to subdivision (c), or prior to any extension thereof made by the court, shall constitute waiver thereof, but the court for cause shown may grant relief from the waiver.

(g) *Records.*—A verbatim record shall be made of all proceedings at the hearing, including such findings of fact and conclusions of law as are made orally.

(h) *Effect of determination.*—If the court grants a motion based on a defect in the institution of the prosecution or in the indictment or information, it may also order that the defendant be held in custody or that his bail be continued for a specified time pending the filing of a new indictment or information. Nothing in this rule shall be deemed to affect the provisions of any act of Congress relating to periods of limitations.

Rule 12.1. Notice of alibi.

(a) *Notice by defendant.*—If a defendant intends to rely upon the defense of alibi, he shall, within the time provided for the filing of pretrial motions or at such later time as the court may direct, notify the attorney for the government in writing of such intention and file a copy of such notice with the clerk.

(b) *Disclosure of information and witnesses.*—Upon receipt of notice that the defendant intends to rely upon an alibi defense, the attorney for the government shall inform the defendant in writing of the specific time, date, and place at which the offense is alleged to have been committed. The defendant shall then inform the attorney for the government in writing of the specific place at which he claims to have been at the time of the alleged offense and the names and addresses of the witnesses upon whom he intends to rely to establish such alibi. The attorney for the government shall then inform the defendant in writing of the names and addresses of the witnesses upon whom the government intends to rely to establish de-

fendant's presence at the scene of the alleged offense.

(c) *Time of giving information.*—The court may fix the time within which the exchange of information referred to in subdivision (b) shall be accomplished.

(d) *Continuing duty to disclose.*—If prior to or during trial, a party learns of an additional witness whose identity, if known, should have been included in the information furnished under subdivision (b) of this rule, the party shall promptly notify the other party or his attorney of the existence and identity of such additional witness.

(e) *Failure to comply.*—Upon the failure of either party to comply with the requirements of this rule, the court may exclude the testimony of any undisclosed witness offered by such party as to the defendant's absence from, or presence at, the scene of the alleged offense. This rule shall not limit the right of the defendant to testify in his own behalf.

(f) *Exceptions.*—For good cause shown, the court may grant an exception to any of the requirements of this rule.

Rule 12.2 Notice of defense based upon mental condition.

(a) *Defense of insanity.*—If a defendant intends to rely upon the defense of insanity at the time of the alleged crime, he shall, within the time provided for the filing of pretrial motions or at such later time as the court may direct, notify the attorney for the government in writing of such intention and file a copy of such notice with the clerk. If there is a failure to comply with the requirements of this subdivision, insanity may not be raised as a defense. The court may for cause shown allow late filing of the notice or grant additional time to the parties to prepare for trial or make such other order as may be appropriate.

(b) *Mental disease or defect inconsistent with the mental element required for the offense charged.*—If a defendant intends to introduce expert testimony relating to a mental disease, defect, or other condition bearing upon the issue of whether he had the mental state required for the offense charged, he shall, within the time provided for the filing of pretrial motions or at such later time as the court may direct, notify the attorney for the government in writing of such intention and file a copy of such notice with the clerk. The court may for cause shown allow late filing of the notice or grant additional time to the parties to prepare for trial or make such other order as may be appropriate.

(c) *Psychiatric examination.*—In an appropriate case the court may, upon motion of the attorney for the government, order the defendant to submit to a psychiatric examination by a psychiatrist designated for this purpose in the order of the court.

(d) *Failure to comply.*—If there is a failure to give notice when required by subdivision (b) of this rule or to submit to an examination when ordered under subdivision (c) of this rule, the court may exclude the testimony of any expert witness offered by the defendant on the issue of his mental state.

Rule 15. Depositions.

(a) *When taken.*—Whenever due to special circumstances of the case it is in the interest of justice that the testimony of a prospective witness of a party be taken and preserved for use at trial, the court may upon motion of such party and notice to the parties order that testimony of such witness be taken by deposition and that any designated book, paper, document, record, recording, or other material not privileged, be produced at the same time and place. If a witness is committed for failure to give bail to appear to testify at a trial or hearing, the court on written motion of the witness and upon notice to the parties may direct that his deposition be taken. After the deposition has been subscribed the court may discharge the witness.

(b) *Notice of taking.*—The party at whose instance a deposition is to be taken shall give to every party reasonable written notice of the time and place for taking the deposition. The notice shall state the name and address of each person to be examined. On motion of a party upon whom the notice is served, the court for cause shown may extend or shorten the time or change the place for taking the deposition. The officer having custody of a defendant shall be notified of the time and place set for the examination and shall, unless the defendant waives in writing the right to be present, produce him at the examination and keep him in the presence of the witness during the examination. A defendant not in custody shall have the right to be present at the examination upon request subject to such terms as may be fixed by the court, but his failure, absent good cause shown, to appear after notice and tender of expenses in accordance with subdivision (c) of this rule shall constitute a waiver of that right and of any objection to the taking and use of the deposition based upon that right.

(c) *Payment of expenses.*—Whenever a deposition is taken at the instance of the government, or whenever a deposition is taken at the instance of a defendant who is unable to bear the expense of the taking of the deposition, the court may direct that the expenses of travel and subsistence of the defendant and his attorney for attendance at the examination shall be paid by the government.

(d) *How taken.*—Subject to such additional conditions as the court shall provide, a deposition shall be taken and filed in the manner provided in civil actions except as otherwise provided in these rules, provided that (1) in no event shall a deposition be taken of a party defendant without his consent, and (2) the scope and manner of examination and cross-examination shall be such as would be allowed in the trial itself. The government shall make available to the defendant or his counsel for examination and use at the taking of the deposition any statement of the witness being deposed which is in the possession of the government and to which the defendant would be entitled at the trial.

(e) *Use.*—At the trial or upon any hearing, a part or all of a deposition, so far as otherwise admissible under the rules of evidence, may be used as substantive evidence if the witness is unavailable, as defined in subdivision (g) of this rule, or the witness gives testimony at the trial or hearing inconsistent with his deposition. Any deposition may also be used by any party for the purpose of contradicting or impeaching the testimony of the deponent as a witness. If only a part of a deposition is offered in evidence by a party, an adverse party may require him to offer all of it which is relevant to the part offered and any party may offer other parts.

(f) *Objections to deposition testimony.*—Objections to deposition testimony or evidence or parts thereof and the grounds for the objection shall be stated at the time of the taking of the deposition.

(g) *Unavailability.*—“Unavailable” as a witness includes situations in which the deponent:

(1) is exempted by ruling of the judge on the ground of privilege from testifying concerning the subject matter of his deposition; or

(2) persists in refusing to testify concerning the subject matter of his deposition despite an order of the judge to do so; or

(3) testifies to a lack of memory of the subject matter of his deposition; or

(4) is unable to be present or to testify at the hearing because of death or then existing physical or mental illness or infirmity; or

(5) is absent from the hearing and the proponent of his deposition has been unable to procure his attendance by process or other reasonable means. A deponent is not unavailable as a witness if his exemption, refusal, claim of lack of memory, inability, or absence is due to the procurement or wrongdoing of the proponent of his deposition for the purpose of preventing the witness from attending or testifying.

(h) *Deposition by agreement not precluded.*—Nothing in this rule shall preclude the taking of a deposition, orally or upon written questions, or the use of a deposition, by agreement of the parties with the consent of the court.

Rule 16. Discovery and inspection.

(a) *Disclosure of evidence by the government.*

(1) *Information subject to disclosure.*

(A) *Statement of defendant.*—Upon request of a defendant the government shall permit the defendant to inspect and copy or photograph any relevant written or recorded statements made by the defendant, or copies thereof, within the possession, custody or control of the government, the existence of which is known, or by the exercise of due diligence may become known, to the attorney for the government; the substance of any oral statement which the government intends to offer in evidence at the trial made by the defendant whether before or after arrest in response to interrogation by any person then known to the defendant to be a government agent; and recorded testimony of the defendant before a grand jury which relates to the offense charged. Where the defendant is a corporation, partnership, association, or labor union, the court may grant the defendant, upon its motion, discovery of relevant recorded testimony of any witness before a grand jury who was, at the time either of the charged acts or of the grand jury proceedings, so situated as an officer or employee as to have been able legally to bind the defendant in respect to the activities involved in the charges.

(B) *Defendant's prior record.*—Upon request of the defendant, the government shall furnish to the defendant such copy of his prior criminal record, if any, as is then available to the attorney for the government.

(C) *Documents and tangible objects.*—Upon request of the defendant the government shall permit the defendant to inspect and copy or photograph books, papers, documents, photographs, tangible objects, buildings or places, or copies or portions thereof, which are within the possession, custody or control of the government, and which are material to the preparation of his defense or are intended for use by the government as evidence in chief at the trial, or were obtained from or belong to the defendant.

(D) *Reports of examinations and tests.*—Upon request of a defendant the government shall permit the defendant to inspect and copy or photograph any results or reports of physical or mental examinations, and of scientific tests or experiments, made in connection with the particular case, or copies thereof, within the possession, custody or control of the government, the existence of which is known, or by the exercise of due diligence may become known, to the attorney for the government.

(E) *Government witnesses.*—Upon request of the defendant the government shall furnish to the defendant a written list of the names and addresses of all government witnesses which the attorney for the government intends to call in the presentation of the case in chief together with any record of prior felony convictions of any such witness which is within the knowledge of the attorney for the government. When a request for discovery of the names and addresses of witnesses has been made by a defendant, the government shall be allowed to perpetuate

the testimony of such witnesses in accordance with the provisions of Rule 15.

(2) *Information not subject to disclosure.*—Except as provided in paragraphs (A), (B), and (D) of subdivision (a)(1), this rule does not authorize the discovery or inspection of reports, memoranda, or other internal government documents made by the attorney for the government or other government agents in connection with the investigation or prosecution of the case, or of statements made by government witnesses or prospective government witnesses except as provided in 18 U.S.C. § 3500.

(3) *Grand jury transcripts.*—Except as provided in Rule 6 and subdivision (a)(1) (A) of this rule, these rules do not relate to discovery or inspection of recorded proceedings of a grand jury.

(4) *Failure to call witness.*—The fact that a witness' name is on a list furnished under this rule shall not be grounds for comment upon a failure to call the witness.

(b) *Disclosure of evidence by the defendant.*

(1) *Information subject to disclosure.*

(A) *Documents and tangible objects.*—Upon request of the government, the defendant shall permit the government to inspect and copy or photograph books, papers, documents, photographs, tangible objects, or copies or portions thereof, which are within the possession, custody or control of the defendant and which the defendant intends to introduce as evidence in chief at the trial.

(B) *Reports of examinations and tests.*—Upon request of the government, the defendant shall permit the government to inspect and copy or photograph any results or reports of physical or mental examinations and of scientific tests or experiments made in connection with the particular case, or copies thereof, within the possession or control of the defendant which the defendant intends to introduce as evidence in chief at the trial or which were prepared by a witness whom the defendant intends to call at the trial when the results or reports relate to his testimony.

(C) *Defense witnesses.*—Upon request of the government, the defendant shall furnish the government a list of the names and addresses of the witnesses he intends to call in the presentation of the case in chief. When a request for discovery of the names and addresses of witnesses has been made by the government, the defendant shall be allowed to perpetuate the testimony of such witnesses in accordance with the provisions of Rule 15.

(2) *Information not subject to disclosure.*—Except as to scientific or medical reports, this subdivision does not authorize the discovery or inspection of reports, memoranda, or other internal defense documents made by the defendant, or his attorneys or agents in connection with the investigation or defense of the case, or of statements made by the defendant, or by government or defense witnesses, or by prospective government or defense witnesses, to the defendant, his agents or attorneys.

(3) *Failure to call witness.*—The fact that a witness' name is on a list furnished under this rule shall not be grounds for comment upon a failure to call a witness.

(c) *Continuing duty to disclose.*—If, prior to or during trial, a party discovers additional evidence or material previously requested or ordered, which is subject to discovery or inspection under this rule, or the identity of an additional witness or witnesses, he shall promptly notify the other party or his attorney or the court of the existence of the additional material or witness.

(d) *Regulation of discovery.*

(1) *Protective orders.*—Upon a sufficient showing the court may at any time order that the discovery or inspection be denied, re-

stricted or deferred, or make such other order as is appropriate. Upon request by a party the court shall permit the party to make such showing, in whole or in part, in the form of a written statement to be inspected by the judge alone. If the court enters an order granting relief following such a showing, the entire text of the party's statement shall be sealed and preserved in the records of the court to be made available to the appellate court in the event of an appeal.

(2) *Failure to comply with a request.*—If at any time during the course of the proceedings it is brought to the attention of the court that a party has failed to comply with this rule, the court may order such party to permit the discovery or inspection, grant a continuance, or prohibit the party from introducing evidence not disclosed, or it may enter such other order as it deems just under the circumstances. The court may specify the time, place and manner of making the discovery and inspection and may prescribe such terms and conditions as are just.

(e) *Alibi witnesses.*—Discovery of alibi witnesses is governed by Rule 12.1.

Rule 17. Subpoena.

(f)

(2) *Place.* The witness whose deposition is to be taken may be required by subpoena to attend at any place designated by the trial court.

Rule 20. Transfer from the district for plea and sentence.

(a) *Indictment or information pending.*—A defendant arrested, held, or present in a district other than that in which an indictment or information is pending against him may state in writing that he wishes to plead guilty or nolo contendere, to waive trial in the district in which the indictment or information is pending, and to consent to disposition of the case in the district in which he was arrested, held, or present, subject to the approval of the United States attorney for each district. Upon receipt of the defendant's statement and of the written approval of the United States attorneys, the clerk of the court in which the indictment or information is pending shall transmit the papers in the proceeding or certified copies thereof to the clerk of the court for the district in which the defendant is arrested, held, or present, and the prosecution shall continue in that district.

(b) *Indictment or information not pending.*—A defendant arrested, held, or present in a district other than the district in which a complaint is pending against him may state in writing that he wishes to plead guilty or nolo contendere, to waive trial in the district in which the warrant was issued, and to consent to disposition of the case in the district in which he was arrested, held, or present subject to the approval of the United States attorney for each district. Upon receipt of the defendant's statement and of the written approval of the United States attorneys and upon filing of an information or the return of an indictment, the clerk of the court for the district in which the warrant was issued shall transmit the papers in the proceeding or certified copies thereof to the clerk of the court for the district in which the defendant was arrested, held, or present, and the prosecution shall continue in that district. When the defendant is brought before the court to plead to an information filed in the district where the warrant was issued, he may at that time waive indictment as provided in Rule 7, and the prosecution may continue based upon the information originally filed.

(c) *Effect of not guilty plea.*—If after the proceeding has been transferred pursuant to subdivision (a) or (b) of this rule the defendant pleads not guilty, the clerk shall return the paper to the court in which the prosecution was commenced, and the pro-

ceeding shall be restored to the docket of that court. The defendant's statement that he wishes to plead guilty or nolo contendere shall not be used against him.

(d) *Juveniles.*—A juvenile (as defined in 18 U.S.C. § 5031) who is arrested, held, or present in a district other than that in which he is alleged to have committed an act in violation of a law of the United States not punishable by death or life imprisonment may, after he has been advised by counsel and with the approval of the court and the United States attorney, consent to be proceeded against as a juvenile delinquent in the district in which he is arrested, held, or present. The consent shall be given in writing before the court but only after the court has apprised the juvenile of his rights, including the right to be returned to the district in which he is alleged to have committed the act, and of the consequences of such consent.

Rule 29.1. Closing argument.—After the closing of evidence the prosecution shall open the argument. The defense shall be permitted to reply. The prosecution shall then be permitted to reply in rebuttal.

Rule 32. Sentence and judgment.

(a) *Sentence.*

(1) *Imposition of sentence.*—Sentence shall be imposed without unreasonable delay. Before imposing sentence the court shall afford counsel an opportunity to speak on behalf of the defendant and shall address the defendant personally and ask him if he wishes to make a statement in his own behalf and to present any information in mitigation of punishment.

(2) *Notification of right to appeal.*—After imposing sentence in a case which has gone to trial on a plea of not guilty, the court shall advise the defendant of his right to appeal and of the right of a person who is unable to pay the cost of an appeal to apply for leave to appeal in *forma pauperis*. There shall be no duty on the court to advise the defendant of any right of appeal after sentence is imposed following a plea of guilty or nolo contendere. If the defendant so requests, the clerk of the court shall prepare and file forthwith a notice of appeal on behalf of the defendant.

(c) *Presentence investigation.*

(1) *When made.*—The probation service of the court shall make a presentence investigation and report to the court before the imposition of sentence or the granting of probation unless the court otherwise directs for reasons stated on the record.

The report shall not be submitted to the court or its contents disclosed to anyone unless the defendant has pleaded guilty or nolo contendere or has been found guilty, except that a judge may, with the written consent of the defendant, inspect a presentence report at any time.

(2) *Report.*—The report of the presentence investigation shall contain any prior criminal record of the defendant and such information about his characteristics, his financial condition and the circumstances affecting his behavior as may be helpful in imposing sentence or in granting probation or in the correctional treatment of the defendant, and such other information as may be required by the court.

(3) *Disclosure.*

(A) Before imposing sentence the court shall upon request permit the defendant, or his counsel if he is so represented, to read the report of the presentence investigation exclusive of any recommendation as to sentence, unless in the opinion of the court the report contains diagnostic opinion which might seriously disrupt a program of rehabilitation, sources of information obtained upon a promise of confidentiality, or any other information which, if disclosed, might result in harm, physical or otherwise, to the

defendant or other persons; and the court shall afford the defendant or his counsel an opportunity to comment thereon.

(B) If the court is of the view that there is information in the presentence report which should not be disclosed under subdivision (c)(3)(A) of this rule, the court in lieu of making the report or part thereof available shall state orally or in writing a summary of the factual information contained therein to be relied on in determining sentence, and shall give the defendant or his counsel an opportunity to comment thereon. The statement may be made to the parties in camera.

(C) Any material disclosed to the defendant or his counsel shall also be disclosed to the attorney for the government.

(D) Any copies of the presentence investigation report made available to the defendant or his counsel and the attorney for the government shall be returned to the probation officer immediately following the imposition of sentence or the granting of probation. Copies of the presentence investigation report shall not be made by the defendant, his counsel, or the attorney for the government.

(E) The reports of studies and recommendations contained therein made by the Director of the Bureau of Prisons or the Youth Correction Division of the Board of Parole pursuant to 18 U.S.C. 4208(b), 4252, 5010(e), or 5034 shall be considered a presentence investigation within the meaning of subdivision (c)(3) of this rule.

(d) *Withdrawal of plea of guilty.*—A motion to withdraw a plea of guilty or nolo contendere may be made only before sentence is imposed or imposition of sentence is suspended; but to correct manifest injustice the court after sentence may set aside the judgment of conviction and permit the defendant to withdraw his plea.

(e) *Probation.*—After conviction of an offense not punishable by death or by life imprisonment, the defendant may be placed on probation if permitted by law.

(f) *Revocation of probation.*—The court shall not revoke probation except after a hearing at which the defendant shall be present and apprised of the grounds on which such action is proposed. The defendant may be admitted to bail pending such hearing.

Rule 43. Presence of the defendant.

(a) *Presence required.*—The defendant shall be present at the arraignment, at the time of the plea, at every stage of the trial including the impaneling of the jury and the return of the verdict, and at the imposition of sentence, except as otherwise provided by this rule.

(b) *Continued presence not required.*—The further progress of the trial to and including the return of the verdict shall not be prevented and the defendant shall be considered to have waived his right to be present whenever a defendant, initially present,

(1) voluntarily absents himself after the trial has commenced (whether or not he has been informed by the court of his obligation to remain during the trial), or

(2) engages in conduct which is such as to justify his being excluded from the courtroom.

(c) *Presence not required.*—A defendant need not be present in the following situations:

(1) A corporation may appear by counsel for all purposes.

(2) In prosecutions for offenses punishable by fine or by imprisonment for not more than one year or both, the court, with the written consent of the defendant, may permit arraignment, plea, trial, and imposition of sentence in the defendant's absence.

(3) At a conference or argument upon a question of law.

(4) At a reduction of sentence under Rule 35.

WESTERN COAL MINING SIGNALS
WATER CRISIS

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

Mr. MELCHER. Mr. Speaker, geologists familiar with the great river basins in Wyoming and eastern Montana and who have carefully examined the land and water of these river basins such as the Little Missouri, Powder River, the Tongue, Big Horn, and Yellowstone warn us that we must use careful planning and strong legislative safeguards when we consider coal development in these areas.

I have been advised on the significance by one who is well acquainted with the Powder River Basin which Wyoming and Montana share. I pass on this advice to my colleagues in the House, Mr. Speaker, as an example of the care and diligence we must exercise to protect these great Western river basins.

The Powder River basin, which dips westward from the Black Hills of South Dakota to the Big Horn Mountain range, is a vast area with relatively low amounts of annual precipitation and an area much of which could offer less and less opportunity for farming and ranching if the surface and subsurface waters are not protected.

Water is one of the most important elements in the Powder River country. Farming and ranching successes depend on year-to-year availability of the water. But the introduction of coal strip mining operations into the basin is new.

With it we are talking about disruptions of agricultural functions of the land surface, modification of water runoff patterns, possible siltation of streams from watersheds while being mined, new water uses, and tampering with the basin's intricate and critical network of aquifers.

As Congress gets nearer to enactment of legislation for Federal regulation of coal strip mining for purposes of insuring land surface reclamation and protection of water both on the surface and subsurface, we are well aware that the legislation should more adequately address itself to the critical questions of ground water and the geological aquifers which carry needed subsurface water throughout an area such as the Powder River basin for livestock and domestic range requirements, irrigation, and municipal water supplies. We have not had the geological and hydrological studies of the basin we need to give us a specific understanding of the effects on watershed, stream flows and aquifers—which are often the coal veins themselves—into which scores of domestic wells have been tapped for years.

In country like the basins I have mentioned previously, it is impossible to separate surface water from ground water. It is all intermeshed in nature's closed system affected by the ultimate source—the amount of annual precipitation in the basin. This important factor determines the amount of surface water flow in each

basin, and the runoff each year first will fill the underground aquifers to their level of permeability. Whatever runoff is left over stays topside. Historically speaking, man's water needs in these basins have developed into a compatible balance between ground water well taps and surface drainage diversions.

Returning again to the Powder River basin, let us consider what requirements are necessary for strip mining of coal and power generating operations to assure protection of water. Most of the Powder River basin is arid, with surface flows unpredictable and subject to existing adjudicated water rights. We must warn ourselves that large scale use of underground water for industrial purposes could literally set up a hydrologic imbalance that would dry up vast areas of the basin causing threats of a western desert.

I believe the plain truth is expressed in the following five points:

First, underground fresh water comes from surface water supplies. If you withdraw large volume of underground fresh water, you are expropriating somebody's surface water.

Second, since industrial use of fresh water may start a disastrous cycle that is difficult to stop even when the bad results become apparent to everyone, all underground fresh water should be reserved for use by cities and agriculture.

Third, few large industrial water users in the country use underground fresh water.

Fourth, industrial users should be required to use impounded or surface runoff water. Otherwise, the delicate balance between surface and underground water will be upset, and the desert cycle will begin.

Fifth, the amount of fresh water used each year in any basin should not exceed the amount which nature supplies to that basin each year. Only the manner in which this available supply will be divided up between the various uses should be debatable. If we permit more to be used than nature will replace, we will be heading down a road which the people who actually live in the western river basins of this country do not wish to travel.

Using the Powder River Basin as an example here is greater detail of the interworking of surface and subsurface water. Nature supplies the Powder River Basin with a certain amount of fresh water each year in the form of rain, snow, or hail, part of which soaks into the ground where it falls. The remaining water begins to run off, first in very small drainages, then in larger creeks, and finally in rivers.

While the water is running off, a number of relatively invisible things are happening. First, the Powder River Basin may be considered to be shaped like a big bowl with the sides of the bowl being made of many layers. The bottom layer is granite or igneous rock. This bottom layer in the bowl would be as deep as 20,000 feet or more below the surface of the ground out in the middle or deepest

part of the basin. This same granite formation gradually slopes upward and comes to the surface—outcrops—in the Big Horn Mountains to the west and the Black Hills to the east. Directly above the granite, we find successive layers or formations which surface near the granite outcrop in the mountains at high elevations. Several of the formations have the ability to hold large quantities of water able to move quite freely over long distances vertically and horizontally.

These qualities of good porosity and permeability, when combined with a good thick formation of perhaps 100 feet or more, help to make a good fresh water aquifer. Such aquifers may contain millions of acre-feet of water in a basin like the Powder River Basin.

Starting just above the granite, the first well-known aquifer would be the Flathead sandstone. Some distance above that, we find one of the most important aquifers—the Madison limestone—and above that, the Tensleep sandstone. All three of these outcrop at high elevations in the mountains on the sides of the basin.

Some water falling on the outcrop of the Flathead or the Madison or the Tensleep seeps into the ground and due to gravity moves downward toward the lower part of the basin. Also, continuously running streams—from melting snow and springs in the mountains—crossing the formation outcrops of these major aquifers provide one of the major sources for recharge of these aquifers.

Next, in every mountainous area, especially near the foot of the mountain range, are literally thousands of fractures, faults, crevices and breaks in the rocks immediately above the aquifers. As the streams run downhill, they cross the outcrop of these formations above the aquifer, and the water runs down through these fractures and into the underlying aquifer. This is, perhaps, the second most important source for recharge water, with the third most important being that which falls directly on the aquifer outcrop itself.

Whenever a given aquifer gets filled up at the various points of recharge, the water that has been going into the recharge zone simply continues its runoff on the surface. Since the most important recharge areas for these three major aquifers are at relatively high elevations, when wells are drilled into them at lower elevations they may flow at the surface as a result of the hydrostatic head. This head, resulting from water at higher elevations, causes the fresh water in the aquifer to be under pressure through the formation. Near the base of the mountains, and in some other fortunate spots, faults or fractures exist where this pressure forces water from the aquifer to the surface where good year-round springs are formed. These springs do not freeze up in the winter. This is one easy way to determine whether a spring comes from a minor surface accumulation which usually freezes in below-zero temperatures or a good permanent spring which has a deep water source with a

constant temperature. These good permanent springs usually flow into a nearby creek and become runoff water.

As the streams flow on out toward the center of the basin, they cross outcrops of higher and higher formations—recharging each one capable of recharge as it passes over its outcrop. However, by now, the elevation of the recharge is not much higher than the surrounding areas, so wells drilled into these higher formations do not normally flow. A good example of this would be the Fox Hills sandstone which is an excellent aquifer. Sometimes, higher formations receive recharge from deeper formations by water movement upward along fault planes. This is not visible on the surface and is very difficult to prove or disprove.

Finally, when streams or rivers have reached the lowest part of the basin, the real excess unused water then flows on out of the basin—in the Yellowstone River—and eventually to the oceans. The amount of this excess depends on the amount nature puts on the surface each year and the amount used by people or by industry.

So, surface water recharges underground fresh water aquifers. If there is no recharge, then there is not likely to be any drinkable—potable—water. There is such a thing as fossil water which is not connected to any surface supplies and has been trapped and preserved in the rocks the same as fossils. Usually, fossil water is so brackish or so highly mineralized as to be unusable as fresh water in the Powder River Basin is negligible.

Whenever large volumes of water are withdrawn from an aquifer, nature immediately begins to try to replace that water by increasing the recharge. This increased recharge takes water that would normally flow on down the mountain and out into the basin to be used by cities and irrigated farms and ranches. As more wells are drilled into the aquifer, eventually the recharge, even at greatly increased rates, would no longer be able to keep up with the increasing withdrawals. Then the regional level of the water table in the aquifer begins dropping. When this happens, the hydrostatic pressure in the aquifer drops and springs and flowing wells stop their flow—simply because the pressure is no longer present to force the water up to previous levels.

At this point, a cycle begins with a vast number of far-reaching and disastrous effects. As the stream flow decreases from the increased recharge and the flowing springs and water wells stop their discharge into streams, the local surface water tables in the irrigated valleys begin to drop. Household water wells need to be deepened and subirrigated hay meadows and grain fields dry up, with each development triggering a host of other things dependent on the water. In the center of the basin, the higher, shallower formations—like the Fox Hills—will no longer be receiving recharge from streams. Fish, birds, crops, grass, animals, and man are all adversely affected

by this well-known cycle. It has happened already in many places in this country where large concentrations of people have “mined” their fresh water. In areas of California, west Texas, New Mexico, and Colorado, people have used their water resources far beyond the ability of the resource to recharge to the same water tables and stream flows. If past history in other areas means anything, the underground fresh water supplies must be kept sufficient for normal city and agricultural requirements—

The people of the West must make certain that priorities be established to assure underground fresh water and recharge are sufficient for our cities and our food production for the foreseeable future—without triggering the disastrous desert-like cycle.

SLAUGHTER IN THE COAL MINES

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

Mr. HECHLER of West Virginia. Mr. Speaker, at a time when all coal operators are grumbling and grousing that the mine safety laws slow down production, more and more coal miners are being killed and injured in West Virginia. During 1973, 42 of the 132 men who met death in the mines were West Virginians—slightly less than 1 out of 3. But in the first 3 months of 1974, 13 of the 33 fatalities have occurred in West Virginia mines—which is close to 2 out of every 5.

The statistics on disabling mine injuries are even grimmer. In 1973, 4,632 of the 11,067 recorded injuries occurred in West Virginia—an intolerable 42 percent of the total. The 1974 figures on disabling injuries have not yet been compiled.

Since the energy crisis became a household phrase, it has become fashionable for politicians and bureaucrats to say we must be practical and not harass the producers with needless environmental safety restrictions. Coal operators and their allies point to the high accident rate in underground mines as one of their chief arguments in favor of strip mining. Yet United States Steel and Bethlehem Steel have far better safety records in their underground mines than many of the strip mining operations. The record of the steel companies, whose captive mines seem to understand the need for safety and its relation to better production, proves once again that underground mines do not have to be death traps and that deep mining is not necessarily more dangerous than strip mining.

At a time when the coal companies are complaining about a lack of manpower, they do not seem to get it into their thick heads that as long as certain companies allow unsafe conditions to persist they will continue to find it difficult to attract many new miners. The coal industry still is ruled by far too many “fossil fools” who

stolidly stick to the maxim that all mining accidents are caused by carelessness of the miners. After all, whose life is at stake, the miner or the operator? Those who run the coal industry tried several years ago to float a massive public relations program, complete with billboards, bumper stickers, buttons, and radio and TV spots designed to merchandise coal miners into trying to be safer. I wrote an amendment into the law specifically prohibiting such phony public relations campaigns among coal miners. Now the coal industry and Department of Interior bureaucrats are dreaming up a new program of “motivational research” designed to persuade coal miners to be safer. How silly can they get before they get down to the point that company safety has been achieved by the steel companies, and ought to be copied and repeated by every coal company?

In 1973, West Virginia's major coal companies, Consolidation Coal, Eastern Associated, and Pittston, were among the worst in the industry from a safety standpoint. Consolidation once again led the Nation in fatalities with 16 while Eastern was second with 8, Pittston third with 7. Eastern's 0.77 fatalities per million man-hours was the highest in the Nation and the 1,126 disabling injuries in Eastern's mines also was the worst in the Nation. Eastern's injury rate per million man-hours was an unbelievable 108.40, up slightly over 1972. Pittston rivaled Eastern in its callous disregard for the safety of its miners—941 men were seriously injured in Pittston operations during 1973, a rate of 68.52 injuries per million man-hours worked. While Consol did show some improvement in safety over 1972, it is a disgrace that year in and year out, the same companies operate criminally unsafe mines. And these same executives are the very ones who lead the hue and cry about “wildcat strikes” and absenteeism. If they followed the example of the steel company coal operations, perhaps their problems would cease.

Once again in 1973, United States Steel and Bethlehem Steel ranked Nos. 1 and 2 in safety. United States Steel's industry leading injury rate of 6.44 was one-eighteenth that of Eastern Associated Coal. How can you explain why one company would have 18 times as many serious injuries as another—unless it is a question of commitment to safety.

The continued top safety records of the steel companies seem to prove two points: First, underground mines can be operated safely. United States Steel operates 99 percent deep mines and they are the safest mines from an injuries standpoint of any company in the coal industry. Bethlehem Steel operates both deep and strip mines.

Bethlehem had no fatalities in any of its mines during 1973.

The record of steel companies also proves that deep mines are not necessarily more dangerous than strip mines. The injury rates of United States Steel and Bethlehem are far below the 38.26 disabling injuries per million man-hours

posted by Pittston's strip mines, the 53.46 injury rate posted by North American strip mines, and the 20.03 rate posted in the strip mines of the nation's number one strip producer, Peabody Coal Company. In fact, large strip mining operations appear to be more dangerous than many deep mines. In 1973, the fatality rates on strip mines operated by the top two strip producers, Peabody and Consolidation Coal, were .47 and .45 fatalities per million man hours respectively. This is virtually identical to the industry wide rate of .50 scored by all underground operations in 1973. In 1972 Peabody and Consol had an identical fatality rate of .61, which exceeded the fatality rate of all deep mines with the exception

of those deep mines operated by Consol which caused deaths at an incredible rate of 1.14 per million man hours of exposure. In short, large scale strip mining is dangerous indeed.

And the trend toward increasing danger in strip mining seems to be continuing. In the first 2 months of 1974, the fatality rate for strip mines was .52 substantially higher than the .43 posted by deep mines nationwide during the same 2 months. In addition the fatality rate of West Virginia strip mines rose from .30 in 1972 to .35 in 1973 at the same time that the deep mining fatality rate statewide was declining.

Following are the data on fatality and injury rates in 1972 and 1973:

COMPARISON 1972 AND 1973—WEST VIRGINIA AND UNITED STATES

	West Virginia		Nationwide	
	1972	1973	1972	1973
Deep fatalities	46	39	126	107
Deep fatality rate	.62	.54	.66	.50
Strip fatalities	2	2	20	17
Strip fatality rate	.30	.35	.34	.28
Deep injuries	4,864	4,478	57	52
Deep injuries rate	63.90	62.36	57.02	50.21
Strip injuries	200	154	7	5.46
Strip injuries rate	30.45	26.87	19.92	18.38

Nationwide—January–February 1974:

Underground fatalities	16
Underground fatality rate	.43
Strip fatalities	5
Strip fatality rate	.52

Through March 1974, there were 33 fatalities nationwide, 13 in West Virginia.

FATALITY AND INJURY RATES FOR TOP 12 PRODUCERS IN 1973

Company	Deep fatalities	Rate	Strip fatalities	Rate	Deep injuries	Rate	Strip injuries	Rate
Peabody	3	0.33	4	0.47	461	50.20	171	20.03
Consolidation	13	.53	2	.45	464	19.01	24	5.44
Island Creek	6	.52	0	—	255	22.17	2	3.16
Pittston	7	.58	0	—	886	73.46	18	38.26
U.S. Steel	5	.46	0	—	77	7.04	2	3.48
General Dynamics	0	—	0	—	146	57.48	22	25.50

Company	Deep fatalities	Rate	Strip fatalities	Rate	Deep injuries	Rate	Strip injuries	Rate
Bethlehem	0	—	0	—	73	7.87	0	—
Eastern Associates	8	.84	0	—	1,093	115.06	3	29.66
Old Ben	2	.53	0	—	167	44.28	8	13.81
Westmoreland	2	.39	0	—	604	116.94	0	—
North American	0	—	0	—	466	89.32	7	53.46
Amax	0	—	0	—	0	—	57	22.19

Note: Rates are fatalities and injuries per million man-hours exposure.

FATALITY AND INJURY RECORDS FOR TOP 10 COAL PRODUCERS IN 1972

Company	Under-ground fatalities		Under-ground injuries		Strip fatalities		Strip injuries	
	Rate	Rate	Rate	Rate	Rate	Rate	Rate	Rate
Peabody	2	0.26	5	0.61	416	53.68	266	32.71
Consolidation	28	1.14	2	.61	845	34.49	60	18.31
Island Creek	5	.49	(1)	(1)	338	33.13	—	—
Pittston	4	.31	—	—	1,103	85.06	24	69.91
Amax	(1)	(2)	0	0	—	—	39	19.58

Company	Under-ground fatalities		Under-ground injuries		Strip fatalities		Strip injuries	
	Rate	Rate	Rate	Rate	Rate	Rate	Rate	Rate
U.S. Steel	4	.37	(1)	(1)	58	5.30	—	—
Bethlehem	5	.55	0	0	82	8.97	1	29.61
Eastern Associates	3	.30	(1)	(1)	1,077	107.59	—	—
North American	1	.20	—	—	516	96.44	—	—
Old Ben	2	.62	0	0	161	49.66	14	19.94

¹ No strip mines.

² No deep mines.

COMMEMORATION OF POLISH 3D OF MAY CONSTITUTION DAY

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

Mr. DERWINSKI. Mr. Speaker, I am grateful that so many of my colleagues have joined me this afternoon in commemorating the traditional Polish 3d of May Constitution Day which is the historic national holiday of Poles everywhere.

Since the outbreak of World War II, during which Poland's valiant struggle against Nazi-Communist totalitarianism has become an inspiration for mankind, the U.S. Congress annually commemorates one of the brightest events in Polish history—the adoption of the May 3d Constitution of 1791. These special observances in both Chambers of Congress demonstrate American friendship toward the Polish Nation, whose millennial heritage of Christianity and participation in the growth of Western culture continue to be suppressed by Communist tyranny.

Throughout the United States, Americans of Polish ancestry will hold appropriate observances to commemorate this great day in the history of Poland.

As America approaches her 200th birthday, with the American Revolutionary Bicentennial celebrations, the members of the Polish-American com-

munity also renew their faith in the ideals of the American Constitution.

Mr. Speaker, I believe it is especially appropriate to note that American and Polish Constitutions were similarly inspired. Meditation on the anniversary of May the 3d deepens the faith and heightens the courage of every Pole and of every American of Polish origin.

It reminds all Americans of Poland's destiny in the history of mankind and prophesies the ultimate triumph of justice. Even though the Polish people do not enjoy a government which they may freely elect and the shadow of Soviet domination is ever present, Poles everywhere are confident that the future will see a flourishing Poland, inspired by her great traditions and ideals.

Mr. Speaker, once again may I thank my distinguished colleagues for joining me in commemorating the Polish 3d of May Constitution Day.

Mr. O'BRIEN. Mr. Speaker, I am proud to join my colleagues today in commemorating Poland's most cherished national holiday, Constitution Day.

Tomorrow marks the 183d anniversary of Poland's adoption of its first democratic constitution. In one stroke, without bloodshed or revolution, the 1791 Constitution eradicated class distinctions, gave the peasantry legal protection and guaranteed the absolute right to religious freedom.

To Polish nationals and people of Polish ancestry everywhere, this day is comparable to our own Fourth of July. As citizens of a nation where similar liberties have been guaranteed since 1789, it is sometimes hard for us to realize how important this historic document was. In most countries at that time, the rights it provided were unheard of and it was Poland who led the vanguard of democracy into Central and Eastern Europe.

History sadly records that only 4 years after this remarkable Constitution was adopted, Poland was conquered and partitioned by her autocratic neighbors, Russia, Prussia, and Austria. While this and subsequent invasions have prevented Poland from developing her democratic ideals into a permanently viable form of government, they have failed to break the spirit of her people.

Down through the years, the sons and daughters of Poland have made great contributions to western civilization. The names of Copernicus, Frederic Chopin, Madame Marie Curie, Thaddeus Kosciusko, and Casimir Pulaski, who fought in our own revolution, spring to mind.

America owes the greatest debt to the millions of Poles who immigrated to the United States, bringing with them their rich cultural traditions and passionate love of freedom. They came seeking the freedom they were denied by Poland's

oppressors and their determination and hard work have helped to shape our country into the great Nation that it is today.

Mr. Speaker, we are paying tribute today to the enlightened men who forged the May 3 Constitution and to all Polish patriots who have given their lives so that the ideals of that document might survive.

At the same time, let us not forget the bitter lessons history has taught us. There are still millions of Poles waiting for the day of deliverance and it is they who most need our encouragement to carry on their psychological resistance to oppression.

In conclusion let me just say Niech Zycie Polska, which as my colleague from Illinois (Mr. DERWINSKI) knows, means "Long Live Poland."

Mr. GONZALEZ. Mr. Speaker, tomorrow citizens of Polish origin in the United States and around the world will celebrate the Polish Third of May Constitution Day.

This day commemorates one of the brightest days in the history of Poland and can be compared to our Fourth of July. On May 3, 1791, barely 2 years after the United States adopted its Constitution, Poland succeeded in adopting a constitution reforming its system of government and establishing democratic ideals.

Unfortunately, Poland's geographic position on the European continent has caused it to undergo many invasions and partitions, and the third partition of Poland came only 4 years after the Constitution was signed. This partition by the Russians, Prussians, and Austrians crushed the valiant attempt of the Polish people in their brave struggle for democracy.

As we in Congress commemorate this day along with millions of Poles around the world we are reminded of how fortunate we are in this Nation to have our democratic system of government and realize that there are many countries around the world such as Poland, that are not as fortunate.

In celebrating this day the Poles are reminded of their history and of their hope that the democratic ideals which were kindled in the hearts and minds of many Poles on May 3, 1791, and have been passed down through the generations, might some day return to Poland to remain forever.

Mr. PATTEN. Mr. Speaker, on May 3 people of Polish descent throughout the world will celebrate an important Polish national holiday—the Polish 3d of May Constitution Day. This important day is a reminder to all that Poland was one of the first pioneers of liberalism in Europe.

It was on May 3, 1791, that Poland adopted a constitution that led to a compete reform of its internal life and asserted its democracy. But it came too late, and could not put a halt to the third partition of Poland in 1795 by Russia, Prussia, and Austria.

Even though the Constitution did not have a chance to take hold, this was one of the brightest events in Polish history and the U.S. Congress, since World War

II, has commemorated this great occurrence. May 3 symbolizes the Polish people's long-held belief in freedom and liberty and their longstanding resistance to communism and Soviet domination.

In our country, we have a belief in almost limitless freedom of speech. When something happens, whether it be nationally or internationally, the citizens of the United States discuss it, argue about it, give their opinions on it, and so forth. It is at times like this when we see how lucky we are to be in this country, and to have these freedoms. We must always make sure that the Polish people know that they have not been forgotten in their struggle for the freedom and liberty that we enjoy.

Mr. COUGHLIN. Mr. Speaker, throughout the world tomorrow, citizens of Polish origin will commemorate the Polish 3d of May Constitution Day. In the United States, observances across the land will mark the bittersweet significance of this Polish national holiday.

Four years after the convening of our own Constitutional Convention, Poland on May 3, 1789, adopted its constitution. This document, too, was a major contribution to the spirit of freedom and democracy that was rising from a civilization in which arbitrary and capricious rule was a fact of 18th century living.

The Polish people within 2 years had instituted reforms that changed their public life and arrested the decline of their political processes. This was accomplished without violent revolution or widespread disorder.

It is particularly fitting for Americans to pay tribute to this major contribution to democracy in the world. Even more so, we honor the event since the United States was able to build and grow on its great constitutional government while Poland, as early as 1795, was subjected to partition and exploited by neighboring countries.

The Polish instrument of liberty and justice posed too formidable a threat to the despotic rule of these nearby states. Tyranny is forever the enemy of freedom and the flame ignited by the Polish constitution was to be dimmed.

Yet, through the decades, this spirit embodied in the Polish constitution has never died in the hearts of Poles who have remained in their native land or who have migrated to other countries.

Although Poland is clamped in the grip of the Soviet bloc today, the Polish people of all lands proudly commemorate a day of Polish democracy and freedom. They look forward once again to a time when they truly will have independence both in the national life of Poland and the individual lives of its citizens.

I know the proud heritage of the Polish people. It is evidenced in the spirit of my own constituents of Polish descent who contribute so much to the communities in which they live and which I represent.

Let us not look upon this 3d of May in despair. The beacon of hope that was lighted on May 3, 1789, has flickered through the years. Yet, I am certain that it is the hope of freedom-loving people everywhere that the beacon some day again will fully illuminate a Poland free

to enjoy a democracy which the people surely have earned.

Mr. HUNT. Mr. Speaker, these days of "détente" have clouded for many Americans the fact that there are still people in the world suffering at the hands of dictators and other tyrannical rulers.

Tomorrow, May 3, it is particularly fitting that we take note of Poland and its freedom-loving people who are suffering under their Communist oppressors.

May 3 commemorates one of the brightest days in Polish history—the adoption of the May 3 Constitution of 1791. It was on this day that Poland, without a revolution or even a disorder, succeeded in reforming her public life and eradicated her internal decline. The Poles raised this great moment in their history to the forefront of their tradition rather than any one of their anniversaries of glorious victories or heroic revolutions.

It is particularly fitting that we can today pay tribute to these courageous people. They share a common love of freedom for all mankind. I am confident that their spirit of freedom will prevail and they will someday break the shackles of communism and return to a free society.

Mr. SARASIN. Mr. Speaker, I would like to take this opportunity to join my colleagues in the commemoration of Polish Constitution Day. Adopted by the people of Poland on May 3, 1791, this constitution is a landmark in the history of the proliferation of democratic ideals throughout the world. It is one of the most outstanding contributions on the long list of achievements by the Polish people dedicated to the cause of democracy.

We in Congress, at the apex of American democracy, can certainly appreciate the long and arduous efforts of the people of Poland in trying to secure for themselves the riches of a democracy. We are especially grateful for the deeds of those two great Polish leaders, Pulaski and Kosciuszko, who played a significant role in the Revolutionary War, America's struggle for independence. Whenever Americans reflect upon the benefits of democracy and expound upon our way of life, we are simultaneously paying tribute to those two gallant patriots.

The Polish people adopted their constitution without a bloody revolution or even a disorder, and they succeeded in reforming their nation's public life and in eradicating her internal decline. Unfortunately, this assertion of faith in democratic principles came too late to the Poles and could not forestall the third partition of Poland in 1795 by Russian, Prussia, and Austria.

The modern history of Poland has also been marked by internal and external conflict, because of Communist aggression, and as the Poles valiantly tried to throw off the yoke of the suppression of the 18th century, today they are fighting to dissipate the bonds of Communist oppression. The hearts of millions of Poles hold close the principles of democracy, and the years of suffering under the Communists have not been able to overcome the inherent belief that the Polish culture, patriotism, and faith in democ-

racy would ultimately conquer the forces that are seeking to destroy their way of life.

Today, we commemorate not only the adoption of the Polish Constitution, but all that it symbolizes. We pay tribute to the unyielding desire for freedom, to those individuals whose beliefs and efforts inspired the development of the constitution. Above all, we pay tribute to those who have dedicated themselves, and often sacrificed their lives, so that the torch of democracy may one day burn eternally in the nation that is Poland.

Mr. SCHNEEBELLI. Mr. Speaker, tomorrow, the 3rd of May, Americans of Polish background recall the nationalist reform movement which, 183 years ago, culminated in the Polish Constitution of May 3, 1791.

This afternoon, as we in the United States approach our own Bicentennial Celebration, it might be appropriate to recall—not just the Constitution of 1791 itself, whose substance might better be left to the consideration of legal and constitutional scholars, nor the specific political maneuvering which brought that document into existence—but rather to recall the essential intellectual quality of that age, the "Age of the Enlightenment," which produced reform and revolution—in scholarship, in theology, in the political and economic worlds—and which laid the foundation for our own contemporary society in Europe and in the Americas.

The 18th century was a period of intellectual ferment, of dynastic struggle, of near constant warfare—opening with Europe convulsed in the War of the Spanish Succession and closing with the tumult of the French Revolution. It was an age of ideas and of change: the age of Rousseau, of Montesquieu and Voltaire, of Locke and Burke. The century saw the development of "rationalist" philosophy and the suppression of the Society of Jesus: a period of growing intellectual freedom. In Paris, the solons provided a meeting ground for men and women of philosophical bent. Throughout Spain and her overseas empire, economic and political reform and discussion societies sprang up, generally dubbed the *amigos del pais*. There were established, in the British and French areas, committees of correspondence designed to sift through the ideas of the time and to provide mutual sustenance for men concerned with public policy. It was an age which, by its culmination, had cast up such widely disparate reformers as the great Luso-Brazilian leaders, José Bonifacio and the Emperor Dom Pedro I, the Venezuelan Francisco Miranda, the Americans Franklin and Paine and Jefferson—and, from this same current, in Poland, Stanislas Staszic, Hugo Kollataj, and Stanislas Augustus.

By the latter part of the 18th century, Poland had begun to feel the excitement of the enlightenment. Her political and intellectual leaders had mingled in the Paris solons with men of letters from throughout the Western World, had come to understand something of the British political tradition and had before them the specter of the American and French Revolutions. The

reigning monarch, Stanislas Augustus, himself a visitor to London and to Paris, was perhaps "the most enlightened and most universally educated Pole of his generation." He sought consciously to create a court which would be a center of learning.

"He gathered round him many men of art and letters. He supported all kinds of creative activity—through all his life he collected works of art, formed a rich gallery and a splendid library, built many edifices, and had a sense of his own original style."

His ideas were shared, not without dissent, by many of the court aristocracy and by not a few townsmen—notably by Kollataj and Staszic. Slowly, we are told, "the light of learning spread . . . not merely a reflection, but a part of the mental life of the West. National consciousness, the consciousness of independence and freedom from foreign guarantees, was intensified, and the necessity of beginning to improve the organism of the commonwealth was more and more clearly manifested."

Finally, on May 3, 1791, as Poland was beset by enemies abroad and racked by dissent domestically, a new constitution was framed and approved upon the personal initiative of Stanislas Augustus—not a revolutionary document by modern standards, but representative of the liberal philosophy of the era. The immediate reform, of course, was short-lived. Poland suffered invasion and subversion, her government fell, and, within 2 years, a new partition of her territories had been arranged—a serious wound to the national state but by no means a fatal blow to Polish national awareness.

As we recall this afternoon the events of the 18th century which contributed to the Polish Constitution of 1791—and to our own—let us once more consider the nature of liberty—not to prize possessed for all time, free and clear and without impediment, but the passing reward of continuous struggle—a struggle shared by the people of Poland and by the people of the United States.

Mr. DULSKI. Mr. Speaker, I am proud to join today in commemorating the Polish 3d of May Constitution Day.

In western New York, a large percentage of the population is American-Polish, and observances will be sponsored this Sunday by the Western New York Division of the Polish-American Congress. It is particularly fitting that the ceremonies should be held at St. Stanislaus Parish and Social Center; St. Stanislaus, which celebrated its 100th anniversary last year, is the "Mother Church of Polonia" in Buffalo, and has been a center of influence for Polish immigrants and their descendants since its founding.

The main speaker will be Casimir Lenard, executive director of the Polish-American Congress. After a mass at noon at St. Stanislaus, there will be dedication of a plaque created by Prof. Jozef Sławiński, commemorating the 30th anniversary of the battle of Monte Cassino, in which Polish soldiers fought so valiantly beside American soldiers. In the afternoon the parish social center will be the site of an Academia.

Détente is progressing; trade barriers have already fallen; but the goals of democracy set for May 3, 1791, are not yet within reach for the citizens of Poland. Still, the spirit of freedom lives, and it is brought to our attention again as Poles around the world pause to commemorate this significant date in the history of a gallant nation.

Mr. BRAY. Mr. Speaker, I am happy to join today in celebrating Polish 3d of May Constitution Day.

The Polish constitution was adopted on May 3, 1791, just over 2 years after the Constitution of the United States. This Polish constitution was an early landmark on the road to the freedom and dignity of man. It stated:

All power in civil society should be derived from the will of the people, its end and object being the preservation and integrity of the state, the civil liberty and the good order of society, on an equal scale and on a lasting foundation.

Few peoples, however, have had as great a difficulty in the maintaining of that freedom and dignity as have the Polish people. Perhaps one of Poland's greatest misfortunes was her geographical proximity to the growing might of the Russian empire. That proximity has caused the Polish people untold suffering and debasement, but, through all the clouds of war, misfortune, and conquest, their love of freedom still shines.

Poland, at the time of the adoption of their constitution, had already been partitioned two times: First, by Russia, Prussia, and Austria in 1733, followed by a second partition in 1793. In 1795, 4 years after the constitution, Poland was again forcibly partitioned.

Despite being constant victims of aggression, in 1918, after 144 years of foreign occupation, at the close of World War I, Poland became free. The changing of Russia under the tsar to the Soviet Union under the commissars, in no way changed Russian aggression against Poland. In 1920, the Soviets attempted to reconquer Poland, but failed in the Battle of Warsaw. Polish freedom was recognized by the Treaty of Riga, signed March 18, 1921, which Lenin called "a voluntary and just agreement to stand for all time."

Despite the fact Poland had the misfortune of being geographically jammed between Germany and Russia, she retained friendly relations with each. At the repeated insistence of the Soviet Union, Poland signed a joint nonaggression pact on July 25, 1932, which was extended to December 31, 1945.

On August 23, 1939, the Soviet Union made her infamous agreement with Hitler's Germany whereby each was to seize and divide Poland. Pursuant to this agreement, Germany attacked Poland on September 1, 1939, with 87 divisions. Russia continued to promise Poland her friendship while massing troops on the Russo-Polish frontier. Seventeen days later, 100 divisions moved across the Polish eastern frontier without opposition while the Polish troops were fighting the Germans on the other frontier.

Despite Russia's pretended friendship to Poland, her true attitude was expressed in Molotov's broadcast on October 8, 1939:

One swift blow to Poland, first by the German army and then by the Red Army and nothing was left of this ugly offspring of the Versailles Treaty.

In the German attack on Russia in 1941, Russia was forced out of Poland. She returned in 1944 and her military forces still remain there in great force.

Russia never intended that there should be a free Poland. She intended that Poland should remain a controlled regimented satellite under Russia. Since the Teheran Conference of World War II it had been apparent that Russia intended to keep military control of East Germany. To accomplish this it was necessary for her to keep control of Poland—Poland was on Russia's road to the West through East Germany, West Germany, France, and the rest of Western Europe.

The postwar bitterness of the Polish and East German people toward Russia has demonstrated that only the presence of Russian armed forces will keep these countries in the Russian orbit. Russian strategy was directed toward only one goal, the enslavement of Poland, a country which Russia, in conjunction with other countries, had forcibly partitioned three times within two centuries and, as late as 1939, had invaded in conjunction with the armies of Hitler. Russia destroyed the "cream of the crop" of young, educated Poles who were capable and willing to fight for a free Poland, a crime that she would never have committed had she desired a free Poland. Two outstanding instances, although there were many more, will suffice to emphasize this point.

In April of 1943, a factor entered the Russo-Polish problem that still plagues Russia and is especially embarrassing to her "parlor pink" friends in the western world. Thousands of Polish officers, the elite of the educated young men of Poland, were missing, presumably killed in the war. However, evidence began to point out the fact that Russia had murdered them en masse. The Polish Government asked the International Red Cross to investigate. Russia pretended righteous indignation and loudly proclaimed her innocence, but bitterly refused even the thought of an investigation.

In 1952, a Select Committee of the House of Representatives, after thorough investigation and a well-documented report, "The Katyn Forest Massacre" (House Rept. 2505) found that—

Beyond any question of reasonable doubt, the Soviet NKVD (Peoples' Commissariat of Internal Affairs) committed the mass murders of the Polish officers and intellectual leaders in the Katyn Forest, near Smolensk, Russia.

Those murdered were the Polish officers that had been fighting Germany for Polish freedom. Stalin was aware that although these officers were fighting Germany and assisting Russia, these same officers would fight any country that would attempt to enslave the Polish people; that they were first of all dedicated to freedom, a freedom that Russia was equally dedicated to destroying. As Stalin did not intend that there should ever be a free Poland he had these 15,000 officers, together with other leading Polish citizens, murdered in the Katyn Forest.

Perhaps the destruction of Polish freedom has aroused more bitterness in America than any other single act of Russian tyranny. Our large Polish population and their unrelenting zeal for freedom have gained the profound respect of the American people.

My wife and I have had the privilege of visiting Poland and that visit only increased our already high respect and admiration for the Polish people.

Despite Russian pressure, the Polish people are generally friendly to the West. This was shown during an anti-American demonstration staged a few years ago by the Communists in Warsaw. A Communist stooge made an incendiary remark about the United States and the Polish bystanders roared in laughter. The Polish radio gives English lessons; the Voice of America is not jammed; about a quarter of the movies shown in Poland are American movies.

The Polish farms are being operated in a very careful manner. The fence rows are clean; the livestock are well kept. In spite of constant government pressure, a great percentage of the farms are individually owned and operated. They are producing far better than the state-owned farms.

The Soviets are attempting to furnish mechanical equipment which would subject the farmer to Russian control and would ultimately mean that the Communists could take over the farms. The Poles stubbornly resist and use horses. They have fine horses and remind one of those used on the better operated farms in my home State of Indiana some 50 years ago.

Perhaps the strongest factor in resisting the Communist takeover is the Catholic Church. Cathedral and church spires still dominate the skylines of Polish cities and villages; and those churches are not empty or abandoned. They were built by the sacrifices of the people and they are now being repaired and maintained by sacrifices.

If the Polish people were given the opportunity for a truly free election, I am certain that the vote would be 20 to 1 for freedom and against communism. From my observations, I do not believe that all of the Soviet massacres, regimentation, and armed might have eliminated the stubborn love of freedom that exists in the Polish people.

I saw the Polish people, despite their poverty, rebuilding their churches, their castles, their schools, and universities; restoring evidences of their cultural past. I saw teachers bringing their pupils to visit those landmarks of Polish greatness. I saw the farmers driving their own horses rather than surrender to the machines of Communist statism.

Poland has not surrendered her love and hope of freedom. In a material sense her future looks hopeless, for she is totally surrounded by the Iron Curtain countries of Czechoslovakia, Communist East Germany, Hungary, and the Soviet Union. Materially the Poles have been captured by Soviet communism, but spiritually they are free and fighting on.

Mr. MORGAN. Mr. Speaker, it is my great pleasure to participate in this celebration of the Polish 3d of May Constitution Day. There are many Polish-Americans in my congressional district,

and their contributions to community life are truly outstanding. In many of the cities and towns in western Pennsylvania this holiday is observed with appropriate exercises throughout the month of May, and thus I am pleased to participate in this special order.

It was on May 3, 1791, only 2 years after the adoption of the Constitution by the United States, that Poland, without a bloody revolution or disorder, succeeded in reforming her public life and eradicating her internal decline. Although this great event did not forestall the third partition of Poland in 1795 by Russia, Prussia, and Austria, it is a landmark in Polish history. It is especially significant that the Poles raised this great moment to the forefront of their tradition rather than any one of their anniversaries of glorious victories or heroic revolutions.

Special mention should be made of the key words in the 3d of May Constitution:

All power in civil society should be derived from the will of the people, its end and object being the preservation and integrity of the state, the civil liberty and the good order of society on an equal scale and on a lasting foundation.

The philosophy of government discernment throughout the 3d of May Polish Constitution leads one to believe that both the American and Polish people drew the inspiration for their constitution from the same source—a belief in the inherent dignity of all people.

Mr. Speaker, America is a great country, and much of its strength is derived from the contributions of those who emigrated from their European homelands to our shores. Polish-Americans are in the forefront of American culture, and I salute them on this historic occasion.

Mr. ADDABBO. Mr. Speaker, I rise to join my colleagues in recognizing the celebration of Polish 3d of May Constitution Day by our many friends of Polish origin.

The history of Polish liberalism was embodied in the May 3 constitution adopted just 4 years prior to the third partition of Poland. That constitution recognized that—

All power in civil society should be derived from the will of the people...

The Polish people hear our tributes today and they will remain vigilant in their desire for liberty. As we experience the hopes of détente, it is particularly important that we remember the past and its lessons of the lack of compassion and bitterness of tyranny.

May 3 is a national holiday for our Polish friends and constituents and I am pleased to join in this congressional ceremony in honor of people oppressed by Soviet tyranny, but people with a great history of devotion to freedom.

Mr. HANLEY. Mr. Speaker, tomorrow, people of Polish ancestry throughout the world will celebrate a Polish national holiday, the Polish 3d of May Constitution Day.

It was less than 2 years after the adoption of our own Constitution in 1789 that the people of Poland joined their hearts together in harmony to adopt a constitution for their own country. With this document the people of Poland set out a new course for their troubled na-

tion; a course meant to take them down the path to peace and prosperity. This constitution reformed the public life and eradicated the internal decline of the nation. In doing this, it gave the people new hope and new faith in their country and their leaders.

Few nations have been able to accomplish such great and far reaching reforms without first undergoing the terror and the trauma of a revolution, but Poland was able to unite her people and move forward—in peace.

In these times when many nations celebrate great military victories or victorious revolutions on their national holidays, the people of Poland join together to celebrate a day that marks a turning point in Polish history, a day of peace and harmony.

How sad it is that the people of Poland are not free today to enjoy the fruits of freedom that their forefathers cherished and sought to guarantee 183 years ago.

Tomorrow Polish people around the world will be united again to celebrate the heritage of their great nation, a heritage of peace, progress, prosperity, and perhaps above all, a heritage of pride.

Mr. Speaker, my prayers are with these people in their quest for the right of self-determination.

Mr. ANNUNZIO. Mr. Speaker, on May 3 we commemorate the anniversary of the Polish Constitution of 1791, and in doing so, we celebrate and honor the deep ties between our country and the people of Poland.

These ties are rooted in the principles we share, principles which were enunciated by the constitution of May 3, 1791: liberty, representation, and protection under law. They originated in the valiant participation of Polish soldiers and patriots in our own revolution and have been nourished by the rich gifts the Polish people have brought to our life and culture.

The Polish Nation has been dedicated to the cause of human freedom and national independence throughout its long and frequently tragic history. And no nation has been a greater beneficiary of that dedication than these United States, where we owe so much in our own Revolutionary War to the gallant Polish heroes who adopted our cause as their own.

Through adoption of the May 3 constitution, Poland transformed itself into a modern state. The constitution was adopted at a critical time in Polish history because in 1772, the absolute rulers of Russia, Prussia, and Austria took away large sections of Polish territory. Facing possible annihilation, all forces in Poland united behind the new constitution which was greatly influenced by the liberal movements in America, England, and France.

That constitution paid tribute to a noble past. It was designed for a then free Poland. Yet it looked to the distant future as well as to the contemporary scene—the theme of that precious document was the love of liberty, the respect for individual freedom, and the granting of rights to the individual on the basis of equality. This Constitution was, moreover, to be the standard for all the laws

and statutes of all future legislatures of Poland. Provision was made for religious freedom, for the civil liberties, for personal liberty, and the guarantee of these liberties by common defense.

The greatness of the May 3 Polish Constitution lies in the principle it embraced: the sovereignty of the people in the state. We Americans often take this principle for granted, for we have been reared in it as a birthright by the founders of our great Republic. The Polish people, however, were pioneers in a Europe beset with dictatorships and the principle of absolute state sovereignty.

The natural geographic protection of oceans and friendly neighbors has allowed the United States to nurture the growth of its system of government based upon a belief in the sovereignty of the people. The Polish people have not been offered the same opportunity. But this reality does not negate the importance of this occasion. The May 3 Polish Constitution was based upon a principle that citizens of Polish ancestry living anywhere in the free world can proudly support and join in celebrating. The principle is one all nationalities can actively support.

In remembering the manifesto of the Polish people as framed in the constitutional reforms of 1791, let us salute all those who sacrificed so much for what all of us hold so dear.

In my own city of Chicago, a commemoration of the May 3, 1791, Constitution of Poland is being sponsored on Saturday, May 4, by the Polish National Alliance. Vice President Helen M. Szymonowicz is the general chairman of the Constitution Day celebration and parade, and I am looking forward to joining Americans of Polish descent on Saturday as they celebrate that inspiring day in the history of Poland, and in the history of mankind.

The Constitution Day Parade will feature marchers dressed in traditional Polish costumes, bands, drum and bugle corps, and floats whose theme will be the Polish contributions to the United States and the world. A commemorative program at Chicago's Civic Center Plaza will follow the parade. The featured speaker will be John Richardson, Jr., Assistant Secretary of State for Educational and Cultural Affairs, who will be introduced by Aloysius A. Mazewski, president of the Polish National Alliance and the Polish American Congress.

The Constitution Day observance ceremonies will be concluded on Sunday, May 5, with a mass at Holy Trinity Church, the principle celebrant of which will be Rev. Casimir Czaplicki.

Mr. Speaker, on this 183d anniversary of the Polish Constitution of 1791, I am honored to join my colleagues in the House of Representatives and Americans of Polish descent all over this country and in my own city of Chicago as they pause to salute those who have sacrificed so much to achieve the liberty we enjoy today. Let us stand firm in defense of this precious heritage.

Mr. DENT. Mr. Speaker, I join with my colleagues in paying special tribute to those people of Polish-American descent, who tomorrow will be celebrating the 183d anniversary of their constitution. It

is with great pride that Polish-Americans, throughout the United States, commemorate this day as a reminder, not only to themselves but to every other American, of a time in the past when the people of Poland exhibited a national courage in the face of tyranny.

We, in the free world, should make note of this occasion as an example to those people who labor under the forces of tyranny in Eastern Europe, and particularly Poland, even today. Freedom is of the utmost importance to the Polish people. It must be important to them, for many Polish-Americans have been at the forefront of continuing fights for freedom throughout our history.

I am reminded of Casimir Pulaski, a Pole who fought in our own Revolution, and whose feeling it was that he was truly compelled to fight for the cause of freedom. Perhaps by this small gesture of commemoration, we can both serve notice to the forces of communism and encourage Poland in its striving to remove the tyranny that oppresses them. I am proud to salute Poland on the anniversary of its first free constitution.

Mr. ROSTENKOWSKI. Mr. Speaker, May 3 marks a notable day in the political history of the Polish nation—the day when Poles adopted their great constitution of 1791.

This constitution created one of the first constitutional governments on the continent of Europe. Embodying the principles of freedom which we hold so dear, it declares:

All power in civil society should be derived from the will of the people, its end and object being the preservation and integrity of the state, the civil liberty and the good order of society, on an equal scale and on a lasting foundation.

The constitution of 1791 was a progressive step toward responsible and effective government for Poland and has for generations stood as a symbol of the great Polish political achievements of the past.

The history of Poland is the history of a heroic people. Poles united in language and customs were subject to centuries of hardship and suffering. They have persistently fought against oppression and for freedom while maintaining a spirit admired by all peoples of the world.

There is not a satisfactory way to describe or measure the tremendous importance of the contributions Poles have made to mankind. They have played a leading role in the advancement of culture and the arts. The names Copernicus, Curie, and Chopin immediately come to mind.

We in America owe a great deal to the heritage that Poland has sent to our shores.

Generals Kosciuszko and Pulaski fought beside Washington in our War of Independence.

During our Civil War, Polish officers and troops fought for the preservation of the Union, while Polish nuns cared for the dying and wounded on our battlefields.

In World Wars I and II, in Korea, and in Vietnam, American boys of Polish de-

scent answered their country's call to make the world safe for democracy.

Today millions of Americans of Polish ancestry make significant contributions to every aspect of American life. Mr. Speaker, it is with great pride that I participate in commemorating the 3d of May, Polish Constitution Day and I join with my colleagues in a salute to the Polish nation and Poles throughout the world.

Mr. HUBER. Mr. Speaker, it is fitting that we in the Congress take notice of Poland's Constitution Day which falls on May 3 of each year. Poland adopted this Constitution on May 3, 1971, just 2 years after ours in the United States. And, as history tells us, Poland was swallowed up in what is known as the third partition by Russia, Prussia, and Austria in 1795. Thus, was Polish democracy crushed until after World War I when Poland again became a nation. The philosophy expressed in both the American and Polish Constitutions shows that we share the same ideals and aspirations.

It is, therefore, tragic to recall that a "fourth" partition took place in Poland in 1939 when Stalin and Hitler again divided the country. Again the Polish state was crushed by the sheer weight of enemy numbers and not due to the lack of bravery and heroism by Poland's soldiers. Poland is now ruled by Communist masters whose true allegiance is to Moscow, not the Polish people and one can only yearn for the day that Poland will again be free.

The spirit of the Polish people has not been broken as is evidenced by the revolts in Poland in 1956 and again in 1970-71. Poland will yet be free and the constitution of May 3 will be properly celebrated.

Mr. ANDERSON of California. Mr. Speaker, I am proud to join my colleagues today in commemorating the Polish 3d of May Constitution Day.

Nearly 200 years ago on this date in 1791, the Poles without a bloody revolution or even disorder succeeded in reforming her public life through the incorporation of liberalism in her great constitution.

Unfortunately, this love of freedom and liberty has not always been actualized since that milestone in history. Shortly thereafter the aggressive neighbors of Poland—Prussia, Russia, and Austria—partitioned her in 1795. Later during World War I she was overrun by the Austro-German armies. And after a shortlived experience with independence after World War I, the totalitarian regimes of nazism and communism divided Poland in 1939.

Despite the courageous efforts and countless suffering of these brave people during World War II, communism has remained to subjugate over 33 million Poles.

While our country seems to be making some efforts for a détente with the Soviet Union, while some strides are being achieved in arms limitation, and while we are experiencing some easing of worldwide tensions, we should not and must not forget the bitter lessons of history.

Today as we commemorate the Polish

3d of May Constitution Day let us each reaffirm our common love of liberty.

The same year in which America adopted the Bill of Rights to our Constitution, the Polish people formulated a perpetual ideal of liberalism by writing in their 3d of May constitution these words:

All power in civil society should be derived from the will of the people, its end and object being the preservation and integrity of the state, the civil liberty and the good order of society, on an equal scale and on a lasting foundation.

Mr. Speaker, I join the millions of Poles and Americans of Polish descent, throughout the world in observing this Polish national holiday. I trust that our action today will remain an inspiration for us and our younger generation to maintain our democratic ideals.

Mr. ROE. Mr. Speaker, it is indeed my honor and privilege to join with you, Congressman DERWINSKI of Illinois, and our other colleagues here in the Congress in today's special order commemorating the historic event in Polish history—the adoption of the May 3d Constitution of 1791—in tribute to the people of Poland who continue to seek the restoration of their freedom, human rights for all of their citizens and the return of their national sovereignty. This opportunity to extend America's resolve toward the freedom of the Polish people and manifest our continuing friendship toward the Polish nation and the rich heritage which is an integral part of the foundation of America's democracy inspires all of us not only to reflect upon Poland's valiant struggle against Nazi-Communist totalitarianism but to add words of encouragement and resolve to them and all freedom-loving people throughout the world in the hopes and dreams we all share in achieving justice on behalf of the inalienable human rights of the individual. For no matter how we equate or measure our investments—by whatever standard applied—in our sense of values and our constant quest for excellence, it is fundamental that investment in human values is paramount to our mutual endeavors and responsibilities.

On May 3, 1791, 2 years after the adoption of the Constitution of the United States of America, Poland's rebirth and assertion of democracy was formally incorporated in the Polish constitution which is the historic event we observe, celebrate, and remember today. In the communiqué I received from Casimir I. Lenard, executive director of the Polish American Congress, Inc., he called attention to the following excerpt of the Polish 3d of May Constitution:

All power in civil society should be derived from the will of the people, its end and object being the preservation and integrity of the state, the civil liberty and the good order of society, on an equal scale and on a lasting foundation.

One cannot help but draw an analogy of these words with our Constitution which surely is based on the same democratic principles: a government of the people, for the people, and by the people, which is indeed a piercing motto that may well be a timely remembrance

for all of us, particularly at this crucial time with the historic events facing our Nation gnawing at the very roots of our representative democracy. I call attention to the following preamble to our Constitution:

We the people of the United States, in order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defense, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity . . .

We can indeed all gain strength from our heritage and it was, therefore, my pleasure to join with our colleagues on the opening day of the 93d Congress in introducing a resolution—my bill House Resolution 75—calling upon the President to issue a proclamation designating May 3 of each year as "Polish Constitution Day" and inviting the people of the United States to observe this day with appropriate commemorative ceremonies.

Mr. Speaker, I appreciate the opportunity to participate in this congressional meditation on the anniversary of Polish Constitution Day and trust that this memorial helps to strengthen the resolve, faith, hope, and courage of the people of Polish heritage under Soviet Union domination and, in reflective measure expresses the deep appreciation and gratitude of all Americans for the wealth of wisdom, standards of excellence, and cultural enrichment that the people of Polish heritage have contributed to the quality of our way of life here in America.

Mr. HELSTOSKI. Mr. Speaker, on this, the 183d anniversary of the adoption of the Polish Constitution, I wish to join my colleagues in paying tribute to the nation which was capable of such a great document of human rights and social justice as the Polish Constitution of May 3, 1791.

What a pity and travesty on our modern civilization that the freedom-loving Polish nation which has made the greatest sacrifices of blood for the cause of world freedom and democracy should continue today to be under the domination of an alien government even though the oppression of post-World War II has been considerably minimized. The people of the free world can do so little to bring complete justice to them.

The people of Poland today are not even permitted to celebrate publicly this great national holiday, the anniversary of their Constitution. Their present leaders fear that the shining light which such a celebration would cast upon the bright history of Poland, upon the gallant efforts of its people to free themselves from the yoke of an alien government, would dim and blot out the false promises and the terrible changes brought into the life of Poland by the puppet Communist regime.

They fear that the brightness of that Constitution would bring to light the utter emptiness, filth, and wickedness of their orders intended to continue the domination of the Polish nation. I feel confident, however, that the Polish people, strengthened by the ideals of freedom and social justice in the May Con-

stitution will never give up their rich heritage.

The adoption of the Constitution of May 3, 1791, constitutes one of the brightest and most significant landmarks in Poland's entire history. The event came at a time when nearly all of the nation was parceled out among the three greedy monarchs of Austria, Prussia, and Russia. Yet a small band of patriotic, farsighted, and dauntless Poles dared to draft and to present to the country this document of freedom.

That Constitution made Poland a constitutional monarchy with a responsible cabinet form of government. Ancient class distinctions and privileges were wiped out, and the government was strengthened by bringing the peasantry under the protection of the law. What is, perhaps, even more significant for those days for that part of the world, was the fact that this Constitution guaranteed absolute religious freedom. In this and in other ways, the Polish Constitution was in the vanguard of democracy's advance into Central and Eastern Europe.

In commemorating the 183d anniversary of the adoption of the Polish Constitution, we are paying our respects to the memory of its creators—some of the most valiant figures in the heritage of western democracy.

These figures are part of the American heritage today. The deeds and sacrifices, and the views and ideals, of men like Pulaski, Kosciuszko, Chopin, Padewski, Curie-Sklodowska, Copernicus, and others are indeed, an integral part of our knowledge, culture, and traditions. These people and many others I could name developed from the same ideological ferment that produced George Washington, Benjamin Franklin, and Thomas Jefferson in our own land.

The Polish Constitution of 1791, the French Constitution of 1792, the American Constitution of 1787, are among the great landmarks in the growth and development of constitutional law the world over.

Throughout the years there have come to our land millions of men, women, and children of Polish birth. They have brought to this country the rich heritage of their own culture along with the passionate love of freedom and order under the law which was their birthright. These traditions and qualities have been amalgamated into the tradition that we call American. America has been enriched and western civilization has been enriched by this process.

Americans of Polish descent, in observing Constitution Day, know that behind the Iron Curtain in Poland, millions of freedom-loving Poles are making a mental note of this day. I know that the love of freedom still lives in that unhappy land. Such a love cannot be extinguished, not even by the continued world movement which knows not the meaning of justice or decency.

Freedom will come again to Poland, and a new constitution and a new government under law, deriving its just powers of the governed, will one day be reestablished in the land of the Vistula. All Americans and all freedom-loving

people everywhere join in hope and prayer for the speedy coming of that day.

Mr. YOUNG of Florida. Mr. Speaker, I am honored to join my distinguished colleagues on this special order to commemorate the Polish 3d of May Constitution Day.

Two years after the United States adopted its own Constitution, the people of Poland adopted a new constitution which represented a radical break with the past. On May 3, 1791, Poland approved a constitution asserting the principle of the sovereignty of the people in the state, thereby rejecting the totalitarianism of her neighbors, Russia and Germany, and establishing a beacon of democracy in Eastern Europe. In the Polish 3d of May Constitution, the key democratic principle is stated:

All power in civil society should be derived from the will of the people, its end and object being the preservation and integrity of the state, the civil liberty and the good order of society, on an equal scale and on a lasting foundation.

This great rebirth and assertion of democracy in Poland came too late to forestall the third partition of the country in 1795 by Russia, Prussia, and Austria. In 1939, Russian and Prussian soldiers met again on Polish soil, as the tyrannical systems of nazism and communism felt the danger of true democracy from Poland, just as in 1791.

Mr. Speaker, the Poles have chosen to elevate the 3d of May Constitution Day as their most important national holiday, because of the democratic symbol it commemorates. Observance of this anniversary by the Poles and by Americans of Polish origin serves to remind us of our common democratic heritage and of the great blessings of freedom which we enjoy in this country. It also serves as a continued beacon of hope and encouragement to the people of Poland, who live under a Communist regime which puts the state, rather than the people, first. We want them to know by commemoration of the 3d of May that the Polish constitution lives on in our hearts, as well as theirs, and the love of freedom and democracy is ageless and nationless—a fundamental to all mankind.

Mr. MOORHEAD of Pennsylvania. Mr. Speaker, I want to take this opportunity to join Poles throughout the world in commemorating the Polish 3d of May Constitution Day.

If one examines the history of the Polish people one finds the chronicle of a people who have continually fought oppressor nations for the right to be free.

While this freedom has sometimes been won—and other times, like the present, been lost—the will of the Polish people to preserve and never give up their dream of democracy has persisted.

Recognition by the Congress of occasions such as today's Polish national holiday help bring world recognition to the plight of citizens of Poland and the exemplary character of the Polish people.

Mr. SMITH of New York. Mr. Speaker, I would like to join the gentleman from Illinois today in honoring the brave people of a land which has been beset with troubles through the centuries. The Polish 3d of May Constitution Day is tradi-

tionally celebrated by Poles in many countries, including many fine American citizens of Polish origin in my own district.

Poland was a pioneer of liberalism in Europe when in 1791 it adopted a constitution establishing the principle of the sovereignty of the people in the state—this just 2 years after the adoption of our own Constitution and our guarantee of power to the people. Despite valiant attempts to maintain their freedom, the Poles have found their country overrun and divided again and again through the years.

But even today, while in the grip of communism, the Poles stubbornly cling to the hope that their land might one day be free again. We pray justice will be served and Poland returned to its people.

In the meantime, let the fate of Poland serve as a lesson to those of us who are too complacent or abusive of the freedoms we enjoy in the United States. Let us guard our heritage lest we, too, face the bitter loss of our liberty.

Mr. HANRAHAN. Mr. Speaker, I wish to join with my distinguished colleague from Illinois, Congressman EDWARD DERWINSKI, in commemorating the Polish 3d of May Constitution Day.

The Polish people have always exhibited a remarkable dedication to freedom and independence for their valiant nation. Throughout history, in spite of a precarious geographical position in Europe, the Polish people have successfully resisted conquest and suppression by powerful neighboring nations. Since 1939, however, the Polish people have lived through the twin nightmares of Nazi and Soviet occupations.

The same courage and determination that preserved the Polish identity throughout the past centuries will undoubtedly prevail again against the forces of tyranny.

I am proud to join with my colleagues and with every American in saluting all Poles and Polish-Americans on this special day.

Mrs. GRIFFITHS. Mr. Speaker, May 3 is traditionally observed as Polish Constitution Day. In the Detroit metropolitan community where so many people of Polish ancestry live, it is a day of special significance. This is a day when the homeland is remembered and the struggles of a people to be free and independent.

Poland has more than endured a tragic history of occupation and foreign domination. Yet, these tragedies have infused the Polish character with a unique strength built upon a spirit of freedom. A persistent determination to secure national independence has kept alive a rich cultural heritage which continues to enrich western civilization.

Anyone who lives, as I do, in a community with a large Polish population can attest to the many contributions of these gallant people.

Mr. CEDERBERG. Mr. Speaker, as always, it is an honor for me to join with so many other colleagues in this special recognition of one of the great events in world history—the adoption of the May 3 constitution of 1791 for Poland.

No American, of any nationality, who has studied history, has to be reminded of the bravery and fortitude that has been exhibited by the Poles over hundreds of years. For years, it was my great honor to represent Bay City in Congress prior to congressional redistricting in 1972. Bay City has a large Polish citizenry which, over the years, has contributed so much to the well-being and development of that community.

One very distinguished former member of that community who has been especially active in Polish-American affairs in his retirement home of Phoenix is my very good friend, Ted Nedzielski. I mention Ted as a particularly fine example of dedicated Polish-Americans who increase to our awareness of the contributions which have been made to our country by Americans of Polish ancestry and as one who continues the struggle for freedom in his mother country.

It has been my pleasure to recognize and cooperate with the Polish-American Congress, Inc., on legislative issues of mutual concern. I am pleased to observe that five citizens of Michigan serve as directors of the Polish-American Congress. They include Rev. Stanislaw Borucki, Detroit; Walter Gajewski, Hamtramck; Jan M. Kreutz, Detroit; Evelyn Pacyna, Detroit; and Rev. Walter Ziembka, Orchard Lake. In addition, I cite Fabian C. Polcyn of Ann Arbor, now serving as one of the 12 vice presidents of the Polish Congress. I salute these Michiganites as well as millions of Americans of Polish ancestry in this very special observance in Polish history.

Mr. COTTER. Mr. Speaker, I want to join with my colleagues in commemorating the 3d of May Constitution Day which is a traditional holiday for many Polish-Americans.

As my colleagues are well aware, it was on May 3 in 1791, just 2 years after the adoption of our own Constitution that the people of Poland succeeded in drafting this memorable document without resorting to violent warfare.

However great this accomplishment, it did not deter the third partition in Poland in 1795 by Russia, Prussia, and Austria.

This proud nation since the end of World War II has been under Communist control. However, in talking to many Polish-Americans, I believe that the spirit of democracy is still firmly embedded in the hearts and souls of the Polish people.

In commemorating this important event, I would like to quote from the Polish 3d of May Constitution, which I believe symbolizes the most deeply held ideals of not only people of Polish descent but the entire human race:

All power in civil society should be derived from the will of the people, its end and object being the preservation and integrity of the state, the civil liberty and the good order of society, on an equal scale and on a lasting foundation.

In conclusion, I would like to join with the many Americans of Polish descent in celebrating this national holiday.

Mrs. HOLT. Mr. Speaker, I would like to commend my colleague from Illinois

(Mr. DERWINSKI) for taking this special order to honor the Polish nation, and I am pleased to join him in the celebration of the Polish Constitution Day.

Poland's valiant struggle against Nazi and Communist totalitarianism has become an inspiration for the world, and lends special meaning to the commemoration of the adoption of the May 3d Constitution of 1791. The Polish Constitution came into being just 2 years after our American Constitution, and the principle of the sovereignty of a people is embodied in both. Poland has repeatedly been the target of aggression and partition as the light of Polish liberalism represented a threat to the totalitarianism spreading throughout Europe over the centuries.

As we struggle toward world peace, we must not be foolhardy enough to forget the lesson so graphically presented to us in the history of this beleaguered nation. We must rededicate ourselves to the principles of freedom and liberty which we have been fortunate enough to sustain in America. We must set an example which will reflect renewed hope and encouragement for those struggling against Soviet domination.

Poland and America share a common dream, a dream of self-determination for all nations, and the 183d anniversary of the May 3d Polish Constitution serves to remind us of this mutual resolution.

Mr. CONTE. Mr. Speaker I want to, first of all, thank my distinguished colleague, the gentleman from Illinois (Mr. DERWINSKI) for requesting this special order. He is to be commended for his vital and continuing interest in this matter.

The holiday that is marked tomorrow in the country of Poland is as sacred to her fine citizens as is the 4th of July to the people of this Nation. It signifies both a new beginning and the coming of fruition of many hopes.

In Poland, of course, the day is observed as a traditional national holiday. Here, in this country, our Polish-American citizens take immense pride in their own unofficial observances.

I join my colleagues in the sincere hope that the spirit that guided the framers of the 3d of May Constitution of 1791 may be evidenced in abundance among the modern day citizens of Poland.

Speaking as one who takes great personal pride in his own heritage. I offer my sincere best wishes to all Americans of Polish origin on this anniversary.

Mr. MINISH. Mr. Speaker, this week we commemorate a great event in the history of Europe. On May 3, 1791, Poland adopted a constitution which clearly defined the rights of citizens and forcibly portrayed the principles of freedom and justice.

The Polish Constitution of 1791 was a remarkable document in that it took the then unprecedented step of establishing a limited monarchy and a constitutional democracy. The powers of the King were sharply curtailed, and he was left to share his executive authority with a council. The nobility lost many of its privileges and its ranks were opened to townspeople. The peasants' relations

with their landlords were regulated by law, and they were not to be subjected to any arbitrary abuse of power. Religious freedom was established. The governmental machinery was liberalized and Poland was characterized as a progressive and democratic nation. This was a distinct step forward, and a pioneering one in Eastern Europe—in no other country were there such sweeping reforms at such an early date.

The history of the Polish people of our own country provides numerous examples of the traits which gave inspiration to the constitution of 1791. Polish Generals Pulaski and Kosciusko fought valiantly beside George Washington in the Revolutionary War. They set an illustrious example which has been followed by Polish-Americans to this very day. In every community where there are Polish-Americans, there splendid influence has been felt in civic responsibility, community development, and leadership, and in the rich cultural heritage of Poland.

Mr. NEDZI. Mr. Speaker—

As in the past the future ripens,
So in the future the past decays . . .

Thus wrote the poet.

By our participation in the 183d anniversary of Polish Constitution Day we try to celebrate and luminate—morally, historically, and politically—the traditions we have inherited and the places from whence we came.

What is the bond which unites all Poles all over the world? The answer is a common cultural heritage that is over 1,000 years old.

East and West meet on Polish soil and are almost always in collision. The geographical location that has often been a historical tragedy for the Polish race has nevertheless been the source of a rich variety of cultural influences.

The diaspora which has been caused by economic necessity and war, has given an international flavor to Polonia. Perhaps one-fourth of the 40 million people of Polish blood live abroad.

The Polish-American community, by its numbers and its vigor, must be reckoned with in American politics. And it must be reckoned with by the Polish Communist Government.

Relations between the United States and Poland, on the official level, blow hot and cold.

We are now undergoing a general improvement in commercial relations.

In 1972, two-way trade reached a record high: \$250 million. In 1973 trade more than doubled to \$531 million. We send them agricultural products and technology; they send us agricultural products and coal.

While Polish emigration is not as good as we would like, it is better than any other Eastern European nation. Tourist visas are at a record high. The historical attraction of the West, rooted in culture, philosophy, and ties with relatives, continues and even accelerates.

The roots of this westernism go back a thousand years, when Poland chose Christianity and forged bonds which are insoluble.

The Polish Constitution of 1791, moreover, expressed ideals which were well ahead of their time, in European terms.

It emphasized freedom of conscience, liberty, and equal opportunity.

Finally, speaking as a man proud of our Polish heritage, I would like all public officials to take careful note that we Americans of Polish blood are an asset, not a burden, to America.

We want them to know that we are proud of our traditions and of our belief in the family, the neighborhood school, and law and order with freedom.

As Americans, we are interested in everything other Americans are interested in. We do not shut ourselves off from the mainstream of American society.

In addition to that, however, we take a special interest in American foreign policy, for we have a special, bitter memory of the twin tyrannies of nazism and communism.

My fellow Polish-Americans and I are privileged to share in two great cultures. It is my judgment that we will continue to remember our heritage for years into the future as we work with our fellow Americans to contribute to the overall well-being of the United States of America.

Mr. MINSHALL of Ohio. Mr. Speaker, in this age of détente, opportunities for industrial expansion and cultural exchanges should not overshadow the fact that people today are being deprived of their freedom. May 3 is a particularly significant day on which we should all pause and consider the plight of those individuals who are not free to worship as they choose, to express their true political opinions or to educate their children in their own cultural heritage, since it will mark the 183d anniversary of the Polish 3d of May Constitution Day.

The situation of the Polish people is especially poignant, because Poland was one of the forerunners in developing a representative and democratic government. Their 1791 constitution established a limited monarchy with ministerial responsibility and biennial parliaments, dissolved class distinctions, allowed towns full administrative and judicial autonomy, guaranteed the full protection of the law for all and granted absolute religious toleration. This historical document played and still plays an influential role in European democratic development.

The 1791 constitution marked a climax in the Polish people's drive for social and political rights. In 1374 the Pact of Koszyce, the magna carta of Poland, was signed which provided certain powers and political privileges for the general mass of the gentry. Still the Polish princes retained advantages, which angered the gentry. Consequently, at the end of the 14th century they formed local Diets called sejmiki and thereby gained powers steadily. After 1537 the Polish parliamentary system was an established fact.

The constitution was not greeted enthusiastically by all the countries. Russia, which along with Prussia and Austria had succeeded in overpowering and partitioning Poland in 1772, tried to prevent the new constitution from going into effect. Then in 1793 Prussia and

Russia once again partitioned Poland. Gradually the people's power in self-government, education, and justice was eroded. After World War II Poland came under the subjugation of the Communist government of the U.S.S.R.

Today the Polish constitution lives as a symbol for these people that they will once again attain their complete freedom and independence. As a nation that has benefited from the contributions of Americans of Polish descent and from the inspiration of Poland's struggle for independence, we should strive to bring the issue of the captive nations before the United Nations as I have set forth in House Concurrent Resolution 29. We should also establish May 3 of each year as Polish Constitution Day. In honor of this memorable celebration, I have introduced the following House resolution:

H. RES. 66

Whereas Poland ranks among the oldest of European nations and became one of the first pioneers of liberalism in Europe by incorporating in the 1791 Polish Constitution the principle of the sovereignty of the people in the state; and

Whereas the people of Poland have for more than a thousand years endeavored to follow the path of peace and freedom and throughout their history have made substantial political, scientific, and cultural contributions to the world; and

Whereas the people of Poland share the same spirit and belief in freedom which inspired the American Revolution and the United States Constitution; and

Whereas in partial recognition of our Nation's debt to the Polish people, the Ninety-third Congress of these United States of America is considering legislation which would authorize the Secretary of the Interior to establish the Thaddeus Kosciuszko Home National Historic Site in the State of Pennsylvania; and

Whereas Presidents of the United States, the Congress, Governors of our major States, and mayors in our largest cities have consistently observed and paid tribute to the indomitable and freedom-loving spirit of the Polish people; and

Whereas the Constitution of Poland, which was adopted May 3, 1791, represented a milestone in the struggle of mankind to establish representative and democratic government with the full protection of law and equal justice extended to all of the people; and

Whereas May 3 also marks the anniversary of the death of the great Polish patriot, Thaddeus Kosciuszko, to whom our Nation owes so much for his assistance during our struggle for independence: Therefore be it

Resolved, That the President is authorized and requested to issue a proclamation designating May 3 of each year as "Polish Constitution Day", and inviting the people of the United States to observe such day with appropriate ceremonies.

Mr. WOLFF. Mr. Speaker, May 3 marks the anniversary of the signing of the Polish constitution in 1791, an event which is celebrated by people of Polish descent all over the world.

In 1789, the United States adopted its Constitution. Two years later, Poland stepped forward with its own, new constitution, one that brought a halt to the country's domestic decline and stood thereafter as an example of liberalism and democracy in Europe. This change in government has been celebrated each year as one of the most important events in Polish history.

The liberalism of the Polish constitution was embodied in the following words:

All power in civil society should be derived from the will of the people.

This motto, along with an emphasis on civil rights and equality, served as an inspiration to the rest of Europe in the face of totalitarian regimes.

Unfortunately, this experiment in democracy was short-lived. Four years later, Poland was divided between Prussia, Austria, and Russia. But the experiment has not been forgotten—it serves as an example to totalitarian governments throughout the world and reminds us of the affinity between Polish and American democratic traditions. We all join Polish-Americans and Poles throughout the world in their celebration of this historic day.

Mr. CRANE. Mr. Speaker, May 3 is a day of special importance to Poles throughout the world, and of particular interest to Americans of Polish descent.

At this time they commemorate the constitution which was adopted in Poland on May 3, 1791, and which held the promise of a free, sovereign, and democratic society.

The philosophy of that constitution was formulated in these words:

All power in civil society should be derived from the will of the people, its end and object being the preservation and integrity of the state, the civil liberty and the good order of society, on an equal scale and on a lasting foundation.

The philosophy of the dignity of the individual and his inherent and inalienable rights which stimulated the founders of our own country to declare their independence motivated the Polish patriots of 1791.

Unfortunately, democracy and freedom were not permitted to live and take root in Poland. In 1795, Poland was for the third time subjected to a partition, this one at the hands of Russia, Prussia, and Austria. Again, in 1939, Russian and Prussian soldiers met again in Poland and the twin totalitarian forces of nazism and communism eliminated the freedom of Poland and of the Polish people.

Today, the people of Poland continue to live under a repressive Communist government. The traditional freedoms which we in the West take for granted—freedom of speech, of religion, of assembly, and of travel—are still not realities for the people of Poland.

As we commemorate the anniversary of Poland's 18th century determination to be free let us renew our faith with the men and women of 20th century Poland who still seek that same freedom. Let us work for the day when the people of Poland, and all of Eastern Europe, are free of Soviet domination and have the ability to elect governments of their own choosing.

Americans of Polish descent are heirs to a great heritage of belief in freedom and have played a major role in making our own country the citadel of freedom which it has become. Let us at this time join with them in celebrating the Polish 3d of May Constitution Day and com-

mit ourselves once again to the future freedom and independence of Poland.

Mr. VANDER VEEN. Mr. Speaker, I am delighted to participate today in the special order honoring and celebrating the Polish May Constitution Day. Surely, it is both fitting and ironic that this ceremony is taking place here in the Halls of the Congress of the United States rather than in Warsaw.

It is fitting, because of the tradition of democracy upon which both Poland and the United States base our declarations of freedom and our Constitutions. It is ironic, because the full expression of that freedom is stifled in Warsaw—the capital of Poland. Thus, the commemoration in the United States of a day which should belong to every Pole, not just those living apart from the mother country.

Here in Washington we not only celebrate the declaration of a constitution which guaranteed to all of Poland's people those same rights which Polish-Americans enjoy today. We also celebrate the memory of those Polish heroes who helped secure for Americans the freedoms and constitutional guarantees all Americans enjoy. I refer to Kosciuszko and Pulaski. Indeed, magnificent equestrian statues of both these American Revolutionary generals stand directly in front of the White House in Washington.

The May 3d Polish Constitution and the American Constitution both derive from democratic ideals and principles borne during the 18th century. Jefferson or Madison could very well have penned the following stirring words:

All power in civil society should be derived from the will of the people, its end and object being the preservation and integrity of the state, the civil liberty and good order of society on an equal scale and on a lasting foundation.

Mr. Speaker, détente is very much a matter of discussion and debate in the United States, and particularly here in Congress. We are discussing ways in which the United States and the Eastern bloc nations can build mutual understanding and respect for each other. I think that the stated goals of détente are most desirable—indeed, they are indispensable if the globe is to avoid future nuclear confrontations.

I mentioned respect among nations as one of the goals of détente—respect for the rights, governmental systems, and national traditions of other nations and their people. Certainly, the way to share respect within the family of nations is to develop it within each nation's own borders—respect for the rights and traditions of the people being governed.

It is, therefore, in the name of détente, that I suggest to the present Government of Poland a thorough study of the May 3d Polish Constitution. An implementation of the rights guaranteed by that landmark political document, would be cause for celebration equal to that occasioned by the original promulgation of the constitution of May 3, back in 1791.

Mr. Speaker, I celebrate today with Poles everywhere on this day of national remembrance. I share their hope that those living presently within Poland will

be able to enjoy those same freedoms and doctrine of liberal government which Polish patriots of old handed down as a living legacy to their posterity.

Mr. YOUNG of Illinois. Mr. Speaker, it is a great pleasure for me to join in this commemoration of the Polish 3d of May Constitution Day. This is an important occasion for all people of Polish ancestry and its origins go back 183 years when the restless voices of freedom were first beginning to assert themselves in those countries we now think of as the free world.

Poland has indeed been an important pioneer in the establishment of democratic principles throughout the free world. How tragic that the Polish people have not been able to secure for themselves that measure of independence and freedom which they have inspired among others. We can, however, take strength and courage from the way in which the Polish people have struggled with adversity while the spirit of freedom, justice, and liberty still burns bright.

Throughout the years thousands of Poles have come to this country bringing their great heritage, culture, and aspirations for individual freedom. Our Nation has been greatly enriched by the contributions of these Polish Americans. I would very much like to pay tribute to my friend Al Mazewski, president of the Polish American Congress, and the other officers and members of his fine organization for the outstanding work which they are doing to keep us all aware of Polish traditions, and especially their valiant struggles against totalitarianism and oppression.

Mr. EILBERG. Mr. Speaker, I take pride in commemorating the anniversary of Polish Constitution Day. The Polish 3d of May Constitution, based on the principle of the sovereignty of the people in the state, reflects the ideals of freedom and independence that 10 million Americans of Polish ancestry cherish and want to retain for their homeland. This silent national holiday of the Poles in Poland should serve to remind all Americans of the many who are still working for the day when Poland will once again join the family of free nations.

I would like to share with my colleagues a statement prepared by the Polish American Congress, Inc., that testifies to the deep concern of the Polish Americans for their heritage.

The statement from the Polish American Congress follows:

MAY 3—THE POLISH NATIONAL HOLIDAY

On May 3d Poles everywhere and citizens of Polish origin in many countries will celebrate a Polish national holiday—the Polish Third of May Constitution Day.

In the United States, wherever Americans of Polish descent live, in cities and towns from coast to coast, this holiday is observed with appropriate exercises through the month of May to pay tribute to the Polish nation and to remind fellow Americans that Poland was one of the first pioneers of liberalism in Europe.

It was on May 3d in 1791, barely two years after the adoption of its Constitution by the United States in 1789, that Poland without a bloody revolution or even without a disorder succeeded in reforming her pub-

lic life and in eradicating her internal decline. But this great rebirth and assertion of democracy came to the Poles too late and did not forestall the third partition of Poland in 1795 by Russia, Prussia and Austria.

The greatness of the May Third Polish Constitution consisted in the fact that it eliminated with one stroke the most fundamental weaknesses of the Polish parliamentary and social system. The Poles raised this great moment in their history to the forefront of their tradition rather than any one of their anniversaries of glorious victories or heroic revolutions.

We Americans who have been reared in the principle given us as a birthright by the founders of our great Republic, the principle of the sovereignty of the people in the state, which is the primary postulate in the 1791 Polish Constitution, can see how this truism cut off the Poles and the Polish political tradition completely from both the Germans and the Russians, who have been reared in the principles of state, not national, sovereignty.

The light of liberalism coming from Poland was then, as it has been throughout the years that followed and even unto today, a threat to tyranny and absolutism in Russia and Germany. In 1795, Russian and Prussian soldiers were sent to Poland to partition and rape her. In 1939 Russian and Prussian soldiers met again on Polish soil, as the absolute totalitarianism systems of nazism and communism again felt the danger of true liberalism coming from Poland just as in 1791.

In the Polish Third of May Constitution this liberalism was formulated in these words:

"All power in civil society should be derived from the will of the people, its end and object being the preservation and integrity of the state, the civil liberty and the good order of society, on an equal scale and on a lasting foundation."

The philosophy of government discernible throughout the Third of May Polish Constitution leads one to believe that the American people and the Polish people had each drawn inspiration for their respective constitutions from the same source.

Mediation on the anniversary of May the Third deepens the faith and strengthens the courage of every Pole and of every American of Polish origin. It reminds all Americans of Poland's destiny in the history of mankind, and prophesies the ultimate triumph of justice, even though Poland once more has been deprived of her independence, sovereignty and her territory by one of our former allies, Soviet Russia, with the consent of other United Nations.

Mr. ZWACH. Mr. Speaker, it is a privilege for me to join so many of my colleagues in paying a most deserved tribute to all of those people of Polish descent on the observance of their traditional Polish 3d of May Constitution Day, the national holiday of Poles everywhere.

The history of Poland is an unhappy one. It is the story of a centuries-long struggle by a valiant people against almost unsurmountable odds.

When our Founding Fathers, were fighting England for independence, a great deal of credit for the effectiveness of the Colonial troops goes to the Polish officer volunteers who trained and led them.

There is a no more valiant chapter written in the annals of warfare than the gallant suicidal charges of the Polish lancers against the armored might of the German blitzkrieg, in a vain attempt to buy time for mobilization, in World War II, nor a more shameful one than

the massacre of the Polish intellectuals and army officers in the Katyn Forest.

Although Poland is clamped in the grip of the Soviet bloc today, the Polish people of all lands commemorate their day of Polish democracy and freedom and they look forward to that day when once again they will have true independence not only in their national life but also in their lives as individual citizens.

I know the proud heritage of the Polish people. It is evidenced in the spirit of my own constituents of Polish descent who contribute so much to the communities in which they live and which I represent.

We must always make sure that the Polish people know they have not been forgotten in their struggle for the freedom and liberty which they helped us to achieve.

GENERAL LEAVE

Mr. DERWINSKI. 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, the commemoration of the Polish 3d of May Constitution Day.

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

There was no objection.

AMNESTY IS NOT VINDICATION

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

Mr. ROBISON of New York. Mr. Speaker, in stirring what might be called the "boiling emotional cauldron" of the subject of amnesty, as I have on occasion before this body, I have set myself up as a lightning rod of sorts, both for those who strongly oppose the idea of an amnesty, and for those who ardently agree. After the hundreds of letters I have written to my constituents and other interested citizens throughout the country, and after the thousands of words I have expended here on behalf of my proposal to establish a National Amnesty Board patterned after the Truman Amnesty Board, it is clearer than ever that amnesty, itself, has never really been the point of contention.

The dockworker philosopher, Eric Hoffer, has called this Nation a society of gentle people—and it unquestionably is, to my mind. Few Americans would reject an appeal for tolerance and humanness. And, if amnesty could be characterized only in these terms, I believe there would be little resistance to the idea. Our history as a nation is steeped in acts of the merciful application of justice.

It is true, as well, that this is a nation of unprecedented accomplishment, with a citizenry which shares a fierce pride in those accomplishments. The breadth of that national achievement has caused that same oracle of the "gentleness" of the American people I mentioned above to present considerable historical justification for the contention

that "America is the only new thing in history."

Perhaps that observation can be made too strongly, but there is sufficient truth in it to reach an understanding of the angry, gut reaction which still too often confronts the mere mention of the word, "amnesty." America, and Americans, have made their mistakes, but they also have made institutions and an environment of human tolerance which have no equal in history.

Those who use amnesty, or anything else, to deny those accomplishments can guarantee a bitter emotional reaction; and I strongly fear that the "better angels of our nature" will not be allowed to emerge through an amnesty which seeks to put away vindictiveness, if vindictiveness is the motive of some of those who seek amnesty.

The roots of the emotional contest over amnesty are particularly well illustrated in a recent *Christian Science Monitor* article by Roscoe Drummond. The range of attitude between "considerate treatment," which term opens Mr. Drummond's article, and "vindictiveness," which is the primary subject of the column, is the same space of emotion which ought to be narrowed through amnesty.

Mr. Speaker, I commend this article to the attention of my colleagues:

THE PITFALLS OF AMNESTY

(By Roscoe Drummond)

WASHINGTON.—Considerate treatment free from any vindictiveness should be accorded to those young Americans who made the mistake of trying to avoid, evade, and violate the draft law during the Vietnam war.

But that is not what the proamnesty lobby is asking Congress to grant. That is not what it wants for the military deserters and draft dodgers most of whom are now living in Canada.

They don't want any kind of conditional amnesty. They don't want to concede that they ever did wrong or deserted their fellow Americans in time of war. They don't want to give even one year of any kind of service to their country—even nonmilitary service.

The candid truth is that they don't want forgiveness; they want justification; some want glorification.

The arguments put to Congress by the advocates of unconditional amnesty are much the same as they were when used to justify the offenses in the first place. Let's examine them:

Argument: The Vietnam war was illegal.

Answer: The Vietnam war may have been unwise, and badly conducted. It may have crept up on the nation without our adequately estimating whether the stakes were equal to the cost in lives and resources.

But the Vietnam war was not illegal. Our involvement was not a unilateral action by any president whether he be Eisenhower, Kennedy, Johnson, or Nixon.

The war was not illegal because Congress explicitly authorized the President to use "whatever military force necessary to resist aggression in Southeast Asia" and to restore peace. The House acted 416 to 0. The Senate by 88 to 2.

The draft was not illegal. It was authorized by Congress.

Argument: The Vietnam war was immoral and therefore those who encouraged evasion and those who practiced it were the moral ones.

Answer: It is necessary to make a clear distinction between genuine pacifists who refuse to take human life and the draft evaders who ran from their obligation to accept any form of noncombat service. Smith

Hempstone, the chief editorial writer of the *Washington Star-News*, puts this point vividly in a column titled "No Amnesty Without Equity":

"It is even possible to admire those who on principle chose jail or alternative service to donning a uniform. But the gorge rises at the suggestion that men who spent the war comfortably living off remittances from Mom and Pop in Toronto coffee houses are the cream of their generation. It simply isn't so."

Argument: Those who fled the country to avoid the draft have already suffered enough and now that the war is over for the U.S. at least, the question of penalty should be erased.

Answer: Fleeing the country was their choice. It was voluntary exile, not imposed exile. Our foremost concern must be for what is best for the whole nation—for all Americans—and for the GIs who fought for their country in loyal obedience—many of whom took their places in the front lines for those who fled.

Argument: Unconditional amnesty has followed other American wars, so why should the Vietnam war be any different?

Answer: Sound argument—if it were true. It is not true. The fact is that there has never been a general, unconditional amnesty after any American war and when the advocates say that they are counting on the public to be uninformed.

There were 15,805 draft dodgers during the course of World War II and President Truman pardoned less than 10 percent of them. No draft evaders nor deserters received amnesty after the Korean war, which was nearly as unpopular as the Vietnam war.

It is hard to escape the conclusion that the self-exiled, militant draft violators are little interested in forgiveness, but most of all in vindication.

Vindictiveness, harshness, unforgiveness, no. But it seems to me profoundly unwise to establish the precedent that when a military draft is the law of the land, citizens can have a right to decide which wars they will fight in.

This is why Sen. Robert Taft Jr. of Ohio, Robert Froehlke, former Secretary of the Army under President Johnson, and others only propose amnesty conditional upon alternative—not necessarily military—national service.

THE RISING FOOD COSTS

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Massachusetts (Mrs. HECKLER) is recognized for 30 minutes.

Mrs. HECKLER of Massachusetts. Mr. Speaker, for the past 2 weeks I have submitted to the RECORD the testimonies which were presented during a day-long public hearing I conducted to investigate the effects of soaring food costs on the lives of the people in the 10th Congressional District of Massachusetts.

Testimonies were given by individuals representing various segments of society, ranging from the poor and the elderly to those from bakeries and consumer organizations. The statements I heard on April 18 in Natick during the public hearing have provided me with additional data and a deeper insight into the food-price crisis.

Today I am submitting two additional statements, edited, due to space limitations, which have been extremely beneficial in helping me access the seriousness of the problem:

CAROLYN DOBSON, LEAGUE OF WOMEN VOTERS, TAUNTON, MASS.

I am from the League of Women Voters and what we tried to do is try to sit down

with people and find out what their problems from the rising food cost have been. I interviewed people from not only what you consider the poor, the welfare, and people on subsidies, but also, the "lost American." When she gets home she has nine children to take care of. She doesn't have time to cook. So the children are doing without that, they are able to get free lunch at school, because of the situation they're in. But now that she's gone to work she finds that easier because she can make some money and her husband's unemployment brings them almost up to where they were, but all the resources are gone. Their household taxes will be due in May and she is worried about that, this is one instance.

I talked to older people, people in what I consider the golden years. Many of them are frightened of what has happened to the money they've saved because of the rising food costs. One man and his wife told me that they don't eat home anymore. Taunton does have a very good luncheon program for the aged, and they eat their main meal there every day and then they have things like cereal for breakfast and crackers and tea and things like that at dinner time. So they subsist on their meal at noontime. They substitute for things, like they have dry milk rather than whole fresh milk.

They live on their social security checks and social security checks are another problem. Many, many of the older people told me that several times, in this one little group, a woman has lost a job, the business closed down, at say the age of fifty-eight, fifty-nine, or sixty. She's not eligible of course, for social security and their suggestion, and they asked me to bring it to you, was if you could do anything to lower, especially the female social security age, to sixty. It would help a great deal, they spend sometimes three to five years living on one social security waiting for the others to come in.

They do say that the golden age clubs that many of them belong to, for a quarter a week gives them the only entertainment they're able to have because they are strapped so tightly on their budget.

It is very very difficult and as I say those who have saved money, this one couple had saved what they considered a good deal of money for their retirement and it's practically all gone, he's only been retired five years.

Their big problem is they own their home. The home that they raised their children in, paying the taxes that we're paying, the money just is not there. Some older people are lucky enough to have families that care and families that can help, this is a great benefit to most of them. But there are many, many, many older people that have absolutely no one in this world, they live alone.

Without the senior citizen organizations everything they had would go to light and utility and food, but with the senior citizen organization they're able to get a hot meal very cheaply.

I also interviewed people on welfare which have also a very bad problem. They are on a limited income, they do get the food stamps. The food stamps help a great deal, especially the welfare mother because she must buy her food stamps in one block sums, twice a month, and they're allotted so much, so many dollars worth of food stamps and then they get an extra so many dollars. They are forced to buy these once a month because they're not going to have the money weekly. Therefore, they do have food money, so they're doing all right in the food money but what happens, especially with the new increase in your fuel adjustment at your light department, they won't be able to pay their light bill, well now they're without lights, or they won't be their rent, well now they're thrown out of their apartment, and it's very difficult to find low income apartments.

Out of the four welfare people I talked

to, three of them have been in the rear and have been threatened with having their lights shut off, because they are feeding their families. I talked to them about nutrition and wanted to be sure that their families were getting fed properly.

DR. DAVID BERGER, DEPARTMENT OF ECONOMICS, SOUTHEASTERN MASSACHUSETTS UNIVERSITY, NORTH DARTMOUTH, MASS.

To begin talking a bit about the effects of inflation on people's incomes and their family budgets, and let me just start by talking a little bit about inflation, if I may. Inflation does hurt everybody, effectively inflation reduces your purchasing power, the amount of things you can buy with your income, and for people on fixed or limited incomes it means rising food prices as well as rising prices of other commodities. It's almost as if food is being taken away from people who can't afford to buy it. Now, as far as inflation goes, everyone does suffer from inflation, but it must be realized that those people that are on limited incomes, poor people, people in the middle income brackets, are the ones who really suffer the most because prior to price increases they were unable to meet the minimum levels, or were just about making ends meet, and meeting minimum levels to begin with.

So after the price inflation does take effect it has very severe impact on these groups of people. One of the most severe, or most insidious impacts of inflation on poor and moderate and lower income people is the effect it has on children. This has been documented extensively, in fact, in 1969 the Senate Committee hearing on nutrition and human needs, extensive testimony and evidence was given to indicate that children of low income families were the ones who really suffered the most. When you're talking about not getting enough to eat you're really talking about a process which is fairly circular in the sense that people, children, are victims since they're born into a household and not by choice, but pretty much by chance. When you're talking about hunger you're really talking about depriving these children of an opportunity to succeed in life so it means that in terms of the impact of government programs to provide food for people in lower income brackets were really talking about investment in human beings. And it is a very productive investment in the sense that dollars spent will enable young children to lead more productive lives, so very high returns can be expected from outlays in the area of attacking the problem of hunger.

In 1965 it was estimated that seventeen per cent of the households in Massachusetts suffered from poor diets. This was a study, testimony was submitted to the U.S. Senate Committee on Nutrition and Human Needs in 1969.

[It's very interesting that most of the food distribution centers are around the Boston area, so that the prices that I'm talking about now are compiled from wholesalers in Boston and Massachusetts. For example, these are price increases that took place between November 1972 and April 1974, on the wholesale level. Potatoes over this period rose on an average of 226%. That's to say that in November 1972 potatoes were selling for about four cents a pound in April. This past week, they were selling on the wholesale level for fifteen cents a pound, an increase of 226%. Apples, for example, MacIntosh apples were selling in 1972 for about four cents each, in April. This past week, they were selling on an average of about eight cents each.

[Boston is a major distribution center so that most of the produce that comes from the other parts of the country are sent first to the Boston area and then wholesalers from other parts of southeastern Massachusetts come up to the Boston area and pick

up their produce so they have to pay trucking costs. Other parts of southeastern Massachusetts are probably, I'd say, somewhat higher than the Boston area. But, Boston can be used as the benchmark.

[In many cases some of the larger wholesalers do get direct shipments from other parts of the country. But, by and large, most of them do come to Boston to buy their produce. Bread, for example, increased from about twenty cents a loaf to twenty-eight cents a loaf, a 40% increase. As far as some of the meats go, cube steak went up about 49%, sirloin steak went up about 32%, ground sirloin a 55% increase, ham went up close to 40%, cheese increased by 50%, and hot dogs rose fifty-five per cent. The increases have been fairly sizable.]

OIL AND MONEY—A CRITICAL PROBLEM

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

MR. GONZALEZ. Mr. Speaker, I want to bring to the attention of the Members a problem which is not yet sufficiently recognized—the effects of the enormous price increases by the Organization of Petroleum Exporting Countries—OPEC—and the potential damage to the international monetary system and the world economy as a result of the glut of money to be received by the oil producers.

In the Congress we have rightly been spending our time on the domestic energy situation, but we must now consider the international implications of the oil price increases. We must appreciate that there is more to the international oil situation than the recent embargo on the United States.

The figures amply illustrate the situation. This year the developing countries will have to pay close to \$10 billion more for their oil than they did last year. Yet, last year these countries received less than \$9 billion in total foreign aid loans and grants. While we feel some discomfort, many less developed countries literally face bankruptcy. These countries are being robbed; the price of Mid-East oil is now 70 times the cost of producing it.

This year the oil exporting countries may earn \$60 billion more than they did last year as a result of the price increases.

All of the monetary experts say that they do not see how the international monetary system can hold up under this "petrodollar" glut.

I do not feel that the administration has yet decided what to do about these problems. Hence, as chairman of the Subcommittee on International Finance, I have written the President to advise me what the United States is doing.

APRIL 30, 1974.

DEAR MR. PRESIDENT: As Chairman of the Subcommittee on International Finance, I am becoming increasingly concerned about: (1) the disastrous effects of the OPEC oil price increases, and (2) the potential damage to the international monetary system and the world economy as a result of the petrodollar glut.

"I am sure that you are familiar with what the oil price increases will do to the economies of the less developed countries. They now face a sad fate, after so many years of

economic growth aided by the United States through bilateral aid, multilateral aid and private foreign investment. Yet we seem powerless to do anything about it except beg the oil producers to give some aid to those countries which the OPEC group is in the process of bankrupting. And I seriously question the viability of the aid funds being set up by the oil producing countries.

Secondly, I am not sure how well the world monetary system will hold up under the strains of the approaching petrodollar glut and how it can accommodate the Arab oil producers' owning 60% of total world monetary reserves by 1980. While there have been some suggestions for recycling the petrodollars, I also question their viability.

In the U.S., we have worries about gasoline prices and long-term programs for development of our abundant energy resources. While solving these problems we cannot let the rest of the world sink around us. Based on the thorough information collected by my Staff, I can see few reasons for optimism. Something must be done about the cartel activity of OPEC and the resultant oil prices.

I would appreciate your advising us what the United States is doing or is going to do about the outrageous price increases by OPEC and the approaching petrodollar glut.

With best wishes, I am

Respectfully yours,
HENRY B. GONZALEZ,
Member of Congress, Chairman.

THE LATE MRS. HELEN CAREY

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

Mr. ROONEY of Pennsylvania. Mr. Speaker, all of us who know HUGH CAREY and had the privilege to know Helen Carey shared with our colleague the sorrow of his wife's passing.

Mrs. Carey died March 8 after a long and difficult struggle with cancer. Through her illness, her devoted husband, Congressman CAREY maintained his vigil at her side, commuting between the NIH facility where she was treated and the Capitol.

In his eulogy during services at St. Saviour's Church, Brooklyn, the Reverend Monsignor Charles E. Diviney, V.G., quoted a passage, sometimes titled "The Valiant Woman," from the Book of Proverbs and aptly described Mrs. Carey as a "beautiful person—in the traditional sense and the classic meaning."

She is survived, too, by nine children who recall her as the fond mother so characteristic of "The Valiant Woman."

In our deliberations today, we have passed the National Cancer Program amendments and authorization of \$2.765 billion in appropriations for the war we are waging to combat the dreaded disease which has taken Mrs. Carey's life, and the lives of so many others the world over. It is fitting to her memory that we have enacted this important measure.

Mr. Speaker, the words of tribute by Monsignor Diviney are a beautiful expression of the respect and love all who knew her felt for her and I include them in the RECORD at this point:

EULOGY FOR MRS. HUGH CAREY, GIVEN BY
REV. MSGR. CHARLES E. DIVINEY, V.G.,
ST. SAVIOUR'S CHURCH, BROOKLYN, N.Y.,
MARCH 11, 1974

May it please your Eminence, Cardinal Cooke, Most Reverend Bishop Boardman, Reverend Monsignori, Reverend Fathers, Sis-

ters, Brothers, Honorable Members of the Government, Bench and Bar, Honorable Hugh Carey, the children, relatives and friends.

This passage from the Book of Proverbs was originally written in Hebrew in the form of a twenty-two line alphabetical acrostic. Sometimes in translation it bears the title, "The Valiant Woman". Book of Proverbs, Chapter 31, Verses 10 to 31:

If you can find a truly good wife, she is worth more than precious gems! Her husband can trust her, and she will richly satisfy his needs. She will not hinder him, but help him all her life. She finds wool and flax and busily spins it. She buys imported foods, brought by ship from distant ports. She gets up before dawn to prepare breakfast for her household, and plans the day's work for her servant girls. She goes out to inspect a field, and buys it; with her own hands she plants a vineyard. She is energetic, a hard worker, and watches for bargains. She works far into the night!

She sews for the poor, and generously gives to the needy. She has no fear of winter for her household, for she has made warm clothes for all of them. She also upholsters with finest tapestry; her own clothing is beautifully made—a purple gown of pure linen. Her husband is well known, for he sits in the council chamber with the other civic leaders. She makes belted linen garments to sell to the merchants.

She is a woman of strength and dignity, and has no fear of old age. When she speaks, her words are wise, and kindness is the rule for everything she says. She watches carefully all that goes on throughout her household, and is never lazy. Her children stand and bless her; so does her husband. He praises her with these words:

"There are many fine women in the world, but you are the best of them all!"

Charm can be deceptive and beauty doesn't last, but a woman who fears and reverences God shall be greatly praised. Praise her for the many fine things she does. These good deeds of hers shall bring her honor and recognition from even the leaders of the nations.

I defy anyone to find a more appropriate way to describe Helen Carey for she was indeed a valiant woman.

The temptation is strong to read this selection from Sacred Scripture and then just say no need to go on. This tells it all. But that would be a cop-out, because it is only giving a generic portrait of the ideal of womankind. What we have to do here and now is to particularize it and apply it to our departed friend and loved one.

Specifically the inspired author says that the paragon of womanhood he is describing is a beautiful person, a charitable human being, religious and devout, a good wife, a fond mother, respected and admired by all, even the leaders of nations.

When we apply these characteristics to Mrs. Carey we come up with the following which is hard data and not the product of wishful thinking or a fertile imagination.

Unfortunately both the word beautiful and the phrase beautiful person have been distorted beyond recognition in our current jargon. So when we refer to Helen as beautiful and as a beautiful person we are using terms in the traditional sense and the classic meaning.

Her physical beauty was evident to all who had eyes to see. It never faded during her long, debilitating illness so that even now we can say she looks like the child in the Gospel whom our Lord said was not dead but sleeping.

However, her radiance was not a one dimensional thing but rather the outer shell which encased a sparkling inner spirit. She had charm, gaiety, wit and a delicious sense of humor. The kind of a person whose joy for living was infectious. So that brief as

her stay was among us, and even though the light of her mortal life has been extinguished, the afterglow will remain for a long time in this dark hour of our grief.

In the First Epistle of St. John we read, "If anyone says I love God but keeps on hating his brother, he is a liar, for if he doesn't love his brother who is right there in front of him, how can he love God whom he has never seen? And God himself has said that one must love not only God, but his brother too."

Religion then must not only be vertical but horizontal. That Helen Carey worshipped God not flamboyantly or ostentatiously but quietly, steadily, and consistently is a matter of record. But we also know that she was kind and charitable not only to her family and friends but to the wider and more embracing family of man as her membership on the Brooklyn Bureau of Community Service, her interest in and concern for the St. Vincent's Home for Boys and her title as a Lady of the Order of the Holy Sepulchre, all so vividly demonstrate.

How good a wife she was only the two men who shared that intimacy can really tell. First the Navy Officer who was killed in the Pacific and then the man who held her hand as she kissed him just the moment before she closed her eyes and went to meet her maker. And if they groped for words to express that relationship no matter how articulate they might be it would be difficult to improve on this line from "The Valiant Woman" where the husband says "There are many fine women but you are the best of them all."

Quite recently observers of the American way have pointed out that in the ever changing patterns of family life there is a positive antichild movement. Children are unwanted, destroyed before birth and generally considered a nuisance only to be tolerated as an encumbrance or an impediment to self-gratification and pleasure.

But the word of God says of the virtuous women, her children stand and bless her. So here we have Alexandria, Christopher and Susan-Michael, Donald and Marianne-Nancy, Helen and Brian-Paul, Kevin and Thomas, (living stones more impressive than the most resplendent monument or sarcophagus of marble, bronze or stone, no matter how artistically designed and fabricated,) plus the late Peter and Hugh Jr. who preceded her into eternity less than four years ago.

The two final thoughts we glean from the passage from Proverbs is the statement that "Her husband is well known and sits in the Council Chambers with other civic leaders" and "She will be praised for the many fine things she does, these good deeds of hers shall bring her honor and recognition from even the leaders of the nations."

Call it coincidence, call it Divine Providence, but the husband of this Valiant Woman has sat and does sit in one of the highest legislative bodies of our land. As a representative of the people he has been a statesman and a civic leader.

Because of that we have here today leaders of all nations, a Cardinal of the church, members of all branches of government, the Bench and the Bar as well as the multitude of the people of God, citizens of disparate political convictions and religious persuasions, of different races, nationalities, and all walks of life forgetting for this one brief moment all their differences as they unite in prayer, each in his own fashion for the repose of her soul. May she rest in peace.

As a postscript I would like to add this paragraph from a letter written by Dr. Kevin Cahill, her physician.

"I have done all that I could for this beautiful woman and if death is the sole criterion then I have failed. But I know and without doubt Helen knew—there is more to life than breathing. I shall try to love each and all of you. My task for Helen is over and I end it

by thanking her and Hugh and all of you for the privilege and the pleasure and the joy and the happiness that pervaded these four difficult and challenging years. I shall be praying that Helen remembers us from this day on." Amen.

DELAYING ACTION BY THE PRESIDENT

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

Mr. RYAN. Mr. Speaker, I was surprised and distinctly disappointed by the President's recent speech and obvious effort to delay substantially the work of the Judiciary Committee in its examination into the impeachment question. While I am not an attorney, I am certain that I have enough knowledge of legal procedures to know that there is no precedent in the entire Western World for this most recent action of the President. In effect, the President is telling the Nation's legislative body that the legislative body does not have the right of legislative oversight of the executive branch. In effect, the President is telling the committee what the committee may look into of Mr. Nixon's responsibilities as Chief Executive.

I am happy to note that this point did not go unobserved among my own constituency. Perhaps the best example of the response I have received on this matter has come from a couple who are registered Republicans in San Bruno, Calif., in the telegram which follows:

The House Judiciary Committee must not weaken in its resolve to obtain original White House materials pertinent to its Constitutional obligation.

The notion that a person involved in a legal proceeding should have the right to withhold fundamental evidence is ridiculous; this principle is not negated even when the person involved is President of the United States.

As a citizen I must rely upon the Constitution and the embodiments of that instrument to see us through this period of uncertain confidence in our governmental processes.

The critical issue is not the question of Presidential impeachment, but whether or not we can rely upon constitutional checks and balances to protect us from the excesses of the few.

I urge this House to consider the precedent set if they allow the current President to establish this course of action. If this great country of ours lasts another hundred or thousand years, there will certainly be other Presidents whose actions will require vigorous investigation by the Congress. Whatever political situation confronts the Congress, regarding an incumbent President, I certainly hope that some future Congress will not be hampered by the precedent of President Nixon telling this Congress the conditions under which it may examine into his Presidency.

THE FEDERAL RESERVE AND MONEY CREATION

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

tleman from Wisconsin (Mr. REUSS) is recognized for 30 minutes.

Mr. REUSS. Mr. Speaker, on April 5, 1974, in the CONGRESSIONAL RECORD—9989-9991—I set forth my view that the Federal Reserve has been creating new money—the public's checking accounts and currency, M-1—too fast over the past few years, and thereby has contributed to the persistent inflation which afflicts our economy. I recommend that, for this year at least, the Federal Reserve create new money at a rate close to, but not exceeding, 6 percent per annum.

I also called attention to the side effects that such a policy could have on financial intermediation and thrift institutions, on homebuilding, on small business on State and local governments, and on employment. I suggested ways of dealing with these problems while adhering to a policy of moderate money supply growth. Recognizing that these problems are extremely complex, I pointed out that my proposals were only points of departure for beginning a dialog. I urged that the Federal Reserve set forth its views on these urgent matters.

My position had been given to Chairman Burns of the Federal Reserve Board the day before, April 4, at hearings before the House Banking and Currency's Committee's Subcommittee on International Finance. Chairman Burns has since responded. His comments are presented in full below, together with my further response. I do not respond to Chairman Burns' comments in order to get in the last word, but to keep the conversation going.

COMMENTS BY DR. BURNS ON REPRESENTATIVE REUSS' PAPER REGARDING MONETARY POLICY

Representative Reuss recommends that growth in the narrowly-defined money supply (M1) be brought below 6 per cent a year, and kept between 4 and 6 per cent for the remainder of 1974.

I believe that it would be unwise to place monetary policy in a straight jacket this year or any other. The unique advantage of monetary policy is its flexibility, and I doubt that the national interest would be served at all times by some arithmetical rule. Nevertheless, I see no serious difficulty with Mr. Reuss' prescription under today's conditions. Indeed, when measured from quarterly average levels, the growth rate of M1 has actually been below 6 per cent in each of the past three quarters.

I have greater difficulty in finding common ground with Mr. Reuss on some of the other points in his paper.

First, there is the question of what the Joint Economic Committee's recommendations were for monetary policy in 1972. Mr. Reuss refers to the JEC's recommendation in 1967 that the normal growth for M1 should be 2 to 6 per cent yearly. But in its annual report for 1972 the JEC focussed primarily on the need to stimulate economic activity. To quote:

*** While the present rate of inflation in the United States is still higher than would be desirable, it has come down from a year ago. *** On the other hand, unemployment has stubbornly remained near the unacceptably high level of 6 percent and recovery from the low of the recent recession has been sluggish. Therefore *** monetary and fiscal policies must be directed essentially to reducing unemployment and stimulating a faster recovery of production."

"Fiscal policy," the report stated, "must remain stimulative for as long as necessary to restore full employment." As for mone-

etary policy, the report noted that the money supply had grown little in late 1971, "despite renewed efforts of the monetary authorities to achieve some expansion." The report then recommended greater monetary growth in order to accommodate an expansionary fiscal policy.

On August 28, 1972, after its midyear review of the economy, the JEC called once again for "an accommodative monetary policy as well as a stimulative fiscal policy." On that occasion, the JEC noted that the growth in real output that the Committee sought "will require expansion of the money supply exceeding the range which would normally be considered appropriate in a full employment economy." (Italics added) The Committee's report added that when "unemployment is so stubbornly and persistently high as at present, the monetary authorities should not feel constrained by monetary rules designed to apply to a full employment economy." Its recommendation for the balance of 1972 was that "monetary policy should be conducted in such a way as to keep interest rates at or below their present levels and to provide adequate funds to all sectors of the economy"

This review of the record is instructive because it testifies to the legitimate concern of the Congress that stabilization policies be directed toward the provision of adequate employment opportunities as well as price stability. If both the Congress and the Federal Reserve erred on the side of too easy a monetary policy in 1972, the error arose from concern that insufficient supplies of money and credit could prolong a sluggish economy. It is worth recalling that little progress was made in reducing unemployment until the early summer of 1972. In fact, the rate of unemployment did not go below 5.5 per cent until November.

I want to comment, also, on another question Mr. Reuss has raised with regard to monetary policy in 1972. Assuming that monetary policy was overly stimulative that year, what weight should be attributed to that stimulus, relative to fiscal stimulus and other factors, in bringing about the inflation we are now experiencing?

As Mr. Reuss recognizes, "special events" have propelled prices upward recently. Disappointing harvests, the coincidence of booming economic activity in most major industrial counties, shortages of a wide range of basic materials and component parts, the devaluation of the dollar in foreign exchange markets, and most recently the manipulation of petroleum shipments and prices by major oil-exporting countries have helped bring us to the threshold of a two-digit inflation. Prices skyrocketed almost everywhere in 1973. While I agree that "our current inflation is by no means entirely due to special factors beyond our control," these special factors should not be minimized. About 60 per cent of the rise in the consumer price index in 1973 stemmed from increased prices of food and fuel; the same commodities, together with farm products, accounted for about 70 per cent of the rise in wholesale prices last year.

In his discussion of the influence of fiscal policy on our current inflation, Mr. Reuss asserts that since 1968 "fiscal policy generally has been disinflationary." I strongly disagree. The assertion is based on figures for the full employment budget, which do not reflect adequately the degree of stimulus coming from the Federal budget. Even the unified budget has seriously understated the extent of Federal deficits in recent years.

For the five-year period ending June 20, 1974, the unified budget deficits add up to \$68 billion—troublesome enough. But when one takes into account the net outlays of Federal agencies not included in the budget, such as the Export-Import Bank, and Government-sponsored entities such as the Federal Home Loan Banks, the total deficit for

those five years comes to a staggering \$109 billion.

Fortunately, the great majority of Members of Congress have been sufficiently concerned about runaway expenditures that budget reform legislation will soon be enacted. This will be a truly historic reform, enabling Congress for the first time to utilize fiscal policy as a really effective stabilization instrument. Great credit is due to Mr. Reuss for his constructive contribution to this legislation. If his paper reflected the same appreciation of the role played by excessive fiscal stimulus in the recent past, I would give him even higher marks.

Turning now to monetary policy in 1973, the record will show that as unemployment declined, the growth of M1 slowed. For the year as a whole, M1 grew by 6.1 per cent, in contrast with 7.6 per cent rate for 1972. By quarters, the annual growth rates in 1973 were 7.0, 7.5, 5.5, and 3.9 per cent. These figures compare the average amount outstanding in one quarter with the average in the preceding quarter. The method I have used, in contrast to Mr. Reuss' procedures, tends to average out erratic fluctuations that have little or no significance; it is comparable to the data provided on a wide range of nonmonetary economic variables, such as GNP and related measures.

Measured in the same fashion, M1 grew at a 5.5 per cent rate in the first quarter of 1974. Thus growth in the narrowly-defined money supply, properly measured, is currently within the range recommended by Mr. Reuss, as it has been for the last three quarters. It may well be that it will continue in that range for the balance of the year. However, I would strongly caution against using M1 as the sole target for monetary policy, and I believe that the wisest course for the monetary authority in any event is to retain flexibility to shift policy as events unfold.

One last point merits comment. Mr. Reuss recommends that the Federal Reserve stop trying to help housing by creating excess money, and instead "use its independent position to tell us all the hard measures that need to be taken." The Board of Governors sent to Congress in March 1972 a report on ways to moderate fluctuations in the construction of housing.

It was based on an extensive staff study, copies of which have also been furnished to Congress. In those materials, the proposals mentioned in Mr. Reuss' paper for cushioning the impact of monetary restraint on housing are discussed. The Board's recommendations diverge from those of Mr. Reuss, and it may be that Congress will prefer other measures than those we recommended. But our recommendations, and the studies by our staff and consultants which underlie those recommendations, have been available to the Congress for over two years.

Action by the Congress, either on our proposals or on others of its choosing, is needed to moderate declines in housing activity associated with changes in the cost and availability of mortgage credit. In the meantime, the Federal Reserve will take advantage of every opportunity to advise the housing agencies as well as members of Congress on specific policies relating to housing and mortgage finance that may be carried out within the framework of a sound monetary policy. An inflationary monetary policy would, in the long run, be bad for housing as well as for other sectors of the economy.

There follows a partial reply to Chairman Burns' comments:

MONETARY POLICY UNDER PRESENT CONDITIONS

Chairman Burns says that "I see no serious difficulty with Mr. Reuss' prescription under today's conditions." The Federal Reserve will have my continued support if

M1 growth is kept in the 4-6 percent range this year, in the face of appeals to go above or below it.

RECENT MONEY SUPPLY STATISTICS

Chairman Burns says that "the growth of M1 has actually been 6 percent (per year) in each of the past three quarters." Measured by comparing this average of M1 outstanding in one quarter with the average in the preceding quarter, Chairman Burns finds that annual M1 growth rates in the most recent three quarters were 5.5, 3.9 and 5.5 percent. He also reports that for 1972 as a whole M1 grew 6.1 percent. This statistic was obtained by comparing the average money stock in the last quarter of 1973 with the average in the fourth quarter of 1972.

Is this methodology appropriate? It seems inconsistent to measure (a) quarter-to-quarter growth by comparing averages in adjacent quarters and (b) year-to-year growth by comparing fourth quarter averages. If it is proper to do the former, then year-to-year growth should be measured by comparing averages in adjacent years. Using this procedure, M-1 growth was 7.3 percent in 1972, not 6.1 percent. On the other hand, if it is correct to measure year-to-year growth by comparing M-1 statistics in the last quarter of adjacent years, then by the same logic, quarter-to-quarter growth must be measured by comparing the M-1 statistics in the last month of adjacent quarters. Using this method, annual M-1 growth rates by quarters were 3.8, 11.5, -0.2 and 7.5 percent in 1973, and 6.7 percent in the first quarter of 1974.

My preference, as I indicated, is to measure both monthly and yearly M-1 growth by comparing end-of-period statistics, and to be mindful of both the short and longer period trends. Using this procedure reveals a recent speed-up in M-1 growth. This development is obscured by the M1 growth statistics generated by Chairman Burns' methodology. The calming statistics reported in his comments on my paper (6.1 percent growth 1973 and annual rates of 5.5, 3.9 and 5.5 percent in the most recent three quarters) stand in sharp contrast to the statistics reported by the Federal Reserve in its April 25, 1974, Series H.9 "statistical release": Measured for the 4 weeks ending April 17, 1974, M-1 has increased at annual rates of 6.8 percent from a year ago, 7.4 percent from 6 months ago, and 8.9 percent from 3 months ago. Why did it happen? When will it stop?

DID THE FED CREATE TOO MUCH MONEY OVER THE PAST FEW YEARS?

I said that "since March 1971, the Federal Reserve persistently, often in extreme fashion, and for the most part with inflationary results, has chosen to keep the growth of money above 6 percent on a year-to-year basis." (*Congressional Record*, April 5, 1974, p. E2152). In his comment, Chairman Burns explains that, if monetary policy was too easy, "the error arose from concern that insufficient supplies of money and credit could prolong a sluggish economy."

The explanation is puzzling. From the fall of 1971 on, or at the very latest, the spring of 1972, the Federal Open Market Committee's decisions appear to have been made in the light of optimistic forecasts of economic growth. Look at the Open Market Committee's Record:

"Growth in real output appeared to be accelerating in the fourth quarter, and staff projections suggested that a faster pace of expansion would be sustained in the first half of 1972." (*Record of FOMC Policy Actions*, Meeting held on November 16, 1971.)

"It appeared that real GNP was increasing at a more rapid rate in the fourth quarter . . . staff projections suggested that a faster rate of growth in real GNP would be

sustained in the first half of 1972." (December 14, 1971.)

"Staff projections suggested that the faster pace of growth in real GNP would continue in the first half of 1972." (January 11, 1972.)

" . . . the faster pace of growth in real GNP would be sustained . . ." (February 15, 1972.)

"The latest estimates of the Commerce Department indicated that real output of goods and services had risen at an annual rate of 6 percent in the fourth quarter of 1971, and it appeared that expansion in real GNP was continuing at about that rate in the current quarter." (March 21, 1972.)

"The information reviewed at this meeting suggested that real output of goods and services had grown in the first quarter of 1972 at about the stepped-up rate attained in the fourth quarter of 1971; staff projections suggested that the rate of growth in GNP would increase somewhat in the current quarter . . ." (April 18, 1972.)

" . . . growth appeared to be accelerating in the current quarter . . ." (May 23, 1972.)

"The information reviewed at this meeting suggested that real output of goods and services in the second quarter of 1972 had been much faster than the annual rates of between 5.5 and 6.0 percent recorded in the two preceding quarters . . . staff projections suggested that growth in real GNP would remain rapid in the second half, although not so rapid as in the quarter just ended." (July 18, 1972.)

"Preliminary estimates of the Commerce Department indicated that real output of goods and services had grown at an annual rate of about 9 percent in the second quarter—compared with upward revised rates of about 6.5 percent in the two preceding quarters . . . staff projections suggested that economic growth would remain rapid in the second half of the year—although it would slow appreciably from the second-quarter rate." (August 15, 1972.)

"The information reviewed at this meeting suggested that growth in real output of goods and services in the third quarter would be substantial although well below the annual rate of 9.4 percent recorded in the second quarter. Growth was expected to be more rapid in the fourth quarter than in the third and to remain at a fast pace in the first half of 1973." (September 19, 1972.)

"Staff projections continued to suggest that growth would be more rapid in the fourth than in the third quarter and that it would remain at a fast pace in the first half of 1973." (October 17, 1972.)

"The information reviewed at this meeting suggested that real output of goods and services, which had expanded at an annual rate of about 6 percent in the third quarter, was growing more rapidly in the current quarter. Moreover, staff projections continued to suggest that growth would remain at a fast pace in the first half of 1973." (November 20-21, 1972.)

"The information reviewed at this meeting suggested that real output of goods and services which had expanded at an annual rate of 6.3 percent in the third quarter, was growing at an appreciably faster pace in the current quarter.

"Staff projections for the first half of 1973 continued to suggest that growth in real output would remain strong." (December 19, 1972.)

"The information reviewed at this meeting suggested that growth had accelerated appreciably in the fourth quarter of 1972 from an annual rate of nearly 6.5 percent in the third quarter. Staff projections for the first half of 1973 continued to suggest that growth in real output would remain rapid." (January 16, 1973.)

"Estimates of the Commerce Department indicated that real output of goods and services had grown at annual rate of 8.5 percent in the fourth quarter of 1972, and

growth appeared to be continuing at a substantial, although less rapid rate." (February 13, 1973.)

"The information reviewed at this meeting suggested that real output of goods and services which had expanded at an annual rate of 8.0 percent in the fourth quarter of 1972, was growing at a substantial but less rapid rate in the first quarter of 1973. Staff projections for the second quarter suggested that real growth would remain close to the first quarter rate." (March 19-20, 1973.)

"Expansion in consumption expenditures had been substantially larger than estimated 4 weeks earlier and that real output of goods and services had continued to grow rapidly. * * * Staff projections * * * suggested that growth in real output, while slowing from the high rate in the preceding two quarters, would continue relatively high." (April 17, 1973.)

"Estimates of the Commerce Department indicated that real output had grown at an annual rate of 8 percent in the first quarter growth appeared to be moderating somewhat in the current quarter, and staff projections continued to suggest that it would moderate further in the second half of 1973." (May 15, 1973.)

"Real output had expanded at an annual rate of 8 percent in both the last quarter of 1972 and the first quarter of 1973, was growing at a less rapid pace in the current quarter would moderate further in the second half of the year." (June 18-19, 1973.)

Are these excerpts from the published Record of Open Market Committee meetings consistent with the notion that FOMC's motive was "concern that insufficient supplies of unchanged credit could prolong a sluggish economy"?

MEASURING THE EFFECT OF FISCAL POLICY

Chairman Burns takes issue with my measuring the effect of Federal fiscal policy by the full employment National Income Accounts (NIA) budget. I stated in my paper that since 1968 fiscal policy has been disinflationary because, for the period as a whole since 1968, the full employment NIA budget shows a surplus of \$8.8 billion. By years, the full employment NIA budget showed surpluses of \$8.8 and \$4.0 billion in 1969 and 1970, deficits of \$2.1 and \$7.7 billion in 1971 and 1972, and a surplus of \$5.8 billion in 1973.

Chairman Burns would use the unified budget supplemented by the "net outlays" (i.e., loans minus repayments) of federally sponsored credit agencies to measure the effect of federal fiscal policy.

Noting that "for the five-year period ending June 30, 1974, the unified budget deficits add up to \$68 billion," and adding in the net outlays of the Federally sponsored intermediaries, he finds "the total deficit for those five years comes to a staggering \$100 billion."

How should we measure the effect of Federal fiscal policy? To begin with, where do we draw the line in defining the Federal Government for fiscal policy purposes. This question was considered several years ago by President Johnson's Commission on Budget Concepts, which was chaired by President Nixon's first Treasury Secretary, David Kennedy. Do we include the Land Banks, Banks for Cooperatives, Ex-Im, FNMA, Home Loan Banks, GNMA? What about COMSAT? What about federally insured banks and thrift institutions? Do we include the Federal Reserve?

Perhaps these questions should be reopened. But at the present time official fiscal policy measures do not include the "net outlays" of the federally sponsored credit agencies. They are treated as financial intermediaries. The Council of Economic Advisers discusses changes in the balance sheets of these agencies under "Monetary Policy and Financial Markets." (See 1974 Economic Report of the President, pp. 82-87.) Moreover, these

entities are treated separately from the U.S. Government in the Federal Reserve's "Flow of Funds Accounts."

There remains to be explained the \$76.8 billion difference between the unified budget deficit over the five years ending June 30, 1974 cited by Chairman Burns (\$68 billion) and the \$8.8 billion surplus in the full employment NIA budget for calendar years 1969-1973. About \$14 billion of the difference is attributable to the fact that using the 1970-1974 fiscal period instead of calendar 1969-1973 exchanges six months marked by an expected deficit (the first half of 1974) for six months marked by a substantial surplus (the first half of 1969). Another \$12 billion is explained by the differences between the unified and NIA budgets. The remaining \$50.8 billion difference derives from the difference between full employment and actual budget measures. The bulk of this difference arose in the period under consideration because of the fall-off in revenues in the 1970-1971 period.

What is accepted practice? In using the full employment NIA budget as the indicator of the effect of Federal fiscal policy, I am following accepted practice. As stated by President Nixon's Council of Economic Advisers in 1971, "When the effects of budget policy on the overall economy first came to general attention 35 years ago, the expansiveness of the budget was commonly measured by changes in the actual deficit or surplus. This measure can be grossly misleading, however. Clearly, a need has existed for a better measure of Government budget policy and its effects—one that would show what effects were the result of tax and expenditure decisions and what affects the economy itself had exerted on the budget. While changes in the surplus or deficit at a given level of money GNP provide a convenient measure of discretionary policy changes, fiscal policy planning requires a measure containing somewhat more information.

"It has been found of interest to ask how the surplus or deficit would change if the economy moved along a specific path. The full employment growth path has been used most frequently since the concept of a full employment budget was developed and publicized by the Committee for Economic Development in 1947. Changes in the full employment surplus measure changes in spending and tax legislation as well as the effect of full employment growth on revenues. The difference between the full employment budget balance and the actual balance reveals the effects of short-run variations in economic activity around the full employment growth path." (Economic Report of the President, 1971, pp. 70-71.)

The full employment budget is not without limitations. But, as the Council of Economic Advisers observed in its 1974 Annual Report, "Despite these limitations, the full-employment surplus calculation based on the traditional concept of the potential GNP that is consistent with 4 percent unemployment is useful in the long run for everlasting changes in fiscal policy." (Economic Report of the President, 1974, p. 79.)

In fact, the Federal Reserve itself uses this concept. In the June, 1973, issue of the *Federal Reserve Bulletin*, in an article reviewing "Federal Fiscal Policy 1965-72," it is observed that

"Changes in the net surplus or deficit of the full-employment budget provides a convenient summary indicator of the extent to which discretionary fiscal policy is moving toward contraction or expansion . . . Generally speaking, NIA accounts are preferred in measuring fiscal stimulus." (p. 391.)

The full employment budget may not give a complete picture of the size of fiscal restrictiveness. But, clearly, it is accepted as the best measure that we now have available. In the 1970-1974 period, as the data I cited show, there was a \$4.8 billion shift

toward stimulus in 1970, a \$6.1 billion shift toward stimulus in 1971, a \$5.6 billion shift toward stimulus in 1972 (all moderate amounts) and then, in 1973, a very sizeable \$13.5 billion shift toward fiscal contraction. The period, as a whole, is not characterized by great fiscal stimulus, and definitely was marked by fiscal contraction when inflation spurted in 1973.

DEALING WITH THE SIDE-EFFECTS OF KEEPING M-1 GROWTH 4 TO 6 PERCENT THIS YEAR

In his press briefing on April 22, Chairman Burns said, "This country is facing, as I said more than once, and I'll continue to say it and act accordingly, it's facing a very dangerous problem of inflation, and excessively rapid expansion of bank loans is a deep matter of concern to me and to the System, and excessively rapid rates of growth of all monetary aggregates are. We are not going to get this inflation under control if that continues, and if we don't this country is going to be in very great difficulty."

As Chairman Burns observes, a role that the Federal Reserve must play in getting the inflation under control is to moderate money supply growth.

But we must recognize that it could bring (at least for a time) increased unemployment, especially among the young, blacks, and women; disintermediation; decreased homebuilding, and financing problems for small business and state and local governments.

Recognizing this in my remarks of April 5, I proposed some possible solutions, and asked Chairman Burns for his comments. He responded by calling attention to a set of proposals which the Federal Reserve Board sent to Congress in March, 1972. The Board recommended "that priority consideration be given to establishment of the machinery for a variable investment tax credit. This is the most important single contribution that could be made to easing the plight of the housing industry in recurring periods of credit restriction. The Board also suggests consideration of actions to enable the use of variable-rate mortgages to finance residential structures.

"Other recommendations set forth in this report, though less significant individually, would in the aggregate also serve to reduce materially the instability of credit flows to the housing industry." (Federal Reserve Bulletin, March, 1972, pp. 224-225.)

The other recommendations include expanded consumer loan powers for thrift institutions, eliminating interest rate restrictions on FHA-insured and VA-guaranteed loans, and permitting higher interest rates to be paid on long-term savings deposits.

While varying the investment tax credit between zero and say, 10 percent has much to recommend it. The Administration has not supported this proposal and nothing has been done. As for variable rate mortgages, they are now permitted on conventional mortgages. They have not caught on, because they shift the risks of interest rate fluctuations to homebuyers who can much less easily afford to assume these risks than lending institutions. Homebuyers who have agreed (sometimes unwittingly) to variable rate mortgages have frequently regretted it. These are cases of persons, especially retired persons, who signed such contracts being unable to meet their interest payments as interest rates climbed and thus losing their homes.

Some of the Board's other recommendations have not worked well. For example, permitting higher interest rates to be paid on long-term savings deposits was tried last summer. Lending institutions, homebuilders, and buyers did not prosper under the so-called "wild card" experiment.

Now it is 1974. The Congress would now welcome further thoughts from the Federal on how to deal with the side-effects of keeping M-1 growth moderate. We need new

ideas, and we need them fast, so that at last monetary policy can fight the inflation which now afflicts our economy with minimum disruption.

RIEGLE URGES CONGRESS TO ACT ON INFLATION PROBLEM

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

Mr. RIEGLE. Mr. Speaker, coincident with the imminent demise of the Cost of Living Council, our country faces some of the most severe economic problems of this century. I am speaking particularly of the sharp increase in prices over the past 3 months and especially of our first experience with "double digit" inflation—14 percent. This is something that would have seemed unbelievable to all of us even 2 or 3 years ago.

If wage and price controls had worked, this might not have happened. However, it probably is not fair to blame the Cost of Living Council entirely for the current situation. The world grain shortage and Arab oil embargo were very difficult problems and no agency of the Federal Government could have curbed the price increases—caused—in food and fuel.

We are now faced with the very serious question of what the Congress can do effectively to try to resolve this worsening problem. The principal question we face is whether we, as a body, should authorize or fund a group that would continue to work on the problem. After considerable thought, I think that we should have such a group at work. We have heard a lot from people who want the Government to get out of the controls business and with some justification. However, I am also hearing from the citizens in my district who are saying that we cannot ignore or walk away from the inflation problem at this time.

Never before in a constituent survey have I found an issue that was so important to all of the people in our district. Over 20,000 constituents have responded to a questionnaire I recently mailed to all the people in my district. Over 90 percent of the people responding said that inflation is the single most important problem facing their families today. This is an overwhelming and unprecedented response. But on the other hand, should we be surprised to find them echoing Arthur Burns' statement that inflation is the single most important problem facing this country?

And contrary to popular belief, 58 percent of the same respondents said that if inflation remains out of control, they want strict controls reimposed. I believe that this demonstrates how seriously the American people view the current inflationary spiral and how real and universal the problem is.

Because of the extraordinary concern with inflation in the country and with many economists saying that this is the biggest problem facing the United States and the free world in the coming decade, there is no way, in my mind, that Congress can walk away from the problem.

Personally, I am not pleased with the way that wage and price controls have worked and I am not recommending here

that they be reimposed. But I do believe that people are looking for leadership and want to be assured the issue is being tackled as effectively as possible.

Clearly, nobody has an immediate and complete answer to this problem—but that does not mean that we should stop working on it. Solving the inflation problem requires an ongoing and well focused effort because this is the most complicated and urgent problem that this Congress faces.

I have come to the conclusion that the Congress must authorize the continuation of a body or agency with the responsibility to study, monitor, and hopefully develop some recommendations about what can be done to stabilize prices. I think this is absolutely essential. And this does not mean blank check economic authority rested in the executive branch of Government—that would be a grave error in my judgment.

Furthermore, to insure that this problem receives appropriate national attention, we in the Congress can start by amending the Full Employment Act of 1946 to make price stability one of our central economic goals. I will soon sponsor such legislation.

While we all recognize the complexity of this issue, the volatile actions of a well-intentioned Congress in groping for an answer can actually hinder and prevent a sustained effort toward a well-thought-out solution. Twelve months ago, for example, the Congress granted the President virtually unlimited authority to control the economy. Today, swinging to the other extreme, it looks like we are abandoning the problem—that the answer to a worsening problem is to do nothing.

No one thoroughly understands or has measured the impact on this country of a continuation of the current level of inflation—at the very least we know that it robs working people of their hard-earned purchasing power and jeopardizes any aspirations they have for themselves or their families. It robs the elderly of their limited resources and their ability to live independently and with dignity. And it significantly distorts the functioning of our free enterprise system which has served as well in the past decades.

If inflation remains out of control, it will threaten to tear apart the fabric of our society including the political premises on which it is built—as happened in Europe in the 1920's and 1930's.

Therefore, I believe that Congress must provide real leadership on this urgent and profoundly important problem. We must act to insure that inflation is ultimately brought under reasonable control. There is a proper role for Congress to see to it that this problem is better understood and that all parties—Government, business, and labor—work together in the national interest to find a lasting solution.

Personally, I am convinced that this problem can be solved, but it will require the most sober and unrelenting effort we are capable of producing. I intend to do all I can to see that such a coordinated national effort is undertaken and maintained.

DR. KARL F. MEYER, LEADER IN MEDICAL RESEARCH, DIES

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

Mr. MELCHER. Mr. Speaker, a great American, a veterinarian, and a scientist of world renown passed away last Saturday night lacking only a few days to his 90th birthday.

During his 90 years Dr. Karl F. Meyer established himself, the veterinary profession, and medical research on a high level recognized around the world in high service to mankind.

Lawrence K. Altman of the New York Times has written Dr. Meyer's obituary and deserves the attention of all of us.

Mr. Speaker, I submit the following:

[From the New York Times, Apr. 29, 1974]

PUBLIC HEALTH GIANT

(By Lawrence K. Altman)

Dr. Karl Friedrich Meyer was regarded as the most versatile microbe hunter since Louis Pasteur and a giant in public health.

As a youth in Basel, Switzerland, pictures of the Black Death, or plague, so fascinated him that he became an outdoor scientist instead of following in the aristocratic business world in which he grew up. He told friends that in choosing to become a veterinarian he could "be a universal man and study all diseases in all species."

Public health leaders yesterday called his contributions to medicine "monumental." His scientific work had such broad implications that it touched on virtually all fields of medicine.

Dr. Meyer was credited with rescuing the canning industry when epidemics of botulism, a deadly form of food poisoning, threatened to wipe out commercial canning in its infancy. The National Canners Association elected him to its Hall of Fame last January. It was the last of the scores of honors he received from scientific, industrial and civic groups.

He discovered two of the viruses that cause encephalitis in horses and man, and developed controls for parrot fever, or ornithosis, among other contributions.

DISEASE SPREAD TRACED

Dr. Meyer responded to public health emergencies as a one-man fire brigade. His example served as a model for the Federal Epidemic Intelligence Service in Atlanta from which epidemic detectives trace the spread of diseases around the globe.

His productivity was matched by few other scientists. He wrote 800 scientific papers, more in active retirement over the last 20 years than most scientists publish in an entire career. Some of his most significant contributions—on an experimental plague vaccine now being tested in Southeast Asia—are scheduled to be published in next month's issue of the *Journal of Infectious Diseases*. The issue is dedicated to Dr. Meyer's 90th birthday, May 19.

"KF," as his friends called him, was born in Basel in 1884 of a family that traced its printed genealogy to the 14th century. His father was an international tobacco merchant and his mother a teacher.

MOVED TO CALIFORNIA

The son trained as a veterinarian at the University of Zurich. By the age of 26, he had gained an international reputation from work in South Africa where he showed that cattle could be protected against East Coast fever, a deadly tick-borne infection.

Dr. Meyer moved in 1910 to the University of Pennsylvania, where he helped link Bang's

disease of cattle and a human disease reported from Malta by Dr. David Bruce. The animal and human diseases are now called brucellosis. Paul de Kruif once wrote:

"While there he once bet his colleagues that, dressed in a tuxedo, he could do the complete autopsy of an elephant, unassisted, without getting a drop of blood on his shirt-front. He collected. His dexterity astounded his fellows."

In Philadelphia in 1914, Dr. Meyer isolated the Eastern equine encephalitis virus just as he was preparing to move to California. There, he developed a vaccine against the viral disease. It was the first of his two discoveries of encephalitis causing viruses. The other came in 1932 when he identified the Western equine encephalitis virus.

In 1916, Dr. Meyer became director of the Hooper Foundation at the University of California in San Francisco. It was a position he held until 1954, when he reached mandatory retirement age. But he pursued his lifelong interest in plague and other diseases.

ISOLATED PARROT FEVER

Earlier, in the nineteen twenties, when botulism cases had been traced to California canned olives, Dr. Meyer was called on to save the industry. He developed the flash sterilization method of canning and made canned goods safe without spoiling the product simply by calculating the heat penetration in all types of cans and developing a "fakeproof" system to weed out unethical producers.

Dr. Meyer responded to typhoid epidemics. His work emphasized the importance of the human carrier as the most important source of the disease. It is a basic tenet of public health practice today.

In the thirties, when Philippine farm workers were struck by a mysterious disease, Dr. Meyer traced it to a fungus called coccidioides in the soil. The disease, now known as coccidiomycosis, or valley fever, is commonly diagnosed in the San Joaquin Valley of California and elsewhere.

When California's aviculturists were struck with parrot fever, it was Dr. Meyer who isolated the virus and went on to show that the infection affected all birds. Control measures he helped develop for the pet industry had a major impact on the turkey industry.

But Dr. Meyer's research experience almost cost him his life. He contracted parrot fever, or psittacosis, as it is also called. As his life hung in the balance he wrote his presidential address to the Society of American Bacteriologists in 1935.

Dr. Meyer also showed that leptospirosis was not an infection spread just by rodents but also by infected dogs, cattle and other animals. On another occasion, he recognized that illness among cattle in the Bay Area was due to lead poisoning. He traced the outbreak to a smelter's industrial wastes.

Dr. Meyer's major disappointment was his failure to develop a polio vaccine. But he, like so many others, could make no progress in an era when it was impossible to grow the virus.

He rejected a planned international convocation at Rockefeller University here for his 90th birthday, by saying:

"In times of tight fiscal policies for science, I don't want people to spend money on me."

He leaves his wife, the former Marion Lewis, a daughter, Mrs. Bartier P. Cardon of Phoenix, Ariz., and a grandson. His first wife, the former Mary Lindsay, died.

SOVIET DESIGNS

(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, historically, the United States has considered it an obligation to uphold the tenets of the Monroe Doctrine. We have tried to stay the hand of external aggressors who would expand their domain within the Western Hemisphere. Indeed, in 1962 President Kennedy boldly refused to allow the installation of Soviet missiles in Cuba, at the risk of war.

Unfortunately, as the spirit of freedom grows infirm in some, they neglect the call to protect self-determination in the Americas. Recent suggestions that the United States revive its ties with Cuba mark but one example of this type of negligence. Support for more friendly economic and political relations with this Russian-backed, Russian-subsidized regime can only serve to encourage the current Soviet encroachment.

The following editorial by John J. O'Malley of the San Diego Union underlines just what these recent friendly overtures entail. I request permission to include it in the RECORD at this point:

[From San Diego Union, Apr. 19, 1974]

SOVIET DESIGNS CALLED THREAT

(By John J. O'Malley)

It is obvious that pressure is growing for the establishment of some form of diplomatic relationship between Cuba and the United States; not because freedom is any more palatable to Premier Fidel Castro now than it was 10 years ago, nor because the relationship would benefit us in any way, but simply because the Soviet Union wants it that way.

The inept economic policies of Premier Castro have driven Cuba to the brink of ruin. It is costing the Russians a million dollars a day to keep the Cubans afloat, and it is not the Kremlin's nature to endure that sort of an economic one way street indefinitely.

Cuban-American trade, the Russians feel, offers some promise of cutting the loss.

Far more important from the Soviet viewpoint, however, is the opportunity such a relationship would offer her for international mischief. Free intercourse between Cuba and the United States would open the door for almost unlimited Russian espionage.

As intelligence organizations around the world know, the Cuban secret police and subversion apparatus are not Cuban at all; they are Russian. In 1968 the Kremlin seized control of the Cuban secret police. The Russians did it by applying a foolproof formula—by simply withholding Soviet economic support until Castro came across.

In 1962 we were prepared to go to war over the installation of a Soviet missile base in Cuba. The sad fact is the threat is greater by far today because of a major Soviet base for nuclear submarines at Cienfuegos, a core of Russian advisers with the Cuban army, a Kremlin hammerlock on the government apparatus and total USSR control of the Cuban secret police.

Taken altogether the Kremlin has the greatest offensive base that Communist imperialism has ever had in this hemisphere.

On this subject, then, there can be no detente or middle ground for us. The stakes are high, the game deadly serious, and the hour perilously late. We had better muster all of our diplomatic clout to quarantine Cuba completely until the Russians get out bag and baggage.

MINERAL SHORTAGES

(Mr. MILLER asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. MILLER. Mr. Speaker, today I am reintroducing legislation that will help the United States to solve the severe mineral shortages facing us over the next several decades. I am happy to report that, as with the first bill, 24 of my colleagues have joined me on this measure.

The bill has a double-barrel purpose: It will allow the United States to receive something in return for its foreign assistance while at the same time insuring our future sufficiency in critical and strategic raw materials. The past 6 months have shown us the effect that international blackmail with a critical resource can have on our national life. This legislation would lessen the chance of this happening again.

While insuring that future generations of Americans will not have to go begging for their mineral needs, the bill will also give us something in return for the billions of dollars of foreign aid that we have thrown away. Since the end of World War II that amount is a staggering \$250 billion. The bill that I have introduced today would give this Nation the option to barter its foreign aid for the great unexploited mineral wealth of our aid recipients.

Mr. Speaker, if our children and our grandchildren are to maintain our high standard of living and not endure life in a nation crippled by lack of critical resources, we must act now to save the future. I urge that the legislation introduced today be given careful and prompt consideration by this body.

WHY SHOULD ANY LOYAL AMERICAN OBJECT TO A LOYALTY OATH?

(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 appears to be renewed congressional interest in restoring the requirement that persons who apply for a passport shall take an oath of loyalty to the United States. The U.S. Court of Appeals for the District of Columbia has upheld a decision that the oath of allegiance on the passport application form is invalid and unconstitutional. Surprisingly, the Government did not appeal the decision.

I believe that anyone traveling abroad under the protection of a U.S. passport should be proud to state an oath of allegiance to the homeland to which he looks for protection and help during his travels abroad. Whether or not he wants to do so, I feel that it should be required. The action of the courts in striking the requirement is another of those farfetched rulings which bend over backwards to protect the supposed rights of the individual regardless of his responsibilities to his country.

I already have joined as a cosponsor of a bill to restore the oath. A similar bill has been introduced in the Senate. It is my hope that the Congress will get its mind on down to Earth and fundamental matters such as loyalty to our Nation and proceed to enact this legislation.

WHY NOT CONCERN FOR THE GULF COAST ON THE RISK FROM OIL DRILLING?

(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, recently it was noted that the President's Council on Environmental Quality has stated that any new offshore oil development should avoid the Atlantic coast of Georgia, Florida, and Long Island and the Gulf of Alaska where environmental risks would be high. It is unfortunate that a similar concern has not been shown for the environmental quality of the Gulf of Mexico and the magnificent beaches which are to be found on Florida's gulf coast.

The CEQ has issued a report cautioning that oil drilling in the Atlantic and the Alaskan Gulf should be conducted under "careful controls." No such report has been issued regarding drilling in the Gulf of Mexico despite the fact I have been calling for assurances that full safeguards be implemented to protect our beaches and waterways.

An oil spill in any waters is harmful. But for the Federal agency charged with preventing this kind of accident to appear largely indifferent to one section of the country while pleading for safeguards for another area is scarcely understandable and I have protested this shortsighted policy. I have stated previously that one major oil spill could seriously jeopardize the future of the gulf coast beaches. Tourists and oil do not mix on beaches.

It is more than a little significant that plans are already under discussion for large, new training and testing ranges in the western part of the United States. This in itself is an indication of concern that oil drilling in the Gulf of Mexico will interfere with essential defense programs there. This is fully as important as environmental quality.

PERSONAL EXPLANATION

(Mr. BROWN of California asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. BROWN of California. Mr. Speaker, yesterday the House considered and passed H.R. 14368, the Energy Supply and Environmental Coordination Act. I intended to participate in the debate on this subject, but due to the energy crisis, I am told, I was unable to schedule a plane flight from California to arrive on time for the debate. It is ironic that the cutting back of plane schedules in the name of the energy crisis caused me to miss this vote. In the case of H.R. 14368 we have delays and exemptions being granted to necessary environmental legislation in the name of the energy crisis.

My position on H.R. 14368 was clearly spelled out in the CONGRESSIONAL RECORD on Monday, April 29. I would have voted "no" on final passage. On the Wyman amendment to H.R. 14368, I am also on record in strong opposition to it. I regret that events forced me to miss this important debate.

LEAVE OF ABSENCE

(By unanimous consent (at the request of Mr. O'NEILL) leave of absence was granted to:)

Mr. PEPPER, for Wednesday, May 1, on account of official business.

Mrs. HANSEN of Washington, for today, on account of illness.

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. GILMAN), to revise and extend their remarks and include extraneous matter:)

Mr. DERWINSKI, for 30 minutes, today.

Mr. BAFALIS, for 1 hour, on May 15.

Mr. ARMSTRONG, for 1 hour, on May 15.

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

Mrs. HECKLER of Massachusetts, for 30 minutes, today.

Mr. KEMP, for 10 minutes, today.

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

Mr. GONZALEZ, for 5 minutes, today.

Ms. ABZUG, for 5 minutes, today.

Mr. ROONEY of Pennsylvania, for 10 minutes, today.

Mr. RYAN, for 5 minutes, today.

Mr. REUSS, for 30 minutes, today.

Mr. RIEGLE, for 5 minutes, today.

Mr. MELCHER, for 5 minutes, today.

EXTENSION OF REMARKS

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

Mr. BARRETT, and to include extraneous matter, notwithstanding the fact that it exceeds 2 pages of the RECORD and is estimated by the Public Printer to cost \$470.25.

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

Mr. HANRAHAN in three instances.

Mr. HEINZ.

Mr. COLLIER in five instances.

Mr. MALLARY in two instances.

Mr. GILMAN in two instances.

Mr. ROBISON of New York.

Mr. WYMAN in two instances.

Mr. SARASIN.

Mr. ARCHER.

Mr. SMITH of New York.

Mr. REGULA.

Mr. COLLINS of Texas in three instances.

Mr. BRAY in three instances.

Mr. FRENZEL.

Mr. HUNT.

Mr. ESCH in two instances.

Mr. HOSMER in two instances.

Mr. KEMP in three instances.

Mr. BAKER.

Mr. SHUSTER.

Mr. HANSEN of Idaho.

Mr. MCKINNEY.

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

Mr. HELSTOSKI in 10 instances.

Mr. EILBERG in 10 instances.

Mr. KARTH in two instances.

Mr. FRASER in five instances.

Mr. RARICK in three instances.

Mr. GONZALEZ in three instances.

Mr. McCORMACK.

Mr. TEAGUE.

Mr. RONCALIO of Wyoming.

Mr. EVINS of Tennessee.

Mr. ADDABBO.

Mr. MINISH.

Mr. NIX.

Mr. HARRINGTON.

Mr. REES in four instances.

Mr. DRINAN.

Mr. ANDERSON of California in three instances.

Mr. Roy.

ENROLLED BILLS SIGNED

Mr. HAYS, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 9293. An act to amend certain laws affecting the Coast Guard; and

H.R. 11793. An act to reorganize and consolidate certain functions of the Federal Government in a new Federal Energy Administration in order to promote more efficient management of such functions.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 1115. An act to amend the Controlled Substances Act to provide for the registration of practitioners conducting narcotic treatment programs.

ADJOURNMENT

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

The motion was agreed to; accordingly (at 3 o'clock and 8 minutes p.m.), under its previous order, the House adjourned until Monday, May 6, 1974, 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:

2268. A letter from the Acting Secretary of Agriculture, transmitting a draft of proposed legislation to amend section 4(a) of the Agriculture and Consumer Protection Act of 1973; to the Committee on Agriculture.

2269. A letter from the Secretary of Housing and Urban Development transmitting a report on fees and charges established for guarantees under the Urban Growth and New Community Development Act of 1970, pursuant to section 721 of Public Law 91-609; to the Committee on Banking and Currency.

2270. A letter from the Assistant Secretary of State for Congressional Relations, transmitting a report on the proposed coproduction of M-16 rifles in the Philippines, pursuant to 22 U.S.C. 2791(b); to the Committee on Foreign Affairs.

2271. A letter from the Assistant Secretary of State for Congressional Relations, transmitting a report on political contributions made by Joseph W. Twynam, Ambassador designate to the State of Bahrain, pursuant

to section 6 of Public Law 93-126; to the Committee on Foreign Affairs.

2272. A letter from the Assistant Secretary of State for Congressional Relations, transmitting a report on political contributions made by William C. Turner, nominee to be U.S. Representative to the Organization for Economic Cooperation and Development, pursuant to section 6 of Public Law 93-126; to the Committee on Foreign Affairs.

2273. A letter from the Acting Chairman, Federal Trade Commission, transmitting the Commission's comments on its staff's report on the Emergency Petroleum Allocation program, pursuant to section 7(a) of Public Law 93-159; to the Committee on Interstate and Foreign Commerce.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MORGAN: Committee on Foreign Affairs. S. 3304. An act to authorize the Secretary of State or such officer as he may designate to conclude an agreement with the People's Republic of China for indemnification for any loss or damage to objects in the "Exhibition of the Archeological Finds of the People's Republic of China" while in the possession of the Government of the United States. (Rept. No. 93-1023). Referred to the Committee of the Whole House on the State of the Union.

Mr. PERKINS: Committee on Education and Labor. H.R. 13342. A bill to amend the Farm Labor Contractor Registration Act of 1963 by extending its coverage and effectuating its enforcement (Rept. No. 93-1024). Referred to the Committee of the Whole House on the State of the Union.

Mr. PERKINS: Committee on Education and Labor. H.R. 13871. A bill to amend chapter 81 of subpart G of title 5, United States Code, relating to compensation for work injuries, and for other purposes. (Rept. No. 93-1025). Referred to the Committee of the Whole House on the State of the Union.

Mr. CULVER: Committee on Foreign Affairs. H.R. 13973. A bill to amend the title of the Foreign Assistance Act of 1961 concerning the Overseas Private Investment Corporation to extend the authority for the Corporation, to authorize the Corporation to issue reinsurance, to suggest dates for terminating certain activities of the Corporation, and for other purposes; with amendment (Rept. No. 93-1026). Referred to the Committee of the Whole House on the State of the Union.

Mr. ROSENTHAL: Committee on Foreign Affairs. H.R. 13261. A bill to amend the International Claims Settlement Act of 1949, as amended, to provide for the timely determination of certain claims of American nationals settled by the United States-Hungarian Claims Agreement of March 6, 1973, and for other purposes, (Rept. No. 93-1027). Referred to the Committee of the Whole House on the State of the Union.

Mr. MILLS: Committee on Ways and Means. H.R. 14462. A bill to amend the Internal Revenue Code of 1954 with respect to the tax treatment of oil and gas production (Rept. No. 93-1028). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

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

By Mr. ASHBROOK:

H.R. 14544. A bill to authorize recomputation at age 60 of the retired pay of members

and former members of the uniformed services whose retired pay is computed on the basis of pay scales in effect prior to January 1, 1972, and for other purposes; to the Committee on Armed Services.

By Mr. BROWN of California:

H.R. 14545. A bill to amend the Sugar Act of 1948 to retain an overall external quota system while abandoning quotas for specific foreign countries, to eliminate the internal quota system, and for other purposes; to the Committee on Agriculture.

By Mr. BROWN of California (for himself, Mr. DRINAN, Mr. ESHELMAN, Mr. HAMMERSCHMIDT, Mr. HAWKINS, Mr. HOSMER, Mr. LEHMAN, Mr. MURTHA, Mr. REES, Mr. ROSE, Mr. ROUSH, and Mr. WHITEHURST):

H.R. 14546. A bill to amend the Internal Revenue Code of 1954 to provide that advertising of alcoholic beverages is not a deductible expense; to the Committee on Ways and Means.

By Mr. BROWN of California:

H.R. 14547. A bill to amend the Internal Revenue Code of 1954 to repeal the excise tax on sugar; to the Committee on Ways and Means.

By Mr. BROTHILL of North Carolina:

H.R. 14548. A bill to amend the National Traffic and Motor Vehicle Safety Act of 1966 to authorize appropriations for fiscal years 1975, 1976 and 1977; to the Committee on Interstate and Foreign Commerce.

By Mr. COHEN (for himself and Mr. FROEHLICH):

H.R. 14549. A bill to amend certain provisions of Federal law relating to explosives; to the Committee on the Judiciary.

By Mr. DINGELL:

H.R. 14550. A bill to remove the exemption of ordinary livestock from the Interstate Commerce Act; to the Committee on Interstate and Foreign Commerce.

By Mr. FRASER:

H.R. 14551. A bill to amend the Internal Revenue Code of 1954 to permit taxpayers to utilize the deduction for personal exemptions as under present law or to claim a credit against tax of \$200 for each such exemption; to the Committee on Ways and Means.

By Mr. FREY (for himself, Mr. ANDABBO, Mr. BEARD, Mr. HEINZ, Mrs. HOLT, Mr. MURPHY of New York, and Mr. STEELE):

H.R. 14552. A bill to amend title 38 of the United States Code in order to provide service pension to certain veterans of World War I and pension to the widows of such veterans; to the Committee on Veterans' Affairs.

By Mr. GILMAN (for himself, Mr. KEMP, Mr. YATES, Mr. GUYER, Mr. NIX, Mr. LOTT, Mr. WON PAT, Mr. HANLEY, Mr. DEVINE, Mr. MOAKLEY, Mr. HUBER, Mr. PODELL, Mr. DIGGS, Mr. DUNCAN, Ms. SCHROEDER, Mr. YATRON, Mr. WALSH, Mrs. COLLINS of Illinois, Mr. ROUSSELOT, Ms. HECKLER of Massachusetts, Mr. HARRINGTON, Mr. CLEVELAND, Mr. RANDALL, Mr. TREEN, and Mr. MARAZITI):

H.R. 14553. A bill to amend title II of the Social Security Act to increase to \$7,500 the amount of outside earnings which (subject to further increases under the automatic adjustment provisions) is permitted each year without any deductions from benefits thereunder; to the Committee on Ways and Means.

By Mr. HANLEY:

H.R. 14554. A bill to amend section 401(j) of the Federal Aviation Act of 1958 to provide that no air carrier shall discontinue service, in whole or in part, unless such discontinuance is found to be in the public interest by the Civil Aeronautics Board after public hearings; to the Committee on Interstate and Foreign Commerce.

By Mr. HUNT:

H.R. 14555. A bill to establish Federal programs to encourage and assist in the provision of safe and sanitary housing, with comprehensive provisions for essential services, for older Americans and those individuals with enduring handicaps; to the Committee on Banking and Currency.

By Mr. LONG of Maryland:

H.R. 14556. A bill to amend title II of the Social Security Act so as to remove the limitation upon the amount of outside income which an individual may earn while receiving benefits thereunder; to the Committee on Ways and Means.

By Mr. LUJAN:

H.R. 14557. A bill to provide for the development of a long-range plan to advance the national attack on arthritis and related musculoskeletal diseases and for arthritis training and demonstration centers, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. MALLARY:

H.R. 14558. A bill to encourage and assist States and localities to develop, demonstrate, and evaluate means of improving the utilization and effectiveness of human services through integrated planning, management, and delivery of those services in order to achieve the objectives of personal independence and individual and family economic self-sufficiency; to the Committee on Education and Labor.

By Mr. MELCHER (for himself, Ms. ABZUG, Mrs. COLLINS of Illinois, Mr. DIGGS, Mr. GUDE, Mr. HASTINGS, Ms. HOLTZMAN, and Mr. KOCH):

H.R. 14559. A bill to amend the Food Stamp Act of 1964, as amended, and for other purposes; to the Committee on Agriculture.

By Mr. MICHEL:

H.R. 14560. A bill to amend title 38 of the United States Code in order to presume all diseases and injuries of former prisoners of war to be service-connected disabilities; to the Committee on Veterans' Affairs.

By Mr. MILLER (for himself, Mr. STARK, Mr. STEELMAN, Mr. SANDMAN, Mr. MANN, Mr. GILMAN, Mr. DEVINE, Mr. BAFALIS, Mr. WON PAT, Mr. YOUNG of Florida, Mr. BURLESON of Texas, Mr. YOUNG of Illinois, Mr. ARCHER, Mr. MITCHELL of New York, Mr. McCORMACK, Mr. SYMMS, Mr. CLEVELAND, Mr. HECHLER of West Virginia, Mr. GUYER, Mr. LATTA, Mr. ESHLEMAN, Mr. BAKER, Mr. SNYDER, Mr. SCHERLE, and Mr. WYLIE):

H.R. 14561. A bill to authorize the provision of assistance to foreign countries in exchange for strategic or critical raw materials; to the Committee on Foreign Affairs.

By Mr. MINISH:

H.R. 14562. A bill to amend the Public Health Service Act to provide assistance for programs for the diagnosis, prevention, and treatment of, and research in, Huntington's disease; to the Committee on Interstate and Foreign Commerce.

By Mr. MOSHER:

H.R. 14563. A bill to authorize the establishment of the Edison Birthplace National Historic Site; to the Committee on Interior and Insular Affairs.

H.R. 14564. A bill to require in all cases court orders for the interception of communications by electronic and other devices, for the entering of any residence, for the opening of any mail, for the procurement of certain records, and for other purposes; to the Committee on the Judiciary.

By Mr. PRICE of Texas (for himself, Mr. LOTT, Mr. FISHER, Mr. DENHOLM, Mr. ZWACH, Mr. STEIGER of Arizona, Mr. NICHOLS and Mr. SCHERLE):

H.R. 14565. A bill to prohibit the importation into the United States of any fresh, chilled, or frozen cattle meat during a 180-day period; to the Committee on Ways and Means.

By Mr. ROGERS:

H.R. 14566. A bill to amend the Internal Revenue Code of 1954 to increase the credit against tax for retirement income; to the Committee on Ways and Means.

H.R. 14567. A bill to amend the Internal Revenue Code of 1954 to allow an income tax deduction for State and local utility taxes; to the Committee on Ways and Means.

By Mr. SARASIN (for himself, Mr. SCHNEEBELL, Mr. SEIBERLING, Mr. STEELE, Mr. STUDS, Mr. THOMPSON of New Jersey, Mr. TIERNAN, Mr. VANDER VEEN, and Mr. YATRON):

H.R. 14568. A bill to amend the Regional Rail Reorganization Act of 1973 to allow adequate time for citizen participation in public hearings, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. SARASIN (for himself, Ms. ABZUG, Mr. BOLAND, Mr. BURKE of Massachusetts, Mr. CLEVELAND, Mr. CONTE, Mr. DONOHUE, Mr. EILBERG, Mr. FISH, Mr. GOODLING, Mr. GREEN of Pennsylvania, Mr. GUYER, Mr. HARRINGTON, Mrs. HECKLER of Massachusetts, Mr. KYROS, Mr. LANDGREBE, Mr. LONG of Maryland, Mr. MADIGAN, Mr. MILLER, Mr. MOAKLEY, Mr. MOSHER, Mr. MURTHA, Mr. O'BRIEN, Mr. ROBISON of New York, and Mr. ST GERMAIN):

H.R. 14569. A bill to amend the Regional Rail Reorganization Act of 1973 to allow adequate time for citizen participation in public hearings, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. STEELMAN (for himself, Mr. DERWINSKI, Mr. KEMP, Mr. STARK, Ms. SCHROEDER, Mr. FAUNTRY, Mr. DUNCAN, Mr. MALLARY, Mr. SEIBERLING, and Ms. HECKLER of Massachusetts):

H.R. 14570. A bill to amend section 552 of title 5, United States Code (known as the Freedom of Information Act) to specify those matters which in the interest of the national defense may be withheld from public disclosure by a Federal agency; to the Committee on Government Operations.

By Mr. STEELMAN (for himself, Mr. KEMP, Mr. STARK, Mrs. SCHROEDER, Mr. DUNCAN, Mr. MALLARY, Mr. SEIBERLING, and Mrs. HECKLER of Massachusetts):

H.R. 14571. A bill to amend section 552 of title 5, United States Code (known as the Freedom of Information Act), to provide for increased public access to certain Federal agency records; to the Committee on Government Operations.

By Mr. STEELMAN (for himself, Mr. KEMP, Mr. STARK, Mr. DERWINSKI, Mr. FAUNTRY, Ms. SCHROEDER, Mr. DUNCAN, Mr. SEIBERLING, Ms. HECKLER of Massachusetts, and Ms. HOLTZMAN):

H.R. 14572. A bill to amend section 552 of title 5, United States Code (known as the Freedom of Information Act), to provide for the award of court costs and reasonable attorneys' fees to successful complainants that seek certain Federal agency information; to the Committee on Government Operations.

By Mr. STEELMAN (for himself, Mr. KEMP, Mr. STARK, Ms. SCHROEDER, Mr. DUNCAN, Mr. MALLARY, Mr. SEIBERLING, and Ms. HECKLER of Massachusetts):

H.R. 14573. A bill to amend section 552 of title 5, United States Code (known as the Freedom of Information Act), to provide for an in camera inspection by the appropriate court of certain agency records; to the Committee on Government Operations.

By Mr. STEELMAN (for himself, Mr. KEMP, Mr. STARK, Mr. FAUNTRY, Ms. SCHROEDER, Mr. DUNCAN, Mr. MALLARY, Mr. SEIBERLING, Ms. HECKLER of Massachusetts, and Ms. HOLTZMAN):

H.R. 14574. A bill to amend section 552 of title 5, United States Code (known as the Freedom of Information Act), to require Federal agencies to respond to requests for certain information no later than 15 days after the receipt of each such request; to the Committee on Government Operations.

By Mr. STEELMAN (for himself, Mr. KEMP, Mr. STARK, Mr. DERWINSKI, Mr. MALLARY, Mr. SEIBERLING, and Ms. HECKLER of Massachusetts):

H.R. 14575. A bill to provide standards of fair personal information practices; to the Committee on the Judiciary.

By Mr. STEELMAN (for himself, Mr. KEMP, Mr. STARK, Mr. DERWINSKI, Mr. FAUNTRY, Mr. HORTON, Mr. SEIBERLING, and Ms. HECKLER of Massachusetts):

H.R. 14576. A bill to amend the Social Security Act to prohibit the disclosure of an individual's social security number or related records for any purpose without his consent unless specifically required by law, and to provide that (unless so required) no individual may be compelled to disclose or furnish his social security number for any purpose not directly related to the operation of the old-age, survivors, and disability insurance program; to the Committee on Ways and Means.

By Mr. VIGORITO:

H.R. 14577. A bill to further amend the Agricultural Marketing Act of 1946; to the Committee on Agriculture.

By Mr. WYDLER:

H.R. 14578. A bill to extend and improve the Nation's unemployment programs and for other purposes; to the Committee on Ways and Means.

By Mr. ANDERSON of California (for himself, Mr. SARASIN, Mr. MATSUNAGA, Mr. BELL, Mr. CLAY, Mr. BADILLO, Mr. DENHOLM, Mr. DERWINSKI, Mr. ROYBAL, Mr. TIERNAN, Mr. LEHMAN, Mr. YOUNG of Georgia, Mr. BRASCO, Mr. COTTER, Mr. THOMPSON of New Jersey):

sey, Mr. HAWKINS, Mr. MOSS, Ms. SCHROEDER, Mr. HELSTOSKI, Mr. EILBERG, Mr. TRAXLER, Mr. WHITEHURST, Mr. MCCORMACK, Mr. FISH, and Mr. KEMP):

H.J. Res. 998. Joint resolution to prohibit the Bureau of Labor Statistics from instituting any revision in the method of calculating the Consumer Price Index until such revision has been approved by resolution by either the Senate or the House of Representatives of the United States of America; to the Committee on Education and Labor.

By Mr. ANDERSON of California (for himself, Mr. SARASIN, Mr. MATSUNAGA, Mr. BELL, Mr. CLEVELAND, Mr. HECHLER of West Virginia, Mr. HOLIFIELD, Mr. CONYERS, Mr. HARRINGTON, Mr. EDWARDS of California, Mr. STUDS, Ms. COLLINS of Illinois, Mr. SARBANES, Mr. DELLUMS, Mr. CORMAN, Mr. DOMINICK V. DANIELS, Mr. FASCCELLI, Mr. SEIBERLING, Ms. ABZUG, Mr. REES, and Ms. HOLTZMAN):

H.J. Res. 999. Joint resolution to prohibit the Bureau of Labor Statistics from instituting any revision in the method of calculating the Consumer Price Index until such revision has been approved by resolution by either the Senate or the House of Representatives of the United States of America; to the Committee on Education and Labor.

By Mr. HANLEY:

H. Res. 1088. Resolution creating a select committee to study the impact and ramifications of the Supreme Court decisions on abortion; to the Committee on Rules.

By Mr. MOORHEAD of California:

H. Res. 1089. Resolution in support of continuing undiluted U.S. sovereignty and jurisdiction over the U.S.-owned Canal Zone on the Isthmus of Panama; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII,

Mr. WHITTEN introduced a bill (H.R. 14579) for the relief of Josephine J. Johnson, which was referred to the Committee on the Judiciary.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

448. By the SPEAKER: Memorial of the Legislature of the Commonwealth of Massachusetts, relative to allowing greater immigration to the people of Ireland; to the Committee on the Judiciary.

449. Also, memorial of the Senate of the Commonwealth of Massachusetts, relative to Federal participation in the costs of the social security system; to the Committee on Ways and Means.

SENATE—Thursday, May 2, 1974

The Senate met at 10 a.m. and was called to order by Hon. JAMES B. ALLEN, a Senator from the State of Alabama.

PRAYER

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

O God, grant to us clean hands and pure hearts as we undertake our service to the Nation this day. As Thou hast given us this good land, rich in resources

and in beauty, help us to conserve its bounty and its beauty. Preserve the people from marring the beauty of this world or contaminating its atmosphere. Give us clean air, clean water, clean people, clean government. Help us to make our cities, towns, and countryside a creation of enduring beauty and a joy forever. And, finally, may the spirit of the Great Galilean be upon us and motivate us in our work, to the glory of Thy holy name. Amen.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. EASTLAND).

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., May 2, 1974.
To the Senate:

Being temporarily absent from the Senate on official duties, I appoint Hon. JAMES B.