constituency who are interested in any particular issue, perhaps telling them of his latest action in the area. The Congressman already has the franking privilege, and it is certainly easy to accumulate lists of the constituents' interests. Constituents write letters to their Congressman, they sign petitions and advertisements, they join local issue groups, and so on.

Even today, it is a poorly organized incumbent who does not seek to identify preference groups of voters as he seeks reelection. Furthermore, all of this information can be correlated with the past election history and the census data for each precinct within a district. The emergence of the computer in the last decade did not make all this possible; the computer just made it more practical. In the next decade technology will simply become more advanced and less expensive, and its impact on the electoral process will be far greater than we might imagine.

It is easy, though, as one lays blame on the computer, to miss the larger implications of advancing technology. The use of an in-office computer to accumulate publicly available data on a representative's constituency, done properly and with a respect for personal privacy, is a legitimate function of representation. The more an officeholder knows about his constituents, the better the job he will do. The campaign reform issue is that the better the job he does, the more difficult he is to defeat, particularly if he has access to advanced technological aids.

Performance in office cannot be limited, however, the way that campaign contributions or campaign spending can. Therefore, *unless a challenger is provided with compensatory, if not comparable, access to information and communications technology, he will not possibly be able to make a credible challenge.* In the example above, the issue is whether data bases which have been legitimately accrued as a function of representation should not also be made available in some fashion to bona fide challengers prior to an election. After all, is this not public data collected with public funds?

The basic spirit of most campaign reform legislation is a fundamental equalizing of the opportunity to seek public office. This is to be accomplished through a proposed equalizing of services, paid for by public funds or as a result of a limit placed on campaign contributions and spending, or both. The issue that we have yet to address is an equalizing of capabilities. The dilemma is that some of an incumbent's increased capabilities derive not from sources which can be regulated, but from the impact of advanced technology on the incumbent's performance of his Constitutionally mandated responsibility of representation. And the time to confront this issue is now, for the march of technology will not be deterred.

HOUSE OF REPRESENTATIVES—*Monday, May 6, 1974*

The House met at 12 o'clock noon.

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

Man shall not live by bread alone, but by every word that proceedeth out of the mouth of God.—Matthew 4: 4.

Almighty and everliving God, the Maker and Ruler of men, who hast made all things for Thy children and Thy children for Thy glory, we commend to Thy loving care the people of these United States. Save them from violence, discord, and confusion, from pride and arrogance, and from every evil way.

Endue with the spirit of wisdom every Member of this House of Representatives. Grant unto them such a consciousness of Thy presence that what is done this day may be for Thy glory and for the good of people everywhere.

Keep us all clean in mind, pure in heart, and generous in deed. Waiting upon Thee may our strength be renewed, our faith restored, and our love rekindled through Jesus Christ our Lord. 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.

MESSAGES FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Mr. Marks, one of his secretaries.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H.R. 11385. An act to amend the Public Health Service Act to revise the programs of health services research and to extend the program of assistance for medical libraries; and

H.R. 12920. An act to authorize additional appropriations to carry out the Peace Corps Act, and for other purposes.

The message also announced that the Senate had passed bills and joint resolutions of the following titles, in which the concurrence of the House is requested:

S. 354. An act to regulate commerce by establishing a nationwide system to restore motor vehicle accident victims and by requiring no-fault motor vehicle insurance as a condition precedent to using a motor vehicle on public roadways;

S. 1227. An act to amend section 415 of the Communications Act of 1934, as amended, to provide for a 2-year period of limitations in proceeding against carriers for the recovery of overcharges or damages not based on overcharges;

S. 1479. An act to amend subsection (b) of section 214 and subsection (c)(1) of section 222 of the Communications Act of 1934, as amended, in order to designate the Secretary of Defense (rather than the Secretaries of the Army and the Navy) as the person entitled to receive official notice of the filing of certain applications in the common carrier service and to provide notice to the Secretary of State where under section 214 applications involve service to foreign points;

S. 2457. An act to amend the Communications Act of 1934, as amended, to permit the Federal Communications Commission to grant radio station licenses in the safety and special and experimental radio services directly to aliens, representatives of aliens, foreign corporations, or domestic corporations with alien officers, directors, or stockholders; and to permit aliens holding such radio station licenses to be licensed as operators;

S. 3072. An act to amend title 38, United States Code, to increase the rates of disability compensation for disabled veterans; to increase the rates of dependency and indemnity compensation for their survivors; and for other purposes;

S.J. Res. 175. Joint resolution to authorize and request the President to issue a proclamation designating the calendar week beginning May 6, 1974, as "National Historic Preservation Week";

S.J. Res. 195. Joint resolution to authorize and request the President to issue a proclamation designating May 13, 1974, as "American Business Day"; and

S.J. Res. 197. Joint resolution to authorize the designation of the 7-day period beginning June 17, 1974, and ending June 23, 1974, as "National Amateur Radio Week."

CONSENT CALENDAR

The SPEAKER. This is the day for the call of the Consent Calendar.

The Clerk will call the first bill on the Consent Calendar.

AUTHORIZING AND DIRECTING THE SECRETARY OF AGRICULTURE TO CONVEY INTEREST IN PROPERTY IN JASPER COUNTY, GA., TO THE JASPER COUNTY BOARD OF EDUCATION

The Clerk called the bill (H.R. 510) to authorize and direct the Secretary of Agriculture to convey any interest held by the United States in certain property in Jasper County, Ga., to the Jasper County Board of Education.

There being no objection, the Clerk read the bill as follows:

H.R. 510

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Agriculture is authorized and directed to convey to the Jasper County Board of Education, Jasper County, Georgia, all right, title, and interest in and to the real property described in the quitclaim deed made by the United States, as grantor, to the Jasper County Board of Education, as grantee, on April 26, 1940, and recorded on June 5, 1940, in Jasper County, Georgia, which the United States might hold as a result of covenants contained in such quitclaim deed.

With the following committee amendment:

Page 2, line 5, strike out "deed." and insert thereof: "deed: *Provided, however,* That any proceeds from the sale, lease, exchange or other use or disposition of the lands shall be used exclusively for educational purposes by the Jasper County Board of Education.".

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AUTHORIZING THE CONVEYANCE OF CERTAIN LANDS TO THE NEW MEXICO STATE UNIVERSITY

The Clerk called the bill (H.R. 5641) to authorize the conveyance of certain

lands to the New Mexico State University, Las Cruces, N. Mex.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. GROSS. Mr. Speaker, reserving the right to object, I would like to ask some Member who is knowledgeable about this bill the value of the land that is involved?

Mr. RONCALIO of Wyoming. Mr. Speaker, will the gentleman yield?

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

Mr. RONCALIO of Wyoming. Mr. Speaker, the report discloses that the estimate of the value of the land is approximately $300 an acre. For the further information of the gentleman, the report states that it is a conveyance of 6,250 acres, but, in fact, I only count 4,342 acres as being conveyed.

Some of this land was used for other Federal purposes through the years, and the land will all go to the university there, which has an anticipated student body of 15,000 students in the next few years. In effect, it is a land grant to a State school.

Mr. GROSS. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

H.R. 5641

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in the administration of the Act entitled "An Act to authorize acquisition or use of public lands by States, counties, or municipalities for recreation purposes", approved June 14, 1926 (44 Stat. 741), the Secretary of the Interior is authorized, notwithstanding the acreage limitations contained therein, to convey to the New Mexico State University at Las Cruces, New Mexico, all right, title, and interest of the United States in and to the following described lands:

(1) Those lands described in Public Land Order Numbered 2051, contained 1,393.19 acres; and

(2) Those lands described in Public Land Order Numbered 3685, containing 2,789.07 acres;

all such lands lying in sections 13, 14, 15, 22, 23, 24, 25, 26, and 35, township 23 south, range 2 east, New Mexico principal meridian.

With the following committee amendments:

Page 1, strike out lines 3 through 7, and on page 2, strike out lines 1 through 4, and insert in lieu thereof: "That notwithstanding the acreage limitation in the Act of June 14, 1926 as amended, 43 U.S.C. § 869–4, the Secretary of the Interior may convey to the New Mexico State University at Las Cruces, New Mexico in accordance with the provisions of that Act, all or any part of the following described lands:".

Page 2, line 12, strike out the word, "and".

Page 2, line 14, following "acres;", insert "and".

Page 2, following line 10, insert:

"(3) Southwest ¼, section 14, township 23 south, range 2 east, New Mexico principal meridian, consisting of 160 acres.".

Page 2, line 5, strike out "all such lands lying in" and insert in lieu thereof: "All of the above-described lands lie in".

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MODIFYING THE BOUNDARY OF THE CIBOLA NATIONAL FOREST

The Clerk called the bill (H.R. 7188) to modify the boundary of the Cibola National Forest, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. GROSS. Mr. Speaker, reserving the right to object. I do so in order to ask some Member who is conversant with the bill whether the amendment in the bill now meets the objections of the Department of Agriculture.

Mr. RONCALIO of Wyoming. Mr. Speaker, will the gentleman yield?

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

Mr. RONCALIO of Wyoming. Mr. Speaker, it is my understanding that the amendment does now meet the Department's objections. The objections have been met.

Mr. GROSS. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill as follows:

H.R. 7188

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the exterior boundary of the Cibola National Forest in New Mexico be modified to include the following described lands:

1. A tract of land in townships 13 and 14 north, range 16 and 17 west, of the New Mexico principal meridian in New Mexico, beginning at a point from which the southwest corner of section 34, township 14 north, range 17 west, bears north 89 degrees 52 minutes west 1,717.32 feet; thence south 0 degrees 56 minutes east 1,307.46 feet to the south west corner of the Fort Wingate Army Depot; thence south 89 degrees 45 minutes east 897.60 feet; thence south 89 degrees 57 minutes east 2,643.30 feet; thence north 89 degrees 48 minutes east 5,272.80 feet; thence north 89 degrees 51 minutes east 6,596.70 feet to the southeast corner of Fort Wingate Army Depot which bears south 89 degrees 51 minutes west 1,320.66 feet and north 1,328.58 feet from the northwest corner of section 6, township 13 north, range 16 west; thence north 0 degrees 42 minutes west 12,945.12 feet; then due west, 15,175.51 feet to the west boundary of the Fort Wingate Army Depot; thence south 0 degrees 35 mintes west 2,598.32 feet; thence south 0 degrees 23 minutes west 5,195.52 feet; thence south 0 degrees 32 minutes west 3,892.88 feet to the point of beginning, containing an area of 4,556 acres, more or less. The southwest and southeast corners of Fort Wingate Army Depot mentioned in the above description are the same as was installed as of November 19, 1971, and mentioned in the main survey, United States Department of the Interior, Bureau of Land Management plat dated September 9, 1957.

2. Township 14 north, range 15 west, section 3, all lying south of Interstate 40; section 4; all lying south of Interstate 40; section 5, all; section 8, all; section 9, all; section 10, all lying south of Interstate 40; section 11, all lying south of Interstate 40; section 12, all lying south of Interstate 40; section 13, all lying south of Interstate 40; section 14, all; section 15, all; section 16, all; section 17, all; section 20, all; section 21, all; section 22, all; section 23, all; section 24, all; section 25, all; section 26, all; section 27, all; section 28, all; section 29, all; section 32, east half; section 33, all; section 34, all; section 35, all; section 36, all; containing 14,467.06 acres, more or less.

3. Township 10 north, range 4 east, section 1, south half northeast quarter, southeast quarter; section 11, northeast quarter, north half southeast quarter, southeast quarter southeast quarter; section 25, lots 1–4, north half north half; containing 866.80 acres, more or less.

4. That portion of the Elena Gallegos grant lying east of a line described as beginning at the closing corner between section 35 and 36 on the south boundary of the said grant and extending north 63 chains, thence east 37 chains, thence north 222.3 chains to the 7½-mile corner on the north boundary of said grant, containing 7,000 acres, more or less.

SEC. 2. Subject to valid existing rights, all lands owned by the United States in the areas described in section 1 of this Act, are hereby added to the national forest, and shall be administered in accordance with the laws, rules, and regulations applicable thereto.

SEC. 3. For the purposes of section 6 of the Act of September 3, 1964 (78 Stat. 903), the boundary of the Cibola National Forest, as modified by section 1 of this Act, shall be treated as if it were the boundary of that forest on January 1, 1965.

With the following committee amendment:

Page 1, beginning on line 3, strike out all after the enacting clause and insert in lieu thereof the following:

That the exterior boundary of the Cibola National Forest in New Mexico be modified to include the following described lands:

(a) A tract of land in townships 13 and 14 north, range 16 and 17 west, of the New Mexico principal meridian in New Mexico, beginning at a point from which the southwest corner of section 34, township 14 north range 17 west, bears north 89 degrees 52 minutes west 1,717.32 feet; thence south 0 degrees 56 minutes east 1,307.46 feet to the southwest corner of the Fort Wingate Army Depot; thence south 89 degrees 45 minutes east 897.60 feet; thence south 89 degrees 57 minutes east 2,643.30 feet; thence north 89 degrees 48 minutes east 5,272.08 feet; thence north 89 degrees 51 minutes east 6,596.70 feet to the southeast corner of Fort Wingate Army Depot which bears north 89 degrees 51 minutes east 1,320.66 feet and south 1,328.58 feet from the northwest corner of section 6, township 13 north, range 16 west; thence north 0 degrees 42 minutes west 12,945.12 feet; then due west, 15,175.51 feet to the west boundary of the Fort Wingate Army Depot; thence south 0 degrees 35 minutes west 2,598.32 feet; then south 0 degrees 23 minutes west 5,195.52 feet; thence south 0 degrees 32 minutes west 3,872.88 feet to the point of beginning, containing an area of 4,556 acres, more or less. The southwest and southeast corners of Fort Wingate Army Depot mentioned in the above description are the same as was installed as of November 19, 1971, and mentioned in the Mann survey, United States Department of the Interior, Bureau of Land Management plat dated September 9, 1957.

(b) Township 14 north, range 15 west, section 3, all lying south of Interstate 40; section 4, all lying south of Interstate 40; section 5, all; section 8, all; section 9, all; section 10, all lying south of Interstate 40; section 11, all lying south of Interstate 40; section 12, all lying south of Interstate 40; section 13, all lying south of Interstate 40; section 14, all; section 15, all; section 16, all; section 17, all; section 20, all; section 21, all; section 22, all; section 23, all; section 24, all; section 25, all; section 26, all; section 27, all; section 28, all; section 29, all; section 32, east half; section 33, all; section 34, all; section

35, all; section 36, all; containing 14,476.06 acres, more or less.

(c) Township 10 north, range 4 east, section 2, south half northeast quarter, southeast quarter; section 11, northeast quarter, north half southeast quarter, southeast quarter southeast quarter; containing 520 acres, more or less.

SEC. 2. Subject to valid existing rights, all lands owned by the United States in the areas described in section 1 of this Act, are hereby added to the national forest, and shall be administered in accordance with the laws, rules, and regulations applicable thereto.

SEC. 3. For the purposes of section 6 of the Act of September 3, 1964 (78 Stat. 903), the boundary of the Cibola National Forest, as modified by section 1 of this Act, shall be treated as if it were the boundary of that forest on January 1, 1965.

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

DESIGNATING CERTAIN LANDS AS WILDERNESS

The Clerk called the bill (H.R. 12884) to designate certain lands as wilderness.

There being no objection, the Clerk read the bill as follows:

H.R. 12884

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

DESIGNATION OF WILDERNESS AREAS WITHIN THE NATIONAL WILDLIFE REFUGE SYSTEM

SECTION 1. In accordance with section 3(c) of the Wilderness Act (78 Stat. 890, 892; 16 U.S.C. 1132(c)), the following lands are hereby designated as wilderness:

(a) certain lands in the Chamisso National Wildlife Refuge, Alaska, which comprise about four hundred and fifty-five acres and which are depicted on a map entitled "Chamisso Wilderness Proposal", dated November 1969, which shall be known as the Chamisso Wilderness;

(b) certain lands in the National Key Deer Refugee, the Great White Heron National Wildlife Refuge, and the Key West National Wildlife Refuge, Florida, which comprise about four thousand seven hundred and forty acres and which are depicted on a map entitled "Florida Keys Wilderness—Proposed", dated August 1969, which shall be known as the Florida Keys Wilderness;

(c) certain lands in the Chassahowitzka National Wildlife Refuge, Florida, which comprise about sixteen thousand and sixty acres and which are depicted on the map entitled "Chassahowitzka Wilderness—Proposed" and dated October 1971, Revised January 1974, which shall be known as the Chassahowitzka Wilderness: *Provided,* That nothing in this Act shall be construed to prohibit established uses within the navigable waters of the Chassahowitzka Wilderness of motorboats, commercial fishing, and guiding activities which are compatible with primary refuge objectives but subject to such restrictions as the Secretary of the Interior deems necessary;

(d) certain lands in the Saint Marks National Wildlife Refuge, Florida, which comprise about seventeen thousand seven hundred and forty-six acres and which are depicted on a map entitled "Saint Marks Wilderness Proposal—Florida", dated September 1971, revised December 1971, which shall be known as the Saint Marks Wilderness;

(e) certain lands in the Wolf Island National Wildlife Refuge, Georgia, which comprise about four thousand one hundred and sixty-eight acres and which are depicted on a map entitled "Wolf Island Wilderness Proposal", dated March 1971, October 1971 revised, which shall be known as the Wolf Island Wilderness,

(f) certain lands in the Breton National Wildlife Refuge, Louisiana, which comprise about five thousand acres and which are depicted on a map entitled "Breton Wilderness—Proposed", dated December 1970, Revised January 1974, which shall be known as the Breton Wilderness;

(g) certain lands in the Moosehorn National Wildlife Refuge, Maine, which comprise about four thousand five hundred and ninety-eight acres and which are depicted on a map entitled "Moosehorn Wilderness (Baring Unit)—Proposed", dated September 1971, Revised December 1971, which shall be known as the Moosehorn Wilderness (Baring unit): *Provided,* That the noth-south headquarters road within the wilderness area be closed to motorized vehicles;

(h) certain lands in the Brigantine National Wildlife Refuge, New Jersey, which comprise about four thousand two hundred and fifty acres and which are depicted on the map entitled "Brigantine Wilderness—Proposed" and dated August 1971, which shall be known as the Brigantine Wilderness;

(i) certain lands in the Bosque del Apache National Wildlife Refuge, New Mexico, which comprise about thirty-two thousand five hundred acres and which are depicted on a map entitled "Bosque del Apache Wilderness—Pproposed", dated July 1971, which shall be known as the Bosque del Apache Wilderness;

(j) certain lands in the Chase Lake National Wildlife Refuge, North Dakota, which comprise about four thousand one hundred and fifty-five acres and which are depicted on the map entitled "Chase Lake Wilderness—Proposed" and dated September 1971, which shall be known as the Chase Lake Wilderness;

(k) all lands in the West Sister Island National Wildlife Refuge, Ohio, which comprise about eighty-five acres and which are depicted on a map entitled "Proposed West Sister Island Wilderness", dated October 1969, which shall be known as West Sister Island Wilderness: *Provided,* That nothing in this Act shall be construed to preclude continued essential maintenance of the lighthouse as a navigational aid and as a historical structure; and

(l) certain lands in the Cape Romain National Wildlife Refuge, South Carolina, which comprise about twenty-eight thousand acres and which are depicted on a map entitled "Cape Romain Wilderness Proposal", dated January 1971, which shall be known as the Cape Romain Wilderness.

DESIGNATION OF WILDERNESS AREAS WITHIN THE NATIONAL FOREST SYSTEM

SEC. 2. In accordance with section 3(b) of the Wilderness Act (78 Stat. 891; 16 U.S.C. 1132(b)), the following lands are hereby designated as wilderness:

(a) the area classified as the "Agua Tibia Primitive Area", within the Cleveland National Forest, California, with the proposed additions thereto and deletions therefrom, comprising an area of approximately eleven thousand nine hundred acres, and which are generally depicted on a map entitled "Proposed Agua Tibia Wilderness", which shall be known as the Agua Tibia Wilderness;

(b) the area classified as the "Emigrant Basin Primitive Area", within the Stanislaus National Forest, California, with the proposed additions thereto and deletions therefrom, comprising an area of approximately one hundred and five thousand eight hundred and seventy-six acres, and which are generally depicted on a map entitled "Proposed Emigrant Wilderness", which shall be known as the Emigrant Wilderness;

(c) the area classified as the "Mission Mountains Primitive Area", within the Flathead National Forest, Montana, with the proposed additions thereto and deletions therefrom, comprising an area of approximately seventy-five thousand two hundred acres, and which are generally depicted on a map entitled "Proposed Mission Mountains Wilderness", dated January 1974, which shall be known as the Mission Mountains Wilderness.

ADMINISTRATIVE PROVISIONS

SEC. 3. All primitive area classifications of areas herein designated wilderness are hereby abolished.

SEC. 4. As soon as practicable after this Act takes effect, a map and a legal description of each wilderness area shall be filed with the Interior and Insular Affairs Committees of the United States Senate and the House of Representatives, and such description shall have the same force and effect as if included in this Act: *Provided, however,* That correction of clerical and typographical errors in such legal description and map may be made.

SEC. 5. Wilderness areas designated by this Act shall be administered in accordance with the provisions of the Wilderness Act governing areas designated by that Act as wilderness areas, except that any reference in such provisions to the effective date of the Wilderness Act shall be deemed to bear a reference to the effective date of this Act, and any references to the Secretary of Agriculture shall be deemed to be a reference to the Secretary who has administrative jurisdiction over the area.

Mr. JOHNSON of California. Mr. Speaker, I rise today in support of the bill H.R. 12884, an omnibus bill calling for the creation of several wilderness areas throughout the United States. As a member of the House Interior and Insular Affairs Committee, it has been my pleasure to assist in the drafting of this legislation, and I feel that we have created a bill which will go far to protect many of those areas in our country so valuable to us as primitive wildernesses. In particular, Mr. Speaker, I rise in support of that provision in the bill calling for the creation of the Emigrant Wilderness in northern California. I had the honor to represent this portion of the Golden State for many years and the inclusion of this wilderness area in our wilderness system will bring many benefits to the State of California and to the people throughout the Western States.

Throughout my 15 years of service as a Congressman in northern California, I have had the opportunity to work with the people of this area and with those who frequent the area for recreational purposes. They are unanimous in their support for the inclusion of this area in our national wilderness areas system.

The largest part of the proposed wilderness area has long been known to Californians as the Emigrant Basin Primitive Area. This region was first officially recognized for its primeval beauty in 1931, when the Chief of the Forest Service set aside over 98,000 acres for preservation in its natural state. Through continual careful management and selective use of resources, its ruggedness and beauty as well as its primitive quality have been preserved.

The name "Emigrant" is deeply steeped in local history. The basin derives its name from nearby Emigrant Pass, that famous passage used by many pioneer groups to cross the Sierra Nevada

Mountains into this region of eastern California.

The proposed Emigrant Wilderness Area is a region of rugged snow-capped peaks, glistening glacial lakes, lush mountain meadows, and sparse patches of conifer forest in the Stanishaus National Forest. It lies in Tuolumne County along the northern border of Yosemite National Park.

The area is used primarily for outdoor recreation, being visited from late spring to early fall by hikers, campers, fishermen, and hunters. In addition, it supports a small amount of mining activity and is a summer forage area for cattle. The basin receives heavy winter snowfalls and much summer rain and is an important watershed. Small masonry and concrete dams have been constructed inconspicuously to increase the water storage and facilitate uinform flows in lower streams.

The topography of this primitive area is relatively rugged. The area is drained by the Middle Fork of the Stanislaus River and the Tuolumne River. The elevation of the region ranges from a low of 4,700 feet at Cherry Lake to 11,570 feet at Leavitt Peak on the crest of the Sierra Nevada, and creates rocky, craggy mountains and glaciated ridges and valleys. More than 100 crystal lakes are scattered throughout the massive outcroppings of granite.

Temperatures in this region vary from 90° F. to −20° F., thus providing cool summers which are enthusiastically enjoyed by people from California's urban areas. Over 80 percent of the precipitation in the areas falls as snow.

Because soils are generally shallow and the timberline falls below the crest of the higher peaks, only 28 percent of the area supports any timber, and that is scattered. Alpine meadows dot much of the landscape with unique mountain vegetation.

The area is vast and one can easily experience the challenges and solitude of wilderness. Although the area has been well used, it has been carefully managed to maintain its primeval setting, and still contains the rugged natural appearance caused by centuries of winter storms.

The legislation which I introduced and which I am supporting calls for the establishment of a wilderness area of 105,876 acres. The area is basically the Emigrant Basin Primitive Area with minor additions and subtractions. My legislation embodies the recommendation of the U.S. Forest Service and of the administration. I am supported in my efforts by all of the concerned agencies of the Federal Government and by the State of California.

The time for action is now. As the Forest Service has developed new programs for wilderness areas, more and more areas have been wisely included. This region which has been protected over the years for its natural beauty and primitive state deserves to be given the perpetual protection of the Wilderness Act of 1964. Our urban areas are sprawling and we will continually need more space for our people. We must act now to preserve those areas least touched by man.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

W. TURNER WALLIS PUMPING STATION

The Clerk called the Senate bill (S. 2509) to name structure S–5A of the Central and Southern Florida Flood Control District, located in Palm Beach County, Fla., as the "W. Turner Wallis Pumping Station" in memory of the late W. Turner Wallis, the first secretary-treasurer and chief engineer for the Central and Southern Florida Flood Control District.

There being no objection, the Clerk read the Senate bill as follows:

S. 2509

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That structure S–5A of the Central and Southern Florida Flood Control District, located in Palm Beach County, Florida, shall be named the "W. Turner Wallis Pumping Station" in memory of the late W. Turner Wallis, the first secretary-treasurer and chief engineer of the Central and Southern Florida Flood Control District.

SEC. 2. Any law, rule, regulation, document, map, or record of the United States in which reference is made to structure S–5A referred to in the first section of this Act shall be considered to be a reference to that structure by the name designated for the structure in the first section of this Act.

The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The SPEAKER. This concludes the call of the eligible bills on the Consent Calendar.

ANNOUNCEMENT OF HEARINGS BEFORE SUBCOMMITTEE OF COMMITTEE ON AGRICULTURE

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

Mr. BURKE of Massachusetts. Mr. Speaker, I am taking this opportunity to announce tomorrow morning at 10 a.m. before a subcommittee of the Committee on Agriculture headed by the Honorable JOSEPH P. VIGORITO of Pennsylvania, a bill will be heard requesting that the Secretary of Agriculture provide seeds and plants upon request by citizens of the United States.

This is a far-reaching bill. It is aimed at fighting the high prices of vegetables in this country and fighting the food shortages that this Nation faces in the future. It is a step forward and will be a return to the soil on the part of America. It will give people in the urban areas a chance to plant a little garden and encourage a return to the soil and utilize millions and millions of unused acres of land that are good for planting in this country for the benefit of the people.

I invite any Members who wish to participate to join us in that meeting.

CORRECTION OF H.R. 11793, NEW FEDERAL ENERGY ADMINISTRATION

Mr. HOLIFIELD. Mr. Speaker, I ask unanimous consent for the immediate consideration of the concurrent resolution (H. Con. Res. 485) authorizing the Clerk of the House to make a technical correction in the enrollment of H.R. 11793.

The Clerk read the concurrent resolution as follows:

Resolved by the House of Representatives (the Senate concurring), That the President of the United States is requested to return to the House of Representatives the enrolled bill (H.R. 11793) 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. If and when said bill is returned by the President, the action of the Presiding Officers of the two Houses in signing the bill shall be deemed rescinded; and the Clerk of the House is authorized and directed, in the re-enrollment of said bill, to make the following correction:

In section 29 of the enrolled bill, strike out "$2,000,000" and insert in lieu thereof "$200,000,000".

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

There was no objection.

Mr. HOLIFIELD. Mr. Speaker, this is a typographical error in the printing of the enrolled bill, and it is necessary that we agree to this concurrent resolution, and that the Senate concur in it.

The SPEAKER. The question is on the concurrent resolution.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

REPORTS OF PATMAN DEFEAT GREATLY EXAGGERATED

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

Mr. ANNUNZIO. Mr. Speaker, like the death of Mark Twain, the reports that our distinguished colleague, WRIGHT PATMAN, would be defeated in last Saturday's Texas primary were greatly exaggerated.

For the past several weeks, a number of newspaper and magazine articles have appeared indicating that Chairman PATMAN was in trouble in his election bid. It was suggested that although he might win the primary, he would be forced into a runoff election.

It is most gratifying for me to report to you that Chairman PATMAN not only won his primary race, but easily defeated two challengers and captured more than 55 percent of the vote, while his nearest opponent gained only slightly more than 20 percent of the vote.

It would appear that the news articles predicting Chairman PATMAN'S defeat were wishful thinking on the part of the

big bankers who would like to see Mr. PATMAN forced into retirement.

Mr. PATMAN ran a strong and aggressive campaign, the type which has kept him in Congress for 46 years.

I salute the chairman of the House Banking Committee for his resounding election victory on Saturday.

ST. LAWRENCE SEAWAY DEVELOPMENT CORPORATION'S ANNUAL REPORT—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. —)

The SPEAKER laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Public Works and ordered to be printed with illustrations:

To the Congress of the United States:

I herewith transmit the Saint Lawrence Seaway Development Corporation's Annual Report for 1973. This report has been prepared in accordance with Section 10 of Public Law 83-358, as amended, and covers the period January 1, 1973 through December 31, 1973.

RICHARD NIXON.

THE WHITE HOUSE, *May 6, 1974.*

SEVENTH ANNUAL REPORT OF UNITED STATES-JAPAN COOPERATIVE MEDICAL SCIENCE PROGRAM—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. ——)

The SPEAKER laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Interstate and Foreign Commerce and ordered to be printed:

To the Congress of the United States:

I am pleased to send to the Congress the Seventh Annual Report of the United States-Japan Cooperative Medical Science Program.

This joint research effort in the biomedical sciences, undertaken in 1965 following a meeting between the Prime Minister of Japan and the President of the United States, continues to focus upon diseases of both worldwide importance and of special significance to the peoples of Asia: cholera, environmentally induced diseases, leprosy, malnutrition, the parasitic diseases filariasis and schistosomiasis, tuberculosis, and the viral diseases dengue and rabies.

The sustained success of this biomedical research program reflects its careful management and the strong commitment of both nations to its continuation. The increasingly effective research planning and communication between investigators in our two countries has intensified our scientific productivity and strengthened our determination to work together toward better health for all mankind.

RICHARD NIXON.

THE WHITE HOUSE, *May 6, 1974.*

AMENDING ACT OF JUNE 27, 1960 (74 STAT. 220) RELATING TO THE PRESERVATION OF HISTORICAL AND ARCHEOLOGICAL DATA

Mr. TAYLOR of North Carolina. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 296) to amend the Act of June 27, 1960 (74 Stat. 220), relating to the preservation of historical and archeological data, as amended.

The Clerk read as follows:

H.R. 296

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act to provide for the preservation of historical and archeological data (including relics and specimens) which might otherwise be lost as the result of the construction of a dam", approved June 27, 1960 (74 Stat. 220; 16 U.S.C. 469), is amended as follows:

(1) In section 1, after "result of" insert "(1)" and delete "agency." and insert "agency or (2) any alteration of the terrain caused as a result of any Federal construction project or federally licensed activity or program.".

(2) In section 2, change, "SEC. 2. (a)", to "SEC. 2."; after "Secretary of the Interior" insert "(hereafter referred to as the Secretary)", and delete all of subsection (b).

(3) Add the following new sections:

"SEC. 3. (a) Whenever any Federal agency finds, or is notified, in writing, by an appropriate historical or archeological authority, that its activities in connection with any Federal construction project or federally licensed project, activity, or program may cause irreparable loss or destruction of significant scientific, prehistorical, historical, or archeological data, such agency shall notify the Secretary, in writing, and shall provide the Secretary with appropriate information concerning the project, program, or activity. Such agency may request the Secretary to undertake the recovery, protection, and preservation of such data (including preliminary survey, or other investigation as needed, and analysis and publication of the reports resulting from such investigation), or it may, with funds appropriated for such project, program, or activity, undertake such activities. Copies of reports of any investigations made pursuant to this section shall be submitted to the Secretary, who shall make them available to the public for inspection and review.

"(b) Whenever any Federal agency provides financial assistance by loan, grant, or otherwise to any private person, association, or public entity, the Secretary, if he determines that significant scientific, prehistorical, historical, or archeological data might be irrevocably lost or destroyed, may with funds appropriated expressly for this purpose conduct, with the consent of all persons, associations, or public entities having a legal interest in the property involved, a survey of the affected site and undertake the recovery, protection, and preservation of such data (including analysis and publication). The Secretary shall, unless otherwise mutually agreed to in writing, compensate any person, association, or public entity damaged as a result of delays in construction or as a result of the temporary loss of the use of private or any nonfederally owned lands.

"SEC. 4. (a) The Secretary, upon notification, in writing, by any Federal or State agency or appropriate historical or archeological authority that scientific, prehistorical, historical, or archeological data is being or may be irrevocably lost or destroyed by any Federal or federally assisted or licensed project, activity, or program, shall, if he determines that such data is significant and is being or may be irrevocably lost or destroyed and after reasonable notice to the agency responsible for funding or licensing such project, activity, or program, conduct or cause to be conducted a survey and other investigation of the areas which are or may be affected and recover and preserve such data (including analysis and publication) which, in his opinion, are not being, but should be, recovered and preserved in the public interest.

"(b) No survey or recovery work shall be required pursuant to this section which, in the determination of the head of the responsible agency, would impede Federal or federally assisted or licensed projects or activities undertaken in connection with any emergency, including projects or activities undertaken in anticipation of, or as a result of, a natural disaster.

"(c) The Secretary shall initiate the survey or recovery effort within sixty days after notification to him pursuant to subsection (a) of this section or within such time as may be agreed upon with the head of the agency responsible for funding or licensing the project, activity, or program in all other cases.

"(d) The Secretary shall, unless otherwise mutually agreed to in writing, compensate any person, association, or public entity damaged as a result of delays in construction or as a result of the temporary loss of the use of private or nonfederally owned land."

(4) In section 2, change "SEC. 2. (c)" to "SEC. 5. (a)" and change "instigating agency" to "agency responsible for funding or licensing the project" and delete "agency," and insert "agency and the survey and recovery programs shall terminate at a time mutually agreed upon by the Secretary and the head of such agency unless extended by mutual agreement.".

(5) Delete subsection 2(d).

(6) In section 2, change "SEC. 2. (e)" to "SEC. (5). (b)".

(7) In section 5 add the following new subsection:

"(c) The Secretary shall coordinate all Federal survey and recovery activities authorized under this Act and shall submit an annual report at the end of each fiscal year to the Interior and Insular Affairs Committees of the United States Congress indicating the scope and effectiveness of the program, the specific projects surveyed and the results produced, and the costs incurred by the Federal Government as a result thereof.".

(8) Redesignate "SEC. 3." as "SEC. 6." and change paragraphs (2) and (3) to read as follows:

"(2) obtain the services of experts and consultants or organizations thereof in accordance with section 3109 of title 5, United States Code; and

"(3) accept and utilize funds made available for salvage archeological purposes by any private person or corporation or transferred to him by any Federal agency.".

(9) Delete all of section 4 and insert the following:

"SEC. 7. (a) To carry out the purposes of this Act, any Federal agency responsible for a construction project may assist the Secretary and/or it may transfer to him such funds as may be agreed upon, but not more than 1 per centum of the total amount authorized to be appropriated for such project, except that the 1 per centum limitation of this section shall not apply in the event that the project involves $50,000 or less: *Provided,* That the costs of such survey, recovery, analysis, and publication shall be considered nonreimbursable project costs.

"(b) For the purposes of subsection 3(b), there are authorized to be appropriated such sums as may be necessary, but not more than $500,000 in fiscal year 1974; $1,000,000 in fis-

cal year 1975; $1,500,000 in fiscal year 1976; $1,500,000 in fiscal year 1977; and $1,500,000 in fiscal year 1978.

"(c) For the purposes of subsection 4(a), there are authorized to be appropriated not more than $2,000,000 in fiscal year 1974; $2,000,000 in fiscal year 1975; $3,000,000 in fiscal year 1976; $3,000,000 in fiscal year 1977; and $3,000,000 in fiscal year 1978.".

The SPEAKER. Is a second demanded?

Mr. DELLENBACK. Mr. Speaker, I demand a second.

Mr. ROBERTS. Mr. Speaker, I would ask the gentleman if the gentleman from Oregon is opposed to the bill?

Mr. DELLENBACK. Mr. Speaker, the gentleman from Oregon is not opposed to the bill.

The SPEAKER. Is the gentleman from Texas opposed to the bill?

Mr. ROBERTS. I am, Mr. Speaker.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

The gentleman from North Carolina (Mr. TAYLOR) will be recognized for 20 minutes, and the gentleman from Texas (Mr. ROBERTS) will be recognized for 20 minutes.

The Chair recognizes the gentleman from North Carolina (Mr. TAYLOR).

Mr. TAYLOR of North Carolina. Mr. Speaker, I yield myself 7 minutes.

Mr. Speaker, I am pleased to bring before the House a bill originally sponsored by our colleague, the gentleman from Florida (Mr. BENNETT) and subsequently cosponsored by more than 125 other Members of the House. I believe this bill probably has more cosponsors than any other bill that I have brought to the floor.

This bill, if enacted, will expand the Federal effort to assure the recovery, preservation, and documentation of the historical and archeological resources of the Nation which might otherwise be lost as a result of alterations of the terrain.

Under present law—Public Law 86-523—the Congress has provided for the survey of sites and the recovery of archeological values at federally constructed dam and reservoir areas. That program has resulted in the preservation of much significant historical data that would otherwise have been lost or destroyed. The costs incurred as a result of this effort have varied from year to year—averaging about $1.2 million since the act was approved in 1960. In recent years, however, a more concentrated effort has resulted in the investment of about $1.8 million annually.

H.R. 296, as amended, would expand the present law to include activities administered by agencies other than those associated with water development projects. During the deliberations of the Subcommittee on National Parks and Recreation during the 92d Congress—September 11-12, 1972—and during the 93d Congress—July 30-31, 1973—and in several subsequent meetings, the effect and operation of this change in policy was carefully examined.

Almost everyone recognizes the value of this endeavor, Mr. Speaker, but we want to be sure that this program does not interfere with orderly progress. The affected departments suggested numerous amendments and voiced sincere concerns with the original text of the bill. The subcommittee reviewed these comments and suggestions in its consideration of the proposal and totally redrafted the bill. It is this revised text which is now before the House.

Mr. Speaker, the basic objective of H.R. 296, as recommended, would be to expand and redirect the historical and archeological salvage program. During the course of our hearings, we were told of many cases where significant values have been lost simply because the agency involved had no legal authority to utilize any portion of its funds in order to undertake the necessary survey and salvage effort.

Mr. Speaker, the committee amendment strikes all after the enacting clause of the bill and inserts a new text which incorporates and eliminates most of the concerns expressed by the affected agencies either by clarifying the language or by including the substance of the suggested amendments.

While the objective of H.R. 296 remains intact under the revised text, several substantive changes are recommended by the committee.

First, the committee language is drafted to prevent any undue interference with or delay of needed Federal projects or programs. Specifically, the language of the bill provides that the governmental agency carrying out a project can do the salvage work itself and not lose any control to the Interior Department; that the Interior Department must begin salvage work within 60 days after notice or at a time agreed to by the agency and must complete work by the time agreed to with the agency and that there can be no recovery in case of emergencies.

Second, it places coordinating responsibility in the Secretary of the Interior so that a relatively uniform Federal program should be assured. It also requires the Secretary to review the efforts of the agencies and report annually to the Congress concerning the problems, accomplishments and costs of the program. Members of the committee were particularly concerned that the funding for this program be carefully reviewed.

Third, we were concerned with the possible impact of this program on non-Federal property owners which might be affected because projects are financed by Federal loans or grants. To protect them, we wrote into the bill a provision requiring the consent of all persons having a legal interest in affected property before any survey or salvage work could be undertaken and we required that if such work results in any damage or loss due to delays or loss of the use of property, those affected would be entitled to compensation.

Finally, Mr. Speaker, the committee felt that strong funding controls were essential. While we authorized the use of appropriated project funds for the purposes of this program, we also authorized funds to be appropriated to the Secretary of the Interior for different phases of the program. This falls into two parts:

No. 1, the committee amendment authorizes the appropriation of $6 million—in five annual installments averaging $1.2 million per year—to fund survey and salvage efforts in connection with Federal loan or grant programs on non-Federal property.

No. 2, the committee amendment authorizes the appropriation of $13 million—in five annual installments averaging $2.6 million per year— to continue the present program and include other Federal construction sites.

Mr. Speaker, this is a complicated measure and one which consumed a considerable amount of the time of the members of the Subcommittee on National Parks and Recreation. We think that we have improved the legislation and that it merits the approval of the House. I am pleased to recommend its enactment.

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

Mr. TAYLOR of North Carolina. I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Speaker, is the gentleman from North Carolina aware that this bill authorizes backdoor spending and is in the nature of a blank check? I refer to page 8, lines 5 and 6. Was that the reason the bill was brought out under a suspension of the rules, because this language would have been a violation of rule XXI, clause 4, and subject to a point of order?

Mr. TAYLOR of North Carolina. The Department of the Interior can proceed with donated funds or, as on lines 5 and 6 with funds appropriated for such project, programs, or activity. In my opinion the present project funds could not be used but those appropriated for that purpose could be.

Mr. GROSS. It is a reappropriation of funds, is it not?

Mr. TAYLOR of North Carolina. When funds are appropriated for a specfic agency, the Appropriations Committee of course would take this legislation into consideration.

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

Mr. TAYLOR of North Carolina. I yield to the gentleman from Kansas.

Mr. SKUBITZ. Mr. Speaker, I rise in support of the legislation before us, H.R. 296, which is designed to strengthen Federal efforts in preserving our country's heritage of archeological and prehistoric remains.

Much of the historical artifacts and remains of early-day inhabitants of our land have become buried in the subsurface of the land through the passing of time.

In 1960, the Congress enacted legislation which authorized identification and recovery efforts for such remains in connection with the construction of dams and related water development projects.

Time has shown, however, that many of these valuable archeological remains are to be found in locations away from streams where water impoundments are constructed.

In many instances, the construction of airports, highways, and buildings, for example, has resulted in the uncovering of valuable archeological remains.

The bill is designed to extend authority for Federal identification and recovery efforts to all Federal programs which would affect the terrain, and to other programs or activities which affect the terrain which are in any way licensed or assisted by Federal agencies.

The bill provides safeguards, however, to assure that any survey or recovery efforts will not adversely affect the progress of any construction activity, and any efforts involving private property or interests can be conducted only with the consent of those interests.

This bill strengthens the authority of the Secretary of the Interior as the general coordinator for all survey and recovery efforts.

The bill provides increased funding authorization for the conduct of this strengthened program, and provides that the Secretary shall report annually to the Interior Committees of the Congress as to the progress of the program.

Mr. Speaker, H.R. 296, as introduced, was accompanied by numerous companion bills cosponsored by 128 Members of the House.

It is obvious that the objectives of this legislation have had strong interest and support by the Members of this body. I urge my colleagues to join with me in voting favorably for the passage of this bill.

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

Mr. TAYLOR of North Carolina. I yield to the gentleman from New York (Mr. CONABLE).

Mr. CONABLE. Mr. Speaker, something of this sort is needed quite obviously in order to protect priceless archeological sites. Once they have been damaged they can never be replaced. I believe it was Faulkner who once said:

> The past is not dead. It is not even past.

While this is true, we can kill important parts of our heritage by carelessness. We need the protection of this legislation.

I know how the construction crews work. I know what happens when they come upon something of this sort. They generally are inclined to try to speed up their work before some outside scientist can come in and complicate their construction schedule. The Interior Department must have this legislative tool to protect the irreplaceable. A financing mechanism in needed, and all responsible participants must be sensitized to the value of preserving archelogical values no matter how important our commitment to progress. How sad to look back after it is too late, and say, "If we had not been in such a hurry—now we will never know."

I hope the bill will prevail.

Mr. TAYLOR of North Carolina. I thank the gentleman from New York.

Mr. ROBERTS. Mr. Speaker, I yield myself 10 minutes.

Mr. Speaker, I regret that this bill comes to the House under suspension of the rules and that I must take the floor to ask that some necessary changes be made to protect the public interest.

I yield to no one in my desire to preserve the historical and archeological sites, but this bill provides no time limitation whatsoever upon the Department of the Interior. The Department could make an agreement that would require the stopping of a highway project or mass transit project for an unlimited number of years.

We need to be very careful that any legislation does not create a road block for necessary transportation and construction projects.

The key to this is the phrase in this bill that the gentleman from North Carolina mentioned, and I appreciate his candor; "Time agreed to." By the Secretary of the Interior.

The Public Works Committee on which I am a member is working on a mass transit bill now that will involve some $30 billion. An agency concerned can make a contract to hold this up for 2 years or more. We are going to have to have $30 billion here to work out mass transit programs. Do we want to have them held up for one person to come along and file a suit? I want to save these archeological sites. We already require on highway projects for the Interior Department to certify that there is no problem; but we are opening up a can of worms here that will stop our mass transit program.

All I want to do is to get my distinguished colleague to take it back through the Committee on Rules and revise it so that we have some limitation on time, so that the Interior Department and the others concerned can use this to keep them from using this bill as a method of stopping the construction program on highways, on mass transit, on all other major construction programs.

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

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

Mr. SCHERLE. I think my colleague from Texas makes an excellent point. I am a sponsor of this piece of legislation myself; but I do see the inherent harm that could be created in the discussion.

I am going to vote in this case with my colleague from Texas and hope that we can clean this thing up and not create the situation that he is presently fearful of.

Mr. ROBERTS. I thank the gentleman. In fact, I may be one of the sponsors, too. I want to preserve these sites; but I do not want to stop the entire Government for the benefit of those who may use this bill for purposes not intended

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

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

Mr. GROSS. It follows if Federal contracts are held up, it is going to increase the costs of Federal contracts. I cannot get out of my mind the backdoor spending involved in this bill and bringing it before the House under a suspension of the rules, which precludes the making of a point of order against this. Moreover, I would like to hear someone explain what prehistorical data is to be accumulated under the terms of this bill.

Mr. ROBERTS. Let me say to the gentleman, I am in a position right now where there is a highway project that has been held up for a year because there is a house somewhere near the right-of-way that is 100 years old. It has no historical value, but somebody suggested it was an historical site and it took a lot of time to clear up the matter.

Again, I want to compliment the gentleman from North Carolina in what he is trying to do; but I hope he is willing to get a rule so that the "time agreed to" phrase, which is the key to the whole thing, can be eliminated in favor of a specified time frame to provide the necessary protection for construction projects, historical sites and archeological sites.

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

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

Mr. SKUBITZ. I do not see the relationship between the example which the gentleman gives; that is, the holding up of a highway project because of a house being erected.

Mr. ROBERTS. It is a negative thing. The Department of the Interior requires the highway department to make a report showing that no historical site will be disturbed. They have resolved this in the last week or two, but it has taken months. I want to do what the gentleman wants to do also, but reduce the time lag.

Mr. SKUBITZ. Does the gentleman mean the house has been declared a historical site and that is the reason for holding up the highway?

Mr. ROBERTS. It has not been declared a historical site, but it is 100 years old, and some authority must say that no historical site will be affected.

Mr. SKUBITZ. The Secretary has to make that determination and he has 60 days to do it.

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

Mr. ROBERTS. Mr. Speaker, I yield to the gentleman from New York.

Mr. CONABLE. Mr. Speaker, I would like to call the attention of the gentleman to section 4(c), in which it says:

> The Secretary shall initiate the survey or recovery effort within sixty days after notification to him pursuant to subsection (a)...

Mr. ROBERTS. Mr. Speaker, the gentleman is almost getting to the key point. If he will read on, the Secretary can agree to 2 years or 5 years or 10 years, if he sees fit, without any time limitation whatever on the contract he enters into. This is not the sole objection.

Mr. CONABLE. Or within such time as may be agreed upon by the head of the agency responsible for the licensing of the project.

Mr. Speaker, I would like to call the gentleman's attention to the fact that if there is no agreement, he would have to fall back on the 60-day period. This, I think, puts the Secretary under considerable pressure to work with dispatch to protect the historical site.

Mr. ROBERTS. May I cite my example again. It has been nearly a year and a half and we have not authority to start clearing the right-of-way. This place has not even been declared a historical site.

Mr. TAYLOR of North Carolina. Mr. Speaker, will the gentleman yield?

Mr. ROBERTS. Mr. Speaker, I yield to the gentleman from North Carolina.

Mr. TAYLOR of North Carolina. Mr. Speaker, the gentleman from New York is exactly right. They placed the language in the bill providing that the Secretary must start action recovering an area within 60 days unless there is an agreement for a different time, which could be shorter or a little longer.

Mr. ROBERTS. Will the gentleman tell me how long this is? All I am asking him to do is to take it back to the Rules Committee and put in here 18 months. How long would he go?

Mr. TAYLOR of North Carolina. Sixty days.

Mr. ROBERTS. Five years, 10 years; it would not make any difference.

Mr. TAYLOR of North Carolina. Mr. Speaker, I can point out to the gentleman that the section 4(c), which the gentleman from New York read, specifically provides that in the absence of agreement to the contrary, the Secretary must start work within 60 days. We placed that in there in order to move it just as fast as possible.

The gentleman from Texas is concerned about environmental impact statements. Let me point out that this bill has no bearing on the environmental impact bill whether it passes or not. Environmental impact statements have to be filed. As a matter of fact, this bill might aid the situation because it gives us a mode or method whereby others will have the data that is in dispute and can get the matter cleared before the environmental impact agency gets involved.

Mr. ROBERTS. Mr. Speaker, may I state to the gentleman from Texas that I am under no misapprehension. This does not relate to the environmental impact statement, but it requires another thing which is almost identical. All in the world the gentleman from Texas asks is that the gentleman from North Carolina go back and protect all the programs, all the rest of Government, by putting in a limitation upon the time in which the Secretary of the Interior has to act. We require him to start in 60 days, but we do not require him to finish it at all. Suppose he never makes a report?

Mr. TAYLOR of North Carolina. Mr. Speaker, may I state that this paragraph provides that he must finish in the time agreed to between him and the agency.

Mr. ROBERTS. He can agree on anything he wants to. That is the whole weakness. He can agree to 2 years, 3 years, 5 years; in the meantime, the entire program is stopped.

Mr. Speaker, I do not want to cause any great furor here. We are making a great mistake if we pass this without letting it go back to the Rules Committee and have a chance to put some amendments on it. I certainly want to do what the gentleman wants to do, protect our sites, I want to help do it, but I do not want to stop everything while some one decides what constitutes a historical site.

Mr. Speaker, let me say that the gentleman from Iowa and I are not the biggest spenders around. Perhaps it would be good to stop a $30 billion mass transit program, but I don't think many of us would agree at this time.

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

Mr. ROBERTS. Mr. Speaker, I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Speaker, we ought to get legislation to do just that instead of resorting to this kind of device to do it.

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

Mr. ROBERTS. Mr. Speaker, I yield to the gentleman from California.

Mr. HOSMER. Mr. Speaker, the gentleman makes a point that the Secretary of the Interior might not agree to a reasonable period for a study to be made.

Mr. ROBERTS. Let me say that the point I make is that he has the authority to lengthen it as long as he wants to. I think there should be some time limitation.

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

Mr. ROBERTS. Mr. Speaker, I yield myself an additional 2 minutes.

Mr. HOSMER. Mr. Speaker, it would be well, yes, to be able to specify a particular time, but I may respectfully suggest that these kinds of questions do not lend themselves to the fixing of a particular time, because one does not know what one is going to get into when he gets under the ground, particularly with some artifacts or other things that have to do with historical problems.

Mr. Speaker, I think the best thing one can do is to assume that the newly appointed Secretary of the Interior, who is confirmed with the advice and consent of the Senate, will do a reasonable job and that he will not execute his office in an arbitrary fashion which is designed, for some reason that the gentleman has not yet specified, to stop the wheels of progress.

We did the best we could here, and I think we have to trust somebody we put in executive positions to do a decent and an honest job. That is the extent of what this bill provides.

Mr. Speaker, I believe that the gentleman has made a point, but it is not a valid point, one which should not interrupt the enactment of this legislation.

Mr. Speaker, I thank the gentleman for yielding.

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

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

Mr. GROSS. Mr. Speaker, I wonder where the definition can be found of "scientific data" and "prehistoric data."

Mr. ROBERTS. Mr. Speaker, I regret to say that I do not know.

Mr. GROSS. I wonder where the definition is.

Mr. ROBERTS. There is no such definition in this bill. It depends on whoever happens to be interested in what particular project, I regret to say.

Mr. TAYLOR of North Carolina. Mr. Speaker, I yield 5 minutes to the principal author of the bill, the gentleman from Florida (Mr. BENNETT).

Mr. BENNETT. Mr. Speaker, this legislation was brought to my attention by a large number of scholarly people, primarily in universities and museums throughout the country. They felt that the experience we had had so far with the previous legislation on dams showed that this legislation could be expanded conservatively in a way to take care of many things that are now being lost. From practical experience, therefore, we have worked on this legislation and we believe that no great amount of money need be involved.

Great benefit can come from the preservation of archiological materials. This can expand the horizons of young people and older people as well. It can add to knowledge and can improve the content of museums. The legislation is primarily for the purpose of getting information that would be helpful to man in his quest for knowledge with regard to the past—a very valuable assist to his knowledge of the future as well as of the present.

So, Mr. Speaker, I introduced this legislation. There were many cosponsors of it as well. I must say that the Committee on the Interior did an excellent job in revising the legislation. They held extensive hearings and they went into the matter in some great detail. In my opinion, their efforts greatly improved the legislation which we originally introduced. Our intentions were good, but the committee itself, as well as the staff, were able to perfect from our original proposals an excellent bill.

Mr. Speaker, we had cosponsors also in the Senate. The Senate bill is the bill which as originally introduced by us in the House if I remember correctly. Therefore, this matter will go to a conference between the House and the Senate, or this bill today can be newly handled in the Senate; and details such as the ones we have so far had brought out, could be ironed out.

Personally, Mr. Speaker, I have confidence in the Department of the Interior. I have had long experience with the Department of the Interior ever since I have been here in Congress; and I have never found them yet to be lacking in care, thoughtfulness, and promptness. I think they will do this job, under the thrust of this debate, and under the exact language of the legislation.

Mr. Speaker, I, myself, have no feeling that if this legislation passes in the form we have before us today that it would not be good, sound legislation or that there would be abuses which would occur under it. However, one can always conjure up possibilities, and this debate has given us some light as to those possibilities. When we go to conference on the bill or if the Senate takes separate action perhaps some additional language could be added to dispel any such feeling any Member might have.

I think this is good legislation, and I think it will give us information about

the past which will be helpful to us today and for the future. There is a variety of things to be learned, not just knowing what may have happened in history; but seeing the particular artificats from the past and learning all we can learn about them can even tell us things about health matters, for instance, as surprising as that may be. We have learned from such data a good bit about the development of sociology and other things that have developed in this land and this helps us in today's world.

Mr. Speaker, I think it is good, sound legislation, and I sincerely hope that it may be passed.

Mr. TAYLOR of North Carolina. Mr. Speaker, I have no further requests for time. However, I will yield myself 1 minute.

Mr. Speaker, I would just like to state that the Subcommittee on National Parks and Recreation did not rush into this legislation. We held 2 days of hearings on it in the last Congress, we held 2 days of hearings on it during this Congress, and we spent 2 days marking up the bill.

We considered all amendments recommended by the agencies. It is a bill that has been approved by the archeological community. I do not know of a single Federal agency that now opposes this bill in its present form.

In regard to spending, we have placed language in the bill, as we always do in any bill that comes out of our committee, limiting the amount of spending to specific ceilings.

In regard to the 1 percent of project funds, it is my opinion, in interpreting the bill, that that money that has been appropriated could be reprogramed if the Committee on Appropriations so decided, and up to 1 percent of those appropriations could be used.

We know that there will be only a relatively limited number of cases where historical and/or archeological items are going to be found. In the present program involving dams and reservoirs, we have had no complaints of project delays.

The SPEAKER. The time of the gentleman has expired.

Mr. TAYLOR of North Carolina. Mr. Speaker, I yield myself 1 additional minute.

Mr. Speaker, I might point out that Indian villages that have been found usually were located near the rivers, so that there will be more artifacts and articles of historical value found from sites near reservoirs and rivers than there will be from highway sites and airport projects which are not located normally close to the rivers.

Mr. ROBERTS. Mr. Speaker, I yield myself 1 additional minute.

Mr. Speaker, let me say again that the bill is deficient in that it does not describe what these historical sites are to be. They will be whatever anybody wants to make of them. Also, 1 percent of all project funds can be used to preserve sites.

One percent of the highway program funds alone, 1 percent of $5.5 billion, is a tremendous amount of money. Then we come along with the mass transit bill that will run to $30 billion over a 6-year period of time, plus other bills, and this will show the Members how much money will be spent under this bill. I hope my colleagues will vote down the suspension and send the bill back to the Committee on Rules so that we will have a chance to offer protecting amendments.

Mr. JOHNSON of California. Mr. Speaker, it is with great pleasure that I rise in support of H.R. 296, a bill introduced by my colleague, Mr. BENNETT, to preserve and protect valuable archeological and historical data from unnecessary destruction. As a member of the House Interior Committee, I have closely followed the progress of this legislation which I have the honor of cosponsoring. I believe this is a very commendable bill, and I am pleased that it has come before us today. I have for many years supported the initiative to broaden the scope of Federal statutes in the area of historic preservation at Federal construction project sites. This legislation embodies such an initiative.

The measure would extend the Federal salvage archeological programs to a wide range of Federal activities rather than limiting them to reservoir and dam construction. The bill would permit archeologists to select sites and concentrate their efforts on the basis of scientific need, not on what is being destroyed.

The bill would permit Federal agencies whose programs are endangering or destroying scientific, prehistorical, historical, or archeological data to spend program funds to protect or recover any of the above resources prior to their destruction. Because there would be few required administrative procedures set forth, the affected agency could carry out the recovery program by the administrative means which are most compatible with its operations.

Any Federal agency which does not wish to undertake direct responsibility for threatened archeological resources could ask the Secretary of the Interior to begin a survey to evaluate the situation and determine how best to protect the public interest. The Federal agency whose program would be responsible for the possible destruction, would be authorized transfer a portion of its project funds to the Secretary of the Interior for use by the Secretary in preserving those evidences of past societies which have remained untouched.

On previous occasions, extremely valuable scientific data have been lost due to insufficient funds and a lack of available personnel at the critical time. With the enactment of this legislation, Mr. Speaker, it would be possible to act without significant delay and to relate the level of need support directly to the amount of destruction, the scientific need, and to the availability of trained personnel by authorizing the expenditure of necessary funds directly from the program responsible for potential destruction of the data.

Enactment of this legislation would be another step in a significant effort by the Congress to preserve our heritage. Since the beginning of this century, the Congress has taken an increasingly important role in assuring protection for these historical and prehistorical finds. With the continued increase in Federal construction projects throughout the 50 States, I believe it is essential that we take the necessary steps to assure the greater protection proposed in this legislation.

Our ever expanding population, led on by a swiftly advancing technology, continues to destroy valuable resources buried beneath the Earth as new ground is continually broken across the country. A comprehensive effort must be made now to establish a procedure for the protection of such historical data.

It has been estimated that nearly one-half of our archeological sites will be destroyed in the next 25 years as Americans continue to occupy greater stretches of land. In the next 50 years very little American soil will be untouched. Now is the time to plan future approaches for the preservation of this nonrenewable resource.

The face of the continent is far different from that seen by our early pioneers. We have seen great technological changes all across the land. Efforts to develop the country and improve the life of our people have resulted in a major change of our land surface.

Modern people learn much from early predecessors. Knowledge of the past is a part of everyone's basic heritage and information about the past still lies buried in the ground awaiting discovery. Some remnants of the past will survive, of course, but unless we take appropriate steps now, the scattered evidence which will remain, will not be enough to permit scientists to recreate a full and meangful picture of the past. To date, much of the archeological work has been done in an emergency and ad hoc fashion—responding primarily to discoveries on the verge of falling to destruction by the construction shovel. A great majority of the effort has been supported financially by private organizations and individuals and carried out by dedicated volunteers.

In closing, let me say that the efforts of so many private and volunteer groups to preserve our rich culture of past generations are quite commendable. The situation is such, however, that their best efforts are not enough in view of the large-scale changes being made. If we are to protect what we have, and prevent its loss forever, the Federal Government is going to have to take it upon itself to participate in this effort of preservation.

We are not asking that projects be discarded. We are not asking that great sums of money be expended. This bill simply permits a temporary stoppage of work until the culturally significant items can be removed and preserved. Then, construction can be allowed to continue. As little as 1 percent of project funds would be used for this purpose. This seems a small price for a "priceless" bit of history.

Mr. HOSMER. Mr. Speaker, the bill before us, H.R. 296, is one which deserves the support of all Members of the House. The bill make it Federal policy that where important archeological, historical, or prehistorical artifacts may exist which might be jeopardized by Federal or fed-

erally assisted projects which alter the terrain, Federal funding is authorized for survey and salvage of such sites.

In 1960, the Congress enacted legislation to assure that all such archeological sites and specimens could be appropriately surveyed, salvaged and protected in conjunction with Federal or federally assisted dam and related water development projects. The bill before us amends that 1960 law by broadening its scope to extend to all Federal or federally assisted projects of any nature. Time has shown that items of archeological and prehistorical importance exist in many locations, not just along stream courses where water impoundments are to be located.

This bill provides that survey and salvage efforts for Federal or federally assisted projects and activities may be undertaken, within limits, at Federal expense. The Secretary of the Interior is given broadened authority to coordinate this expanded program.

Mr. Speaker, with the growing impact of man's activities resulting in the alteration of the terrain across the breadth of our Nation, it is most important that we provide for that coordination and funding necessary to assure that these important and irreplacable elements of our historical heritage are not carelessly and unknowingly destroyed.

This bill before us, H.R. 296, will help us to better protect our historical heritage, and I urge my colleagues to lend their support by voting in favor of this bill.

Mr. McCLORY. Mr. Speaker, I rise in support of H.R. 296. The need for this type of legislation is quite apparent. Throughout the United States there are a great number of historical sites which, due to the limited number of professional archeologists capable of exploring these regions, have never been excavated or analyzed. To allow these sites to go uninvestigated and lost forever because of a Federal construction project would be a disservice to the citizens of our country and could potentially cause gaps in our historical past.

For these and other reasons, Mr. Speaker, I have cosponsored a related bill—H.R. 3584. H.R. 296 expands the protection of historical and archeological data by placing any federally financed construction project under the scope of this act.

At the same time, Mr. Speaker, this bill allows for the possibility that not every Federal project may be subject to such archeological and historical protection and preservation. The protections from unnecessary delay of critically needed projects are an essential part of this bill. A survey will be conducted, when requested, by a Federal agency or local historical or archeological society. However, the survey will be authorized only in those areas in which the Secretary determines preservation is necessary and where excavation appears to be required.

Mr. Speaker, the method by which the surveys or excavations will be financed seems to me to also be sound and an equitable system of financing. The Federal agency involved in the construction will be responsible for providing sufficient moneys for the surveys or excavations. However, should the agency concerned, for what ever reason, decide it is not feasible for them to carry through on the data collection, a sum equal to a maximum of 1 percent of the total cost of the project will be deposited with the Secretary of the Interior specifically for this purpose. This should provide sufficient flexibility in the program to enable the agency concerned to determine the extent of its involvement.

In conclusion, Mr. Speaker, I feel that the Federal Government must continue to help our Nation's archeologists in their effort to gather data that will enable us to preserve and to reconstruct more of our historical past. H.R. 296 will enable us to fulfill this responsibility more effectively and completely.

Mr. PRICE of Illinois. Mr. Speaker, I am a cosponsor of H.R. 296 because I believe we should take every precaution to insure that no part of mankind's history is destroyed by our national development. Archeological discoveries are part of this history, and when uncovered, they deserve preservation.

This legislation will provide for preservation of historical and archeological data discovered during all Federal or federally assisted construction. Presently the law extends only to dam and reservoir sites.

The burdens imposed by this law are light enough so as not to outweigh its benefits. First, the cost is modest. A percentage of Federal project moneys are authorized to be used where available, and the cost of the program in each of the last 3 fiscal years has totaled less than $2 million. Second, it has been demonstrated that recovery of archeological data can go forward without seriously disrupting Federal projects. Survey and salvage work is not required in emergency situations, and any adversely affected parties will be compensated for damages due to delays in construction. Third, the committee has clarified the language of the law to relieve the Interior Department of unreasonable work.

Mr. Speaker, our overall conservation design is comprised of many small efforts such as this bill, and I therefore advocate its passage.

Mr. DON H. CLAUSEN. Mr. Speaker, I rise in strong support of H.R. 296 which will expand and enhance our ability to protect and preserve historical and archeological data at Federal construction sites.

I am pleased to have been a cosponsor of this measure during this Congress and the previous one. It is gratifying that we have been able to advance the bill to the floor of the House.

Because a companion bill has been approved by the Senate, I believe we can look confidently forward to seeing enactment of this vital legislation in the near future.

A good deal of credit must go to the distinguished gentleman from Florida (Mr. Bennett) for the progress that has been made. He has been unstinting in his advocacy of archeological protection.

Existing law limits archeological protection to Federal damsites and reservoir sites only. No specific provision relates to any other type of construction and that is why this legislation is so important and so necessary.

When the original law was passed over a decade ago, there was nearly a complete lack of general public awareness of both the scope of archeological evidence in this country and the need to insure its preservation.

Today we are aware and we must not only insure that we are adequately prepared in the future to protect these sites, but that we take whatever actions are possible to make up for any damage of the past.

Our committeee report on H.R. 296 sums up the nature of the bill by noting:

> Proper excavation techniques can salvage and preserve the materials found. It is the achievement of this end which H.R. 296 seeks to accomplish.

We know from past experience that excavation at Federal construction sites has been the first and only source of information of the existence of archeological values. It is important that this discovery be accompanied by protection and retention or these valuable historical artifacts will be forever lost.

We should give this bill our overwhelming approval, Mr. Speaker, and enact it without delay.

The SPEAKER. The question is on the motion offered by the gentleman from North Carolina (Mr. Taylor) that the House suspend the rules and pass the bill H.R. 296, as amended.

The question was taken.

Mr. GROSS. 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 296, nays 23, not voting 114, as follows:

[Roll No. 205]

YEAS—296

Abdnor	Burgener	Delaney
Adams	Burke, Calif.	Dellenback
Alexander	Burke, Fla.	Denholm
Anderson, Calif.	Burke, Mass.	Dennis
Anderson, Ill.	Burlison, Mo.	Dent
Andrews, N. Dak.	Burton	Derwinski
Annunzio	Butler	Devine
Archer	Byron	Dickinson
Arends	Camp	Diggs
Aspin	Casey, Tex.	Downing
Bafalis	Cederberg	Drinan
Baker	Chamberlain	Duncan
Barrett	Clancy	du Pont
Bauman	Clausen, Don H.	Edwards, Calif.
Bennett	Clawson, Del	Eilberg
Bergland	Cleveland	Esch
Bevill	Cochran	Evans, Colo.
Biaggi	Cohen	Evins, Tenn.
Biester	Collier	Fascell
Bingham	Collins, Ill.	Fish
Boggs	Collins, Tex.	Flood
Boland	Conable	Foley
Bolling	Conte	Ford
Bowen	Conyers	Forsythe
Breckinridge	Coughlin	Fraser
Brinkley	Cronin	Frenzel
Brooks	Culver	Froehlich
Broomfield	Daniel, Dan	Fulton
Brown, Calif.	Daniel, Robert W., Jr.	Fuqua
Brown, Mich.	Daniels, Dominick V.	Gettys
Brown, Ohio	Davis, Ga.	Giaimo
Broyhill, N.C.	Davis, S.C.	Gibbons
Broyhill, Va.	de la Garza	Gilman
Buchanan	Delaney	Ginn
		Goldwater
		Gonzalez

Grasso	Mazzoli	Schneebeli
Green, Pa.	Meeds	Sebelius
Grover	Melcher	Shipley
Gude	Metcalfe	Shoup
Gunter	Mezvinsky	Shriver
Hamilton	Miller	Sikes
Hammer-schmidt	Minish	Skubitz
	Mitchell, Md.	Smith, Iowa
Hanna	Mitchell, N.Y.	Smith, N.Y.
Hanrahan	Mizell	Snyder
Hansen, Idaho	Mollohan	Staggers
Hansen, Wash.	Montgomery	Stanton, J. William
Harsha	Moorhead, Calif.	
Hastings		Stanton, James V.
Hawkins	Moorhead, Pa.	
Hébert	Mosher	Stark
Hechler, W. Va.	Murphy, N.Y.	Steed
Heinz	Murtha	Steelman
Henderson	Myers	Steiger, Ariz.
Hicks	Natcher	Steiger, Wis.
Hillis	Nedzi	Stephens
Hinshaw	Nelsen	Stratton
Hogan	Obey	Studds
Holifield	O'Brien	Sullivan
Holtzman	O'Hara	Symington
Horton	O'Neill	Symms
Hosmer	Parris	Talcott
Howard	Passman	Taylor, Mo.
Hungate	Patten	Taylor, N.C.
Hunt	Pepper	Thompson, N.J.
Ichord	Perkins	Thomson, Wis.
Jarman	Pettis	Thone
Johnson, Calif.	Peyser	Thornton
Jones, Okla.	Pike	Tiernan
Jones, Tenn.	Podell	Towell, Nev.
Jordan	Powell, Ohio	Traxler
Karth	Preyer	Treen
Kastenmeier	Price, Ill.	Udall
Kemp	Price, Tex.	Ullman
Ketchum	Quie	Vander Veen
King	Railsback	Vanik
Kluczynski	Randall	Vigorito
Koch	Rangel	Walsh
Kuykendall	Rarick	Whalen
Lagomarsino	Rees	White
Landrum	Reuss	Whitehurst
Latta	Riegle	Widnall
Leggett	Rinaldo	Wiggins
Lehman	Robison, N.Y.	Williams
Lent	Rodino	Wilson, Charles, Tex.
Litton	Roe	
Long, La.	Rogers	Winn
Lott	Roncalio, Wyo.	Wolff
Luken	Rooney, Pa.	Wright
McClory	Rosenthal	Wyatt
McCormack	Roush	Wylie
McDade	Rousselot	Yates
McEwen	Roybal	Yatron
McFall	Runnels	Young, Alaska
Mahon	Ruppe	Young, Fla.
Mallary	Ruth	Young, Ill.
Martin, Nebr.	Ryan	Young, S.C.
Mathias, Calif.	St Germain	Young, Tex.
Mathis, Ga.	Sandman	Zablocki
Matsunaga	Sarasin	Zion
Mayne	Sarbanes	Zwach

NAYS—23

Armstrong	Hutchinson	Shuster
Beard	McCollister	Waggonner
Blackburn	McKay	Wampler
Bray	Michel	Whitten
Burleson, Tex.	Poage	Wilson, Charles H., Calif.
Crane	Roberts	
Goodling	Robinson, Va.	
Gross	Satterfield	
Hudnut	Scherle	

NOT VOTING—114

Abzug	Donohue	Holt
Addabbo	Dorn	Huber
Andrews, N.C.	Dulski	Johnson, Colo.
Ashbrook	Eckhardt	Johnson, Pa.
Ashley	Edwards, Ala.	Jones, Ala.
Badillo	Erlenborn	Jones, N.C.
Bell	Eshleman	Kazen
Blatnik	Findley	Kyros
Brademas	Fisher	Landgrebe
Brasco	Flowers	Long, Md.
Breaux	Flynt	Lujan
Brotzman	Fountain	McCloskey
Carey, N.Y.	Frelinghuysen	McKinney
Carney, Ohio	Frey	McSpadden
Carter	Gaydos	Macdonald
Chappell	Gray	Madden
Chisholm	Green, Oreg.	Madigan
Clark	Griffiths	Mann
Clay	Gubser	Maraziti
Conlan	Guyer	Martin, N.C.
Corman	Haley	Milford
Cotter	Hanley	Mills
Danielson	Harrington	Mink
Davis, Wis.	Hays	Minshall, Ohio
Dellums	Heckler, Mass.	Moakley
Dingell	Helstoski	Morgan
Moss	Roncallo, N.Y.	Stubblefield
Murphy, Ill.	Rooney, N.Y.	Stuckey
Nichols	Rose	Teague
Nix	Rostenkowski	Van Deerlin
Owens	Roy	Vander Jagt
Patman	Schroeder	Veysey
Pickle	Seiberling	Waldie
Pritchard	Sisk	Ware
Quillen	Slack	Wilson, Bob
Regula	Spence	Wydler
Reid	Steele	Wyman
Rhodes	Stokes	Young, Ga.

So (two-thirds having voted in favor thereof) the rules were suspended and the bill as amended was passed.

The Clerk announced the following pairs:

Mr. Chappell with Mr. Fisher.
Mr. Rooney of New York with Mrs. Griffiths.
Mr. Rostenkowski with Mr. McSpadden.
Mr. Teague with Mr. Dorn.
Mr. Fountain with Mr. Milford.
Mr. Stubblefield with Mr. McCloskey.
Mr. Kyros with Mr. Frelinghuysen.
Mr. Addabbo with Mr. Maraziti.
Mr. Brademas with Mr. Martin of North Carolina.
Mr. Dulski with Mr. Eshleman.
Mr. Brasco with Mr. Gubser.
Mr. Mann with Mr. Erlenborn.
Mr. Kazen with Mr. Frey.
Mr. Pickle with Mr. Davis of Wisconsin.
Mr. Morgan with Mr. Guyer.
Mr. Nix with Mr. Blatnik.
Mr. Cotter with Mrs. Heckler of Massachusetts.
Mr. Haley with Mr. Ashbrook.
Mr. Hanley with Mrs. Holt.
Mr. Rose with Mr. Bell.
Mr. Stokes with Mr. Waldie.
Mr. Dellums with Mr. Madden.
Mr. Gaydos with Mr. Findley.
Mr. Murphy of Illinois with Mr. Huber.
Mr. Nichols with Mr. Brotzman.
Mrs. Chisholm with Mr. Gray.
Mr. Clark with Mr. Landgrebe.
Mr. Clay with Mr. Dingell.
Mr. Badillo with Mr. Long of Maryland.
Mr. Carney of Ohio with Mr. Carter.
Mr. Carey of New York with Mr. Johnson of Pennsylvania.
Mr. Young of Georgia with Mr. Reid.
Ms. Abzug with Mr. Eckhardt.
Mr. Corman with Mr. Lujan.
Mr. Danielson with Mr. Conlan.
Mr. Flowers with Mr. Madigan.
Mr. Hays with Mr. McKinney.
Mr. Jones of Alabama with Mr. Quillen.
Mr. Moakley with Mr. Pritchard.
Mr. Moss with Mr. Regula.
Mr. Roy with Mr. Roncallo of New York.
Mrs. Schroeder with Mr. Andrews of North Carolina.
Mr. Sisk with Mr. Rhodes.
Mr. Slack with Mr. Vander Jagt.
Mr. Stuckey with Mr. Ware.
Mr. Van Deerlin with Mr. Steele.
Mr. Breaux with Mr. Spence.
Mr. Ashley with Mr. Bob Wilson.
Mr. Edwards of Alabama with Mr. Wydler.
Mr. Flynt with Mr. Wyman.
Mrs. Green of Oregon with Mr. Macdonald.
Mr. Harrington with Mr. Jones of North Carolina.
Mr. Mills with Mr. Minshall of Ohio.
Mrs. Mink with Mr. Patman.
Mr. Owens with Mr. Seiberling.
Mr. Donohue with Mr. Helstoski.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Mr. TAYLOR of North Carolina. Mr. Speaker, I ask unanimous consent that the Committee on Interior and Insular Affairs be discharged from further consideration of the Senate bill (S. 154) to amend the act of June 27, 1960 (74 Stat. 220), relating to the preservation of historical and archeological data.

The Clerk read the title of the Senate bill.

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

There was no objection.

The Clerk read the Senate bill, as follows:

S. 514

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act to provide for the preservation of historical and archeological data (including relics and specimens) which might otherwise be lost as the result of the construction of a dam", approved June 27, 1960 (74 Stat. 220), is amended to read as follows: "That it is the purpose of this Act to further the policy set forth in the Act entitled 'An Act to provide for the preservation of historic American sites, buildings, objects, and antiquities of national significance, and for other purposes', approved August 21, 1935 (16 U.S.C. 461–467), and the Act entitled 'An Act to establish a program for the preservation of additional historic properties throughout the Nation, and for other purposes', approved October 15, 1966 (80 Stat. 915), by specifically providing for the preservation of scientific, prehistorical, historical, and archeological data (including relics and specimens) which might otherwise be irreparably lost or destroyed as the result of (1) flooding, the building of access roads, the erection of workmen's communities, the relocation of railroads and highways, and other alterations of the terrain caused by the construction of a dam by any agency of the United States, or by any private person or corporation holding a license issued by any such agency; or (2) any alteration of the terrain caused as a result of any Federal, federally assisted, or federally licensed activity or program.

"SEC. 2. Before any agency of the United States shall undertake the construction of a dam, or issue a license to any private individual or corporation for the construction of a dam it shall give written notice to the Secretary of the Interior (hereinafter referred to as the 'Secretary') setting forth the site of the proposed dam and the approximate area to be flooded and otherwise changed if such construction is undertaken: *Provided,* That with respect to any floodwater retarding dam which provides less than five thousand acre-feet of detention capacity and with respect to any other type of dam which creates a reservoir of less than forty surface acres the provisions of this section shall apply only when the contructing agency, in its preliminary surveys, finds, or is presented with evidence that scientific, prehistorical, historical, or archeological data exist or may be present in the proposed reservoir area.

"SEC. 3. (a) Whenever any Federal agency finds, or is made aware by an appropriate historical or archeological authority, that its operation in connection with any Federal, federally assisted, or federally licensed project, activity, or program adversely affects or may adversely affect significant scientific, prehistorical, historical, or archeological data, such agency shall notify the Secretary, in writing, and shall provide the Secretary with appropriate information concerning the project, program, or activity. Such agency (1) may request the Secretary to undertake the recovery, protection, and preservation of such data (including preliminary survey, or other investigation as needed, and analysis and publication of the reports resulting from such investigation), or (2) may, with funds appropriated for such project, program, or activity, undertake the activities referred to in clause (1). Copies

of reports of any investigations made pursuant to clause (2) shall be made available to the Secretary.

"(b) The Secretary, upon notification by any such agency or by any other Federal or State agency or appropriate historical or archeological authority that scientific, prehistorical, historical, or archeological data is or may be adversely affected by any Federal, federally assisted, or federally licensed project, activity, or program, shall, if he determines that such data is being or may be adversely affected, and after reasonable notice to the agency responsible for such project, activity, or program conduct or cause to be conducted a survey and other investigation of the areas which are or may be affected and recover and preserve such data (including analysis and publication) which, in his opinion, are not being but should be recovered and preserved in the public interest. The Secretary shall initiate action within sixty days of notification to him by an agency pursuant to subsection (a), and within such time as may be agreed upon with the head of the responsible agency in all other cases. The responsible agency upon request of the Secretary is hereby authorized to assist the Secretary and to transfer to the Secretary such funds as may be necessary, in an amount not to exceed 1 per centum of the total amount appropriated for such project, activity, or program, to enable the Secretary to conduct such survey or other investigation and recover and preserve such data (including analysis and publication) or, in the case of small projects which cause extensive scientific, prehistoric, historical, or archeological damage, such larger amount as may be mutually agreed upon by the Secretary and the responsible Federal agency as being necessary to effect adequate protection and recovery: *Provided*, That the costs of such survey, recovery, analysis, and publication shall be considered nonreimbursable project costs.

"(c) The Secretary shall keep the responsible agency notified at all times of the progress of any survey or other investigation made under this Act, or of any work undertaken as a result of such survey, in order that there will be as little disruption or delay as possible in the carrying out of the functions of such agency.

"(d) A survey or other investigation similar to that provided for by subsection (a) or (b) of this section and the work required to be performed as a result thereof shall so far as practicable also be undertaken in connection with any dam, project, activity, or program which has been heretofore authorized by any agency of the United States, by any private person or corporation holding a license issued by any such agency, or by Federal law.

"(e) The Secretary shall consult with any interested Federal and State agencies, educational and scientific organizations, and private institutions and qualified individuals, with a view to determining the ownership of and the most appropriate repository for any relics and specimens recovered as a result of any work performed as provided for in this section.

"SEC. 4. In the administration of this Act, the Secretary may—

"(1) accept and utilize funds transferred to him by any Federal agency pursuant to this Act;

"(2) enter into contracts or make cooperative agreements with any Federal or State agency, any educational or scientific organization, or any institution, corporation, association, or qualified individuals;

"(3) obtain the services of experts and consultants or organizations thereof in accordance with section 3109 of title 5, United States Code; and

"(4) accept and utilize funds made available for salvage archeological purposes by any private person or corporation.

"SEC. 5. There are hereby authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act."

MOTION OFFERED BY MR. TAYLOR OF NORTH CAROLINA

Mr. TAYLOR of North Carolina. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. TAYLOR of North Carolina moves to strike out all after the enacting clause of S. 514 and insert in lieu thereof the provisions of H.R. 296, as passed by the House:

That the Act entitled "An Act to provide for the preservation of historical and archeological data (including relics and specimens) which might otherwise be lost as the result of the construction of a dam", approved June 27, 1960 (74 Stat. 220; 16 U.S.C. 469), is amended as follows:

(1) In section 1, after "result of" insert "(1)" and delete "agency." and insert "agency or (2) any alteration of the terrain caused as a result of any Federal construction project or federally licensed activity or program.".

(2) In section 2, change "SEC. 2. (a)", to "SEC. 2."; after "Secretary of the Interior" insert "(hereafter referred to as the Secretary)", and delete all of subsection (b).

(3) Add the following new sections:

"SEC. 3. (a) Whenever any Federal agency finds, or is notified, in writing, by an appropriate historical or archeological authority, that its activities in connection with any Federal construction project or federally licensed project, activity, or program may cause irreparable loss or destruction of significant scientific, prehistorical, historical, or archeological data, such agency shall notify the Secretary, in writing, and shall provide the Secretary with appropriate information concerning the project, program, or activity. Such agency may request the Secretary to undertake the recovery, protection, and preservation of such data (including preliminary survey, or other investigation as needed, and analysis and publication of the reports resulting from such investigation), or it may, with funds appropriated for such project, program, or activity, undertake such activities. Copies of reports of any investigations made pursuant to this section shall be submitted to the Secretary, who shall make them available to the public for inspection and review.

"(b) Whenever any Federal agency provides financial assistance by loan, grant, or otherwise to any private person, association, or public entity, the Secretary, if he determines that significant scientific, prehistorical, historical, or archeological data might be irrevocably lost or destroyed, may with funds appropriated expressly for this purpose conduct, with the consent of all persons, associations, or public entities having a legal interest in the property involved, a survey of the affected site and undertake the recovery, protection, and preservation of such data (including analysis and publication). The Secretary shall, unless otherwise mutually agreed to in writing, compensate any person, association, or puplic entity damaged as a result of delays in construction or as a result of the temporary loss of the use of private or any nonfederally owned lands.

"SEC. 4. (a) The Secretary, upon notification, in writing, by any Federal or State agency or appropriate historical or archeological authority that scientific prehistorical, historical or archeological data is being or may be irrevocably lost or destroyed by any Federal or federally assisted or licensed project, activity, or program, shall if he determines that such data is significant and is being or may be irrevocably lost or destroyed and after reasonable notice to the agency responsible for funding or licensing such project, activity, or program, conduct or cause to be conducted a survey and other investigation of the areas which are or may be affected and recover and preserve such data (including analysis and publication) which, in his opinion, are not being, but should be, recovered and preserved in the public interest.

"(b) No survey or recovery work shall be required pursuant to this section which, in the determination of the head of the responsible agency, would impede Federal or federally assisted or licensed projects or activities undertaken in connection with any emergency, including projects or activities undertaken in anticipation of, or as a result of, a natural disaster.

"(c) The Secretary shall initiate the survey or recovery effort within sixty days after notification to him pursuant to subsection (a) of this section or within such time as may be agreed upon with the head of the agency responsible for funding or licensing the project, activity, or program in all other cases.

"(d) The Secretary shall, unless otherwise mutually agreed to in writing, compensate any person, association, or public entity damaged as a result of delays in construction or as a result of the temporary loss of the use of private or nonfederally owned land."

(4) In section 2, change "SEC. 2. (c)" to "SEC. 5. (a)" and change "instigating agency" to "agency responsible for funding or licensing the project" and delete "agency." and insert "agency and the survey and recovery programs shall terminate at a time mutually agreed upon by the Secretary and the head of such agency unless extended by mutual agreement.".

(5) Delete subsection 2(d).

(6) In section 2, change "SEC. 2. (e)" to "SEC. 5. (b)".

(7) In section 5, add the following new subsection:

"(c) The Secretary shall coordinate all Federal survey and recovery activities authorized under this Act and shall submit an annual report at the end of each fiscal year to the Interior and Insular Affairs Committees of the United States Congress indicating the scope and effectiveness of the program, the specific projects surveyed and the results produced, and the costs incurred by the Federal Government as a result thereof.".

(8) Redesignate "SEC. 3." as "SEC. 6." and change paragraphs (2) and (3) to read as follows:

"(2) obtain the services of experts and consultants or organizations thereof in accordance with section 3109 of title 5, United States Code; and

"(3) accept and utilize funds made available for salvage archeological purposes by any private person or corporation or transferred to him by any Federal agency.".

(9) Delete all of section 4 and insert the following:

"SEC. 7. (a) To carry out the purposes of this Act, any Federal agency responsible for a construction project may assist the Secretary and/or it may transfer to him such funds as may be agreed upon, but not more than 1 per centum of the total amount authorized to be appropriated for such project, except that the 1 per centum limitation of this section shall not apply in the event that the project involves $50,000 or less: *Provided*, That the costs of such survey, recovery, analysis, and publication shall be considered nonreimbursable project costs.

"(b) For the purposes of subsection 3(b), there are authorized to be appropriated such sums as may be necessary, but not more than $500,000 in fiscal year 1974; $1,000,000 in fiscal year 1975; $1,500,000 in fiscal year

1976; $1,500,000 in fiscal year 1977; and $1,500,000 in fiscal year 1978.

"(c) For the purposes of subsection 4(a), there are authorized to be appropriated not more than $2,000,000 in fiscal year 1974; $2,000,000 in fiscal year 1975; $3,000,000 in fiscal year 1976; $3,000,000 in fiscal year 1977; and $3,000,000 in fiscal year 1978.".

The motion was agreed to.

The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H.R. 296) was laid on the table.

GENERAL LEAVE

Mr. TAYLOR of North Carolina. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill just passed.

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

There was no objection.

AMENDING COMPREHENSIVE ALCOHOL ABUSE AND ALCOHOLISM PREVENTION, TREATMENT, AND REHABILITATION ACT AND OTHER RELATED ACTS

Mr. STAGGERS. Mr. Speaker, I move to suspend the rules and take from the Speaker's table the bill (S. 1125) to amend the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment, and Rehabilitation Act and other related acts to concentrate the resources of the Nation against the problem of alcohol abuse and alcoholism, with the Senate amendment to the House amendments thereto, and concur in the Senate amendment.

The SPEAKER. The Clerk will report the Senate amendment to the House amendments.

The Clerk read as follows:

Senate amendment to the House amendments:

In lieu of the matter proposed to be inserted by the amendment of the House of Representatives to the text of the bill insert:

TITLE I—FEDERAL ASSISTANCE FOR STATE AND LOCAL ALCOHOLISM AND ALCOHOL ABUSE PROGRAMS

PART A—SHORT TITLE; FINDINGS AND PURPOSE

SHORT TITLE

SEC. 101. This title may be cited as the "Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment, and Rehabilitation Act Amendments of 1974".

FINDINGS AND PURPOSE

SEC. 102. (a) The Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment, and Rehabilitation Act of 1970 is amended by adding after section 1 the following new section:

"FINDINGS AND PURPOSE

"SEC. 2. (a) The Congress finds that—

"(1) alcohol is one of the most dangerous drugs and the drug most frequently abused in the United States;

"(2) of the Nation's estimated ninety-five million drinkers at least nine million, or 7 percentum of the adult population, are alcohol abusers and alcoholics;

"(3) problem drinking costs the national economy at least $15,000,000,000 annually in lost working time, medical and public assistance expenditures, and police and court costs;

"(4) alcohol abuse is found with increasing frequency among persons who are multiple-drug abusers and among former heroin users who are being treated in methadone maintenance programs;

"(5) alcohol abuse is being discovered among growing numbers of youth; and

"(6) alcoholism is an illness requiring treatment and rehabilitation through the assistance of a broad range of community health and social services, and with the cooperation of law enforcement agencies.

"(b) It is the policy of the United States and the purpose of this Act to (1) approach alcohol abuse and alcoholism from a comprehensive community care standpoint, and (2) meet the problems of alcohol abuse and alcoholism not only through Federal assistance to the States but also through direct Federal assistance to community-based programs meeting the urgent needs of special populations and developing methods for diverting problem drinkers from criminal justice systems into prevention and treatment programs.".

(b) The Congress declares that, in addition to the programs under the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment, and Rehabilitation Act of 1970, programs under other Federal laws which provide Federal or federally assisted research, prevention, treatment, or rehabilitation in the fields of health and social services should be appropriately utilized to help eradicate alcohol abuse and alcoholism as a major problem.

PART B—GRANTS TO STATES

PROGRAM EXTENSION

SEC. 105. (a) Section 301 of the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment, and Rehabilitation Act of 1970 is amended by inserting immediately after "for each of the next two fiscal years" the following: ", $80,000,000 for the fiscal year ending June 30, 1975, and $80,000,000 for the fiscal year ending June 30, 1976,".

(b) The section heading for such section is amended to read as follows:

"AUTHORIZATION FOR FORMULA GRANTS".

PROGRAM IMPROVEMENTS

SEC. 106. (a)(1) Section 302 of such Act is amended by adding at the end thereof the following new subsection:

"(d) On the request of any State, the Secretary is authorized to arrange for the assignment of officers and employees of the Department or provide equipment or supplies in lieu of a portion of the allotment of such State. The allotment may be reduced by the fair market value of any equipment or supplies furnished to such State and by the amount of the pay, allowances, traveling expenses, and any other costs in connection with the detail of an officer or employee to the State. The amount by which such payments are so reduced shall be available for payment of such costs (including the costs of such equipment and supplies) by the Secretary, but shall for purposes of determining the allotment under section 302(a), be deemed to have been paid to the State.".

(2) Section 302 (b) of such Act is amended (A) by striking out in the first sentence "so allotted to a State" and inserting in lieu thereof "allotted to a State in a fiscal year"; and (B) by striking out in the second sentence "for a fiscal year" and inserting in lieu thereof "in a fiscal year".

(b) Section 303(a) of such Act is amended—

(1) by striking out in paragraph (3) "or groups" and inserting in lieu thereof ", of groups to be served with attention to assuring representation of minority and poverty groups";

(2) by striking out "and" at the end of paragraph (9);

(3) by redesignating paragraph (10) as paragraph (11); and

(4) by adding after paragraph (9) the following new paragraph:

"(10) set forth, in accordance with criteria to be set by the Secretary, standards (including enforcement procedures and penalties) for (A) construction and licensing of public and private treatment facilities, and (B) for other community services or resources available to assist individuals to meet problems resulting from alcohol abuse; and".

UNIFORM ALCOHOLISM AND INTOXICATION TREATMENT ACT

SEC. 107. Part A of title III of such Act is amended by adding at the end thereof the following new section:

"SPECIAL GRANTS FOR IMPLEMENTATION OF THE UNIFORM ALCOHOLISM AND INTOXICATION TREATMENT ACT

"SEC. 304. (a) To assist States which have adopted the basic provisions of the Uniform Alcoholism and Intoxication Treatment Act (hereinafter in this section referred to as the 'Uniform Act') to utilize fully the protections of the Uniform Act in their efforts to approach alcohol abuse and alcoholism from a community care standpoint, the Secretary, acting through the Institute, shall during the period beginning July 1, 1974, and ending June 30, 1977, make grants to such States for the implementation of the Uniform Act. A grant under this section to any State may only be made for that State's costs (as determined in accordance with regulations which the Secretary shall promulgate not later than July 1, 1974) in implementing the Uniform Act for a period which does not exceed one year from the first day of the first month for which the grant is made. No State may receive more than three grants under this section.

"(b) No grant may be made under this section unless an application therefor has been submitted to, and approved by, the Secretary. Such application shall be in such form, submitted in such manner, and contain such information as the Secretary shall by regulation prescribe. The Secretary may not approve an application of a State under this section unless he determines the following:

"(1) The State and each of its political subdivisions are committed to the concept of care for alcoholism and alcohol abuse through community health and social service agencies, and, in accordance with the purposes of sections 1 and 19 of the Uniform Act, have repealed those portions of their criminal statutes and ordinances under which drunkenness is the gravamen of a petty criminal offense, such as loitering, vagrancy, or disturbing the peace.

"(2) The laws of the State respecting acceptance of individuals into alcoholism and intoxication treatment programs are in accordance with the following standards of acceptance of individuals for such treatment (contained in section 10 of the Uniform Act):

"(A) A patient shall, if possible, be treated on a voluntary rather than an involuntary basis.

"(B) A patient shall be initially assigned or transferred to outpatient or intermediate treatment, unless he is found to require inpatient treatment.

"(C) A person shall not be denied treatment solely because he has withdrawn from treatment against medical advice on a prior occasion or because he has relapsed after earlier treatment.

"(D) An individualized treatment plan shall be prepared and maintained on a current basis for each patient.

"(E) Provision shall be made for a continuum of coordinated treatment services

so that a person who leaves a facility or a form of treatment will have available and utilize other appropriate treatment.

"(3) The laws of the State respecting involuntary commitment of alcoholics are consistent with the provisions of section 14 of the Uniform Act which protect individual rights.

"(4) The application of the State contains such assurances as the Secretary may require to carry out the purposes of this section.

For purposes of subsection (a), the term 'basic provisions of the Uniform Alcoholism and Intoxication Treatment Act' shall not in the case of a State which has a State plan approved under section 303 include any provision of the Uniform Act respecting the organization of such State's treatment programs (as defined in the Uniform Act) which are inconsistent with the requirements of such State plan.

"(c) The amount of any grant under this section to any State for any fiscal year may not exceed the sum of $100,000 and an amount equal to 10 per centum of the allotment of such State for such fiscal year under section 302 of this Act. Payments under grants under this section may be made in advance or by way of reimbursement, and at such intervals and on such conditions, as the Secretary finds necessary.

"(d) For the purpose of making payments under grants under this section, there are authorized to be appropriated $13,000,000 for the fiscal year ending June 30, 1975, and for each of the next two fiscal years.".

CONFORMING AMENDMENT

SEC. 108. The heading for part A of title III of such Act is amended by striking out "FORMULA GRANTS" and inserting in lieu thereof "GRANTS TO STATES".

PART C—PROJECT GRANTS AND CONTRACTS

GRANTS AND CONTRACTS FOR PREVENTION AND TREATMENT PROJECTS

SEC. 111. Section 311 of the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment, and Rehabilitation Act of 1970 is amended to read as follows:

"GRANTS AND CONTRACTS FOR THE PREVENTION AND TREATMENT OF ALCOHOL ABUSE AND ALCOHOLISM

"SEC. 311. (a) The Secretary, acting through the Institute, may make grants to public and nonprofit private entities and may enter into contracts with public and private entities and with individuals—

"(1) to conduct demonstration, service, and evaluation projects,

"(2) to provide education and training,

"(3) to provide programs and services in cooperation with schools, courts, penal institutions, and other public agencies, and

"(4) to provide counseling and education activities on an individual or community basis,

for the prevention and treatent of alcohol abuse and alcoholism and for the rehabilitation of alcohol abusers and alcoholics.

"(b) Projects and programs for which grants and contracts are made under this section shall (1) whenever possible, be community based, seek to insure care of good quality in general community care facilities and under health insurance plans, and be integrated with, and provide for the active participation of, a wide range of public and nongovernmental agencies, organizations, institutions, and individuals; and (2) where approprate utilize existing community resources (including community mental health centers).

"(c)(1) In administering this section, the Secretary shall require coordination of all applications for projects and programs in a State.

"(2) Each applicant from within a State, upon filing its application with the Secretary for a grant or contract under this section, shall submit a copy of its application for review by the State agency designated under section 303 of this Act, if such designation has been made. Such State agency shall be given not more than thirty days from the date of receipt of the application to submit to the Secretary, in writing, an evaluation of the project or program set forth in the application. Such evaluation shall include comments on the relationship of the project to other projects and programs pending and approved and to the State comprehensive plan for treatment and prevention of alcohol abuse and alcoholism under section 303. The State shall furnish the applicant a copy of any such evaluation.

"(3) Approval of any application for a grant or contract by the Secretary, including the earmarking of financial assistance for a program or project, may be granted only if the application substantially meets a set of criteria established by the Secretary that—

"(A) provides that the projects and programs for which assistance under this section is sought will be substantially administered by or under the supervision of the applicant;

"(B) provides for such methods of administration as are necessary for the proper and efficient operation of such programs and projects;

"(C) provides for such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of and accounting for Federal funds paid to the applicant; and

"(D) provides reasonable assurance that Federal funds made available under this section for any period will be so used as to supplement and increase, to the extent feasible and practical, the level of State, local and other non-Federal funds that would in the absence of such Federal funds be made available for the projects and programs described in this section, and will in no event supplant such State, local, and other non-Federal funds.

"(d) To make payments under grants and contracts under this section, there are authorized to be appropriated $80,000,000 for the fiscal year ending June 30, 1975, and $95,000,000 for the fiscal year ending June 30, 1976.".

PART D—ADMISSION TO HOSPITALS; CONFIDENTIALITY OF HOSPITAL ADMISSION RECORDS

SEC. 121. (a) Section 321 of the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment, and Rehabilitation Act of 1970 is amended to read as follows:

"ADMISSION OF ALCOHOL ABUSERS AND ALCOHOLICS TO PRIVATE AND PUBLIC HOSPITALS

"SEC. 321. (a) Alcohol abusers and alcoholics who are suffering from medical conditions shall not be discriminated against in admission or treatment, solely because of their alcohol abuse or alcoholism, by any private or public general hospital which receives support in any form from any program supported in whole or in part by funds appropriated to any Federal department or agency.

"(b)(1) The Secretary is authorized to make regulations for the enforcement of the policy of subsection (a) with respect to the admission and treatment of alcohol abusers and alcoholics in hospitals which receive support of any kind from any program administered by the Secretary. Such regulations shall include procedures for determining (after opportunity for a hearing if requested) if a violation of subsection (a) has occurred, notification of failure to comply with such subsection, and opportunity for a violator to comply with such subsection. If the Secretary determines that a hospital subject to such regulations has violated subsection (a) and such violation continues after an opportunity has been afforded for compliance, the Secretary may suspend or revoke, after opportunity for a hearing, all or part of any support of any kind received by such hospital from any program administered by the Secretary. The Secretary may consult with the officials responsible for the administration of any other Federal program from which such hospital receives support of any kind, with respect to the suspension or revocation of such other Federal support for such hospital.

"(2) The Administrator of Veterans' Affairs, through the Chief Medical Director, shall, to the maximum feasible extent consistent with their responsibilities under title 38, United States Code, prescribe regulations making applicable the regulations prescribed by the Secretary under paragraph (1) of this subsection to the provision of hospital care, nursing home care, domiciliary care, and medical services under such title 38 to veterans suffering from alcohol abuse or alcoholism. In prescribing and implementing regulations pursuant to this paragraph, the Administrator shall, from time to time, consult with the Secretary in order to achieve the maximum possible coordination of the regulations, and the implementation thereof, which they each prescribe.".

(b) The Administrator of Veterans' Affairs shall submit to the appropriate committees of the House of Representatives and the Senate a full report (1) on the regulations (including guidelines, policies, and procedures thereunder) he has prescribed pursuant to section 321(b)(2) of the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment, and Rehabilitation Act of 1970, (2) explaning the bases for any inconsistency between such regulations and regulations of the Secretary under section 321(b)(1) of such Act, (3) on the extent, substance, and results of his consultations with the Secretary respecting the prescribing and implementation of the Administrator's regulations, and (4) containing such recommendations for legislation and administrative actions as he determines are necessary and desirable. The Administrator shall submit such report not later than sixty days after the effective date of the regulations prescribed by the Secretary under such section 321(b)(1), and shall timely publish such report in the Federal Register.

CONFIDENTIALITY

SEC. 122. (a) Section 333 of such Act is amended to read as follows:

"CONFIDENTIALITY OF RECORDS

"SEC. 333. (a) Records of the identity, diagnosis, prognosis, or treatment of any patient which are maintained in connection with the performance of any program or activity relating to alcoholism or alcohol abuse education, training, treatment, rehabilitation, or research, which is conducted, regulated, or directly or indirectly assisted by any department or agency of the United States shall, except as provided in subsection (e) be confidential and be disclosed only for the purposes and under the circumstances expressly authorized under subsection (b) of this section.

"(b)(1) The content of any record referred to in subsection (a) may be disclosed in accordance with the prior written consent of the patient with respect to whom such record is maintained but only to such extent, under such circumstances and for such purposes as may be allowed under regulations prescribed pursuant to subsection (g).

"(2) Whether or not the patient, with respect to whom any given record referred to in subsection (a) of this section is maintained, gives his written consent, the content of such record may be disclosed as follows:

"(A) To medical personnel to the extent necessary to meet a bona fide medical emergency.

"(B) To qualified personnel for the purpose of conducting scientific research, man-

agement audits, financial audits, or program evaluation, but such personnel may not identify, directly or indirectly, any individual patient in any report of such research, audit, or evaluation, or otherwise disclose patient identities in any manner.

"(C) If authorized by an appropriate order of a court of competent jurisdiction granted after application showing good cause therefor. In assessing good cause the court shall weigh the public interest and the need for disclosure against the injury to the patient, to the physician-patient relationship, and to the treatment services. Upon the granting of such order, the court, in determining the extent to which any disclosure of all or any part of any record is necessary, shall impose appropriate safeguards against unauthorized disclosure.

"(c) Except as authorized by a court order granted under subsection (b)(2)(C) of this section, no record referred to in subsection (a) may be used to initiate or substantiate any criminal charges against a patient or to conduct any investigation of a patient.

"(d) The prohibitions of this section continue to apply to records concerning any individual who has been a patient, irrespective of whether or when he ceases to be a patient.

"(e) The prohibitions of this section do not apply to any interchange of records—

"(1) within the Armed Forces or within those components of the Veterans' Administration furnishing health care to veterans, or

"(2) between such components and the Armed Forces.

"(f) Any person who violates any provision of this section or any regulation issued pursuant to this section shall be fined not more than $500 in the case of a first offense, and not more than $5,000 in the case of each subsequent offense.

"(g) Except as provided in subsection (h) of this section, the Secretary shall prescribe regulations to carry out the purposes of this section. These regulations may contain such definitions, and may provide for such safeguards and procedures, including procedures and criteria for the issuance and scope of orders under subsection (b)(2)(C), as in the judgment of the Secretary are necessary or proper to effectuate the purposes of this section, to prevent circumvention or evasion thereof, or to facilitate compliance therewith.

"(h) The Administrator of Veterans' Affairs, through the Chief Medical Director, shall, to the maximum feasible extent consistent with their responsibilities under title 38, United States Code, prescribe regulations making applicable the regulations prescribed by the Secretary under subsection (g) of this section to records maintained in connection with the provision of hospital care, nursing home care, domiciliary care, and medical services under such title 38 to veterans suffering from alcohol abuse or alcoholism. In prescribing and implementing regulations pursuant to this subsection, the Administrator shall, from time to time, consult with the Secretary in order to achieve the maximum possible coordination of the regulations, and the implementation thereof, which they each prescribe.".

(b) Section 303(a) of the Public Health Service Act (42 U.S.C. 242a(a)) is amended by striking out "the use and effect of drugs" and inserting in lieu thereof "mental health, including research on the use and effect of alcohol and other psychoactive drugs,".

(c) The Administrator of Veterans' Affairs shall submit to the appropriate committees of the House of Representatives and the Senate a full report (1) on the regulations (including guidelines, policies, and procedures thereunder) he has prescribed pursuant to section 333(h) of the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment, and Rehabilitation Act of 1970, (2) explaining the basis for any inconsistency between such regulations and regulations of the Secretary under section 333(g) of such Act, (3) on the extent, substance, and results of his consultations with the Secretary respecting the prescribing and implementation of the Administrator's regulations, and (4) containing such recommendations for legislation and administrative actions as he determines are necessary and desirable. The Administrator shall submit such report not later than sixty days after the effective date of the regulations prescribed by the Secretary under such section 333(g), and shall timely publish such report in the Federal Register.

PART E—INTERAGENCY COMMITTEE

INTERAGENCY COMMITTEE

SEC. 131. Title I of the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment, and Rehabilitation Act of 1970 is amended by adding at the end the following:

"INTERAGENCY COMMITTEE ON FEDERAL ACTIVITIES FOR ALCOHOL ABUSE AND ALCOHOLISM

"SEC. 103. (a) The Secretary shall establish an Interagency Committee on Federal Activities for Alcohol Abuse and Alcoholism (hereinafter in this section referred to as the 'Committee'). The Committee shall (1) evaluate the adequacy and technical soundness of all Federal programs and activities which relate to alcoholism and alcohol abuse and provide for the communication and exchange of information necessary to maintain the coordination and effectiveness of such programs and activities, and (2) seek to coordinate efforts undertaken to deal with alcohol abuse and alcoholism in carrying out Federal health, welfare, rehabilitation, highway safety, law enforcement, and economic opportunity laws.

"(b) The Secretary or the Director of the National Institute on Alcohol Abuse and Alcoholism (or the Director's designee) shall serve as Chairman of the Committee, the membership of which shall include (1) appropriate scientific, medical, or technical representation from the Department of Transportation, the Department of Justice, the Department of Defense, the Veterans' Administration, and such other Federal agencies and offices (including appropriate agencies and offices of the Department of Health, Education, and Welfare) as the Secretary determines administer programs directly affecting alcoholism and alcohol abuse, and (2) five individuals from the general public appointed by the Secretary from individuals who by virtue of their training or experience are particularly qualified to participate in the perfromance of the Committee's functions. The Committee shall meet at the call of the Chairman, but not less often than four times a year.

"(c) Each appointed member of the Committee shall be appointed for a term of four years, except that—

"(1) any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term; and

"(2) of the members first appointed, two shall be appointed for a term of four years, two shall be appointed for a term of three years, and one shall be appointed for a term of one year, as designated by the Secretary at the time of appointment.

Appointed members may serve after the expiration of their terms until their successors have taken office.

"(d) Appointed members of the Committee shall receive for each day they are engaged in the performance of the functions of the Committee compensation at rates not to exceed the daily equivalent of the annual rate in effect for grade GS-18 of the General Schedule, including traveltime; and all members, while so serving away from their homes or regular places of business, may be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as such expenses are authorized by section 5703 of title 5, United States Code, for persons in the Government service employed intermittently.

"(e) The Secretary shall make available to the Committee such staff, information, and other assistance as it may require to carry out its activities effectively.".

TITLE II—ADMINISTRATION AND COORDINATION OF THE NATIONAL INSTITUTE OF MENTAL HEALTH, THE NATIONAL INSTITUTE ON ALCOHOL ABUSE AND ALCOHOLISM, AND THE NATIONAL INSTITUTE ON DRUG ABUSE

ALCOHOL, DRUG ABUSE, AND MENTAL HEALTH ADMINISTRATION

SEC. 201. (a) The Secretary of Health, Education, and Welfare shall establish, in the Department of Health, Education, and Welfare, the Alcohol, Drug Abuse, and Mental Health Administration (hereinafter in this section referred to as the "Administration"). The Administration shall be headed by an Administrator appointed by the President, by and with the advice and consent of the Senate. The Administrator, with the approval of the Secretary, may appoint a Deputy Administrator and may employ and prescribe the functions of such officers and employees, including attorneys, as are necessary to administer the activities to be carried out through the Administration.

(b) The Secretary, acting through the Administration, shall supervise the functions of the National Institute of Mental Health, the National Institute on Alcohol Abuse and Alcoholism, and the National Institute on Drug Abuse in order to assure that (1) the programs carried out through each such Institute receive appropriate and equitable support, and (2) there is cooperation among the Institutes in the implementation of such programs.

(c) The Secretary of Health, Education, and Welfare shall establish a National Panel on Alcohol, Drug Abuse, and Mental Health (hereinafter in this subsection referred to as the "panel") to advise, consult with, and make recommendations to the Secretary concerning the activities to be carried out through the Administration. The panel shall consist of three members appointed by the Secretary as follows: One member shall be appointed from the public members of the National Advisory Mental Health Council established under section 217 of the Public Health Service Act, one member shall be appointed from the public members of the National Advisory Council on Alcohol Abuse and Alcoholism established under such section, and one member shall be appointed from the public members of the National Advisory Council on Drug Abuse established under such section.

NATIONAL INSTITUTE OF MENTAL HEALTH

SEC. 202. Title IV of the Public Health Service Act is amended by redesignating part G as part H, by redesignating section 454 as section 461, and by inserting after part F the following new part:

"PART G—NATIONAL INSTITUTE OF MENTAL HEALTH

"ESTABLISHMENT OF INSTITUTE

"SEC. 455. (a) There is established the National Institute of Mental Health (hereinafter in this part referred to as the 'Institute') to administer the programs and authorities of the Secretary with respect to mental health. The Secretary, acting through the Institute, shall, in carrying out the purposes of sections 301 and 303 of this Act and the Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963 (other than part C of title II) with respect to mental illness, develop and conduct comprehensive health, education,

training, research, and planning programs for the prevention and treatment of mental illness and for the rehabilitation of the mentally ill. The Secretary shall carry out through the Institute the administrative and financial management, policy development and planning, evaluation, and public information functions which are required for the implementation of such programs and authorities.

"(b)(1) The Institute shall be under the direction of a Director who shall be appointed by the Secretary.

"(2) The Director, with the approval of the Secretary, may employ and prescribe the functions of such officers and employees, including attorneys, as are necessary to administer the programs and authorities to be carried out through the Institute.

"(c) The programs to be carried out through the Institute shall be administered so as to encourage the broadest possible participation of professionals and paraprofessionals in the fields of medicine, science, the social sciences, and other related disciplines."

NATIONAL INSTITUTE ON ALCOHOL ABUSE AND ALCOHOLISM

SEC. 203. (a) Section 101 of the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment, and Rehabilitation Act of 1970 is amended to read as follows:

"ESTABLISHMENT OF THE INSTITUTE

"SEC. 101. (a) There is established the National Institute on Alcohol Abuse and Alcoholism (hereafter in this Act referred to as the 'Institute') to administer the programs and authorities assigned to the Secretary of Health, Education, and Welfare (hereafter in this Act referred to as the 'Secretary') by this Act and part C of the Community Mental Health Centers Act. The Secretary, acting through the Institute, shall, in carrying out the purposes of sections 301 and 303 of the Public Health Service Act with respect to alcohol abuse and alcoholism, develop and conduct comprehensive health, education, training, research, and planning programs for the prevention and treatment of alcohol abuse and alcoholism and for the rehabilitation of alcohol abusers and alcoholics. The Secretary shall carry out through the Institute the administrative and financial management, policy development and planning, evaluation, and public information functions which are required for the implementation of such programs and authorities.

"(b)(1) The Institute shall be under the direction of a Director who shall be appointed by the Secretary.

"(2) The Director, with the approval of the Secretary, may employ and prescribe the functions of such officers and employees, including attorneys, as are necessary to administer the programs to be carried out through the Institute.

"(c) The programs to be carried out through the Institute shall be administered so as to encourage the broadest possible participation of professionals and paraprofessionals in the fields of medicine, science, the social sciences, and other related disciplines."

(b)(1) Section 102(2) of such Act is amended by inserting "and every three years thereafter" after "Act".

(2)(A) Section 102 of such Act is amended by striking out "and" at the end of paragraph (3), by striking the period at the end of paragraph (4) and inserting in lieu thereof "; and", and by adding after paragraph (4) the following:

"(5) submit to Congress on or before the end of each calendar year a report on the extent to which other Federal programs and departments are concerned and dealing effectively with the problems of alcohol abuse and alcoholism.

Before submitting a report under paragraph (5), the Secretary shall give each department and agency of the Government which (or a program of which is referred to in the report he proposes to submit under such paragraph an opportunity to comment on the proposed report; and the Secretary shall include in the report submitted to Congress under such paragraph the comments received by him from any such department or agency within 30 days from the date the proposed report was submitted to such department or agency.".

(B) The first report to be submitted by the Secretary of Health, Education, and Welfare under section 102(5) of the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment, and Rehabilitation Act of 1970 shall be submitted not later than December 31, 1974.

NATIONAL INSTITUTE ON DRUG ABUSE

SEC. 204. Subsections (a) and (b) of section 501 of the Drug Abuse Office and Treatment Act of 1972 are amended to read as follows:

"(a) There is established the National Institute on Drug Abuse (hereinafter in this section referred to as the 'Institute') to administer the programs and authorities of the Secretary of Health, Education, and Welfare (hereinafter in this section referred to as the 'Secretary') with respect to drug abuse prevention functions. The Secretary, acting through the Institute, shall, in carrying out the purposes of sections 301, 302, and 303 of the Public Health Service Act with respect to drug abuse, develop and conduct comprehensive health, education, training, research and planning programs for the prevention and treatment of drug abuse and for the rehabilitation of drug abusers. The Secretary shall carry out through the Institute the administrative and financial management, policy development and planning, evaluation, and public information functions which are required for the implementation of such programs and authorities.

"(b)(1) The Institute shall be under the direction of a Director who shall be appointed by the Secretary.

"(2) The Director, with the approval of the Secretary, may employ and prescribe the functions of such officers and employees, including attorneys, as are necessary to administer the programs and authorities to be carried out through the Institute.".

TITLE III—TECHNICAL AND CONFORMING AMENDMENTS

SEC. 301. Section 5108(c) of title 5, United States Code, is amended—

(1) by striking out the period at the end of paragraph (10)(B) and inserting in lieu thereof a semicolon;

(2) by redesignating the paragraph (10) relating to the Law Enforcement Assistance Administration as paragraph (11) and by striking out the period at the end of that paragraph and inserting in lieu thereof a semicolon;

(3) by redesignating the paragraph (10) relating to the Chief Judge of the United States Tax Court as paragraph (12) and by striking out "and" at the end of that paragraph;

(4) by redesignating the paragraph (11) relating to the Chairman of the Equal Employment Opportunity Commission as paragraph (13) and by striking out the period at the end of that paragraph and inserting in lieu thereof "; and"; and

(5) by adding at the end thereof the following new paragraph:

"(14) the Secretary of Health, Education, and Welfare, subject to the standards and procedures prescribed by this chapter, may place a total of eleven positions in the National Institute on Alcohol Abuse and Alcoholism in GS–16, 17, and 18.".

SEC. 302. Section 427 of the Community Mental Health Centers Act (42 U.S.C. 2688j–2) is repealed.

SEC. 303. (a) Section 408 of the Drug Abuse Office and Treatment Act of 1972 (21 U.S.C. 1175) is amended to read as follows:

"§ 408. CONFIDENTIALITY OF PATIENT RECORDS

"(a) Records of the identity, diagnosis, prognosis, or treatment of any patient which are maintained in connection with the performance of any drug abuse prevention function conducted, regulated, or directly or indirectly assisted by any department or agency of the United States shall, except as provided in subsection (e), be confidential and be disclosed only for the purposes and under the circumstances expressly authorized under subsection (b) of this section.

"(b)(1) The content of any record referred to in subsection (a) may be disclosed in accordance with the prior written consent of the patient with respect to whom such record is maintained, but only to such extent, under such circumstances, and for such purposes as may be allowed under regulations prescribed pursuant to subsection (g).

"(2) Whether or not the patient, with respect to whom any given record referred to in subsection (a) of this section is maintained, gives his written consent, the content of such record may be disclosed as follows:

"(A) To medical personnel to the extent necessary to meet a bona fide medical emergency.

"(B) To qualified personnel for the purpose of conducting scientific research, management audits, financial audits, or program evaluation, but such personnel may not identify, directly or indirectly, any individual patient in any report of such research, audit, or evaluation, or otherwise disclose patient identities in any manner.

"(C) If authorized by an appropriate order of a court of competent jurisdiction granted after application showing good cause therefor. In assessing good cause the court shall weigh the public interest and the need for disclosure against the injury to the patient, to the physician-patient relationship, and to the treatment services. Upon the granting of such order, the court, in determining the extent to which any disclosure of all or any part of any record is necessary, shall impose appropriate safeguards against unauthorized disclosure.

"(c) Except as authorized by a court order granted under subsection (b)(2)(C) of this section, no record referred to in subsection (a) may be used to initiate ir substantiate any criminal charges against a patient or to conduct any investigation of a patient.

"(d) The prohibitions of this section continue to apply to records concerning any individual who has been a patient, irrespective of whether or when he ceases to be a patient.

"(e) The prohibitions of this section do not apply to any interchange of records—

"(1) within the Armed Forces or within those components of the Veterans' Administration furnishing health care to veterans, or

"(2) between such components and the Armed Forces.

"(f) Any person who violates any provision of this section or any regulation issued pursuant to this section shall be fined not more than $500 in the case of a first offense, and not more than $5,000 in the case of each subsequent offense.

"(g) The Director of the Special Action Office for Drug Abuse Prevention, after consultation with the Administrator of Veterans' Affairs and the heads of other Federal departments and agencies substantially affected thereby, shall prescribe regulations to carry out the purposes of this section. These regulations may contain such definitions, and may provide for such safeguards and procedures, including procedures and criteria for the issuance and scope of orders under subsection (b)(2)(C), as in the judgment of the Director are necessary or proper to effectuate the purposes of this section, to prevent circumvention or evasion thereof, or to facilitate compliance therewith.".

(b)(1) Effective on the date specified in section 104 of the Drug Abuse Office and

Treatment Act of 1972 (21 U.S.C. 1104), the first sentence of section 408(g) of that Act (21 U.S.C. 1175) is amended by striking "Director of the Special Action Office for Drug Abuse Prevention" and inserting in lieu thereof "Secretary of Health, Education, and Welfare", and the second sentence of such section is amended by striking "Director" and inserting "Secretary" in lieu thereof.

(2) Effective on the date specified in paragraph (1) of this subsection, section 408 of such Act is further amended by—

(A) striking out "The" and inserting in lieu thereof "Except as provided in subsection (h) of this section, the" in the first sentence of subsection (g) of such section; and

(B) adding at the end of such section the following new subsection:

"(h) The Administrator of Veterans' Affairs, through the Chief Medical Director, shall, to the maximum feasible extent consistent with their responsibilities under title 38, United States Code, prescribe regulations making applicable the regulations established by the Secretary under subsection (g) of this section to records maintained in connection with the provision of hospital care, nursing home care, domiciliary care, and medical services under such title 38 to veterans suffering from drug abuse. In prescribing and implementing regulations pursuant to this subsection, the Administrator shall, from time to time, consult with the Secretary in order to achieve the maximum possible coordination of the regulations, and the implementation thereof, which they each prescribe.".

(c) The Administrator of Veterans' Affairs shall submit to the appropriate committees of the House of Representatives and the Senate a full report (1) on the regulations (including guidelines, policies, and procedures thereunder) he has prescribed pursuant to section 408(h) of the Drug Abuse Office and Treatment Act of 1972, (2) explaining the bases for any inconsistency between such regulations and the regulations of the Secretary of Health, Education, and Welfare under section 408(g) of that Act, (3) on the extent, substance, and results of his consultations with the Secretary respecting the prescribing and implementation of the Administrator's regulations, and (4) containing such recommendations for legislation and administrative actions as he determines are necessary and desirable. The Administrator shall submit such report not later than sixty days after the effective date of the regulations prescribed by the Secretary under such section 408(g), and shall timely publish such report in the Federal Register.

(d) Any regulation under or with respect to section 408 of the Drug Abuse Office and Treatment Act of 1972 (21 U.S.C. 1175) issued by the Director of the Special Action Office for Drug Abuse Prevention prior to the date specified in section 104 of that Act (21 U.S.C. 1104), whether before or after the enactment of this Act, shall remain in effect until revoked or amended by the Director or the Secretary of Health, Education, and Welfare, as the case may be.

The SPEAKER. Is a second demanded?

Mr. GROSS. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER. The Chair recognizes the gentleman from West Virginia.

Mr. STAGGERS. Mr. Speaker, the amended version of S. 1125 before us is a compromise extension of our alcoholism programs which if adopted today by the House will be ready for the President's signature. The Senate originally passed this bill last year, S. 1125, extending Federal alcoholism programs.

After consideration by the Committee on Interstate and Foreign Commerce, the House passed a very similar bill in January of this year. We have since held discussions with our Senate counterparts which led to a compromise on the small differences between the two bills and on March 21 the Senate amended our version with this compromise. What we are now seeking to do is to accept that amendment and clear the legislation for the President's signature.

There were three principal differences between the House and Senate bills. The first was the money, the Senate bill authorized a total of $449 million and the House bill authorized $294 million. The compromise splits the difference and authorizes $374 million, which is $80 million above the House but $125 below the Senate. Second, the House bill contained provisions concerning the organization of alcohol, drug, and mental health programs in HEW which were not contained in the Senate bill. The compromise retains the House provisions with minor amendments. Third, the House bill contained provisions designed to protect the confidentiality of patient records in alcoholism and drug programs, which were not contained in the Senate bill. The compromise keeps the House provisions.

There were numerous other trivial differences between the bills and I am inserting a detailed explanation of their handling in the RECORD and would be happy to discuss any of them with any Member who has a question.

This is a good bill which originally passed the House by a vote of 338 to 22 and passed the Senate unanimously on final passage. The programs operated under this legislative authority have been of immense benefit to the millions of individuals who are affected by alcoholism. I urge your support for the bill.

The material follows:

RESOLUTION OF MAJOR DIFFERENCES BETWEEN HOUSE AND SENATE ALCOHOL LEGISLATION

1. Authorizations. The compromise bill (between House, H.R. 11387, and Senate, S. 1115, alcoholism legislation) authorizes total expenditures of $374,000,000 compared to $499,000,000 in the Senate bill and $294,000,000 in the bill as approved by the House. The comparable amount is $125,000,000 below the Senate authorizations and $80,000,000 above the amounts approved by the House.

2. Organization. The Senate bill as originally introduced did not include provisions on the organization of agencies within the Department of Health, Education, and Welfare. The Administration itself decided during the summer of 1973 to organize the National Institute on Alcohol Abuse and Alcoholism, the National Institute on Drug Abuse, and the National Institute of Mental Health as three separate institutes within a new Alcohol, Drug Abuse, and Mental Health Administration (ADAMHA). The House bill was subsequently introduced with provisions establishing the Alcohol, Drug Abuse, and Mental Health Administration consisting of the three institutes.

Since the Department's authority to create ADAHMA in the absence of authorizing legislation was in doubt, and since legislative action would clarify the agency's status and the intention of Congress with respect to the functions and responsibilities of the three institutes, the Senate accepted the House version with minor amendments.

The Senate also accepted with amendments a House provision creating an Inter-Agency Committee on Federal Activities for Alcohol Abuse and Alcoholism.

3. Confidentiality. The House provisions on confidentiality of patient records have been accepted with amendments. No similar provisions were included in the Senate bill. These provisions, by amending section 408 of the Drug Abuse Office and Treatment Act of 1972, will, we believe, better protect the records of patients in drug abuse prevention and treatment programs and will at the same time make these records more readily accessible, with the patient's consent, for purposes that will serve his own interests in such goals as full rehabilitation and employment. The same substantive provisions are extended by the bill to the records of patients in alcoholism prevention and treatment programs.

DETAILED ANALYSIS OF COMPROMISE VERSION OF S. 1125

TITLE I

Part A

Section 101—Short Title—the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment, and Rehabilitation Act Amendments of 1974.

Section 102—Findings and Purpose—essentially as in the Senate bill.

Part B. Grants to States

Section 105—Formula grants of $80,000,000 in fiscal years 1975 and 1976. These are the Senate amounts. The House had approved $60,000,000 for each year, but the Administration's legislative proposal requested $80,000,000.

Section 106—Amendments to the formula grant section of the Act of 1970 relating to the assignment of Departmental personnel with costs attributable to a State's formula grant, the expenditure of formula allotments, the representation of minority and poverty groups on State advisory councils, and standards for construction and licensing of facilities. House and Senate provisions were essentially the same.

Section 107—Special grants to the States for carrying out the basic provisions of the Uniform Alcoholism and Intoxification Treatment Act. $13,000,000 authorized in each of the fiscal years 1975, 1976, and 1977. Grants covering costs up to a maximum per year of $100,000 plus 10 percent of its formula allotment may be made to each State complying with the section's requirements relating to the adoption and implementation of the Uniform Act. No State may receive more than one grant per year under the Special Grant program, and those States which have adopted the Uniform Act prior to passage of this Act are equally eligible for grants for its implementation. Regulations are to be promulgated by the Secretary of Health, Education, and Welfare not later than July 1, 1974.

Although the authorization of $13,000,000 per year is not stated in the Senate bill, which instead authorized such sums as may be necessary, the maximum under the formula in both bills is $13,000,000; therefore, the Senate accepted the House language, as well as the House limitation of grant amounts to actual costs of implementing the Uniform Act.

Section 108—Conforming amendments to the title of part A of title III.

Part C. Project grants and contracts

Section 111—Grants and contracts for the prevention and treatment of alcohol abuse and alcoholism. $80,000,000 authorized for fiscal 1975 and $95,000,000 authorized for fiscal year 1976. These amounts reflect a bal-

anced compromise for these fiscal years. The Senate had approved $100,000,000 and $110,000,000 and the House had approved $60,000,000 and $75,000,000.

The Senate bill's authorization of $90,000,000 for fiscal 1974 was deleted since grants for that year were authorized in the one-year extension of the Community Mental Health Centers Act passed in June, 1973.

Part D. Admission to hospitals; confidentiality of records

Section 121—Prohibits those general hospitals receiving funds from any federal source from discriminating in their admissions or treatment policies against any person solely on the basis of his alcohol abuse or alcoholism. Each body had included provisions on this subject. The House accepted the Senate's language.

With respect to the programs which he administers, the Secretary is authorized to make regulations for the enforcement of this policy.

The Administrator of Veterans Affairs, through the Chief Medical Director, is required, to the maximum feasible extent, consistent with their responsibilities under title 38, United States Code, to make applicable the regulations issued by the Secretary. Within 60 days after the establishment of regulations by the Secretary, the Administrator is required to submit to appropriate Congressional Committees and immediately thereafter to publish in the Federal Register a full report on the exercise of his responsibilities under this subsection.

Section 122—Confidentiality of Records. The House provisions on the confidentiality of records of clients in alcoholism programs are accepted with minor amendments. The Senate bill contained no provisions on confidentiality.

Records of clients in any federally conducted, regulated, or assisted alcoholism program are to be confidential and may be disclosed only under the circumstances and for the purposes stated in this section. Under regulations authorized by the section, disclosure is permitted with the written consent of the patient. Disclosure without his consent is permitted only to medical personnel to the extent necessary in a bona fide medical emergency, to qualified personnel for research, management, and evaluation of programs with no disclosure of patients' identities in the resulting reports, and when authorized by an appropriate order of a court granted after application showing good cause and with the court's weighing of the public interest and need for disclosure against injury to the patient and the treatment services. The court must impose safeguards against unauthorized disclosure.

The prohibitions on disclosure do not apply to the interchange of records within the Armed Forces, within those components of the Veterans' Administration furnishing health care to veterans, or between those components and the Armed Forces.

Except as provided below, the Secretary shall prescribe regulations for carrying out the purposes of this section.

The Administrator of Veterans' Affairs, through the Chief Medical Director, is required to the maximum feasible extent consistent with their responsibilities under title 38, United States Code, to make applicable the regulations issued by the Secretary. The Administrator is required to report on the exercise of his responsibilities under this section in the manner prescribed in section 121.

Authority for complete confidentiality of the records of patients in research programs is continued.

Part E. Interagency Committee on Federal Activities for Alcohol Abuse and Alcoholism

The Senate accepts the House provision with amendments. No similar provision was included in the Senate bill. The provision establishes an Interagency Committee for the purpose of evaluating the adequacy and technical soundness of Federal alcoholism programs and working for the coordination of other Federal agency programs dealing with problems of alcohol abuse and alcoholism. Membership of the Committee shall include appropriate representatives of the Departments of Transportation, Justice, Defense, and Health, Education and Welfare, the Veterans' Administration, such other Federal agencies as the Secretary determines, and five members representing the general public who are qualified. Either the Secretary or the Director of the National Institute on Alcohol Abuse and Alcoholism, or the Director's designee shall serve as chairman.

TITLE II—ADMINISTRATION AND COORDINATION OF THE NATIONAL INSTITUTE OF MENTAL HEALTH, THE NATIONAL INSTITUTE ON ALCOHOL ABUSE AND ALCOHOLISM, AND THE NATIONAL INSTITUTE ON DRUG ABUSE

The Senate accepts with minor amendments Title II of the House bill establishing the Alcohol, Drug Abuse, and Mental Health Administration and the National Institute of Mental Health, the National Institute on Drug Abuse, and the National Institute on Alcohol Abuse and Alcoholism. No similar title was included in the Senate bill.

Section 201—The Secretary shall establish the Alcohol, Drug Abuse, and Mental Health Administration with an Administrator appointed by the President by and with the advice and consent of the Senate. The Administrator will be responsible for ensuring cooperation among the three Institutes and appropriate and equitable support for each Institute individually. A Secretary's advisory panel is created consisting of three members, one from each of the advisory councils of the individual Institutes, such councils having been established under section 217 of the Public Health Service Act.

Section 202—Amends Title IV of the Public Health Service Act to include as Part G the establishment of the National Institute of Mental Health.

Section 203—Amends section 101 of the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment, and Rehabilitation Act of 1970, which established the National Institute on Alcohol Abuse and Alcoholism.

Section 204—Amends subsections (a) and (b) of section 501 of the Drug Abuse Office and Treatment Act of 1972, which established the National Institute on Drug Abuse.

Note: The bill employs similar language in each of the above three sections establishing the Institutes. Each is to be headed by its own Director, and each Institute shall carry out the responsibilities assigned to the Secretary in its own field, including the administrative and financial management, policy development and planning, evaluation, and public information functions required for the implementation of programs and authorities.

TITLE III—TECHNICAL AND CONFORMING AMENDMENTS

Section 301—Authorizes the Secretary to place 11 positions in the National Institute on Alcohol Abuse and Alcoholism in Grades 16, 17, and 18. Uses the House version of similar language contained in both bills.

Section 302—Repeals section 247 of the Community Mental Health Centers Act. Section 247 contains the alcoholism project and contract authority which now becomes a part of this Act.

Section 303—Amends section 408 of the Drug Abuse Office and Treatment Act relating to the confidentiality of records of patients in drug abuse prevention programs. The same substantive requirements are provided as are described in section 122 above. Patients in most alcohol and drug treatment programs will thus be protected by the same statutory provisions.

The Director of the Special Action Office for Drug Abuse Prevention will retain regulatory authority under section 408 until the Special Action Office goes out of existence as provided in section 104 of the Drug Abuse Office and Treatment Act of 1972; that is, June 30, 1975. On that date regulatory authority is transferred to the Secretary of Health, Education, and Welfare. The Director, and subsequently the Secretary when he assumes regulatory authority, must consult with the Administrator of Veterans Affairs and the heads of other Federal departments and agencies substantially affected by the regulations.

Upon the assumption by the Secretary of responsibilities under this section, the Administrator of Veterans' Affairs, through the Chief Medical Director, shall, to the maximum feasible extent consistent with their responsibilities under title 38, United States Code, make applicable the regulations established by the Secretary under this section. The Administrator is required to report on the exercise of his responsibilities under this section in the manner described in section 121.

FURTHER COMMENT ON THE CONFIDENTIALITY OF ALCOHOLISM AND ALCOHOL ABUSE RESEARCH AND TREATMENT RECORDS

The House amendment withdrew the authority presently vested in the Secretary of Health, Education and Welfare to grant an absolute privilege with respect to the identity of both research subjects and patients in the field of alcohol abuse and alcoholism. In its place, the House bill provided the same statutory structure for confidentiality of alcohol abuse and alcoholism patient records as it provided for drug abuse patient records.

The Senate bill contained no comparable provisions. The Senate amendment makes the same changes in the section of the House amendment dealing with alcohol treatment records as it makes in the provisions dealing with drug treatment records. In addition, the Senate amendment restores to the Secretary of Health, Education and Welfare the authority, which he would have lost under the House amendment, to grant an absolute privilege in the case of alcohol research, and extends that authority to cover any mental health research, thus making the extent of the authority consistent with the range of research responsibilities of the Alcohol, Drug Abuse and Mental Health Administration created by the House amendment.

Absolute confidentiality of records appears to be an indispensable prerequisite for valid research which involves socially deviant behavior. Even though a particular investigation may involve a drug such as alcohol whose ingestion is not necessarily illegal, or may not involve drugs at all, interviews between researcher and subject may bring forth confidences which, if identified with the subject, could be terribly damaging. In many instances, which cannot always be identified in advance, the mere fact that an individual has been a subject in a particular study can be injurious to his reputation. Without some mechanism to assure that such disclosures will not be made, ethical and conscientious clinicians and scientists often will simply refuse to conduct this type of investigation.

In addition to the reluctance based on considerations of the welfare of the individual, there is the further consideration that the absence of proper protection can skew the results of such research as may be undertaken. Research related to human behavior almost always involves sampling techniques and voluntary subjects. The construction of a statistically valid sample of a given population requires the selection of members of that population on a basis which does not exclude representation of any statistically significant component. If the persons selected to comprise the sample cannot be assured that their identities will be kept absolutely

confidential, however, then some will withdraw and others will give false information as to matters involving illegal or socially disapproved behavior. Either way, the study results are likely to become so seriously misleading as, at best, to invalidate the project or, at worst, to serve as a basis for unsound policy decisions.

The relationship of section 303(a) of the Public Health Service Act, authorizing the administrative grant of absolute confidentiality for research, to section 408 of the Drug Abuse Office and Treatment Act of 1972, requiring that Federally-connected drug abuse patient records generally be kept confidential, has been correctly described in an interpretative regulation, 21 C.F.R. 1401.61 and 1401.62, which was upheld in *People v. Newman*, 32 N.Y. 2d 379, 336 N.Y.S.2d 127, 298 N.E. 2d 651 (1973); certiorari denied,—U.S.—, 94 S.Ct. 927 (1974). For that reason, among others, section 303 (d) of the Senate amendment expressly continues the effectiveness of the current regulation promulgated by the Director of the Special Action Office for Drug Abuse Prevention. Thus, although section 502(c) of the Comprehensive Drug Abuse Prevention and Control Act of 1970 is not explicitly referred to in this legislation, the congressional intent is clear that the authority conferred by that section was not modified by Public Law 92–255, and is not intended to be modified by the bill now before the House.

It is expected, however, that the entire regulatory scheme governing the confidentiality of drug abuse and alcoholism patient records will be reviewed in the light of the enactment of this legislation. Upon the promulgation of regulations pursuant to section 408 as amended by this legislation, consideration should be given to the question whether methadone treatment should continue to be regarded as a research activity for the purposes of section 303(a) of the Public Health Service Act. From a policy standpoint, it may have been necessary to make use of that authority under the circumstances which existed at the time it was invoked, but the amendments made by this legislation to section 408 may lessen the need for it as a practical matter even as the passage of time attenuates the legal justification for its continued use in this particular context.

FURTHER COMMENT ON THE CONFIDENTIALITY OF DRUG ABUSE PATIENT RECORDS

The House amendment authorized the promulgation of regulations under section 408 of the Drug Abuse Office and Treatment Act of 1972, as well as making several technical amendments to that section. The Senate bill contains no comparable provisions. The Senate amendment amends section 408 to provide authority for disclosures with patient consent, but in order to forestall the possibility of coerced consent, such disclosures are to be allowed only to such extent, under such circumstances, and for such purposes as may be permitted under regulations. This will permit, for example, the fashioning of rules which clearly permit necessary information to be furnished employers willing to provide employment for persons who are in treatment, while providing safeguards against the abuse of this privilege. This provision makes unnecessary the authority in the House amendment for disclosures without the consent of the patient where treatment is provided as a condition of probation or parole or while the patient is confined, because such disclosures may, under the Senate amendment, be made on a consensual basis with the added safeguard of express rulemaking authority to prevent abuses. Accordingly, the Senate amendment deletes that provision from the House amendment.

The Senate amendment also adds a new subsection which enacts into law the present regulatory exemption (21 C.F.R. 1401.02 (b)) permitting interchanges of records within or between the Armed Forces or health care components of the Veterans' Administration. It was never the intention of this legislation to regulate the internal affairs of the Armed Forces, but rather to enact a general rule of law which would be binding upon all government agencies, and the Armed Forces and Veterans' Administration are, of course, subject to this rule in their dealings with other government agencies or with the private sector. Because of the close working relationship between the Armed Forces and the Veterans' Administration and the practical necessity for unfettered cooperation between them, communications between the Armed Forces and health care components of the Veterans' Administration are also included in the exemption.

As a result of the foregoing changes made by the Senate amendment, the provision in the House amendment conferring authority to make exceptions by regulation to the requirements of section 408 became unnecessary, and the Senate amendment deleted that authority.

Finally, the Senate amendment clarifies the intent of the corresponding provisions in the House amendment in that it confers explicit rulemaking authority to prescribe procedures and criteria for the issuance of orders under section 408(b)(2)(C). When section 408 was originally enacted, the authority to grant orders lifting the duty to maintain confidentiality was conferred on the courts because of a concern that an absolute prohibition against the use of clinical records in any criminal investigation or prosecution would go so far as to create an unnecessary restriction on possible prosecutions. It was never intended, however, that this provision should operate to authorize *pro forma ex parte* orders which in effect do no more than affix a judicial imprimature on routine requests by investigative or prosecutorial official. On the contrary, as the Conference Report made clear (House Report No. 92–920 at page 33), it was intended at the maintenance of the confidentiality of patient records be accorded a very high priority, with the discretionary authority conferred on the courts being reserved for truly exceptional cases. The rulemaking authority conferred by the House amendment, as further refined by the Senate amendment, should make it possible to effectuate this intention.

A major element of the task of fashioning new regulations pursuant to the express rulemaking authority conferred by this legislation will be to reconcile the sometimes conflicting interests of research, audit, and evaluation with rights of privacy and the confidentiality of the relationship between patient and clinician. Such a reconciliation becomes particularly crucial where the functions of research, audit, or evaluation are conducted by a governmental agency with regulatory powers and responsibilities, and the treatment involves the use of a drug such as methadone which is in a research status or which is readily susceptible of misuse or illicit diversion.

Because of the difficulty and complexity of the task, the rulemaking authority is intentionally cast in terms broad enough to permit the limitation of the scope, content, or circumstances of any disclosure under subsection (b), whether (b)(1) or (b)(2), in the light of the necessary purposes for which it is made or required.

In the development of regulations under section 333 of Public Law 91–616 and section 408 of Public Law 92–255, it is expected that there will be close cooperation and coordination among the Special Action Office for Drug Abuse Prevention, the Department of Health, Education, and Welfare, and the Veterans' Administration. There appears to be no legal reason why a single set of regulations cannot be promulgated under the two sections, with special provisions in the case of particular substances if and to the extent that such differentiation is found to be necessary or appropriate. In many cases a single institution, such as a hospital or community mental health center, may be conducting both drug programs and alcohol programs with common recordkeeping facilities, and it is clearly in the public interest that arbitrary and unnecessary distinctions be avoided. In its report on H.R. 11387, which became the House amendment to S. 1125, the Committee on Interstate and Foreign Commerce stated, "In implementing the authority to promulgate regulations under section 333, the Committee expects the precedents established under section 408 of the Drug Abuse Act to be followed in the absence of any compelling reason not to do so." (House Report No. 93–759 at page 11). By carefully maintaining the parallelism between section 333 and section 408 throughout the subsequent progress of this legislation, the Congress has reiterated and confirmed that intention.

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

Mr. STAGGERS. I will be very happy to yield to the ranking minority member on the Subcommittee on Public Health and Environment.

Mr. NELSEN. Mr. Speaker, I am concerned that the Administrator of the ADAMHA has adequate administrative authority and flexibility to achieve meaningful coordination between the drug abuse, mental health, and alcoholism programs. Can the gentleman assure me that it is the intention of this legislation that the Administrator is indeed the immediate superior of the Directors of the three Institutes; and that even though his program authority must be exercised through each Institute as appropriate, he will retain ultimate supervisory responsibility for the Institutes in ADAMHA.

Mr. Speaker, I wonder if the gentleman would wish to respond. I believe for the record it should be there. I think we have agreed that it is quite clear in our deliberations.

Mr. STAGGERS. Mr. Speaker, in answer to the gentleman, I would like to say that I can give the gentleman such assurances, but please understand that it is our strict intention that the programs of the three Institutes remains separate and that no merger of the three be attempted in any way, because I think this would be wrong. Our purpose in this legislation is to achieve coordination and interaction of the three programs where necessary and useful, not to destroy their individual identity.

Mr. Speaker, of course, it goes without saying that the Secretary always maintains ultimate program and decision-making responsibility and authority, which we thought he should in all instances.

Mr. NELSEN. Mr. Speaker, I thank the gentleman. I hope the House will adopt this piece of legislation.

Mr. STAGGERS. I yield such time as he may consume to the gentleman from Florida, the chairman of the subcommittee, Mr. ROGERS.

Mr. ROGERS. Mr. Speaker, as much as we may hate to admit it, alcohol abuse and alcoholism are growing and

continuing problems that must be attacked by all levels of government. Alcoholism is a disease of immense proportions. It was recognized as such in 1970, when Congress passed the original Comprehensive Alcoholism Prevention, Treatment, and Rehabilitation Act. While there have been major successes in treatment and public understanding of alcoholism under programs fostered by the National Institute on Alcohol Abuses and Alcoholism created by the 1970 act, much remains to be done. In fact, most experts now state that the switch is on from hard drugs to alcohol. Clearly, alcohol is the most abused drug in the United States.

The funding provisions of the 1970 act expire on June 30 of this year. Last year the Senate passed an extension of these funding provisions and made certain changes in the act. In August of 1973, I and nine other members of the Subcommittee on Public Health and Environment, and the chairman of the full committee, Mr. STAGGERS, introduced legislation which also extended the funding provisions of the act and made several substantial changes in existing law relating to the administrative structure of the Federal alcoholism effort, confidentiality of patient records and admission of alcoholics to hospitals which we considered necessary, based on the 3 years of experience with the program. The House bill passed this body on January 21 by a record vote of 338 to 22. We have since held informal discussions with the authors of the Senate bill and have reached a compromise between the House and Senate bills. The compromise is embodied in the bill before you today.

Mr. Speaker, Chairman STAGGERS has explained in detail the provisions of this compromise and I will not take the time of the Members to reiterate them. I would only say that I know of no substantial opposition to this legislation. Its major provisions already have cleared this body by a vote of more than 10 to 1, and I am pleased to recommend this legislation to the House as forward looking, constructive legislation which is vital to the welfare of this Nation.

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

Mr. Speaker, slice it thick or thin, this bill is now $80 million more than was originally approved by the House, to a grand total of $374 million. Yes, it is below the Senate figure of $499 million, but I wonder what was going in the minds of certain Members of the other body when they even suggested $499 million. They could not have been thinking of the financial situation of this country, inflation, and the crisis that confronts all our people.

Mr. Speaker, it is all very well to talk about the poor alcoholics. As I said when this bill was originally before the House, I have never seen anyone take another by the nape of the neck and pour liquor down his throat until he was made intoxicated. I have never seen force used in the making of an alcoholic. Yes, there is intemperateness in the use of liquor. There is intemperateness in almost every other activity among humans. Does this mean Congress should provide a caretaker for every intemperate individual?

Mr. Speaker, I know of no reason why the downtrodden taxpayers of this country, faced with the terrific burdens of today, should be expending this kind of money on alcoholism. I was not aware until the gentleman from West Virginia spoke a little while ago that it is the cause of multiple sclerosis. Maybe it is. I doubt it.

I do know it is the cause of "shakes" on the part of those who cannot take a drink of whiskey and set the bottle down.

Incidentally, Mr. Speaker, if this is of such expensive importance to the citizens of the country, instead of the usual labels on whiskey bottles, why not use a skull-and-crossbones label? Why do we not put on bottles of liquor the same warning, of something similar to that which goes on cigarette packages:

Warning: The Surgeon General has determined that the drinking of liquor is dangerous to your health?

My quarrel with this bill is that we are about to authorize the spending of $374 million, and I am sure that the chairman of the committee, the gentleman from West Virginia (Mr. STAGGERS) has not the faintest idea to where that money is going to come from. It certainly is not available as a surplus in the U.S. Treasury.

Mr. Speaker, I am opposed to this bill, because of the kind of spending it involves and because there are so many other and better uses to which we can put our money in this country these days. I hope that those who vote for this legislation when they face their constituents will proudly proclaim that they approved the spending of $374 million on those individuals who are too intemperate to handle their booze.

The SPEAKER. The question is on the motion offered by the gentleman from West Virginia (Mr. STAGGERS) that the House suspend the rules and concur in the Senate amendment to the House amendments to the Senate bill, S. 1125.

The question was taken.

Mr. GROSS. 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 301, nays 17, not voting 115, as follows:

[Roll No. 206]

YEAS—301

Abdnor	Barrett	Brooks
Abzug	Bauman	Broomfield
Adams	Bennett	Brown, Calif.
Alexander	Bergland	Brown, Mich.
Anderson, Calif.	Bevill	Brown, Ohio
Anderson, Ill.	Biaggi	Broyhill, N.C.
Andrews, N. Dak.	Biester	Broyhill, Va.
Annunzio	Bingham	Buchanan
Archer	Blackburn	Burgener
Arends	Boggs	Burke, Calif.
Armstrong	Boland	Burke, Fla.
Aspin	Bolling	Burke, Mass.
Bafalis	Bowen	Burleson, Tex.
Baker	Bray	Burlison, Mo.
Barrett	Breckinridge	Burton
Bauman	Brinkley	Butler
Bennett	Brooks	Byron
Bergland	Broomfield	Camp
Bevill	Brown, Calif.	Casey, Tex.
Biaggi	Brown, Mich.	Cederberg
Biester	Brown, Ohio	Chamberlain
Bingham	Broyhill, N.C.	Clausen, Don H.
Blackburn	Broyhill, Va.	Clawson, Del
Boggs	Buchanan	Cleveland
Boland	Burgener	Cochran
Bolling	Burke, Calif.	Cohen
Bowen	Burke, Fla.	Collier
Bray	Burke, Mass.	Collins, Ill.
Breckinridge	Burleson, Tex.	Collins, Tex.
Brinkley	Burlison, Mo.	Conable
Brooks	Burton	Conte
Broomfield	Butler	Conyers
Brown, Calif.	Byron	Coughlin
Brown, Mich.	Camp	Cronin
Brown, Ohio	Casey, Tex.	Culver
Broyhill, N.C.	Cederberg	Daniel, Dan
Broyhill, Va.	Chamberlain	Daniel, Robert W., Jr.
Buchanan	Clausen, Don H.	Daniels, Dominick V.
Burgener	Clawson, Del	Davis, Ga.
Burke, Calif.	Cleveland	Davis, S.C.
Burke, Fla.	Cochran	de la Garza
Burke, Mass.	Cohen	Delaney
Burleson, Tex.	Collier	Dellenback
Burlison, Mo.	Collins, Ill.	Denholm
Burton	Collins, Tex.	Dent
Butler	Conable	Derwinski
Byron	Conte	Dickinson
Camp	Conyers	Diggs
Casey, Tex.	Coughlin	Downing
Cederberg	Cronin	Drinan
Chamberlain	Culver	Duncan
Clausen, Don H.	Daniel, Dan	du Pont
Clawson, Del	Daniel, Robert W., Jr.	Edwards, Calif.
Cleveland	Daniels, Dominick V.	Eilberg
Cochran	Davis, Ga.	Esch
Cohen	Davis, S.C.	Evans, Colo.
Collier	de la Garza	Evins, Tenn.
Collins, Ill.	Delaney	Fascell
Collins, Tex.	Dellenback	Fish
Conable	Denholm	Flood
Conte	Dent	Foley
Conyers	Derwinski	Ford
Coughlin	Dickinson	Forsythe
Cronin	Diggs	Fraser
Culver	Downing	Frenzel
Daniel, Dan	Drinan	Froehlich
Daniel, Robert W., Jr.	Duncan	Fulton
Daniels, Dominick V.	du Pont	Fuqua
Davis, Ga.	Edwards, Calif.	Gettys
Davis, S.C.	Eilberg	Giaimo
de la Garza	Esch	Gibbons
Delaney	Evans, Colo.	Gilman
Dellenback	Evins, Tenn.	Ginn
Denholm	Fascell	Goldwater
Dent	Fish	Gonzalez
Derwinski	Flood	Grasso
Dickinson	Foley	Gray
Diggs	Ford	Green, Pa.
Downing	Forsythe	Gude
Drinan	Fraser	Gunter
Duncan	Frenzel	Hamilton
du Pont	Froehlich	Hammer-schmidt
Edwards, Calif.	Fulton	Hanna
Eilberg	Fuqua	Hanrahan
Esch	Gettys	Hansen, Idaho
Evans, Colo.	Giaimo	Harsha
Evins, Tenn.	Gibbons	Hastings
Fascell	Gilman	Hawkins
Fish	Ginn	Hébert
Flood	Goldwater	Hechler, W. Va.
Foley	Gonzalez	Heinz
Ford	Grasso	Henderson
Forsythe	Gray	Hicks
Fraser	Green, Pa.	Hillis
Frenzel	Gude	Hinshaw
Froehlich	Gunter	Hogan
Fulton	Hamilton	Holifield
Fuqua	Hammer-schmidt	Holtzman
Gettys	Hanna	Horton
Giaimo	Hanrahan	Hosmer
Gibbons	Hansen, Idaho	Howard
Gilman	Harsha	Hudnut
Ginn	Hastings	Hungate
Goldwater	Hawkins	Hunt
Gonzalez	Hébert	Hutchinson
Grasso	Hechler, W. Va.	Ichord
Gray	Heinz	Jarman
Green, Pa.	Henderson	Johnson, Calif.
Gude	Hicks	Jones, Okla.
Gunter	Hillis	Jones, Tenn.
Hamilton	Hinshaw	Jordan
Hammer-schmidt	Hogan	Karth
Hanna	Holifield	Kastenmeier
Hanrahan	Holtzman	Kemp
Hansen, Idaho	Horton	Ketchum
Harsha	Hosmer	Kluczynski
Hastings	Howard	Koch
Hawkins	Hudnut	Lagomarsino
Hébert	Hungate	Landrum
Hechler, W. Va.	Hunt	Latta
Heinz	Hutchinson	Leggett
Henderson	Ichord	Lehman
Hicks	Jarman	Lent
Hillis	Johnson, Calif.	Litton
Hinshaw	Jones, Okla.	Long, La.
Hogan	Jones, Tenn.	Lott
Holifield	Jordan	Luken
Holtzman	Karth	McClory
Horton	Kastenmeier	McCollister
Hosmer	Kemp	McCormack
Howard	Ketchum	McDade
Hudnut	Kluczynski	McFall
Hungate	Koch	McKay
Hunt	Lagomarsino	McKinney
Hutchinson	Landrum	Mahon
Ichord	Latta	Mallary
Jarman	Leggett	Martin, Nebr.
Johnson, Calif.	Lehman	Mathias, Calif.
Jones, Okla.	Lent	Mathis, Ga.
Jones, Tenn.	Litton	Matsunaga
Jordan	Long, La.	Mayne
Karth	Lott	Mazzoli
Kastenmeier	Luken	Meeds
Kemp	McClory	Melcher
Ketchum	McCollister	Metcalfe
Kluczynski	McCormack	Mezvinsky
Koch	McDade	Minish
Lagomarsino	McFall	Mitchell, Md.
Landrum	McKay	Mitchell, N.Y.
Latta	McKinney	Mizell
Leggett	Mahon	Mollohan
Lehman	Mallary	Montgomery
Lent	Martin, Nebr.	Moorhead, Calif.
Litton	Mathias, Calif.	Moorhead, Pa.
Long, La.	Mathis, Ga.	Mosher
Lott	Matsunaga	Murtha
Luken	Mayne	Natcher
McClory	Mazzoli	Nedzi
McCollister	Meeds	Nelsen
McCormack	Melcher	Obey
McDade	Metcalfe	O'Brien
McFall	Mezvinsky	O'Hara
McKay	Minish	O'Neill
McKinney	Mitchell, Md.	Parris
Mahon	Mitchell, N.Y.	Passman
Mallary	Mizell	Patten
Martin, Nebr.	Mollohan	Pepper
Mathias, Calif.	Montgomery	Perkins
Mathis, Ga.	Moorhead, Calif.	Pettis
Matsunaga	Moorhead, Pa.	Peyser
Mayne	Mosher	Pike
Mazzoli	Murtha	Poage
Meeds	Natcher	Podell
Melcher	Nedzi	Powell, Ohio
Metcalfe	Nelsen	Preyer
Mezvinsky	Obey	Price, Ill.
Minish	O'Brien	Price, Tex.
Mitchell, Md.	O'Hara	Quie
Mitchell, N.Y.	O'Neill	Railsback
Mizell	Parris	Randall
Mollohan	Passman	Rangel
Montgomery	Patten	Rarick
Moorhead, Calif.	Pepper	Rees
Moorhead, Pa.	Perkins	Reuss
Mosher	Pettis	Riegle
Murtha	Peyser	Rinaldo
Natcher	Pike	Roberts
Nedzi	Poage	Robinson, Va.
Nelsen	Podell	Robison, N.Y.
Obey	Powell, Ohio	Rodino
O'Brien	Preyer	Roe
O'Hara	Price, Ill.	Rogers
O'Neill	Price, Tex.	Roncalio, Wyo.
Parris	Quie	Rooney, Pa.
Passman	Railsback	Rosenthal
Patten	Randall	Roush
Pepper	Rangel	Rousselot
Perkins	Rarick	Roybal
Pettis	Rees	Runnels
Peyser	Reuss	Ruth
Pike	Riegle	Ryan
Poage	Rinaldo	St Germain
Podell	Roberts	Sandman
Powell, Ohio	Robinson, Va.	Sarasin
Preyer	Robison, N.Y.	Sarbanes
Price, Ill.	Rodino	Satterfield
Price, Tex.	Roe	Schneebeli
Quie	Rogers	Sebelius
Railsback	Roncalio, Wyo.	Shipley
Randall	Rooney, Pa.	Shoup
Rangel	Rosenthal	Shriver
Rarick	Roush	Sikes
Rees	Rousselot	Skubitz
Reuss	Roybal	Smith, Iowa
Riegle	Runnels	Smith, N.Y.
Rinaldo	Ruth	Snyder
Roberts	Ryan	Staggers
Robinson, Va.	St Germain	Stanton, J. William
Robison, N.Y.	Sandman	Stanton, James V.
Rodino	Sarasin	Stark
Roe	Sarbanes	Steed
Rogers	Satterfield	Steelman
Roncalio, Wyo.	Schneebeli	Steiger, Ariz.
Rooney, Pa.	Sebelius	Steiger, Wis.
Rosenthal	Shipley	Stephens
Roush	Shoup	Stratton
Rousselot	Shriver	Studds
Roybal	Sikes	Sullivan
Runnels	Skubitz	Symington
Ruth	Smith, Iowa	Talcott
Ryan	Smith, N.Y.	Taylor, Mo.
St Germain	Snyder	Taylor, N.C.
Sandman	Staggers	Thompson, N.J.
Sarasin	Stanton, J. William	Thomson, Wis.
Sarbanes	Stanton, James V.	Thone
Satterfield	Stark	Thornton
Schneebeli	Steed	Tiernan
Sebelius	Steelman	Towell, Nev.
Shipley	Steiger, Ariz.	Traxler
Shoup	Steiger, Wis.	Treen
Shriver	Stephens	Udall
Sikes	Stratton	Ullman
Skubitz	Studds	Vander Veen
Smith, Iowa	Sullivan	Vanik
Smith, N.Y.	Symington	Vigorito
Snyder	Talcott	Waggonner
Staggers	Taylor, Mo.	Walsh
Stanton, J. William	Taylor, N.C.	Wampler
Stanton, James V.	Thompson, N.J.	Whalen
Stark	Thomson, Wis.	White
Steed	Thone	Whitehurst
Steelman	Thornton	Whitten
Steiger, Ariz.	Tiernan	Widnall
Steiger, Wis.	Towell, Nev.	Williams
Stephens	Traxler	Wilson, Charles H., Calif.
Stratton	Treen	Wilson, Charles, Tex.
Studds	Udall	Winn
Sullivan	Ullman	Wolff
Symington	Vander Veen	Wright
Talcott	Vanik	Wyatt
Taylor, Mo.	Vigorito	Wylie
Taylor, N.C.	Waggonner	Yates
Thompson, N.J.	Walsh	Yatron
Thomson, Wis.	Wampler	Young, Alaska
Thone	Whalen	Young, Fla.
Thornton	White	Young, Ill.
Tiernan	Whitehurst	Young, S.C.
Towell, Nev.	Whitten	Young, Tex.
Traxler	Widnall	Zablocki
Treen	Williams	Zion
Udall	Wilson, Charles H., Calif.	Zwach
Ullman	Wilson, Charles, Tex.	
Vander Veen	Winn	
Vanik	Wolff	
Vigorito	Wright	
Waggonner	Wyatt	
Walsh	Wylie	
Wampler	Yates	
Whalen	Yatron	
White	Young, Alaska	
Whitehurst	Young, Fla.	
Whitten	Young, Ill.	
Widnall	Young, S.C.	
Williams	Young, Tex.	
Wilson, Charles H., Calif.	Zablocki	
Wilson, Charles, Tex.	Zion	
Winn	Zwach	
Wolff		
Wright		
Wyatt		
Wylie		
Yates		
Yatron		
Young, Alaska		
Young, Fla.		
Young, Ill.		
Young, S.C.		
Young, Tex.		
Zablocki		
Zion		
Zwach		

NAYS—17

Beard	Goodling	Miller
Clancy	Gross	Myers
Conlan	Grover	Scherle
Crane	King	Shuster
Dennis	McEwen	Symms
Devine	Michel	

NOT VOTING—115

Addabbo	Brademas	Chappell
Andrews, N.C.	Brasco	Chisholm
Ashbrook	Breaux	Clark
Ashley	Brotzman	Clay
Badillo	Carey, N.Y.	Corman
Bell	Carney, Ohio	Cotter
Blatnik	Carter	Danielson

Davis, Wis.	Johnson, Pa.	Quillen
Dellums	Jones, Ala.	Regula
Dingell	Jones, N.C.	Reid
Donohue	Kazen	Rhodes
Dorn	Kuykendall	Roncallo, N.Y.
Dulski	Kyros	Rooney, N.Y.
Eckhardt	Landgrebe	Rose
Edwards, Ala.	Long, Md.	Rostenkowski
Erlenborn	Lujan	Roy
Eshleman	McCloskey	Ruppe
Findley	McSpadden	Schroeder
Fisher	Macdonald	Seiberling
Flowers	Madden	Sisk
Flynt	Madigan	Slack
Fountain	Mann	Spence
Frelinghuysen	Maraziti	Steele
Frey	Martin, N.C.	Stokes
Gaydos	Milford	Stubblefield
Green, Oreg.	Mills	Stuckey
Griffiths	Mink	Teague
Gubser	Minshall, Ohio	Van Deerlin
Guyer	Moakley	Vander Jagt
Haley	Morgan	Veysey
Hanley	Moss	Waldie
Hansen, Wash.	Murphy, Ill.	Ware
Harrington	Murphy, N.Y.	Wiggins
Hays	Nichols	Wilson, Bob
Heckler, Mass.	Nix	Wydler
Helstoski	Owens	Wyman
Holt	Patman	Young, Ga.
Huber	Pickle	
Johnson, Colo.	Pritchard	

So (two-thirds having voted in favor thereof) the rules were suspended and the Senate amendment to the House amendments was concurred in.

The Clerk anounced the following pairs:

Mr. Hays with Mr. Fisher.
Mr. Rooney of New York with Mrs. Griffiths.
Mr. Chappell with Mr. McSpadden.
Mr. Rostenkowski with Mr. Dorn.
Mr. Fountain with Mr. Milford.
Mr. Teague with Mr. Andrews of North Carolina.
Mr. Stubblefield with Mrs. Holt.
Mr. Kyros with Mr. Flynt.
Mr. Addabbo with Mr. Frelinghuysen.
Mr. Brademas with Mr. Ashbrook.
Mr. Dulski with Mr. Frey.
Mr. Brasco with Mr. Edwards of Alabama.
Mr. Mann with Mr. Bell.
Mr. Kazen with Mr. Gubser.
Mr. Morgan with Mr. Erlenborn.
Mr. Pickle with Mr. Guyer.
Mr. Nix with Mr. Blatnik.
Mr. Cotter with Mrs. Heckler of Massachusetts.
Mr. Haley with Mr. Brotzman.
Mr. Hanley with Mr. Huber.
Mr. Rose with Mr. Johnson of Pennsylvania.
Mr. Stokes with Mr. Eckhardt.
Mr. Dellums with Mr. Madden.
Mr. Gaydos with Mr. Jones of North Carolina.
Mr. Murphy of Illinois with Mr. Kuykendall.
Mr. Nichols with Mr. Carter.
Mrs. Chisholm with Mr. Helstoski.
Mr. Clark with Mr. Landgrebe.
Mr. Clay with Mr. Dingell.
Mr. Badillo with Mrs. Hansen of Washington.
Mr. Carney of Ohio with Mr. Davis of Wisconsin.
Mr. Carey of New York with Mr. Eshleman.
Mr. Young of Georgia with Mr. Reid.
Mr. Corman with Mr. Findley.
Mr. Danielson with Mr. Lujan.
Mr. Flowers with Mr. Long of Maryland.
Mr. Jones of Alabama with Mr. Macdonald.
Mr. Moakley with Mr. McCloskey.
Mr. Moss with Mr. Murphy of New York.
Mr. Donohue with Mr. Madigan.
Mr. Roy with Mr. Patman.
Mrs. Schroeder with Mr. Pritchard.
Mr. Sisk with Mr. Martin of North Carolina.
Mr. Slack with Mr. Quillen.
Mr. Stuckey with Mr. Ruppe.
Mr. Van Deerlin with Mr. Maraziti.
Mr. Breaux with Mr. Spence.
Mr. Ashley with Mr. Roncallo of New York.
Mrs. Green of Oregon with Mr. Regula.
Mr. Harrington with Mr. Steele.
Mr. Mills with Mr. Rhodes.
Mrs. Mink with Mr. Vander Jagt.
Mr. Owens with Mr. Seiberling.
Mr. Waldie with Mr. Wydler.
Mr. Wiggins with Mr. Ware.
Mr. Bob Wilson with Mr. Wyman.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PANAMA CANAL—PART III—"THE PROPOSED NEW PANAMA CANAL TREATY—A CHALLENGE TO THE CONGRESS"

(Mr. MURPHY of New York asked and was given permission to address the House for 1 minutes and to revise and extend his remarks and include extraneous matter.)

Mr. MURPHY of New York. Mr. Speaker, on February 7 of this year Secretary of State Henry Kissinger and Panamanian Foreign Minister Juan Antonio Tack placed their signatures on a Joint Statement of Principles to govern the drafting of a new canal treaty with the Republic of Panama. The new treaty would replace the basic Hay-Bunau-Varilla Treaty of 1903 and its later amendments whereby the United States acquired the right to exercise perpetual and exclusive sovereignty and jurisdiction over the administration, operation, and defense of the canal and its protective frame, the Canal Zone.

In essence, the joint statement established the following principles which will determine the future United States status in the Panama Canal and Canal Zone:

First, the termination of U.S. jurisdiction over the territory in which the Panama Canal is situated and its prompt transfer to the territorial sovereignty of the Republic of Panama;

Second, the elimination of the concept of perpetuity whereby the United States and Panama entered into a treaty of unlimited duration in time, and provision for a fixed termination date for the new treaty;

Third, participation by Panama in the administration and defense of the canal and provision for the eventual assumption by Panama of total responsibility for the operation and defense of the canal upon termination of the new treaty.

As a member for 12 years and former Chairman of the House Subcommittee on the Panama Canal, in which is vested the authority and obligation to guarantee the uninterrupted and efficient operation of the Panama Canal in the best interests of the United States and interoceanic commerce, the Statement of Principles is of much concern to me. I read the United States signing of the principles of agreement as a deliberate design for the surrender to Panama of U.S. sovereign rights and treaty obligations to maintain, operate, protect, and defend the U.S.-owned canal and Canal Zone territory. In order to avoid such a catastrophe I speak today to highlight what I believe to be certain indispensable considerations which must be incorporated in the U.S. Government's negotiating position with regard to any change in the current and future status of the canal and zone.

Foremost among these is the issue of U.S. sovereignty and jurisdiction over the canal and Canal Zone area. There is no question that the Panama Canal today serves a vital strategic and economic function for the United States and user countries; including Latin America. The Panama Canal transit eliminates some 8,000 miles and approximately 20 days travel time on a maritime voyage from the Port of New York to San Francisco. In terms of its strategic importance, the Panama Canal and Canal Zone perform a vital function in our worldwide and Southern Hemisphere defense systems—a point which I will discuss later in my remarks. In economic terms, for some time some 70 percent of the tonnage through the canal has either originated in, or been destined for U.S. ports. This means the canal remains vital to the domestic and foreign trade and economy of the United States.

It was the realization of the importance of a transit route through the Isthmian corridor separating the Atlantic and Pacific oceans which caused the United States to contract with Panama, infuse the manpower and material resources, endure the hardships of the area, and undertake full responsibility for construction of the canal as a vital transport channel serving myriad world commercial and defense needs.

In fulfilling its aims, the U.S. Government acquired full rights to the use, occupation, and control of the canal and Canal Zone from the Republic of Panama, purchasing every square foot of privately owned Canal Zone property from the original Panamanian owners through legal purchase contracts, and paying an additional $10 million lump sum for the right to do so, completely with funds appropriated by the U.S. Congress. Moreover, the United States has paid the Republic of Panama an annuity which has twice been increased by treaty and is currently $1.9 million, which is not rental for the Canal Zone but the annuity of the Panama Railroad originally paid to Colombia which obligation was assumed by the United States in the 1903 treaty. Indeed, over the years the cost to the U.S. Government, and the total U.S. taxpayers' investment in canal operation and defense, has exceeded $5½ billion. The United States also acquired the right "in perpetuity" to exercise sovereign jurisdiction in the zone area, as vested through certain solemnly ratified treaties. Briefly, these are:

First, the Hay-Pauncefote Treaty of 1901 between the United States and Great Britain, whereby the United States adopted the principles of the 1888 Convention of Constantinople as the rules for operation, regulation and management of the canal;

Second, the Hay-Bunau-Varilla Treaty of 1903 between the United States and the Republic of Panama, the basic treaty, under which Panama granted full sovereign rights, power, and authority in perpetuity to the United States

over the zone for the construction, maintenance, operation, and protection of the canal, to the entire exclusion of the exercise of any such rights by Panama;

Third, the Thomson-Urrutia Treaty of 1914—proclaimed in March 1922—between the United States and the Republic of Colombia, the sovereign of the Isthmus prior to November 3, 1930, in which Colombia recognized the title to the Panama Canal and railroad as vested "entirely and absolutely" in the United States.

Since the basic treaty with Panama entered into force in 1904, the United States has assumed full responsibility for the construction, maintenance, operation and protection of the canal and civil government of the Canal Zone and, for the last 60 years, since its opening in 1914, has continued to operate the canal in a highly efficient manner, without interruption, to the benefit of the maritime commerce of all the nations of the world. We have acquired the right to exercise sovereignty and jurisdiction over the canal enterprise through legally validated treaties; we have assumed responsibility for all aspects of operating and defending the canal for the past 60 years.

And what of the more than 40,000 U.S. citizens who live and work in the Canal Zone and who continue to rely upon U.S. jurisdiction—the U.S. system of government? The rights and interests of these Americans must be considered in any agreement with Panama. And yet, the State Department would have us transfer total sovereignty and jurisdiction to Panamanian control. It is my strong belief that to cede or in any way impair these rights and jurisdiction violates our treaty commitments and jeopardizes our basic and vital economic and defense interests in the canal as well as those of the users of the canal.

An important corollary point here is the tremendous benefit to the Republic of Panama which has accrued through U.S. control and efficient operation of the canal. In addition to the annual compensation afforded through treaty, it may be said that Panama's position in the world is, in large measure, the result of the existence of the U.S.-owned canal in its territory. Nearly one-third of Panama's $1.2 billion gross national product is directly or indirectly attributable to the presence of the canal. In terms of per capita GNP, Panama has consistently led the Central American nations and, in 1971 and 1972, for example, Panama ranked fourth highest and third highest, respectively, among all the nations of Latin America in per capita GNP.

The second major consideration in U.S. canal posture concerns the issue of retention of the U.S. military presence in the Canal Zone, including military contingents required to protect the canal, and the U.S. Southern Command, comprising some 12,000 military personnel. The Government of Panama has vociferously protested what it terms the "exaggerated presence" of the U.S. military forces in the Canal Zone.

Various U.S. Government officials have spoken of drastically reducing the strength of our Armed Forces in the zone as a concession of good will to the Panamanians.

I was deeply concerned at the recent news report citing a decision by the Secretary of Defense to eliminate the Southern Command, as part of the Defense Department policy of reducing the U.S. deployment of Armed Forces in foreign territory. In my view, Mr. Speaker, retention of the Southern Command in the zone is absolutely essential—as the only force which protects the United States from the southward approaches. Furthermore, I believe that the continued U.S. military presence in Panama at its current level serves a vital strategic function in safeguarding our own national security and the security of the entire Western Hemisphere region.

In terms of our own national defense requirements, geographically the Isthmus of Panama, the narrow corridor linking the Earth's two great oceans, occupies a strategic position as a maritime crossroads of the Western Hemisphere. The existence of the canal serves myriad defense needs of the United States and its allies—as an efficient and effective transport link for the transit of U.S. and allied military shipping, in facilitating the flexible and rapid deployment of military forces, materiel and vital raw materials to all parts of the world, and as a vital defense communications link in our worldwide security system.

In addition, the U.S. military presence in the Canal Zone serves an indispensable function as the cornerstone of the U.S. defense posture in the Caribbean area—a strategic area by its very proximity to the U.S. mainland, and indeed, in the entire Latin American region.

Of primary concern in discussing this aspect is the fact that many of the nations in the Latin American region are experiencing a difficult period of change, turbulence, and basic political and governmental instability as they strive for modernization and a higher social, economic, and political level. Such an atmosphere provides fertile ground for radical factions within nations and for outside hostile elements, including the Communists, who are committed to exploiting the existing social and political unrest, and disrupting the stability of the hemisphere for purposes of asserting their dominion in the region. The U.S. Canal Zone serves as an island of stability in an area of endemic revolution and on many occasions has provided a haven of refuge for Panamanian leaders seeking asylum.

Relevant to this discussion is the continuing threat posed by Fidel Castro's Cuba. Under Castro's thumb, the Cuban Government continues to function as a base of disruptive operations against constitutional governments in Latin America. Castro's continued blatant espousal of support for Communist revolutions in Latin America, including Panama, despite the failures of the guerrilla groups he has thus far supported, represents a very real threat to the security of the Latin American nations and to the United States.

It is my feeling that the U.S. military presence in the Canal Zone is one of the few strategic and political advantages still maintained by this country in the Latin American area after a decade of withdrawal from its position of unchallenged power in the hemisphere. That presence has acted and continues to serve as a deterrent against the ambitions of powers hostile to our Nation, providing a constant warning to our enemies of U.S. determination to prevent subversion in this hemisphere by any means necessary. In this capacity, our military presence in the Canal Zone serves as a vital political and military guarantee against external military threats or political inroads by potential enemy nations.

Military experts have testified that the retention of key base areas within the zone are critical to U.S. national, and Western Hemisphere defense and that the U.S. forces now maintained in the Canal Zone are the minimum required for the task. I firmly believe that the continuance of our military presence in Panama at its current level is a vital element in our foreign policy—and, to reduce or eliminate its presence there, in my opinion, would only serve to imperil the freedom of the canal, our own national security, and that of the Western Hemisphere region.

Any discussion of U.S. considerations in the current Panama Canal treaty negotiations must include commentary on the chronic political instability of the Panamanian Government, which reflects upon the strength of the Torrijos regime currently in power there. In making this point I do not wish to contribute to the abundance of emotional rhetoric nor to the exaggerated fears plaguing the canal negotiation issue. But I believe that in the name of safeguarding our continuing economic and defense interests in the canal, it is necessary to make an honest assessment of the political situation in Panama.

The United States must be aware that, in the light of history, there is no real assurance of the stability of the future political character of the Panamanian Government—the turbulent political history of that nation gives credence to just the opposite case.

In the last 70 years, while the United States has had 12 Presidents, the Republic of Panama has had 59, only 4 of whom have served their full constitutional 4-year term.

The current regime of Gen. Omar Torrijos imposed itself by force of arms on the Panamanian people, supplanting the popularly elected government of President Arnulfo Arias. In my capacity as ranking majority member of the Panama Canal Subcommittee, I have recently received several reports indicating the existence of plots to overthrow the current regime.

In this context, consideration of the chronic instability of the Panamian Government reflects upon our canal negotiations in several ways. The first point to consider is the advisability of negotiating any new treaty changing the status of the canal at all; any treaty is bound to be subject to the whim and fancy of this regime or another in its place. The Torrijos government may fall or General Torrijos may find, a few months from now, that his tenuous position dictates another increase in demands for concessions far beyond that

which the United States is willing to go, to appease the radical nationalist elements in the country. Even if new terms acceptable to both nations are negotiated, there is no guarantee that the present government will remain in power long enough, or possesses the capability to see it through acceptance.

Moreover, even if a new treaty were to be adopted, how can the United States be sure that another regime, perhaps more radical-leftist-nationalistic in character will not stage a takeover, renege on its treaty commitments, and make further treaty demands.

Either way, the possibility exists that the United States could be caught in a trap of limitless demands for ever more outrageous concessions until now or in the future we face total abrogation of our rights to operate and defend the canal.

Another point to consider within the context of Panamian Government instability is that a takeover of the Panamanian Government by a regime highly antagonistic to U.S. interests could conceivably at any time deny access to the Panama Canal for ourselves and our allies, with disastrous results in terms of our national and economic security; and this at the same time the Suez Canal is being opened.

One final point concerning Panama's chronic governmental instability. Given the political realities I have outlined it is inconceivable to me that the United States could ever expect such a government to effectively, efficiently, and successfully operate and protect this vital shipping waterway. Through the years, the only stable entity keeping the canal operating successfully has been, is, and will always be the U.S. presence there. And yet our leaders at this time would obligate the United States decades hence to turn over the complete operation of the canal to Panama. This they have no right to do. In my view, Panamanian Government instability further underscores the need to retain U.S. sovereignty, jurisdiction, and military presence in the zone.

A third major consideration for our Panama Canal policymakers concerns the constitutional right vested in the House of Representatives regarding jurisdiction over any U.S. agreement which calls for the disposal of U.S. territory and property.

Article IV of the U.S. Constitution states that the Congress, which includes the House of Representatives as well as the U.S. Senate, shall have this right. In my capacity as chairman of the Panama Canal Subcommittee in 1970–71, I conducted hearings on the Panama Canal treaty negotiations then underway. The subcommittee undertook an exhaustive examination of the legal tenets, and a review of the constitutional issue involved. Based upon our interpretation of the law, it was the firm conviction of the members of the subcommittee that no treaty involving the appropriation of U.S. moneys or the transferral of territory or other U.S.-owned property paid for from appropriated funds would or could be effected without prior authorization of the Congress which includes the House of Representatives as well as the Senate. Members of the House, have an absolute constitutional right to participate in the decisionmaking process and to juridical competence over any change in the status of the canal which effects the surrender of U.S. territory or other property.

Otherwise, the treaty power could give away Alaska or any other purchased territory.

One final consideration in current and future U.S. policy toward the Panama Canal: It may be true that some practices and policies within the Canal Zone which originally grew out of necessity have now become irrelevant, obsolete, or without proper perspective, but these have been, or should be, handled locally without a new treaty, through acts of good faith on the part of both governments. Changes can be made, and have often been made, and various changes in certain aspects of the Canal Zone administration have been recommended by the Panama Canal Subcommittee, to effect a better relationship between United States and Panamanian workers in the zone and between the United States and Panamanian Governments. These relate principally to various employment practices, the system of courts, and the school system within the zone.

Another much-needed change which can be effected without treaty, concerns plans to modernize the existing lock canal, that it may better serve the needs of modern commercial shipping. One argument advanced by the administration on behalf of a new Panama Canal treaty is that accommodation with Panama is necessary in order to reach agreement on construction of a new sea level canal capable of providing transport for the larger classes of maritime and defense vessels. It is my opinion that before such action is necessary we must explore fully if this objective can be served through an increase in the capacity and operational improvements in the existing lock canal, in lieu of construction of a new sea level canal, through implementation of the Terminal Lake-Third Locks plan.

This project was partially authorized by the Congress in 1939 and would provide for modernization of the existing lock canal under existing treaties. Competent technical experts have attested to the fact that this plan would afford the United States the best operational canal at the least cost. In addition, it would essentially free the United States from the immediate need of negotiating new canal treaties and enable the maximum utilization of all work so far accomplished, including the $76 million spent on the Third Lake project and the $95 million on widening Gaillard Cut. Several bills have been introduced by other Members of the House and the Senate in the last few sessions of the Congress to implement this plan, and I firmly believe that such work would be a great boon to Panama.

Today, Mr. Speaker, I have presented what I consider to be the major issues confronting the United States in our effort to reach a workable relationship with Panama concerning the canal and Canal Zone. As a long-time member of the House Subcommittee on the Panama Canal, I am especially concerned with relaxing tensions between our Nation and Panama. I recognize that achieving the best possible relationship between the United States and Panama is of major importance to our continued efficient operation and defense of the canal.

For over 70 years the Republic of Panama has been our working partner in the canal enterprise. During this time span, relations between our two countries generally have been amicable; differences have arisen, at times there have been hostile reactions against the United States, but I am confident that within the mutual bonds of interest, understanding and good will which have traditionally characterized our two nations' relations, we can reach a sound and reasonable accord governing the future of the canal and Canal Zone, which meets the most important concerns of both the United States and Panama.

However, I cannot stress this point more firmly—any adjustment in the United States-Panama treaty relationship must be carried through without—in any way—jeopardizing our vital economic and defense interests. I feel most strongly that the United States, in formulating its future policy toward Panama and the canal must be responsive to the points I have made today.

To achieve the goals outlined above I intend to introduce a resolution expressing the sense of the House of Representatives that the U.S. Government maintain and protect its sovereign rights and jurisdiction over the canal and Canal Zone, and in no way cede, forfeit, negotiate or transfer these rights and authority which are indispensable for the protection and security of the United States and the Western Hemisphere.

My resolution also affirms that there be no divestiture to Panama of any U.S.-owned property by treaty without due and prior authorization by both bodies of the U.S. Congress, as provided in the U.S. Constitution.

In summary, Mr. Speaker, it is my earnest view that any deviation from a basic position of continued U.S. operation, sovereign control, and defense of the canal and Canal Zone is inimical to the economic and military well-being of the United States and the Western Hemisphere, to the interests of the people of Panama, and to those people of all the nations of the world who depend on the canal for what it is: a vital link in the worldwide system of merchant marine trade and commerce and of maritime defense.

EDUCATIONAL ALLOWANCES UNDER GI BILL

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

Mr. HAMMERSCHMIDT. Mr. Speaker, last week the distinguished chairman of the Committee on Veterans' Affairs, the gentleman from South Carolina (Mr. DORN) described the critical need for

prompt action by the other body on H.R. 12628, a bill to provide a much needed 13.6 percent increase in educational allowances under the GI bill and to extend for 2 additional years the 8-year period during which educational benefits must be utilized.

I share the gentleman's concern and commend him for bringing this matter to the attention of our colleagues in the other body in the hope that they will act promptly on this measure.

This bill, Mr. Speaker, passed this House unanimously on February 19. Aside from the fact that it authorizes badly needed increases totalling $50 million monthly in educational allowances, the measure will permit more than one-half million veterans to continue pursuing their educational programs after May 31 of this year. If this measure is not promptly enacted, the 8-year period during which benefits must be used will expire on May 31.

Mr. Speaker, it is not my usual practice to suggest how the other body should conduct its business. The need for action now on this extremely important measure, however, transcends other considerations. I strongly urge Members of the other body to take immediate action on H.R. 12628, a bill to authorize increases in monthly educational allowances and a 2-year extension of eligibility. Immediate action is necessary if a substantial number of Vietnam era veterans are to continue their educational programs without interruption and if they are to receive the long overdue increases in monthly benefits.

WHEN DID THE PRESIDENT KNOW?

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

Mr. DEVINE. Mr. Speaker, my attention has been invited to an article that appeared in the Wall Street Journal on Friday, May 3, 1974, which is entitled "When Did the President Know?"

To paraphrase it, it says: "The record may show executive weaknesses, misplaced loyalty, character faults and even a certain startling naivete. But in answer to Senator BAKER's question, the transcripts show the President surprisingly uninvolved."

The article is as follows:

[From the Wall Street Journal, May 3, 1974]

WHEN DID THE PRESIDENT KNOW?

(By Jude Wanniski)

As the Ervin Committee hearings rolled on and on last summer, time and again Senator Baker would refocus the audience's attention on the question. "What did the President know and when did he know it?" Yet, now, with voluminous evidence of the President's knowledge suddenly available, few people have yet paid much attention to Senator Baker's presumably crucial question.

The focus so far has been elsewhere, for quite understandable reasons. The President warned the transcripts would be embarrassing to him, and they are. Especially at first reading, as the reader flinches with embarrassment for the President—the cocky Nixon, way ahead in the polls on election eve, Watergate supposedly disposed of as an issue, talking of putting the screws to his enemies in his second term. And there is all that outrageous brainstorming about how to handle Hunt's blackmail threat, Mr. Nixon's worst moments in these 1,308 pages.

But if the reader persists, and especially upon selected rereadings, the importance of Senator Baker's question reasserts itself. The reader is wrenched out of the present back into the Nixon mind of a year ago, beginning to realize that the President then did not know as much about Watergate as the average informed American knows today. Once the reader grasps that fact, he is far less embarrassed for the President, just as the reader who has been told the outcome of a mystery story at the outset cannot feel disdain for the detective who seems slow to put the pieces together.

A great part of the drama of the transcripts, indeed, is watching the President stumble on revelation after revelation about Watergate, seeing this lawyer gradually learn the meaning of the words "obstruction of justice," watching him reach for reassurance that he could rely on the aides he was trusting to investigate. The record may show executive weakness, misplaced loyalty, character faults and even a certain startling naivete. But in answer to Senator Baker's question, the transcripts show the President surprisingly uninvolved.

Some of the first revelations came in the meeting with John Dean on March 13. At this point, it's clear, the President thought his problem was with the Ervin Committee, the press, the defeated antiNixonites of 1972, and that he was fighting a political public-relations battle. The talk is of what new revelations may come out of the Ervin hearings:

D. They would want to find out who knew.

P. Is there a higher up? D. Is there a higher up? P. Let's face it, I think they are really after Haldeman. D. Haldeman and Mitchell. . . .

P. In any event, Haldeman's problem is Chapin isn't it? . . . D. Chapin didn't know anything about the Watergate. P. Don't you think so? D. Absolutely not.

P. Strachan? D. Yes. P. He knew? D. Yes. P. About the Watergate? D. Yes. P. Well, then, he probably told Bob. He may not have. . . .

P. But he knew? He knew about Watergate? Strachan did?

D. Yes. P. I will be damned! Well that is the problem in Bob's case. Not Chapin then, but Strachan.

A few days later, in the March 17 telephone call from Mr. Dean, the President learns of the Ellsburg burglary:

D. The other potential problem is Ehrlichman's and this is —. P. In connection with Hunt and Liddy both. P. They worked for him?

D. They — these fellows had to be some idiots as we've learned after the fact. They went out and went into Dr. Ellsberg's doctor's office and they had, they were geared up with all this CIA equipment. . . .

P. What in the world — what in the name of God was Ehrlichman having something (unintelligible) in the Ellsberg (unintelligible)? D. They were trying to— this was part of an operation that—in connection with the Pentagon papers. They were—the whole thing—they wanted to get Ellsberg's psychiatric records for some reason. I don't know.

P. This is the first I ever heard of this. I (unintelligible) care about Ellsberg was not our problem. D. That's right. P. (expletive deleted).

By the March 21 meeting, of course, the Ellsberg burglary had become the centerpiece of the "blackmail threat" from Hunt, and this leads to all the agonized brainstorming. But even at this point, the President seems to view his problems as merely those of public relations. At one point he stumbles over the words "obstruction of justice." And he thinks if necessary the problems at the White House can be solved by simple disclosure.

P. So what you really come down to is what we do. Let's suppose that you and Haldeman and Ehrlichman and Mitchell say we can't hold this? What then are you going to say? What are you going to put after it? Complete disclosure, isn't that the best way to do it? D. Well, one way to do it is — P. That would be my view.

By March 27, the President learned from Mr. Haldeman that Mr. Mitchell may in fact be guilty, but had trouble believing it.

H. The more he thinks about it, the more O'Brien comes down to Mitchell could cut this whole thing off, if he would just step forward and cut it off. He said the fact of the matter is as far as Gray could determine, Mitchell did sign off on it. And if that's what it is, the empire will crack.

E: You said, "Gray." P. What's that? I am sorry. H: O'Brien, not Gray. As far as O'Brien can determine Mitchell did sign off and Dean believes that to be the case also. . . . [a long explanation follows].

P. What I can't understand is now Mitchell would ever approve. H. That's the thing I can't understand here. . . . H. [according to Dean] Liddy told Kleindienst that Mitchell had ordered it. P. Oh. . . .

P. You know Mitchell could be telling the truth and Liddy could be to. Liddy just assumed he had abstract approval. Mitchell could say, "I know I never approved this damn plan."

In the same conversation with Mr. Haldeman and Mr. Ehrlichman, the President worries about being told what is going on, and concludes Charles Colson is probably innocent.

P. Colson in that entire period, John didn't mention it. I think he would have said, "Look we've gotten some information," but he never said they were. Haldeman, in this whole period, Haldeman I am sure—Bob and you, he talked to both of you about the campaign. Never a word. I mean maybe all of you knew but didn't tell me, but I can't believe that Colson—well—

By April 14, the President is recalling his March 21 conversation with John Dean, and wondering about the legal status of money payments to defendants.

P. I said, John, "where does it all lead?" I said, what's it going to cost? You can't just continue this way. He said, "About a million dollars." (Unintelligible) I said, John, that's the point. (Unintelligible) Unless I could get them up and say look fellows, it's too bad and I give you executive clemency like tomorrow, what the hell do you think, Dean. . . . The word never came up, but I said, "I appreciate what you're doing." I knew it was for the purpose of helping the poor bastards through the trial, but you can't offer that John. You can't—or could you? I guess you could. Attorney's fees? Could you go a support program for these people for four years?

E. I haven't any idea. I have no idea. P. Well, they have supported other people in jail for years. E. Sure, the Berrigan brothers. P. Huh? E. I say, I don't know how the Berrigan brothers and some of those— P. They all have funds. . . . E. So that they— P. But not to hush up. E. That's right. P. That's the point.

And by the same date, the President has learned something about obstruction of justice:

P: We did not cover up, though, that's what decides, that's what decides . . . if three of us talk here, I realize that frankly—Mitchell's case is a killer. Dean's case is the question. And I do not consider him guilty. Now that's all there is to that. Because if he—if that's the case, then half the staff is guilty.

E: That's it, He's guilty of really no more

except in degree. P: That's right. Then others E: Then a lot of

P: And frankly then I have been since a week ago, two weeks ago.

E: Well, you see, that isn't, that kind of knowledge that we had was not action knowledge that I put together last night. I hadn't known really what had been bothering me this week. P: Yeah. E: But what's been bothering me is

P: That with knowledge, we're still not doing anything. E: Right. P: That's exactly right. The law and order. That's the way I am. You know it's a pain for me to do it—the Mitchell thing is damn painful.

The next day, the President has the fateful visit from Attorney General Richard Kleindienst, who has been up late with prosecutors briefing him on their talks with John Dean and Jeb Stuart Magruder:

K: Magruder's conversations and John's conversations with attorneys, with every absolute certainty that Magruder's going to be put on before the Grand Jury. P: Are they going to call him back? K: Yeah. P: Oh, of course, because he's going to plead guilty. K: He's going to plead guilty and he's going to tell everything he knows.

P: Sure.

K: That kind of information is not going to remain confidential.

P: As you now, the—we have no—I have not and I would not try to get information from the Grand Jury, except from you. K: Right. P: And we have not. But the reason—the reason that I am aware about the Dean thing—I have taken Dean off the matter, of course. I had to. As far as what he was reporting here at the time. I put Ehrlichman on . . .

P: Except that Magruder may—you can't tell, in his view, that you can believe everything Magruder says because Magruder's apparently got a—K: Got a self-interest involved. P: He's got his self-interest and you don't know whether he's going to drag this fellow or that fellow or whatever the hell is. You know that's the trouble when a guy starts lying and, you know—I mean—wondering whether Magruder is telling the whole truth on John Mitchell—you know, Mitchell—have you talked to Mitchell?

K: No and I'm not going to. I don't think that I can talk to him. P: I think you should know, Mitchell insists—I didn't talk to him. You know, I have never asked him. Have you ever asked him? K: No sir. We have never discussed the matter. P: I never have either. I asked Bill Rogers about that. I said, Bill, should I ask him? No, John Mitchell. And so I asked Ehrlichman. I said, now I want you to ask him. . . .

K: The basic problem that—it's possible that Dean might testify to, what Magruder will testify to, and then you've got Strachan or somebody like that. He was on Haldeman's staff. There is a possible suggestion that Haldeman and Ehrlichman ah, as yet—it looks that way—whether there is legal proof of it so far as that—that they—

P. Indicating what?

K: Well, knowledge in this respect, or knowledge or conduct either before or after the event. But that in any event, whether there's—

P: Both Haldeman and Ehrlichman? K: Yes. . . .

P. I have asked both Haldeman and Ehrlichman. K.: I know you have. P. And they have given me absolute—you know what I mean. You can only—it's like, you'd believe John Mitchell, I suppose, wouldn't you? I don't believe Haldeman or Ehrlichman could ever—you know—(unintelligible) hurt to be so close to people and yet I think of—

Mr. Kleindienst recommended that the President put Assistant Attorney General Henry Petersen in charge of the investigation, and Mr. Nixon and Mr. Petersen met that afternoon. The White House has said their conversation was unrecorded. The new transcripts do show, however, that on the evening of April 15, the President and Mr. Petersen talked by phone from 8:14 to 8:18, from 8:25 to 8:26, from 9.39 to 9:41 and from 11:45 to 11:53. In the last conversation, the President said:

P. Let me say this. The main thing we must not have any question, now, on this, you know I am in charge of this thing. You are and I am. Above everything else and I am following it every inch of the way and I don't want any question, that's of the fact that I am a way ahead of the game. You know, I want to stay one step ahead of the curve. You know what I mean?

Perhaps Senator Baker's question, which seemed so relevant back last summer, is not the relevant question today. But if impeachment proceedings go forward, it will become the relevant one again. The Congress is a body of lawyers. While as Congressmen, politicians or partisans they may want to be rid of this President, the lawyers under their skins will not let them do it without the clear legal basis Senator Baker's question suggests.

Especially in this light, the most damaging revelations in the transcript go to the question of whether or not Mr. Nixon authorized a blackmail payment or payments on March 21. A point that bears heavily in the President's favor should not be overlooked: The context of the conversation was that if further payments were to be made, someone would have to go out and raise the money. There was no question of whether money in hand should be turned over to Mr. Hunt. If the President intended the payment to go forward, surely the meeting would not have ended without resolving the important question of where the money was to come from.

The total weight of these transcripts, moreover, hangs in the President's balance. During the past year or more, a small minority of Americans have believed he was involved in the planning of the burglary. The transcripts quickly make it obvious he was not. A majority of Americans have believed that he must have known about the cover-up, if not having masterminded it. The transcripts indicate he did not begin sensing the full dimensions of the cover-up until mid-April 1973, and that he had only had bits and pieces of the story in March of that year, when John Dean began to spill the beans.

This is why the President will not be impeached. He may not be "innocent," but he is a thousand times "less guilty" than the people have imagined him to be.

CONVERSION TO METRIC SYSTEM

The SPEAKER pro tempore (Mr. OBEY). Under a previous order of the House the gentleman from Nebraska is recognized for 60 minutes.

Mr. McCOLLISTER. Mr. Speaker, since the Metric Conversion Act (H.R. 11035) appears on the Suspension Calendar for tomorrow, I would like to share with my colleagues a recent wire report on the progress of the British metrification program. This is especially relevant because the British experience with metrification has been praised and held up to us by the supporters of this legislation.

Great Britain started its conversion program almost 9 years ago and it is still experiencing serious public resistance. It was made clear by the British Metrification Board's fifth report issued on April 18, 1974. In brief the Metrification Board report admits that the metrification program is floundering and consistently losing ground to persistent consumer resistance. It has caused a revamping of conversion schedules, forcing delays that have not been made up and further damaging British's already declining position in international trade.

While this must be upsetting to the U.S. metric conversion advocates, the British Metrification Board suggested a solution, Mr. Speaker, which is even more depressing. In effect the Board recommendation is that the metrification conversion be made mandatory. In other words, they are now ready to admit it cannot be done voluntarily.

If Great Britain with its export-dependent economy and its history of cooperation with the Continent and its recent admission to the Common Market cannot voluntarily convert, then how can we expect this approach to be successful in the United States? This is a point that must be seriously considered before we vote here on H.R. 11035 tomorrow.

Therefore I am placing the British Information Service's report in the RECORD at this point so my colleagues can study it:

GOING METRIC—THE NEXT PHASE

(The Metrication Board's fifth report Going Metric—The Next Phase will be published on April 18, 1974.)

1973 was a year of steady but slow progress but the momentum lost in 1971 and 1972 was not regained. The report emphasises that delay in carrying through the metric change and the resulting continued need to work in two systems would have damaging economic and social consequences. The metrication programme will fall still further behind unless positive action is taken by the Government during 1974.

The main recommendations are:

(A) The remaining legislative obstacles to the metric change should be removed. In particular it should be made legal to sell in prescribed metric quantities all those goods which when pre-packed must at present be sold only in imperial quantities. The Government should seek specific powers to set terminal dates for the use of imperial weights and measures in retail trading.

(B) Ministers, their officials and local authorities should emphasise their commitment to the metric change. All public departments should specify their purchasing requirements in metric wherever possible.

(C) The Metrication Board should be provided with the resources to carry out through 1974 and 1975 a sustained and substantial publicity effort to meet the information needs of the general public about the metric changes.

Most manufacturing industries are entering the final stages of their metrication programmes. The emphasis of the change has shifted to consumer goods manufacturing industries. The textile and clothing industries have agreed a programme of changeover from production to retailing, centered on 1974–75. The programme of the agricultural sector is based on the farming year 1975–76. Plans are under way to authorise the sale of prepacked basic foods in metric. From 1974 onwards the Metrication Board's information resources will increasingly be devoted to informing the general public.

The report's main conclusions are:

Delay weakens Britain's competitive position in international trade. Delay deprives consumers of the benefits of a simpler measurement system which will make it easier to

judge value for money. Extending the changeover period increases confusion and therefore consumers suspicions of the change. Delay adds unnecessarily to the cost of education. Delay increases the burden of publication and therefore its cost to the Nation.

Mr. Speaker, other information that I think Members should have before they vote on the bill tomorrow includes the fact that all retail gasoline pumps in the United States would have to be recalibrated or replaced, perhaps foreshadowing the even higher gasoline prices. It will require the changing of all the municipal codes and regulations to the metric system. It will require a change in all cookbooks and measuring devices which will have to be changed to the metric system. The temperature measuring devices including thermometers and thermostats would have to be changed. All the OSHA standards and regulations will have to be converted, as well as road signs which will have to be changed to reflect metric distances. All maps would have to be changed to comply. They would have to be changed to reflect metric distances.

Approximately 60 percent of the U.S. population does not know the first thing about the metric system. Less than 20 percent know the relationship between metric and traditional units. A public opinion poll reveals 57 percent British opposition to the metric system 6 years after conversion. More than two-thirds of their population still fail to understand the system.

The National Bureau of Standards studying the metric system in America says that it falls far short of the clearly expressed congressional intent and does not fulfill the congressional mandate which requires that small business problems and the program difficulties associated with possible changes be identified and the means to overcome them be recommended. That is from the House Report No. 92–913.

In the construction industry, metric modules means that all standard floors and doors would become obsolete. Metric floors and doors will not fit past construction, making replacement more difficult and costly.

The fallacy in the metric system argument, "The notion that the United States is losing export to metric countries in which its products are not designed and manufactured in metric units appears to be ill-founded," and that, too, is from the National Bureau of Standards metric studies.

Metric conversion would make the U.S. domestic market more accessible to foreign goods and make increased foreign jobs. Conversion would make U.S. exports more costly and places its production more at a disadvantage vis-a-vis the foreign products that are already metric.

In short, Mr. Speaker, there are a great number of difficulties to be encountered in the conversion to the metric system. I am convinced that the proposal of H.R. 11035 on which we shall vote tomorrow, while voluntary in its conception, would soon give way to a mandatory form and impose on small business in this country their conversion to a metric system with very little benefit to be derived from it.

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

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

Mr. GROSS. I wish to commend my friend, the gentleman from Nebraska, for taking this time to advise the House of what they will be confronted with on tomorrow if the Democratic leadership insists on bringing up this bill. I still have some doubt that it will be considered tomorrow, in view of the backing and filling over a long period of time, the hesitation that has already taken place in bringing up this bill.

I say to the gentleman that it is my opinion that if there is any merit to the metric system, and I emphasize the "if," the Lord knows it is the wrong time to impose this kind of a program upon the people of this country, costing as it will somewhere between $60 and $100 billion. I am informed it may cost the Defense Department alone some $18 billion to convert to the metric system.

I hope good judgment will be exercised on the part of the Democrat leaders in the House and that they will take this bill off the calendar and put it on the shelf from whence it will not emerge for some years to come.

I say again that the people of this country, who will pay the bills for conversion to the metric system, are in no position now or in the foreseeable future to finance the enormous costs.

Mr. McCOLLISTER. Mr. Speaker, I thank the gentleman for his remarks.

As a former small businessman myself, I am well aware of the concern that small businesses have about their costs of conversion, of which the gentleman from Iowa speaks. The National Federation of Independent Business has announced their strong opposition to the proposal. Although I am not often privy to the legislative proposals of big labor, it is my understanding that the AFL–CIO and other international unions in the United States have announced their opposition.

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

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

Mr. DEVINE. I thank the gentleman for yielding.

Mr. Speaker, I would say that these are indeed strange bedfellows, to have organized labor and the independent businessmen in the same boat. Who are those persons who are promoting this legislation? Who feels compelled that this must be done?

Mr. McCOLLISTER. The report of the National Bureau of Standards and the Department of Commerce in 1970 was the principal source of promotion for it, and I understand that the administration is for the bill, or for the proposal. The gentleman will have to look for himself tomorrow, perhaps, to find those who are in supoprt of it.

Mr. DEVINE. Mr. Speaker, does the gentleman mean that this was initiated by Government agencies? Has there been any public clamor from individuals?

Mr. McCOLLISTER. The proposal comes from a recommendation made by the Department of Commerce some 2 years ago, I believe.

Mr. DEVINE. The gentlemen mentioned earlier in his remarks that the United Kingdom underwent the conversion process 9 or 10 years ago and had run into a great deal of difficulty. Could the gentleman be more specific on what their problems were?

Mr. McCOLLISTER. Mr. Speaker, that process is underway now, and indeed that process was underway for some 9 years. The report issued by the British metric faction group on April 18 this year indicates that the voluntary approach to it is not working, and they are now suggesting that the British Government adopt a mandatory approach to conversion to the metric system.

Mr. DEVINE. Would the gentleman repeat the remark he made earlier—perhaps it was Mr. GROSS from Iowa—as to the overall cost of an involuntary program?

Mr. McCOLLISTER. It was the gentleman from Iowa who indicated what is commonly believed to be the cost of the program, ranging from somewhere in the neighborhood of $45 billion to $100 billion. I believe that was the figure of the gentleman from Iowa.

Mr. DEVINE. To repeat, that is "billions," and not "millions," is that correct?

Mr. McCOLLISTER. "Billions" is the terminology.

Mr. DEVINE. And they plan to bring this up under suspension of the rule?

Mr. McCOLLISTER. They plan to. Evidently it is on the calendar for tomorrow under suspension.

Mr. DEVINE. I would ask the gentleman, please, as to whether there is anything in the legislation or within the bill proposal to raise the money for these vast billions of dollars.

Mr. McCOLLISTER. It is expected that those in industry and elsewhere who will do the conversion will be paying the costs. One of the weaknesses of the bill is that no provision is made in it for any special relief or assistance to small business for that conversion. Small business rarely is in any way much dependent on foreign markets and has very little to gain from the metric conversion. It would result in its being an additional cost to small business and of no benefit.

Mr. DEVINE. Like so many things, ultimately it would be the consumer who picks up the checks for this?

Mr. McCOLLISTER. Indeed. It is always the consumer.

Mr. DEVINE. I might say to the gentleman that I have not yet made up my mind about this legislation because I have not heard the debate. I have not read the committee hearings. I am going to look upon it very closely. I know that in my own State of Ohio they are trying a little voluntary education. They are trying a little voluntary education because along some of the freeways they are listing miles between points and also the kilometers, which I think is probably a test step with respect to this legislation. I will look forward with interest to what might develop in debate tomorrow, if it does reach the floor.

Mr. McCOLLISTER. I thank the gentleman for his contribution and trust that between now and tomorrow the light will shine and the truth will be known and he will cast his vote in opposition to the proposal.

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

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

Mr. GROSS. Does it not seem strange to the gentleman from Nebraska that this proposal is being considered under suspension of the rules when several weeks ago a rule was granted making the bill in order?

Mr. McCOLLISTER. It does seem strange to the gentleman from Nebraska.

Mr. GROSS. Does the gentleman have any explanation? Does he have any information at all to explain why we must consider this bill under one of the harshest rules known to the House of Representatives?

As the gentleman well knows, there can be no amendments offered to the bill; it must be voted up or down under suspension of the rules.

Mr. McCOLLISTER. Mr. Speaker, one of the great disappointments of the gentleman from Nebraska is that the bill comes to the floor under those circumstances, under which no amendments are permitted, and, particularly, those amendments which I believe ought to be considered and which could be considered as helpful to small business.

Mr. GROSS. And the rules provide only 40 minutes of debate.

Mr. McCOLLISTER. The gentleman from Iowa is correct.

Mr. Speaker, I can shed no light on the circumstances which brings the bill to the floor under those conditions.

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

Mr. McCOLLISTER. Mr. Speaker, I thank the gentleman from Iowa for his observations.

Mr. THOMSON of Wisconsin. Mr. Speaker, we have been told by the supporters of U.S. metric conversion that it would be far less painful than American labor and small business would have us believe. They point with pride to the British experience as proof for their position, but recent reports filtering back across the Atlantic indicate that the situation in England might not be as rosy as we have been led to believe.

Great Britain has been struggling with metric conversion for 9 years now and it is still experiencing serious difficulties and persistent consumer resistance. In fact, last month its own Metrication Board admitted that its program was in serious trouble and recommended some drastic solutions.

On February 14, the Wall Street Journal gave us a more specific example of the difficulties being encountered in its article on the Ford Motor Co., entitled "Border Line Case: A Giant Multinational Finds Unified Activities Aren't Easy To Set Up." While only a small segment of this article dealt with metric conversion, it pointed out the serious difficulties that Ford encountered.

It seems that nothing fit. Metric parts were manufactured in both Germany and Great Britain, but when it came time to put them together on the assembly line they did not mesh. In addition, Ford's British employees simply could not shake the habit of "thinking in inches."

The Ford Motor Co. is not exactly a small business. It has the financial resources and expertise to anticipate and cope with the problems of metric conversion, yet, its British experiment fell flat on its face. It was a disaster.

Ford's size and market position enabled it to absorb this mistake. A small business would not get a second chance. A miscalculation of this magnitude would mean instant ruin.

As a member of the Small Business Committee, I feel that it is particularly important for my colleagues to realize that we have no real idea of the impact of metric conversion on small business. The Department of Commerce and the National Bureau of Standards failed to comply with congressional instructions to determine this, so we are left somewhat in the dark. But, if Ford's British experience is an indication of what we can expect, we had better think twice before passing H.R. 11035, the National Metric Conversion Act.

For the benefit of my colleagues who are concerned about this problem, I am placing those paragraphs from the February 14, 1974, edition of the Wall Street Journal dealing with Ford's metric experience in the RECORD.

The metric conversion bill will be considered tomorrow on suspension. Given the fact that conversion could cost Americans between $45 billion and $100 billion, I believe it would be unfortunate for the House to decide this question with such limited debate and no opportunity to consider amendments to ease the burden of conversion. I will oppose the bill when it is considered on suspension tomorrow.

The excerpts of the article follow:

BORDERLINE CASE: A GIANT MULTINATIONAL FINDS UNIFIED ACTIVITIES AREN'T EASY TO SET UP

(By William M. Carley)

The first all-new auto launched by Ford of Europe was a medium-sized car that was called the Cortina Mark III in Britain and the Taunus in Germany. The launch, which began in 1970, was a disaster, and the after effects are still plaguing Ford. "There's no question we screwed that one up," Mr. Guthrie concedes.

The fiasco stemmed partly from British inexperience with the metric system. Ford's British workers had just converted to that system, long used by Germany and other Continental countries; but, says one of the British workers, "we were still thinking in inches." As a result, the British and German parts often didn't mesh. "The doors didn't fit, the bonnet (hood) didn't fit, nothing fit," says Arthur Naylor, a metal finisher in Ford's Dagenham, England, body plant.

It has also been argued by British workers that some of the German-designed parts were too precise. "Our men often work with a one-sixteenth-inch tolerance, but on the German engine-suspension system, we had to work down to two- or three-thousandths of a bloody inch," contends Joc Macrae, a union shop steward at Dagenham. "The Germans wanted an engineering job done on the production line, and that's impossible."

Mr. EVINS of Tennessee. Mr. Speaker, I have had grave concern on behalf of the Nation's small businesses as to the impact of the proposed change to the metric system in this country.

In 1971, I directed an investigation into the feasibility and advisability of conversion to a metric system, and a Subcommittee of the Permanent Select Committee on Small Business, under the chairmanship of Representative JOSEPH P. ADDABBO of New York, held hearings on the problems which small business might face in the event of a national conversion to or increased use of a metric system.

This problem was explored in great detail, and a report was issued indicating that small business would encounter many serious difficulties and additional costs in converting to a metric system.

Recommendations were made that various Government agencies provide comprehensive information and assistance in attempting to familiarize the public with metric terms and the problems involved in metric conversion.

Although this committee has taken no formal vote, as chairman of the Permanent Select Committee on Small Business, I would like to make a matter of record my opposition to conversion to a metric system at this time.

I have been advised that almost 60 percent of the British people opposed the metric system 6 years after the nation converted to that system, and that two-thirds still do not fully understand it.

The National Federation of Independent Business, which represents over 350,000 small businessmen throughout the Nation, advises that legislation requiring an American conversion to the metric system is based on a study that the General Accounting Office reports has employed questionable methodology and neglects to report its negative findings.

Mr. Wilson S. Johnson, president of the NFIB, had advised that the major portion of the $45 to $100 billion in estimated conversion costs will be passed on to the consumer already burdened with inflation and high living costs. The NFIB has listed problems which may arise in conversion to the metric system.

Because of the interest of my colleagues and the American people in this most important matter, I place the list in the RECORD herewith:

LITTLE KNOWN FACTS ABOUT METRIC

All retail gasoline pumps in the U.S. would have to be recalibrated or replaced. This would foreshadow even higher gasoline prices.

Approximately 60% of the U.S. population does not know the first thing about the metric system. Less than 20% know the correct relationship between metric and traditional units. (N.B.S. Metric Study—A Metric America).

Standard plumbing and electrical fixtures would be obsolete. Metric bathtubs would not fit standard drains and standard bathtubs would not fit metric drains. This would force suppliers to maintain costly dual inventories.

The N.B.S. study, A Metric America, "falls far short of the clearly expressed Congressional intent . . . and does not fulfill the

Congressional Mandate which requires that small business problems and the practical difficulties associated with possible changes be identified and the means to overcome them be recommended." (House Report No. 92-913).

In the construction industry metric means modules and modules mean that all standard doors, windows and frames would be obsolete. Metric doors, windows and frames simply will not fit current or past construction, making replacement more difficult and costly.

The fallacy of the metric argument "The notion that the U.S. is losing exports to metric countries because its products are not designed or manufactured in metric units appears to be ill-founded." (N.B.S. Metric Study—A Metric America)

All municipal building codes and regulations would have to be changed to metric.

Metric conversion would make the U.S. domestic market more accessible to foreign goods. Increased imports would threaten American jobs. "Our examination . . . showed that imports . . . would have been increased by $100 million." (GAO Report on N.B.S. Metric Study, March 27, 1973)

Favorite recipes might never be the same again. Cookbooks and measuring devices will be changed to metric. Your stomach might just have to make an adjustment.

Conversion to the metric system would actually make U.S. exports more costly and "place these products at even more of a competitive disadvantage vis-a-vis the products of foreign firms that are already metric." (GAO Report on N.B.S. Metric Study, March 27, 1973)

All temperature measuring devices, including thermometers and thermostats, will have to be converted. This could be frustrating. "When body temperature registers as 37.5 degress (centigrated), is that good or bad? Just multiply by 9, divided by 5, add 32 and you'll know." (Newsweek)

The National Bureau of Standards ignored or subordinated findings that would have detracted from its recommendation in favor of metric conversion. (GOA Report on N.B.S. Metric Study, March 27, 1973)

Contrary to popular belief, American business is not rapidly converting to the metric system. Only 3% of the firms responding to a special NFIB survey undertaken for the National Bureau of Standards reported that they had any plans to change over.

England is experiencing serious difficulties with metric conversion in consumer goods. Adverse consumer reaction and resistances has forced it to reassess its planning and schedules.

All OSHA standards and regulations will have to be converted. These rules are complex and difficult for the small businessman to understand. Metric would make them totally incomprehensible.

Water and gas meters in every building across the country will have to be converted to metric.

Metric conversion would force the recalibration of the approximately 300,000 commercial scales at a cost of about $1,000 per scale.

The bottling industry would have to replace *200 billion returnable bottles* now circulating through the economy. They represent 38% of its total capital investment. Filling and capping requirements would prohibit their gradual replacements.

The National Bureau of Standards omitted any mention in its report that the Defense Department declared that it could not guarantee national security during the conversion period. (AFL–CIO)

All road signs would have to be changed to reflect metric distances.

All maps would have to be changed to reflect metric distances.

Metric road signs and maps would be useless and confusing unless all automobile speedometers and odometers are changed to measure in metric.

World wide capital investment in traditional units (feet, pounds, etc.) has exceeded investment in metric units over the last several years. This means that the use of traditional units is growing at a faster pace than metric units.

Conversion will make evaluation of farm productivity the domain of Ph. D.'s. Instead of bushels per acre, the farmer will calculate his crop in hectoliters (2.84 bushels) per hectare (2.47 acres).

Unit pricing is just becoming effective. Metric conversion would only confuse the consumer and tend to negate the progress that has been made.

The grid system of land measurement used in the U.S. would be discarded. Measurement by hectares would be substituted for sections, square miles and acres.

All deeds and property descriptions in legal documents would have to be changed. Descriptive terms like acres, yards, and feet would be obsolete.

Metric conversion, because of the economic advantage enjoyed by large firms, could hasten the undesirable trend toward industrial concentration.

For those out of school the psychological impact of metric conversion could be staggering. "Those who have studied the matter in other countries suggest that children take to the change like a shot . . . but older people are likely to be thrown badly by the distortion of familiar dimensions." (Newsweek)

Metric conversion, at a cost of $45 to $100 billion, simply does not rank very high as a national priority.

Mr. SEBELIUS. Mr. Speaker, I appreciate very much the opportunity to join my good friend and colleague, the Honorable JOHN MCCOLLISTER, in his effort to seek questions and answers regarding the impact of metric conversion on the small businessman in this country.

My remarks will be brief. I have said for some time now that my staff and I in Washington must now spend at least an equal amount of time trying to protect folks from what Government does to them as apposed to for them. Citizens from my district are understandably fed up with big Government, punitive controls, and the redtape and bureaucracy that seems to accompany almost every Federal program.

For many a small businessman in Kansas it takes more time to fill out reports and forms than to serve their customers. It has been estimated that businessmen in this country spend an estimated $18 billion a year just to fill out and return Federal forms. In a recent news article in a major national news magazine, it was estimated small businessmen burn the midnight oil to the extent that they must spend more than 850 million man-hours a year just filling out forms. I might add they would much prefer to burn the forms.

That is why there is growing support for legislation such as the Federal Paperwork Burden Relief Act, a bill that has been introduced and cosponsored by many of our colleagues. The intent of this legislation is to make some effort within the Congress to deal with the cause and cost of Federal reporting requirements and related paperwork prior to legislation being passed.

Mr. Speaker, that is why I think this discussion today is both pertinent and timely. It is my understanding conversion to the metric system has been recommended without any examination, study or report on the possible impact upon small business. Before we get into the business of saddling these small businessman with yet more costs, I feel we should get the facts on what this will mean in dollars, cents, time, and paperwork to our mainstreet businessman. The Small Business Committee, if I am correct, recommended that financial and technical assistance be provided for small firms if Congress approved metric conversion. This is not within the legislation we are considering. I realize the present law allows each business to make the metric choice for itself but it has been my experience the road to more Government control has been paved with voluntary and good intentions. In addition, what choice will the small businessman have should big business go to the metric system?

Mr. Speaker, I think the time has come where it is just as important to make sure impractical and burdensome legislation does not pass as it is for good legislation to be enacted. I am not convinced H.R. 11035 falls into the latter category and commend my friend and colleague from Nebraska for alerting us to the fact it may fall into the former.

Mr. MARTIN of Nebraska. Mr. Speaker, it is my privilege today to speak out against legislation before this body which would officially convert the United States to the metric system of weights and measures.

At a time when inflation and the economy are uppermost in the minds of all Americans, it would be irresponsible and economically ridiculous for the Congress to approve legislation calling for conversion to the metric system. We have heard much argument in favor of metric. That it is easy to learn, that the United States is isolated from the rest of the world because of our different tables of weights and measures, that it would bring us more in line with the rest of the world if we were to convert to metric, and that it would boost our exports in world trade.

Not only do I disagree with these contentions, but I fail to understand why we are even considering this legislation in the Congress. Proponents of metrication tell us this bill is not mandatory, but that it provides for voluntary conversion to metric. I feel I should point out that we do not now in this country have a law on the books that precludes the use of the metric system or that establishes our current standard systems as official. Why then is there any need for legislation for "voluntary" conversion to metric, when anyone now is free to voluntarily convert to the metric?

I raise this question because while the legislation before us says that conversion would be voluntary, by virtue of the fact that we have any legislation at all seems to me to be the egress to Government sanction of metric measurements that in time will be forced upon the American economy: small business, labor, and the consumer.

Before we acquiesce to the arguments of those who tell us that metric will be better for our chidren to learn in school, let us consider the costs of this conversion in the United States—costs, I point

out, that will be borne by small businessmen, labor, farmers, and virtually all taxpayers and consumers.

SCALES

All of our scales would have to be converted to metric or replaced. These include hundreds of thousands of grocery scales, millions of home scales, hundreds and thousands of commercial scales for trucks, at grain elevators, and other freight terminals around the country.

CONTAINERS

We would have to recycle and replace all existing reusable containers including glass bottles, metal drums, wooden barrels, and cartons. The energy consumption just in reissuing and replacing these items would be phenomenal.

LAND AND PROPERTY

All land measurements and property titles would have to be converted. The mile grid system used in the Midwest would involve complicated decimals for equivalencies in conversion to metric. Farm acreages would change to hectares, home and real estate property titles would have to be changed to metric.

BUILDING AND CONSTRUCTION

Lumber and wood products dimensions would have to be converted, and changes in sizes of metal, glass, plastic, brick, and other construction materials would have to be made. The cost and mammoth space needs for maintaining dual stocks and systems for doors, windows, and other home and construction replacements would be fantastic.

TOOLS AND MAINTENANCE

The costs of replacing tools on the farm and in the home workshops would have to be borne by the individual citizens and taxpayers, not to mention the costs in the labor field and for utilities and the construction fields. All automotive repair shops, service stations, plumbing businesses, appliance repairs, and other maintenance and repair services would have high costs for converting and replacing tools.

TRANSPORTATION

Besides the costs of changing highway signs and roadmaps, metric conversion would be costly for changing service station pumps to liters, and in converting automobile speedometers and odometers.

HOME COSTS

In addition to replacement of the home workshop, homeowners would be faced with the costs of converting water, gas, and other utility meters. This would affect all homes and businesses across the country. Thermostats and thermometers and other measuring devices would have to be changed. Homemakers would have to replace or use cumbersome conversion tables for all cookbooks, and cooking and baking measuring devices and containers would be expensive to replace.

AGRICULTURE

Besides the costs of replacement of tools on the farm, our agricultural segment will have problems in dealing with agricultural production under the metric system which would convert production from bushels per acre to hectoliters per hectare.

SMALL BUSINESS

Small business will be faced with the costs of replacing tools, and in addition, small manufacturing industries would have undue hardships and high costs in converting tool and die equipment, lathes, punches, drills, presses, and other manufacturing equipment to metric sizes. In many of these cases, equipment cannot be converted and will have to be completely replaced. These are expensive machines and equipment.

HOME REPAIRS AND MANUFACTURING

Nuts, bolts, screws, and all current construction and manufacturing fasteners would have to be maintained in dual supply for many years, or there would have to be forced expensive and premature reissuance of home appliances, automobiles, furniture, and a myriad of items we use in our everyday lives. The cost of this additional production alone, in terms of natural resources—steel and energy to produce them—is staggering to the imagination.

PUBLIC COSTS

Taxpayers would bear the costs of prematurely replacing road signs with metric distances before the existing signs required replacement. State and Federal costs would be high in converting and reissuing maps, such as by the Geological Survey and Agriculture Department. States, counties, and cities would be faced with expenditures of taxpayer dollars to convert building codes and zoning regulations.

CONSUMER COSTS

We are all consumers, and at a time when unit pricing has become widespread and most Americans are becoming used to comparative shopping under our standard systems, we would face undue hardships in reacquainting ourselves with unit pricing under metric. The biggest factor to consumers, however, is that all of the costs of conversion to metric will certainly be passed on to them in the form of higher prices for goods purchased.

Mr. Speaker, I could continue for hours on the many items of everyday living that would be affected by unnecessary costs because of conversion to the metric system. Virtually every segment of our economy—in places of business, the home, the farm, the field of labor—would be affected by high costs because of metrication.

The United States, by its geographical position is most assuredly somewhat isolated from the rest of the world. Yet this geographical isolation has not kept us from dealing with the nations of Europe, the East, and all over the world, in matters of foreign relations, trade and economics, and other areas of mutual concern and interest. Because of this, and because we are not bordered by numerous other nations using the metric system as are most of the European nations, I see no justification for the argument that metrication will bring us closer to other nations.

The list of costs to Americans to convert to metric I have given speaks for itself. Just as I could go on for hours in itemizing these costs, so could I go on for some time in refuting the few claims of the good metric made by its proponents. I would like to touch on two important aspects, dealing with U.S. exports and imports, and employment.

The argument that metrication will increase our exports is unfounded. The National Bureau of Standards, in a study titled "A Metric America," said:

> The notion that the United States is losing exports to metric countries because its products are not designed or manufactured in metric units appears to be ill-founded.

It is ridiculous to say that we are losing in exports where our large manufacturing companies in the export fields are producing in metric units. I cannot see a gain in exports by forcing metric on the small industries of this Nation, most of which will never get into export manufacturing in the first place.

On the other hand, it is feasible to expect that imports of goods manufactured in foreign countries may be helped and might increase if the United States were to convert to metric. The General Accounting Office, in a report on the National Bureau of Standards metric study, on March 27, 1973, said:

> Our examination . . . showed that imports . . . would have been increased by $100 million.

It is reasonable to expect increased imports if other nations did not have the expense of producing in standard American sizes and measurements, and could simply manufacture in the metric for export to the United States. These increased imports are a threat to American jobs.

Mr. Speaker, in closing, I would like to point out that Great Britain is experiencing extreme difficulties in its conversion to the metric system. According to information published by the British Metrication Board, after 9 years the country is reluctant to convert to metric. The citizenry is experiencing great difficulty in using metric, many segments of the economy have steadfastly refused to make the conversions, and the board is now suggesting that government action be taken to force complete metrication and that the cost be assumed by the government as well.

In view of all of this argument against metric—the difficulties, the extreme costs of potential hundreds of billions of dollars, the threat of loss of American jobs by increased import competition, the burdens on small business, the costs and hardships posed for agriculture, the inconveniences and unwarranted costs to homeowners, and the obvious cost pass through to the American consumers and taxpayers—I cannot imagine why a proposal for conversion to the metric system in the United States is before the Congress.

I urge my colleagues in the House of Representatives to vote against the metric bill and put an end to this ridiculous proposal once and for all.

GENERAL LEAVE

Mr. McCOLLISTER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to

revise and extend their remarks, and include extraneous matter, on the subject of my special order today.

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

There was no objection.

NEW HAMPSHIRE LEADS THE NATION IN HIGHWAY SAFETY

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

Mr. CLEVELAND. Mr. Speaker, I should like the privilege of inserting in the CONGRESSIONAL RECORD, copies of two letters commenting on the fact that New Hampshire has scored the greatest reductions in traffic deaths in the last 2 years of any State. One is addressed to Gov. Meldrim Thompson, Jr., of New Hampshire, from Thomas A. Power, coordinator of the Governor's highway safety act. It points out that in 1972, New Hampshire effected a 16-percent reduction in highway fatalities over 1971 and in 1973, a 19.4-percent reduction over 1972, for a total reduction of 32 percent in the 2-year period. These decreases occurred before the imposition of the 55 m.p.h. speed limit. During the same period, highway deaths in the Nation as a whole increased in 1972 by roughly 2 percent and declined in 1973 by 2 percent. Compared to the Nation as a whole, New Hampshire's record is remarkable.

The other letter addressed to Governor Thompson was written by Vincent L. Tofany, President of the National Safety Council. In his letter, Mr. Tofany says:

> Achievements such as this do not just happen: they are the product of human concern, professional expertise, social enlightenment, and a fine cooperative spirit. It is my hope, and my expectation, that these qualities, so splendidly demonstrated in New Hampshire recently, will continue to save lives and bring honor to those whose efforts contribute to that life saving.

His letter also says:

> I share the enormous satisfaction that you and your fellow citizens must feel in the knowledge that more than 100 cases of violent highway death have been avoided, deaths which would have occurred if the 1971 toll had continued in the two following years.

Mr. Tofany is so right. Achievements such as this do not just happen. Instead, in the case of our State, they are the result of a well-balanced and executed program carried out over a 13-year period.

NEW HAMPSHIRE STARTED EARLY

I am also inserting an excellent editorial from the largest newspaper in the State, the Manchester Union Leader. This paper has been in the forefront in rallying the public support which is essential to an effective highway safety program.

I recall well when the program started. At the time I was a member of the New Hampshire State Senate. Our State, like most others in the early 1960's, was experiencing a sharp increase in vehicle accidents and fatalities. Therefore, we decided to embark on an aggressive highway safety action program which eventually proved successful. I believe a similar program, if adopted in other States, large or small, would also prove successful. Therefore, I wish to review the history of the program with the hope that our experience will prove helpful to other States.

In recognition of the fact that that improved enforcement was the first and most important step of a program to reduce traffic fatalities, legislation was introduced into the 1961 session of the State legislature providing for an interim committee to make a comparison of the State's traffic laws with the uniform vehicle code; also to recommend legislation to bring our traffic laws into conformity with the code.

The legislation which I supported was approved and the Interim Committee functioned for 6 years. As a result of its efforts, the State's traffic laws were brought into substantial conformity with the code. This accomplishment was very important because modern, uniform traffic safety laws are basic to a sound and efficient enforcement program.

TRAFFIC SAFETY COMMISSION ESTABLISHED

The second step in the action program was the creation of the New Hampshire Traffic Safety Commission in 1964 by the then Gov. John W. King. The commission continues in existence today as an official advisory body. It is made up of State officials having responsibilities in highway safety and approximately 10 public spirited citizens who are recognized as highway safety leaders. These citizens include representatives of highway user and women's organizations, the medical profession, insurance companies, and other groups. The total membership of the commission is approximately 15. Our State Safety Coordinator, Thomas A. Power, serves as secretary to the commission and has three staff assistants including one who works with local committees in the development of their safety programs. The present chairman of the commission, a charter member, is James R. Bucknam, chief editorial writer of the Manchester Union Leader, from which I am inserting an editorial.

The principal advantages of such a commission are:

First, it serves as a vehicle to coordinate the highway safety activities of public officials, the private sector, and the media. This is particularly important in the case of State officials because activities relating to highway safety are diffused throughout several agencies in most States.

Second, it develops and oversees the implementation of the total highway safety programs of the State and local units of government.

Third, it supports and can bring about the needed public support for the legislative programs on behalf of highway safety.

FEDERAL GOVERNMENT GETS INVOLVED

The third step occurred in 1966 after Congress passed the Motor Vehicle and Traffic Safety Act and the Highway Safety Act, bringing the Federal Government for the first time into a major role in highway safety. Following the passage of these acts, the Department of Transportation, as directed, issued 18 highway safety standards with the requirement that they be adopted by the States. In order to bring about conformance with these standards as rapidly as possible, several subcommittees of the New Hampshire Traffic Safety Commission were appointed and charged with developing the necessary legislation and administrative follow-through. They have functioned effectively, resulting in New Hampshire's being rated 2 years ago by the U.S. Department of Transportation as the No. 2 State in compliance with standards.

Mr. Speaker, I submit that there has to be a correlation between this commendable record of compliance with the prescribed Federal standards and the fact that New Hampshire leads all other States in reduction of traffic fatalities.

ALCOHOL SAFETY ACTION PROGRAM

The fourth major step in the action program was the implementation in our State during 1972 and 1973 of the Alcohol Safety Action Program (ASAP) made possible through funding by the National Highway Traffic Safety Administration. It has been most successful.

Some may say that New Hampshire is a small State and thus cannot serve as a model for others to follow in the establishment of a highway accident reduction program. I submit that the formula which the Granite State has developed can be applied with success in all States, large and small. During the 10-year period from 1963 to 1973, we had all of the problems confronted by all the other States, if not more. For example, our registration of vehicles increased by 68 percent and motor vehicle travel by 66 percent, much of it from outside the State. Yet, during this period, we reduced the number of persons killed for every 100 million miles traveled from 4.4 persons in 1963 to 2.8 in 1973, the second lowest in the Nation, in contrast to a national mileage rate of 4.2.

As Mr. Power points out in his letter to Governor Thomson, the fine results have been obtained by the individuals who served during this period as New Hampshire governors and legislators, members of police agencies, State, local, and county, and in the courts, the New Hampshire Traffic Safety Commission, and the Department of Motor Vehicles. In addition, safer vehicles, improved driver education, efforts of highway departments to upgrade highways, and tremendously improved medical services along with scores of other activities both public and private, helped to make the fine record possible.

NOW FOR THE FUTURE

But what of the future? If we become complacent and rest on our laurels, the traffic accident death rate will obviously rise again. Therefore, we must concentrate on reducing the fatality rate below the 2.8 figure. Ex-Governor John Volpe, as Secretary of Transportation, set as a goal a traffic accident fatality rate of 2.5 by 1980. We in New Hampshire hope to reach that goal well in advance of that time. However, we recognize that the job will not be easy and that the broad-spectrum accident prevention approach which we used in the past will not be sufficient for the future. Instead our ac-

tion program will have to be much more sophisticated and refined. It will have to zero in on the remaining troublesome areas. For example, hazardous locations on all highways must be identified and eliminated. Incompetent drivers and habitual offenders must be identified and rehabilitated. Poorly maintained and defective vehicles must be corrected.

BETTER INFORMATION NEEDED

To accomplish all these things, we will need sophisticated data. Therefore, the Traffic Safety Commission over the past 5 years has been establishing, with the assistance of Federal funds from NHTSA, a modern computerized traffic records system. It is expected that it will be in full operation by the end of this year. Here again, we hope to be the first State with all safety records pertaining to drivers, vehicles, and highways in one data processing center.

Our experience in New Hampshire has convinced us that a successful traffic accident reduction program must be balanced and directed to all elements involved in the problem. It has been my feeling that since Congress passed the Highway Safety Act in 1966, that the funds and resources of the Department of Transportation expended on highway safety have not been spent on a truly balanced program. So much of the agency's efforts have been directed toward the vehicle that insufficient attention has been given to the highway and particularly the driver. Therefore, I have been delighted that Secretary of Transportation Claude S. Brinegar has publicly stated that he will work for a truly balanced highway safety program.

The guidelines for such an overall program are contained in the Report of the President's Task Force of Highway Safety issued in October 1970 entitled, "Mobility Without Mayhem." The Task Force was chaired by Franklin M. Kreml, then vice president of Northwestern University, where he organized and directed the first Traffic Institute in America. The report describes in considerable detail the steps essential to further improvements in highway safety. It concludes that:

Although the responsibility under the Federal Government is great, Federal action alone cannot bring about highway safety. Rather there must be innovative action by many institutions and agencies, very importantly, by government at the state and local level, and by the private sector.

Our experience in New Hampshire has proven that this conclusion of the Task Force is correct.

Finally, last year, as the ranking minority member of the Subcommittee on Investigation and Review, of the House Public Works Committee, I requestion that the subcommittee staff be directed to investigate progress—or lack of it—made by NHTSA and the States in reducing traffic accidents since the passage by Congress of the 1966 Highway Safety Acts. The investigation is currently under way and the staff's findings should be most significant.

THE STATES ARE THE KEY

My own belief, based on our experience in New Hampshire, is that the greatest results from expenditures of Federal funds for highway safety in the future will come from greater financial assistance to the States in carrying out the safety program standards.

My own belief, based on our experience in New Hampshire, is that we can anticipate increased progress in the highway safety field now that Federal participation has been expanded under the Federal-Aid Highway Act of 1973.

In particular, I will continue to support Federal funding for section 402 State and community grants and for section 403 research and development. Funding for both sections in fiscal year 1975 totals $220 million. I strongly suspect that this funding level is inadequate, and am looking forward to the results of our oversight activities in these areas as a source of the factual basis for sound expansion of these programs.

The letters and editorial follow:

STATE OF NEW HAMPSHIRE,
HIGHWAY SAFETY AGENCY,
Concord, N.H., February 27, 1974.

Hon. MELDRIM THOMSON, Jr.,
Governor, State of New Hampshire.

DEAR GOVERNOR THOMSON: Preliminary figures released today by the National Safety Council indicate clearly that by almost any measurement. New Hampshire has scored the greatest reductions in highway deaths over the past two years of any state in the nation.

In 1972 New Hampshire effected a 16% reduction in highway fatalities over 1971.

In 1973 our highway deaths decreased by 19.4% over 1972.

Significantly, these reductions were effected before the imposition of the 55-mile per hour speed limit.

In the nation as a whole, highway deaths in 1972 increased by 2% and in 1973 declined by 2%. So, compared to how the nation as a whole is doing, New Hampshire's record is remarkable.

Highway fatality figures are quixotic by nature and a 1-year record is unreliable as an indicator since every state has a "good" year now and then, and also an occasional unusually "bad" year.

But since we have been able to effect these unusual reductions over a two year period we believe that the state's overall drive to decrease highway deaths has been effective.

Furthermore New Hampshire's reductions in fatalities were made despite substantial increases in vehicles and in travel.

Our fatality toll of 145 in 1973 was the lowest toll since 1963.

At that time, 10 years ago, we had 330,000 registered vehicles compared to 556,000 in 1973.

Motor vehicle travel in New Hampshire in 1963 amounted to 3 billion 200 million miles.

In 1973 motor vehicle travel amounted to 5 billion 200 million miles of travel.

In 1963 we killed 4.4 persons for every 100 million miles travelled.

In 1973 our "million mile" rate had declined to 2.8—second lowest in the nation.

When we are asked why New Hampshire is doing better than the rest of the country there is no way to come up with a definitive simple answer and prove it positively.

We do feel that our high level of motor vehicle law enforcement especially in the area of drunken driving has played a very important role in reducing the state's fatality toll.

But enforcement and DWI are but single aspects of an extremely complex problem.

New Hampshire Governors, the Legislature, all elements of Police, state, local and county, the Courts, the N.H. Traffic Safety Commission, the Department of Motor Vehicles, safer automobiles, Driver Education, the unceasing efforts of the Highway Department to upgrade highways, our tremendously improved Emergency Medical Services, and scores of other agencies and individuals both public and private have contributed to the good end result.

Despite our gains much remains to be done. While we feel that, comparatively speaking, New Hampshire did well in 1973, yet for the families of the 145 people who died on our highways our program was a failure.

So we have no reason to rest on our laurels, and our continuing objective will be a further reduction of these tragedies in 1974.

Sincerely,

THOMAS A. POWER,
Coordinator.

NATIONAL SAFETY COUNCIL,
Chicago, Ill., March 27, 1974.

Hon. MELDRIM THOMSON, Jr.,
Governor of New Hampshire,
Concord, N.H.

DEAR GOVERNOR THOMSON: Please accept my warmest commendation for the fine improvement in traffic safety in New Hampshire in 1972 and 1973. The achievement of a 16 per cent reduction in traffic fatalities in 1972 and another 19 per cent in 1973 brings great credit upon you personally, upon those members of administration who have safety responsibilities, and upon all the fine people of your State.

But credit is not the goal—it is human lives that concern us first and foremost.

I share the enormous satisfaction that you and your fellow citizens must feel in the knowledge that more than 100 cases of violent highway death have been avoided, deaths which would have occurred if the 1971 toll had continued in the two following years.

Achievements such as this do not just happen: they are the product of human concern, professional expertise, social enlightment, and a fine cooperative spirit. It is my hope, and my expectation, that these qualities, so splendidly demonstrated in New Hampshire recently, will continue to save lives bring honor to those whose efforts contribute to that life saving.

Accept my personal best wishes, and my admiration!

Very sincerely,

VINCENT L. TOFANY.

ANOTHER FIRST FOR NEW HAMPSHIRE
(By William Loeb)

New Hampshire citizens will be proud to know that once again New Hampshire leads all the states in the nation—this time in the reduction of deaths on the highways.

At the conclusion of this editorial we publish a table which shows all the states and the percentage of highway fatalities by which each state increased or decreased.

New Hampshire has had a 32-percent reduction in the number of deaths in the years 1971 through 1973. No other state came anywhere near that figure.

Washington, D.C., came closest with a 21-per-cent reduction. Washington State and Hawaii had a 12 per cent reduction, followed by Nebraska at 11 per cent.

The number of states in which traffic deaths had increased is fantastic. Nevada's death rate increased in this same period by an amazing 36 per cent, Arizona's by 26 per cent.

In the New England area, Connecticut's highway death rate increased by 5 per cent, Maine's was reduced by 9 per cent, Massachusetts increased by 11 per cent, Rhode Island increased by 6 per cent and Vermont had an increase of 3 per cent.

Here is a record of which the Granite State can be proud! We certainly can always do better, but at least we are headed in the right direction—and we ARE leading the nation.

STATE MOTOR-VEHICLE DEATHS, CHANGES AND RATES [1]

State	Months reported	Deaths identical periods			Percent change		1973 population rate [2]	1973 mileage rate [3]	Number [4]
		1973	1972	1971	1972–73	1971–73			
Total, United States	17	55,600	56,600	54,700	−2	+2	26.5	4.2	(17)
Alabama	12	1,224	1,243	1,246	−2	−2	34.6	5.9	(11)
Alaska	12	74	56	70	+32	+6	22.4	3.7	(10)
Arizona	12	947	807	751	+17	+26	46.0	6.0	(10)
Arkansas	12	648	782	690	−17	−6	31.8	4.6	(11)
California	12	4,888	4,974	4,690	−2	+4	23.7	3.8	(10)
Colorado	12	672	734	634	−8	+6	27.6	4.1	(10)
Connecticut	12	508	467	486	+9	+5	16.5	2.8	(10)
Delaware	12	129	131	116	−2	+11	22.4	3.6	(9)
District of Columbia	12	76	73	96	+4	−21	10.2	2.4	(11)
Florida	12	2,648	2,492	2,354	+6	+12	34.5	4.3	(10)
Georgia	12	1,871	1,825	1,757	+3	+6	39.1	5.0	(10)
Hawaii	12	136	145	154	−6	−12	16.3	3.1	(10)
Idaho	12	348	355	324	−2	+7	45.2	6.2	(11)
Illinois	12	2,336	2,240	2,391	+4	−2	20.8	3.7	(9)
Indiana	12	1,590	1,551	1,603	+3	−1	29.9	4.3	(10)
Iowa	12	813	872	826	−7	−2	28.0	3.5	(8)
Kansas	12	625	659	676	−5	−8	27.4	4.1	(10)
Kentucky	12	1,114	1,093	1,015	+2	+10	33.3	4.5	(8)
Louisiana	12	1,143	1,132	1,121	+1	+2	30.4	5.6	(10)
Maine	12	247	255	270	−3	−9	24.0	3.2	(10)
Maryland	12	818	805	791	+2	+3	20.1	3.4	(11)
Massachusetts	12	1,007	989	906	+2	+11	17.3	3.3	(10)
Michigan	12	2,213	2,255	2,152	−2	+3	24.5	4.0	(10)
Minnesota	12	1,010	1,017	977	−1	+3	25.9	4.2	(10)
Mississippi	12	883	920	951	−4	−7	38.7	5.6	(11)
Missouri	12	1,433	1,462	1,400	−2	+2	30.1	5.0	(11)
Montana	12	329	393	328	−16	(5)	45.6	5.5	(9)
Nebraska	12	432	483	488	−11	−11	28.0	3.8	(10)
Nevada	12	365	258	269	+41	+36	66.6	6.4	(9)
New Hampshire	12	145	180	214	−19	−32	18.5	2.8	(10)
New Jersey	12	1,357	1,314	1,319	+3	+3	18.4	2.6	(10)
New Mexico	12	638	587	535	+9	+19	57.7	7.1	(10)
New York	12	3,058	3,174	3,200	−4	−4	16.7	4.1	(10)
North Carolina	12	1,873	1,973	1,827	−5	+3	35.5	5.3	(10)
North Dakota	12	209	225	223	−7	−6	32.7	4.6	(8)
Ohio	12	2,334	2,399	2,359	−3	−1	21.8	3.4	(10)
Oklahoma	12	794	843	840	−6	−5	29.8	3.5	(8)
Oregon	12	635	732	684	−13	−7	28.5	3.9	(9)
Pennsylvania	12	2,223	2,296	2,299	−3	−3	18.7	3.4	(10)
Rhode Island	12	131	121	124	+8	+6	13.5	2.6	(11)
South Carolina	12	963	1,094	1,020	−12	−6	35.3	4.6	(11)
South Dakota	12	286	293	262	−2	+9	41.8	5.3	(9)
Tennessee	12	1,427	1,414	1,362	+1	+5	34.6	4.9	(10)
Texas	12	3,765	3,667	3,564	+3	+6	31.9		
Utah	12	360	381	334	−6	+8	31.1	4.6	(9)
Vermont	12	154	151	149	+2	+3	33.2	4.9	(10)
Virginia	12	1,215	1,247	1,212	−3	(5)	25.3	3.4	(10)
Washington	12	770	853	873	−10	−12	22.5	3.3	(11)
West Virginia	12	469	523	508	−10	−8	26.1	5.1	(9)
Wisconsin	12	1,153	1,165	1,127	−1	+2	25.2	3.9	(10)
Wyoming	12	190	197	166	−4	+14	53.8	4.8	(8)
Puerto Rico [6]	12	568	550	481	+3	+18	20.9		
Virgin Islands	(7)								

[1] Deaths are reported by State traffic authorities. All figures are preliminary. To insure proper comparison, 1971 and 1972 figures are the preliminary figures covering the same reporting period as those of 1973.
[2] Number of deaths per 100,000 population.
[3] Deaths per 100,000,000 vehicle miles. The rates are not necessarily comparable to those previously shown and should not be projected to estimate the rate for the entire year.
[4] Figures in parentheses following the mileage rate indicate the number of months for which preliminary rates are calculated for each State.
[5] Plus. Less than 0.5 percent.
[6] Not included in the total U.S. death count or rates.
[7] No report.

CONGRATULATIONS

The above material documents very well the fact that congratulations are in order to all who have made this success story possible, for the lives, suffering, and loss they have prevented. Their leadership may help show the way for the entire Nation. Well done.

FOOD HEARINGS

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, during the past 2 weeks I have submitted to the RECORD the testimonies presented during a daylong public hearing on soaring food costs which I conducted on April 18 in Natick.

The purpose of this hearing was to determine the effects of the food-price crisis on the lives of the people of the 10th Congressional District of Massachusetts. Those who participated as witnesses during this hearing were representatives of consumer organizations, retailers, food distributors, the elderly, the poor, and spokesmen for schools and colleges.

Today I would like to submit two additional testimonies which were delivered during this hearing. After having heard personal accounts of the seriousness of the inflation problem, it is extremely evident to me that our country desperately needs a national food-agriculture policy to remedy the current situation.

The testimonies follow:

STATEMENT OF MYRA MORRIS, DEPARTMENT OF ECONOMICS, WELLESLEY COLLEGE

I'm here representing Wellesley College and myself as a consumer. I'm a Continuing Education student at the college majoring in economics and it was the Economics Department which asked me to speak here today. I have many statistics but I'm sure you've heard them all today, about the rise in prices as they have occurred over the past few months. I did my own superficial survey of food prices using the January prices of the Department of Labor statistics, and I checked several supermarkets within a few miles radius of this area and found that many of the prices have gone up since then.

I made this survey over Monday and Tuesday of this week. I found that ten pounds of potatoes now cost $1.98 or more, depending upon the market and they were $1.56 in January. And five pounds of flour have gone up 10%, five pounds of sugar has gone up 25% in that three month period. As far as the college itself, they have incurred a deficit of $200,000 in their food services program just this year.

Two hundred thousand dollars in their whole picture of their food services program. The average increases in food costs were 20 to 25%. Now, of course, the increases in fuel and other costs come into the $200,000 figure, but a very good portion of it is the increase in food prices. This very afternoon there is an open meeting being held by the president of the college, who is herself an economist, to discuss the ways in which they hope to cut these costs. Primarily they're going to have to consolidate services as much as possible, without affecting the quality of the institution.

Of the students who live in the dormitory, I would roughly estimate that about fifteen hundred sudents are being served three times a day in most cases. The way they are going to cut down their costs will be to close some dining rooms completely and have some dormitories which will no longer have any dining facilities. They will be using other dining rooms in other dormitories. On weekends, they're going to completely close

still other dormitory dining rooms and keep open only a few on weekends since they find the students don't always use the facilities at that time. And they will convert one of the kitchens from those closed dormitory dining rooms to consolidate all their baking. When the costs of beef and the other luxury items rise they can make substitutions to still provide an adequate diet and stay within the budget. But the areas in which the most dramatic increases have occurred recently have no lower cost substitutes. The college, like the housewife, is badly affected by the high prices in the dairy products, macaroni and potatoes.

Baking potatoes are completely out of the menu, canned fruits they're having a great deal of problem obtaining in the amounts that they need, and most particularly canned tomato products.

So I would say the consumer with the above average income can complain as she's walking through the supermarket, she's going to eliminate some of the high priced items but she's just going to write a larger check. But that person who cannot write that larger check at the checkout counter is going to find that they're going to have a less than adequate diet. That seems to be the picture today.

As I said earlier, the Food Services Department of Wellesley College in conjunction with the administration has made plans, which will be presented to the students today, dealing with the food cost problem. I'm sure there are going to be a lot of complaints. In trying to make it more palatable they are offering certain services. For instance, continental breakfasts, keeping the few dining halls that are going to remain open.

Wellesley recently had a tuition increase and another one has already been announced. In part, this increase is a result of the rising costs of food, but it was also on the administrative and academic side.

The college is making every attempt to keep up the quality of education received at the school and the aid that is given to students. Scholarships will be the last place where they will make cuts.

As an economist, I was never particularly in favor of controls. We've all seen that they just don't work. Certainly, encouraging the Department of Agriculture to increase production rather than decrease it is important and has been suggested here already. Also, I would favor trying to control exports so that most of our goods can be used at home where they are needed.

STATEMENT OF THOMAS F. LYNDON, ASSISTANT TO THE SUPERINTENDENT OF WELLESLEY PUBLIC SCHOOLS, WELLESLEY, MASS.

The Superintendent, Dr. Richard H. Goodman, thanks you for inviting testimony from the school department regarding the food crisis. I'd like to read part of the letter he sent to you regarding this. "Dear Congresswoman Heckler: In response to your letter of April 5 concerning the effect of rising food prices on Wellesley public schools and Wellesley taxpayers, I submit the following: The cost of food increased seventeen per cent in our 1973–74 budget period and is budgeted for an additional twelve per cent increase in our 1974–75 budget period. In addition, it is my understanding that the availability of federally purchased commodities to us may be reduced or eliminated in the coming budget year. Federal and state reimbursements to us for type "A" meals have increased as follows: the regular meal, this is aside from reduced/free meals, 1972–73 we received twelve cents; the fall of 1973 we received fourteen cents; starting January 1 of this year we're receiving sixteen and a half. The reduced/free area, there's a similar pattern, the reimbursement has been increased.

We have fourteen schools in Wellesley, each school has a lunch program. In fact, we recently, to meet the requirements of a new state law, introduced a lunch program in all our elementary schools.

The student pays for the type "A" meal unless he comes under the category of reduced/free meals as is based upon family income, and pays forty cents a meal.

First, as far as projecting the prices we developed a budget late last fall. We finalized it about a month ago. It has been approved by the school committee and the town committee which does have increases in it to cover the increased cost of food. We do not plan at this time to reduce the nutritional value or quality, sufficient quality of the meals, however, it can mean in some instances that protein extenders, such things as that, will play a larger role.

We have our food service director who is in charge of the total program, he is thoroughly familiar with dietary requirements, goes to seminars periodically to update his understanding. In addition, we have two managers. One in each of our largest schools, junior and senior high, and they are familiar with dietary needs.

REMARKS OF CONGRESSMAN MORRIS K. UDALL IN ARIZONA, MAY 3, 1974

The Speaker pro tempore. Under a previous order of the House, the gentleman from Massachusetts (Mr. O'NEILL), is recognized for 10 minutes.

Mr. O'NEILL. Mr. Speaker, last Friday our distinguished colleague, Mr. UDALL of Arizona, answered President Nixon who had spoken earlier at a Republican rally in Phoenix.

Mr. UDALL's answer was balanced, to the point and provides a note of hope to the millions of Americans who are watching events unfold as the House Judiciary Committee moves ahead with its impeachment proceedings.

In his talk, Mr. UDALL explains the true cause of the delay that has frustrated so many of us and he rightfully scolds the President:

You underestimate the intelligence of the American people.

Significantly, Mr. UDALL does not wind up in despair, as he might well have in the current climate. He gives us hope, a hope that the American people should be reminded of, particularly today. He states:

My testimony today is that politics is an honorable profession which has attracted in both parties good, decent men and women who have made careers in public service.

Mr. UDALL's remarks follow:

REMARKS OF CONGRESSMAN MORRIS K. UDALL IN ARIZONA ON MAY 3, 1974

Good evening. I'm Mo Udall. I've lived in Arizona all my life and I'm privileged to serve the southern part of the state as a Member of Congress.

Tonight I have an uncomfortable assignment. The man who is now President of the United States addressed a partisan Republican rally here in Phoenix this evening and I have been given the job to speak in time reserved for the Democratic party.

But the views I'll reflect can be heard in Republican homes as well as in Democrat gatherings like the one being held in Scottsdale today.

I'm asked to reply to a presidential speech made here in Phoenix and yet mechanically my words had to be taped before the President delivered his.

I'm put in the position, perhaps, of seeming to resent the President's visit to our state, whereas I believe he has every right to be here and should be treated with civility, even by his critics.

But I agreed to give this speech tonight because I think some things ought to be said on behalf of thousands of Arizonans of another persuasion, people who are not among the cheering throngs in the Coliseum tonight. The fact is, there are lawyers and laborers, Republicans and Democrats, Independents, people old and young, who do not admire Mr. Nixon and resent the damage he and his administration have done to self-government, to our economy and to our faith in each other.

And so this speech has a couple of purposes. First, to tell the nation as it focuses on our state tonight that there is another Arizona they will not see on the networks or in tomorrow's stories in the nation's newspapers. My second purpose is to talk straight for a few minutes with Arizonans about the problems Watergate and the related scandals have brought upon us as a people, what we have to look forward to and maybe some things we can do about them.

Obviously, no one can pretend to speak for all Arizonans. We're a diverse and independent people, as evidenced by the great variety of political leaders we elect.

And especially on the questions of the Watergate scandals, impeachment, attitudes about President Nixon, I suppose we're divided along the same lines as the rest of the country. Obviously, those who packed into Phoenix Coliseum tonight were primarily Arizonans who believe in the President and will back him no matter what.

On the other hand, there is a small and noisy contingent in our state who have apparently adopted the old frontier legal principle in which you hang someone first and get the evidence later. But I think the ordinary, mainstream, working man and woman in Arizona share neither of those views about our current dilemma. To get a better idea ol this, I sent out a few weeks ago a questionnaire which was delivered to every home in the 2nd congressional district of this state. These questionnaires arrived in the mailbox at the time of dramatic concern over the energy crisis, and almost daily disclosures about Watergate. There was an incredible outpouring of answers by nearly 50,000 people, probably one-fifth of the voting age population, and here's what they said:

First, 40% were convinced as of March that there was already sufficient evidence for the House to vote impeachment and to send the matter immediately to the Senate for a trial. Another 35% felt the charges and evidence were sufficiently serious that there ought to be a full hearing and inquiry by the House of Representatives. Putting these two figures together, a full three-quarters who responded to my unscientific poll were either for outright impeachment or full inquiry on the facts.

Second, half of those responding to my poll said Mr. Nixon ought to resign right now. And indeed, even 25% of those identifying themselves as Republicans joined in this call for resignation.

Third, slightly more than half expressed the belief that Vice President Ford could better lead the nation during the next three years than could Mr. Nixon.

So I hope the national press will fairly report the enthusiastic crowd expected at the Republican rally in Phoenix, but I hope with the same fairness, they will reflect the views of the rest of the people of this state, as shown by the tens of thousands of concerned Arizonans who went to the trouble to mail an answer to my questionnaire.

Clearly, Arizonans like Americans everywhere have no burning hunger for impeachment and a majority would hope that somehow this bitter cup might pass.

Yet I don't think the great mass of Americans shrink from impeachment either any more, if they are shown that the evidence ultimately requires it. Because I believe a majority of Arizonans and Americans want this matter resolved fairly, openly, promptly and completely.

I reject all of this talk about our country being so weak and divided that an impeachment trial—a legitimate, honorable, constitutional procedure established by our Founding Fathers—would weaken the republic beyond repair. Americans are a tough, resilient and sensible people who went through a crushing depression, who survived two world wars, who experienced the assassination of John Kennedy and came out of all of these traumatic events with their unity and self confidence intact. We are a big, grownup democracy, the oldest in the world, and we can survive and maybe learn from an orderly, fair, judicial impeachment proceeding if it turns out that that's what justice requires. Because after all, as Jefferson said, the first principle of American life is equal justice for all, Presidents as well as truckdrivers, or congressmen, or Cabinet members.

There's an old story about an undertaker who tells a valued friend, "Frank, no matter how much money you make or clubs you belong to or fame you gain, the size of your funeral will depend on one thing—the weather."

And I suggest tonight that the fate of Richard Nixon lies not in political oratory, the maneuvers of clever White House lawyers, or advance men who gather crowds to hear him speak in selected states before selected audiences, Mr. Nixon's fate rests in the truth and in the judgment his fellow citizens will make when they get that truth.

And, believe me, ladies and gentlemen, in our system in this country the truth will out. Sooner or later in the end the whole truth, like tomorrow's Arizona sunrise, will come.

And when it comes out, good or bad, the presidency will survive. For Richard Nixon is a man, not an institution, despite what has been implied by repeated White House statements in recent months. He is a human being who happens for now to be the First Citizen of a democracy. He is a single President, a temporary occupant of a very vital and important office. Harry Truman bluntly warned Presidents about the danger of confusing themselves with their office.

I'm a congressman temporarily, but not a Congress. I'm an American citizen who's fortunate for a time to cast votes that belong not to me but to the half million people who elect me.

Mr. Nixon has said that we've had enough of Watergate and who could disagree with that? The President's problems have hurt our economy, delayed crucial decisions on energy and foreign affairs, made a joke of our tax laws and spread deadly cynicism across this land.

But why did we have so much delay? The plain answer is that we've had a year and more of Watergate because for all that time Mr. Nixon has resisted every congressional attempt and every attempt by two special prosecutors he himself appointed to get at evidence in his possession.

Yet last Monday we were told that somehow all this had changed, that all the evidence was now in the hands of the Congress. But let's take a factual look at what Mr. Nixon did this week and what he did not do.

He has now, very grudgingly and after months of delay, turned over to the House Judiciary Committee:

Not the tapes it subpoenaed but partial transcripts of the tapes personally edited by him;

He surrendered not the 42 tapes that were legally demanded, but selected portions of 31 tapes;

He surrendered not the total information on each of some 30 charges under consideration, but information dealing mainly with a single charge, the Watergate coverup;

He submitted not what the House Judiciary Committee said it needed, acting on behalf of a constitutional co-equal branch of government, but what he deemed relevant and was willing to give it;

He surrendered not everything he had in his possession, but just selected parts he considers appropriate.

As I listened to the presidential speech on Monday night, I recognized an old courtroom technique I'd used as a trial lawyer when defending a client facing a number of charges. You pick out one count of the indictment where you have the best defense, attack that count, and make all your allegations and your defenses relating to it. And then you ignore the other more serious charges. You saw another version of this Monday night.

Certainly one of the serious and crucial charges is whether the President participated in the Watergate coverup, but if he has all the defenses in the world to that charge, it cannot help him against the two dozen or more other charges covering such serious and totally separate matters as the ITT payment, the milk fund scandal and all of the rest.

And so I fear this clever legal game will go on, aided and quarterbacked by a whole law firm of White House lawyers which you the taxpayers are paying for.

Just watch in these next few weeks—not only as the House Judiciary Committee struggles for documents and tapes on these additional issues, but as Mr. Nixon's own impartial, handpicked special prosecutor, Leon Jaworski—an honorable and uncorruptible lawyer—struggles for more White House materials.

The essential fact is that the President has committed impeachable offenses and should be tried and removed, or he has not. And every day that goes on without delivery of all of the evidence to Congress and the special prosecutor drags this process out and hurts this country.

I think Senator Goldwater put it in his blunt and direct manner a few months ago when he said the President ought to tell the Congress to send down a truck and load up all the documents and take them to Capitol Hill for study. And I think the American people cannot help but wonder why an innocent President betrayed by overeager associates and conniving enemies would not have wanted the evidence out long ago.

And now the White House has again unleashed another "Operation Candor" coupled with an attack on the Congress for moving too slowly, for dragging out the Watergate investigation.

Well, Mr. President, you can't have it both ways. You underestimate the intelligence of the American people. This investigation will end when all the facts and evidence in your possession and in the possession of your associates are made available.

This is an election year, a time when partisan divisions come to the fore, and the party lines harden. It's a particularly divisive year with the shadow of Watergate hanging over all of us. And so tonight I have some advice for my fellow Democrats. It will not be enough for our party in 1974 or 1976 to simply criticize the opposition, to take gleeful note of the problems of our political opponents, because the American people and the people in Arizona are not going to ask just about the sins of our opponents or what we are against. The American people are going to ask the Democratic Party what it's for. No one is going to award the Democrats the governorship of this state or control of the Congress or the White House in 1976 simply because we are not Republicans or because we know how to pronounce Watergate. Democrats, Independents and Republicans alike will support our party only if we have answers to the country's very serious problems.

What do we Democrats propose to do about this incredible scourge of inflation that's wiping out people's incomes this year at the rate of one per cent a month?

Are we just going to talk about tax reform and a fair tax system to end the scandal of people who have vast incomes and pay nothing or next to nothing?

Are we Democrats this year or next, at long last going to redeem the 20-year-old goal of Harry Truman, a national system of health insurance for the only major industrial power which doesn't have one?

I believe the Democratic Congress, the Democratic governors, whatever the outcome of Watergate and impeachment, will shoulder its responsibilities and give responses to these and other serious problems.

But I want to close on a more hopeful note, as we see tonight the tragic impact of these last 20 months on the American spirit. There's an old saying that the worst, most corrupting lies are problems poorly stated. And our recent problems have given rise to a corrupting lie which must be answered. That lie is that Watergate is nothing unusual, that they all do it, that all your public leaders are crooks and thieves.

This is false, my friends, and it's a slander on the American political system. We're the oldest democracy in the world, political parties have arisen and declined, and no party in this country has had any corner on morality nor is any party impervious to corruption of a few.

Democrats have no right to smug self-righteousness in this regard though we have produced nothing of the magnitude of these last three years. My point is that our system with all of its kinks and problems is basically a decent, clean political system and it takes good men and women in every generation to keep it so.

John Kennedy used to say that mothers still wanted their sons to grow up to be Presidents like Lincoln and Jefferson but they didn't want them to become politicians in the process. But Lincoln and Jefferson succeeded in leading the country through difficult times only because they accepted the burdens and unpleasant aspects of public service. My testimony tonight is that politics is an honorable profession which has attracted in both parties good, decent men and women who've made careers in public service.

My father spent most of his adult life as a judge of the Arizona court. Money was secondary to this good man and one good home was enough. He lived unpretentiously. And the same attitude has characterized the public service of Carl Hayden and Barry Goldwater and Ernest McFarland, and other good people in both of our political parties.

Let me tell you that the majority of men and women with whom I spend my days in the Congress, and who serve as your Mayors and legislators in this state, share in this legacy of honest public service. They deserve better than to be branded with the cynical iron that has marked the burglars, buggers and influence peddlers of this administration.

Fine public servants throughout our 200 years have known something that some people in this administration have forgotten. And that is that public service is a high calling, that it's not enough of our leaders to say of themselves: we have done nothing to warrant jail.

There's a difference between what's legal

and what's trustworthy. And for all their mistakes and human failings, leaders must first of all be trustworthy.

And here is where Richard Nixon and the men surrounding him let us down. For regardless of how many of them are convicted or acquitted on the standards applicable to a criminal trial, trustworthy leaders don't hire the kind of staff that spies on opposition, subvert its campaign with sleazy tricks.

Trustworthy leaders don't condone the accumulation of a list of enemies to be harassed by the FBI or the tax collectors.

Trustworthy leaders don't search through the Internal Revenue Code to find every last loophole to reduce taxation on enormous income.

And finally, trustworthy leaders, when they have gone wrong, don't blame their problems on a staff of advisers or accountants. They have the courage to shoulder it themselves.

As I said earlier, the truth will determine Mr. Nixon's fate, but what of our fate, what of the nation's, of its people?

Sure, our government is in trouble and it's in trouble for a lot of reasons. And some of it has to do with credibility, with the feeling that the government doesn't care.

But we can do it differently, and I believe we are going to do it differently.

Despite the opposition of the President and his attempt to delay, we're going to get a new election law this year that will get the fatcat financiers out of politics, place sensible limits on contributions, place enforcement in the hands of an independent agency. We're going to stop the sale of ambassadorships to the highest bidders.

And perhaps this will be the unwitting gift of those White House burglars and bunglers to the next generation. By showing us the worst possibilities in government, they've given us the incentives we need for true reform.

But reform is not possible without the interest and commitment of our people. This is not a time for despair or disillusion. It is time for all of us, Democrat, Republican, Independent, to pull together as we find and apply the lessons of Watergate. We need new campaign laws and reorganized institutions, but even more than that we need a rebuilding of our national spirit.

We need a renewed commitment not just to the law but to the spirit of the law.

The cold print of the Soviet constitution reads with the same noble phrases and ideals as ours. The difference lies in a gentle, civil attitude in the way we treat each other and with the respect we have for our Constitution and its spirit.

We reinforce these attitudes of fair play and civility and mutual respect with a lot of rituals that may seem silly to some. No law requires that having lost a close election, you call an opponent and congratulate him, but most of us in politics do and have friendships with political adversaries.

No law says you rise at a football game when the anthem is played, that you stand when a judge you may dislike enters a courtroom. But these things we do for these rituals are a vital part of what America is all about. They are our way of saying to each other the things which bind us together as fellow Americans are more important than the narrow partisanship that divides us.

A long time go, one of my favorite judges, Learned Hand, put it in these words:

"I often wonder whether we do not rest our hopes too much upon constitutions, upon laws and upon courts. These are false hopes. Liberty lies in the hearts of men and women; when it dies there, no constitution, no law, no court can do much to help it. While it lies there, it needs no constitution, no law, no court to save it."

Thank you for your time.

FINANCIAL STATEMENT OF ARVONNE S. FRASER AND DONALD M. FRASER

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

Mr. FRASER. Mr. Speaker, it seems incumbent these days upon politicians to disclose their net worth. Ours has improved considerably because my parents were frugal and when they died they left me and my siblings each about $70,000. Listed below are our assets and liabilities as of January 1, 1974:

Donald M. and Arvonne S. Fraser—Statement of finances, January 1, 1974

Assets	
Cash in checking accounts	$1,548
Cash in savings accounts	13,451
Paid in House pension fund	28,990
Life insurance—est. cash value	9,000
Real estate:	
Washington, D.C. house	65,000
Minneapolis house	20,000
St. Croix County, Wis., summer houses	25,000
M–REIT, New York	3,000
First S.E. Corp., Minneapolis	3,125
Mutual funds:	
398 shares Afuture	3,422
284 shares Janus	4,402
387 shares Mathers	3,606
271 shares Guardian	5,962
719 shares New Horizons	5,040
246 shares Nicholas Strong	3,272
135 shares Northeast Investors	1,998
143 shares Afortress Income	2,002
Bonds:	
American Metal Climax 7.5% 1978	6,000
First Nat'l Holding 7.25 1979	1,000
Southern Bell 7% 1978	2,000
E Bonds	3,050
Stocks:	
60 shares 1st Bank Stock	3,510
75 shares Quaker Oats	2,152
1972 Chevrolet	1,000
1968 Chevrolet	300
Household goods, boats	8,500
Total assets	226,330
Liabilities	
Bills payable	1,000
Taxes payable	1,200
Mortgages:	
Washington house	39,608
Minneapolis house	4,126
Total liabilities	45,934
Net worth	180,396

"GOOD BUSINESS" FOR SECRETARY BUTZ IS "BAD BUSINESS" FOR THE AMERICAN CONSUMER

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

Mr. VANIK. Mr. Speaker, if it were not for Watergate, I believe that the American people would be focusing their attention on and demanding the impeachment of Secretary of Agriculture Butz. Never has a Cabinet officer represented such a narrow section of the population or economy. His views and actions have been those of a lobbyist for one segment of the Nation at the expense of the large majority of the rest of the Nation.

The Secretary's latest insult on the American people was the decision to purchase beef to assist cattle producers. On March 26, the Department announced that it was initiating a beef purchase program of up to $45 million "in conjunction with its other efforts to improve prices to cattle producers and feeders."

As the news release from the Department proudly stated:

USDA's Agricultural Marketing Service said that the removal of fed beef from normal channels for later distribution to schools should be effective in stabilizing and improving cattle prices at a time when substantial numbers of fed cattle are moving to market.

On April 11, Agriculture announced its first purchase of 231,000 pounds of frozen ground beef, "at an approximate cost of $222,000, for distribution to schools." The price paid by the Department ranged from 93.49 cents per pound to 97.50 cents per pound. On April 25, the Department announced a second series of purchases. This time, approximately 1,848,000 pounds of frozen ground beef was bought for approximately $1,929,000. Apparently the Department's "efforts" to stabilize and increase beef prices were successful, since the price per pound this time ranged between $1.0250 and $1.0498. On May 2, a third set of purchases were announced. For approximately $5.7 million, 5,736,000 pounds of ground beef was brought for prices ranging between 99.5 cents to $1.0383 per pound.

Mr. Speaker, I have several objections to this "price shoring" policy: First, the American consumer has been paying record prices for beef for nearly 3 years. Yet when beef prices first start to come down significantly, the Department steps in to increase the price. Secretary Butz is for free enterprise for the producers: Let them sell everything they can overseas and drive up the price to American consumers. Yet when the domestic consumer finally starts to get a break, "stabilize" the price.

The Secretary is always for high prices. Last year, during consideration of the trade bill in the House Ways and Means Committee, I offered an amendment to repeal the Meat Import Quota Act of 1964. The quota law is an anticonsumer piece of legislation which prevents the free entry of necessary quantities of hamburger, sausage, and other cheaper cuts of beef. My effort in the committee failed by a vote of 9 for repeal to 15 against repeal. I received absolutely no support from the administration.

While the beef is going to be used in the school lunch program—certainly a good cause—it will not be used until next fall. In addition, it appears that the quality of ground beef being purchased is extremely high—higher than most families would or could afford to purchase.

For example, the following is a table of the prices paid by the administration and prices quoted in Washington and Cleveland newspapers on May 2:

	April 25	*May 2*
USDA purchase price	$1.02/$1.04	$.99/$1.03
Washington, D.C.	.85/ 1.09	.79/ .89
Cleveland		.68/ .79

It is obvious that the Department, buying in bulk, is paying a dime to 25 cents more per pound than would the careful shopper in a local grocery store. While millions of families are finding it nearly impossible to buy meat at all, Earl Butz is buying and grinding "steak" for use 5 months from now.

In short, the Secretary is a lousy shopper. Yet in a speech before the Press Club in Washington, D.C., on April 25, the Secretary said:

> The purchases were good business on the part of the government. Prices are low now, they're lower now in beef than we think they probably will be next fall. It was a good deal for the government and at the same time it was a good deal for cattlemen.

It was not a good deal for the taxpayer.

Yet the Secretary is right on one point—it is a good deal for the cattlemen. Farm prices did fall in April and beef prices are 9 percent less than a year ago. Yet the profit of the food industry is up and the consumer just does not seem to be able to find significantly lower prices in the grocery store.

And whose fault is it that beef prices at the slaughterhouse door have fallen? It is the fault of the beef producers. They withheld beef from the markets to get around the freeze or to raise prices. When prices remained high, consumers turned to other products. Now there is a surplus of fat and over-age cattle on the market. Steers are normally slaughtered when they reach a weight of 950 to 1,150 pounds. There were reports last week of steers weighing 1,700 pounds being slaughtered. This means that cattle were withheld from the market in the hopes of ever higher prices. Yet one cannot keep feeding a steer. There is only so much weight that can be placed on a normal animal. After a certain point, any added weight is simply fat. Much of the meat entering the market today is excessively fat and is a result of past efforts of the cattlemen to force up and maintain sky-high prices.

Mr. Speaker, the Secretary of Agriculture's food price policy is a disaster for the American people. He should be forced to resign.

PERSONAL FINANCIAL STATEMENT

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

Mr. HANSEN of Idaho. Mr. Speaker. I have taken this time to present a statement of my personal finances including a listing of assets and liabilities as of May 1, 1974 and income received in 1973. During my past years I have periodically made public disclosure of information relating to my personal finances in addition to the reports required by the rules of the House of Representatives.

My total assets as of May 1, 1974 were $143,787. These include: cash on hand and in banks, $1,721; listed securities, $15,454—mutual funds, $5,204; Nebraska Hospital Authority bond, $5,000; DeRand real estate investment trust, $5,250, investments primarily for future college expenses for my seven children—unlisted securities, at cost, $50,940—Hansen Farms, Inc., $33,240; Idaho Broadcasting Co., $12,200; DeRand Corp., $5,500—residence in Arlington, Va., $67,500; furniture, books, and personal effects, $3,500; assets in former law partnership, $1,211; automobiles, $1,100—1967 Buick $250, 1969 Ford $850—estimated cash value of life insurance, $2,361.

Liabilities total $47,171 including: mortgage on residence, $45,956; and loan against life insurance policy, $1,215. Subtracting the liabilities from the assets leaves a net worth of $96,616.

My income for the year 1973 was $46,408 including: salary of $42,500; honoraria, $3,425; interest income, $337; and, dividends, $146.

JOHN BETHEA ON ENVIRONMENTAL FORESTRY

(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, urban forestry is a new subject for the average city, even though most towns recognize the need for parks and planted areas with trees, shrubs, and flowers, and many cities have developed these programs to a varying degree.

The subject of urban forestry received a distinct boost with the passage of Public Law 92–288, which established the first federally supported urban forestry program.

In Florida we have had, for a number of years, an urban forestry program which also is known as environmental forestry. It has made encouraging progress. The reason for this progress lies largely with the work of the State forestry program in that State. The director is John M. Bethea.

At a meeting of Southern State Foresters in Atlanta, Mr. Bethea gave a very interesting discussion of urban forestry. It can be very useful to other States where urban forestry is still a need and not an actuality.

I can state that Mr. Bethea's contributions are not confined to urban or environmental forestry. They cover all fields of forestry. He has given outstanding service in this important field, and I am pleased to submit his statement on urban forestry for reprinting in the CONGRESSIONAL RECORD.

REMARKS BY JOHN M. BETHEA, DIRECTOR, DIVISION OF FORESTY, FLORDIA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES, NOVEMBER 1–16, 1973

ENVIRONMENTAL FORESTRY IN FLORIDA

Environmental Forestry is not in the forestry terminology handbook. I guess there must be some curiosity as to what it is. We in Florida have trouble defining it, even though we are trying to practice it.

We don't have a formal definition. We have a tentative one. Our definition includes aesthetic forestry and most of multiple use, particularly proper environmental conditions for wildlife, landscape effects, protection against floods and erosion, and recreation. It is generally agreed that the larger cities and most of the rapidly developing areas in Florida have a great need for an environmental or urban forestry program.

Another factor that involved us in environmental forestry was the Supreme Court's one man-one vote decision. From this decision, we got a new urban Legislature that knew little of forestry and represented constituents that knew less. They all had a gut feeling that forestry should pay more taxes and cut less trees.

Obviously, we had to do something besides talk. We decided to provide cities with Foresters and trees to enhance the urban dwellers' understanding of the value of trees both to the urban community and beyond the suburbs. We increased the scope of activities on State Forests to accommodate motorcycle riders, horsemen, school students, campers, and more hunters. The result has been a better understanding of the value of trees to people and more support for our forestry program.

Those cities that were already in the worst mess from unguided growth took our offer like a hungry fish. Then we went to the Legislature for enabling legislation for the program. The first year we signed seven contracts with cities or county commissions. We did not get any additional positions, but reassigned training positions and positions vacated through attrition to cover these contracts. At present we have urban Foresters assigned to 15 urban areas.

How do we operate our urban forestry program? Well, we sign a contract with a municipality or urban county to provide one man-year of professional forester service. The cost to the local government is $3,000 per year, with other funds paying the rest of the cost. The Urban Forester is a state employee administered and supported by the Division of Forestry

The work arrangements usually call for us to give the Forester an office, though he may also have one in the city or the county courthouse. He works with the city or county manager, the Planning Department or the Parks Director. In any case, his work priority is set through an agency that will use him in an advisory capacity rather than in tree trimming, shade tree calls, and such other narrow impact work. The Urban Forester will make most of his impact in planning and zoning activities, tree canopy analysis, long range planting and beautification plans, and ordinance development.

Many of our cities are passing ordinances on tree protection, landscape standards, erosion control, and residential density. Our Foresters are in the actions up to their necks, sometimes over their heads.

After some rough experience, we found the way to solve some work problems was to have the Urban Forester prepare an annual work plan and get it approved by the appropriate official. The work plan specifies priority for planning and advising over such work as tree trimming supervision and prevents dilemmas such as the Parks Superintendent wanting a Forester's services when the Forester has a Planning Board appointment. We want our Forester to hold a school on tree pruning rather than go supervise the crew.

How do we train our Urban Foresters? Well, it's been like trying to mount a horse that's already spooked. We first try to select Foresters that are itching to give the job a whirl. Then we try to teach them how to deal with people. We let them try television appearances, civic club programs, news writing, and other people contact work. We get them familiar with political problems in their area. We have them learn how a municipality is organized and funded. Then we toss them into the municipal maelstrom and tell them to call for help if they get in a jam. They get in jams, and sometimes we can help—sometimes we say, "I don't know. Do the best you can."

We find our urban forestry program has given us direct contact with a broad base of both residents and visitors. Our Foresters get their strongest local support from newspapers, TV stations, garden clubs, woman's clubs, Audubon Chapters, Sierra Club groups,

student groups and educators. We find these groups also sympathetic to statewide forestry programs. Last year this support helped us get additional Urban Forester positions.

We have made more noise on the subject of tree preservation than tree planting. The dozers are pushing down trees in many urban areas. We get involved, naturally. But we are working slowly and, we hope, surely at making planting as much a consideration as preservation.

Our Division support for urban forestry is improving. One of our early shortages was in shade tree seedlings. We have managed to produce a few. We have sold homeowner pockets of eight shade tree seedlings in cities for two years. If you haven't sold 500 packets in 20 minutes, you don't know what the demand for shade trees really is.

We plan to provide for this demand more adequately in the future. We are planting acorns by the pickup truck load. We have converted one nursery to urban species production. We gather seed and grow oaks, dogwood, redbud, ash, blackgum, fringetree, acacia, lysiloma, eucalyptus, rosewood, tabebuia, and want other species. We sell them bare-rooted and in pots to homeowners, cities, and nurseries. We only sell one-year stock. Nurserymen can buy our seedlings too and hold them for greater size and more profit when they are older and bigger.

Our commercial forestry program started years ago, and built up slowly and steadily. Our urban forestry program started rather suddenly and has grown fast. It grew because of urban growth pressures. These growth pressures have to be met, and we can help by bringing many of the forest values to the urban communities.

The future of our cities depends upon how well this need is answered. We have made a start, but much remains to be done.

THEODORE FRED KUPER HELPS PRESERVE AMERICA'S HERITAGE

(Mr. HOLIFIELD asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. HOLIFIELD. Mr. Speaker, my friend and constituent, Theodore Fred Kuper, will be 88 years of age this month. This is a time in life when most people would have had enough of work and would no longer have a youthful zeal for great causes. This is not true of Theodore Fred Kuper and his wife of 64 years, Rose.

Mr. Kuper's passion to preserve America's heritage resulted in the restoration and preservation of Monticello, President Thomas Jefferson's home. Now, as we approach the Nation's 200th birthday, he has an equal passion for preserving America's heritage of ideals as expressed in our system of liberty, religious freedom and universal education.

I include at this point an article about Theodore Fred Kuper and his wife, Rose, written by Art Seidenbaum, which appeared in the March 21, 1974, Los Angeles Times:

DIGNITY FOR AMERICA

(By Art Seidenbaum)

Theodore Fred Kuper was complaining the other day about "going through the same thing I went through in 1926," when he was trying to bring some dignity to the 150th birthday celebration of America. Kuper was part of a presidential advisory body then, the executive director of the Thomas Jefferson Memorial Foundation and the man who led the movement to save Monticello as a national monument.

Now Kuper is again concerned about celebrating the American heritage more than the American hurrah.

He sits at home in Whittier, last of the Monticello rescuers, and he writes to historians, elected officials, educational leaders and friends about the need to "look above the fireworks," to rededicate ourselves to a revolution that was more about the pen than the sword. He writes about Jefferson's Declaration of Independence as the fundamental humanitarian mandate for the whole world.

Theodore Fred Kuper will be 88 this May. He wears huge glasses that magnify his eyes. He uses a hearing aid to amplify other people's words. And his skin has the look of heavy parchment. But his hand is firm, he walks briskly and he talks constantly.

He calls himself a monomaniac, this 5-foot refugee from Russia who became an American rights monger. "The czar," claims Kuper, "started me to being a good American."

The Kuper case is to make the 200th birthday of our heritage a 30-year celebration, only beginning with independence in '76. In '78 came the Articles of Confederation; in '86 came religious freedom; in '87 came the first abolition of slavery as part of the Northwest Territory ordinance.

The Constitution was adopted in '87, the Bill of Rights in '91. Finally, with the return of Lewis and Clark in 1806, the heritage was firm; the principles of civil liberty, religious freedom and universal education were established.

"When I say American heritage," says Kuper, "I don't just mean historical houses and battlefields. I'm talking about ideals." He wants those ideals talked about in schools and he was outlining a celebration curriculum on blue paper when I arrived at the small house in Whittier.

Rose Kuper—abstract painter, constant encourager and wife of 64 years—interrupted now and then to applaud her husband. They've been in Whittier for 13 years, part of the Westward Movement after their daughter and family came to Southern California. His papers line the shelves and tables. Her paintings line the walls. He has clippings from a half-century of newspapers. She has reviews from a half-century of art critics.

"This is exactly the time we need a bicentennial," Kuper says, "when the country is wallowing in mutual mistrust." He doesn't want large appropriations to build anything; he wants a national affirmation of the revolution for rights and liberty. When he wrote to Congress as "an old geezer" who worked the 150th birthday and was willing to work again, he received a polite answer but no assignment.

The Kupers took me on tour before I left the house, to let me admire Rose's chinning bar in the bedroom doorway, Fred's personal picture of Franklin Roosevelt, Rose's recent paintings on glass and Fred's ancient volumes of Harper's American history.

Fred, still wanting to volunteer for the birthday party, was saying they were much richer in memories than money; the luxury of retirement is "to be able to do what you want to do—for nothing."

REMARKS OF JOHN BRADEMAS BEFORE PRESIDENT'S COMMITTEE ON EDUCATION OF THE HANDICAPPED

(Mr. PERKINS asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PERKINS. Mr. Speaker, I insert at this point in the RECORD remarks of our distinguished colleague from Indiana, JOHN BRADEMAS, before a recent meeting of the President's Committee on Education of the Handicapped.

JOHN BRADEMAS, in his capacity as chairman of the Select Subcommittee on Education, has worked hard and diligently in order to provide the best possible rehabilitation and educational program for handicapped citizens of all ages. He has long been a strong supporter of legislation designed to strengthen and expand such rehabilitation programs.

Because Chairman BRADEMAS discusses very current issues with regard to special education and vocational rehabilitation, I know that his remarks will be of great interest to the Members of the House.

The remarks follow:

REMARKS OF CONGRESSMAN JOHN BRADEMAS BEFORE THE PRESIDENT'S COMMITTEE ON EMPLOYMENT OF THE HANDICAPPED, WASHINGTON, D.C., MAY 2, 1974

Let me first say that I count it a high honor to have been invited, once again, to address the annual meeting of the President's Committee on Employment of the Handicapped.

I am delighted to be with you for a number of reasons.

First, I welcome this opportunity to meet with leaders like Harold Russell, who have for so many years devoted their time and talents to the well-being of handicapped Americans.

I am pleased, as well, to share this platform with our talented Mistress of Ceremonies, Nanette Fabray, who has labored long in the vineyard that many of us till, the rehabilitation of the handicapped, and has several times assisted my subcommittee during its consideration of legislation.

Let me say also that I am delighted to have this opportunity to impress upon the distinguished Vice President, the Honorable Gerald R. Ford, the crucial importance to millions of our fellow citizens of the rehabilitation program.

Finally, I rejoice in the common purpose that has brought us together today—the effort to improve the quality of life for the estimated 20 million adults in our land who are disabled in body or mind.

SELECT EDUCATION SUBCOMMITTEE RECORD ON HANDICAPPED BILLS

Some of you may know that I have the privilege of chairing the Select Subcommittee on Education of the House Committee on Education and Labor.

This subcommittee has jurisdiction over several programs important to the lives of the handicapped.

I should cite, first, the Education of the Handicapped Act, which is now being extended by Congress and which provides grants to states to expand educational programs for handicapped children as well as funds for regional resource centers, deaf-blind centers, early childhood education projects, research and training for educating handicapped children, and special programs for children with specific learning disabilities.

I should menton also the National Center for Educational Media and Materials for the Handicapped, which was developed in my subcommittee, and is now helping make available to handicapped persons, and the parents of handicapped children, talking books, captioned films, and other special teaching materals and learning aids appropriate for the handicapped.

Let me say a word to you too about the Kendall Elementary School for the Deaf here in the nation's capital at Gallaudet College. Thanks to new authority developed in my subcommittee during the 91st Congress, the Kendall School is now a national demonstra-

tion center of new techniques for the education of the deaf.

To conclude this brief listing, I should tell you that my subcommittee is now conducting hearings in two offer areas of significance for the handicapped.

The first hearings are on H.R. 70, a bill I have introduced that would enable the Federal government to pay up to 75% of the excess costs involved in educating handicapped children over non-handicapped children.

This bill, sponsored in the Senate by the distinguished chairman of the Labor and Public Welfare Committee, Senator Harrison Williams of New Jersey, is a response to three factors:

(1) that it costs at least twice as much to educate handicapped as normal children;

(2) that the courts of the land are increasingly ruling that handicapped children have a constitutional right to an education; and

(3) that sixty per cent of the nation's handicapped children are not now receiving educational services appropriate to their needs.

Passage of our bill can go a long way toward meeting this challenge.

The other hearings now underway in my subcommittee focus on the benefits handicapped people might derive from new developments in technology and biomedical science.

And I am hopeful that as these hearings progress we can develop new means of harnessing the technology of the space age to improving the quality of life for the handicapped.

But without doubt, the major Federal program assisting handicapped Americans, also under the jurisdiction of my subcommittee, is the vocational rehabilitation program, which for better than half a century now has been training the disabled for productive lives in our society.

NIXON ADMINISTRATION HOSTILE TO VOCATIONAL REHABILITATION

And I want to dwell for the remainder of my time on this program which means so much to millions of Americans.

For never in its long history has it been so sorely tried as it has been in the last two years.

You will recall that when I last spoke with you, a year ago, the rehabilitation movement in America was in turmoil.

Twice within the six months preceding that meeting, President Nixon had vetoed legislation, approved with overwhelming bipartisan majorities in both the House and the Senate, which would have extended the vocational rehabilitation program.

He vetoed the first bill, approved without a dissenting vote by either Democrats or Republicans, in October 1972, in the final days of the presidential campaign—when the public's attention was riveted on politics and not on vetoes of bills to help the handicapped.

And the President vetoed a similar bill in March 1973, after the House passed it unanimously, and the Senate by a vote of 86 to 2. In March 1973, you will recall, Mr. Nixon stood at the height of his power. The process of the disintegration of his presidency had not yet fully begun.

The Senate, therefore, in early April failed to gather the necessary two-thirds votes to override the veto and Mr. Nixon's veto was sustained by a vote of 60–36.

It was not until our third attempt, in September of last year, that we were finally successful in having signed into law the Rehabilitation Act of 1973, which continues this successful program and which incorporates significant new provisions, such as assuring priority of services for the severely handicapped.

Now you and I know that the world of Washington, D.C., today is far, far different from what it was one year ago.

And I wish, therefore, that I could stand before you this morning and report that the attitude of Mr. Nixon's White House toward this program which has long enjoyed bipartisan support had substantially changed.

ADMINISTRATION DISREGARD FOR LAW AND INTENT OF CONGRESS

Unfortunately, I cannot. For in the past year we have witnessed in the Executive Branch of the Federal Government a disregard for the law of the land and the intent of Congress in approving the Rehabilitation Act of 1973 which can only be described as blatant.

This is harsh language. But I use it because my subcommittee, warned by our experiences of 1972 and early 1973, has been conducting the most searching and vigorous oversight hearings into the implementation of the new legislation. It has not been a pretty picture.

Let me tell you what we found.

First, we uncovered a confidential June 28, 1973 memorandum prepared by William A. Morrill, Assistant Secretary for Planning and Evaluation of the Department of Health, Education, and Welfare.

This memorandum so alarmed Corbett Reedy, who was then Acting Commissioner of the Rehabilitation Services Administration, that he protested to James S. Dwight, Jr., Administrator of the Social and Rehabilitation Service.

Mr. Reedy warned Mr. Dwight that the internal memorandum proposed the "fractionation and dissolution of the State-Federal program" for providing rehabilitation services.

And Mr. Reedy was correct in expressing his concern—for Assistant Secretary Morrill seemed to favor a scheme which would have disbanded the basic rehabilitation program in order to replace it with cash payments to disabled people who then must try to find and buy the services they need.

Assistant Secretary Morrill appeared to realize that his suggestions would find little support in Congress, for his memorandum suggested "administratively implementing" his proposal *without new legislation.*

And to "cover up" what the Department of Health, Education, and Welfare was doing, the Assistant Secretary further recommended that "DHEW rhetoric should reinforce strict observance by the States" while management efforts would aim at ignoring the requirements of the legislation.

You all remember the advice of the first of Mr. Nixon's Attorneys-General, John Mitchell, who told us that we should watch what the Administration does and not what it says.

And that is just what my subcommittee has been doing. For like the edited transcripts of Mr. Nixon's tape recordings, the Nixon record on rehabilitation shows the gap between the rhetoric and the facts.

Here is what else we learned:

That the Rehabilitation Services Administration is being submerged beneath a layer of management and efficiency experts who know little or nothing of the rehabilitation program;

That regional Rehabilitation Services Administration officials will report not to their RSA counterparts in the Department of Health, Education, and Welfare, but to the Administrator of the Social and Rehabilitation Service in HEW;

That the Administrator of SRS, James Dwight, Jr., thinks that states should be able to ignore the requirement of the law that there be an independent, identifiable state rehabilitation agency.

FUNDS FOR VOCATIONAL REHABILITATION

And here let me say a word about money for the rehabilitation program.

As most of you are aware, the dollar figures contained in the authorizing legislation constitute, for the basic state program, an entitlement of funds for each of the states.

This linkage between the authorization figures and the allocations to the states is unique to this Federal-State program.

What the linkage means is simply this: that the law requires the Federal government to give each state, by formula, a basic grant for rehabilitation services if the state appropriates the necessary matching funds.

So it became clear, when the Administration, represented by Mr. Dwight, requested a lower amount of money than was needed to match state funds that the Administration was deliberately misleading Congress.

I am happy to be able to tell you, however, that the House of Representatives last month approved enough additional money to match the amount the states are willing to provide; and on Tuesday, the Senate Appropriations Committee followed suit.

No one should be surprised that the House Appropriations report on this appropriations action sharply attacked the Administration for failing, in the words of the report, "to carry out the clear intent of the law."

ADMINISTRATION VIOLATES PLEDGE IN NEW COMMISSIONER APPOINTMENT

Let me say a word before I take my seat about another development that will be important for rehabilitation.

As you all know, the Administration failed for over a year and a half, to appoint a permanent Commissioner of Rehabilitation.

Although Congress was repeatedly promised that the vacancy in this crucial program would be filled, it was not until last week that Dr. Andrew Adams, formerly of the Veterans' Administration was named.

Now I am sure that Dr. Adams is an able and well motivated person and what I must now say is in no way meant to reflect on his personal ability or integrity.

But, as I repeatedly made clear to high officials in the Department of Health, Education, and Welfare who requested that, as principal sponsor in the House of Representatives of the Rehabilitation Act, I meet with Dr. Adams—and I did—the new appointee does not—as he admitted to me—know the rehabilitation program, the authorizing legislation, or the key administrators of, and experts on, the program.

Dr. Adams is a professional in the field of education, not rehabilitation.

So although I wish Dr. Adams well in his new responsibilities, I want to make it perfectly clear that his appointment is in direct violation of the public pledge of Mr. Dwight, as Administrator of SRS, to Congress that the Commissioner's position would be filled by a person who had "experience in the rehabilitation field."

After all the criticism the Administration has had from Congress for failure to comply with the requirements of the law in administering the rehabilitation program, I am frankly astonished at this further expression of hostility to congressional concern.

A SUMMARY

Let me quickly summarize.

I have told you that when we last met, the rehabilitation program in America was in turmoil.

I have told you of secret planning memoranda the effect of which would be to cripple the 54-year old highly successful Federal-State effort to rehabilitate disabled persons.

I have told you that rehabilitation agencies at the state, regional and national levels are threatened with the systematic stripping of their powers.

I have told you that Congress, and not the Administration, is responsible for funding the state program in 1974 at $650 million—the maximum set by law.

Finally, I have suggested that more stormy weather lies ahead because, in appointing a new Commissioner of RSA, the Administration is ignoring capable and experienced rehabilitation professionals in favor of someone with little familiarity and no experience with the Federal vocational rehabilitation program.

Now, where do we go from here?

I want you to know that, together with Congressman Carl D. Perkins, Democrat of Kentucky, the distinguished Chairman of the House Education and Labor Committee, and Congressman Albert Quie, Republican of Minnesota, the distinguished ranking minority member of the Committee, I have introduced legislation to extend the Rehabilitation Act for one year and to move the Rehabilitation Services Administration out of the Social and Rehabilitation Service to the Office of the Secretary of Health, Education and Welfare.

Senator Lloyd Bentsen, Democrat of Texas, has introduced companion legislation in the Senate, and Senator Robert T. Stafford, Republican of Vermont, has joined in urging that RSA be moved out of the Social and Rehabilitation Service.

The reason I have suggested the one year extension, through Fiscal 1976, of the Rehabilitation Act is that, as I have earlier explained, states must know the authorization figures in advance if they are to be able to plan their own appropriations intelligently.

MOVE RSA OUT OF SRS

There are two reasons I am proposing the removal of RSA from SRS.

The first is that the rehabilitation program, a human resources program designed to develop the capacities of the handicapped to their fullest, does not, appropriately, belong in SRS, which is primarily a collection of welfare programs.

But there is a second reason. To put it bluntly: the contempt for the law of the land and for the intent of Congress which, I have already suggested, has characterized those in positions of responsibility in the Social and Rehabilitation Service means that to protect this important program for handicapped Americans we must move RSA out of SRS.

I have elsewhere observed that the Watergate mentality—the mentality of contempt for Congress, contempt for the courts, contempt for our constitutional processes, contempt for the American people—is to be found at every level of the Administration of Richard Nixon.

Disregard for the law of the land and for the intent of Congress with respect to the program for the rehabilitation of handicapped persons is evidence of that mentality in the Department of Health, Education, and Welfare.

So, if we are going to be able to protect and strengthen the rehabilitation program, we will need your help.

What should you do? You should write to your elected Representatives and Senators in Congress to urge their support for immediate extension of the Rehabilitation Act.

You should tell them, as well, that rehabilitation is not a welfare program and should, therefore, be moved out of SRS.

Finally, you should press upon them unceasing attention to what this Administration is trying to do to the rehabilitation program. Only a vigilant Congress has prevented the Administration from successfully carrying out its plans to eviscerate rehabilitation services in this country.

Your actions will help guarantee that a program that has for so long meant so much to the lives of so many will continue to serve the handicapped people of America.

What you—and others like you—do will help lift the handicapped of this great land from the edge of despair to the realization of the rich promise of American life—that each individual may develop to his fullest potential.

I look forward to working with you toward the achievement of that promise.

VOTER REGISTRATION AND DEMOCRACY

(Mr. KOCH asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. KOCH. Mr. Speaker, I would like to express some of the reasons I am supporting H.R. 8053, the National Voter Registration Act, which is scheduled for floor action Wednesday. The House Administration Committee, of which I am a member, voted the bill out by a margin of 15 to 10. The Senate passed the companion measure by a 57-to-37 vote.

In an effort to demonstrate the supposed chaos that would be created under the new system, critics of the legislation have cited an extremely complicated form from a State already using mail registration, Minnesota. However, Minnesota State officials acknowledge that this was one of the earliest forms devised, with little refinement, and the legislature has changed the form. I will send to the attention of all my colleagues tomorrow the very successful and simple form used in the State of Maryland. The Montgomery County, Md., elections administrator has pointed out that if officials do not want to "gut" the system, but rather want to make it work, such a simple form is easy to design.

The possibility of fraud, rather than being increased by the new system, would be decreased. The "human error" of omission by officials will be eliminated. In addition, States and localities are not prohibited from continuing earlier antifraud procedures, and the bill increases the criminal penalties for fraud. In the 1973 Minneapolis city election, there was a 12.6-percent increase in registration, approximately half directly because of the postcard system, according to city and State officials. This includes significant use of the mail procedure by handicapped, elderly, and hospitalized persons who were previously unable to register. The Secretary of State found no fraud. Texas reports similar increases without evidence of fraud under its new laws.

The possibility of two voting lists—one State and one Federal—has been raised as an objection. I do not believe this to be a serious criticism, since the bill provides a major financial incentive—an additional 30 percent—if the State applies the Federal procedure to both Federal and State elections. In any event, it is important to note that dual registration is now the case where local, State, and Federal residency requirements differ. The bill's financial incentives will help to standardize registration records.

During our committee hearings, experts, and elections officials from across the country provided an incredible catalog of current administrative and legal obstacles to registration: lack of deputy registrars, insufficient mobile registration, distance to the central registration site, lack of cooperation by registration officials, distortion of registrars' actions due to partisan consideration, and others.

Testimony of the public opinion research firm of Daniel Yankelovich, Inc., included the critical finding that three-fourths of those who did not vote in the previous Presidential election said they would have voted if they had been registered. This is supported by census statistics showing that 87 percent of those registered actually did vote.

The National Voter Registration Act addresses these problems for the first time. The authorized maximum cost is $50 million—far less than many critics have asserted.

The New York City Council president has endorsed voter registration by mail so that the city can "insure the maximum participation of all its qualified voters." State and local governments have previously assumed the entire burden of elections costs. It is time for the Federal Government to assume its fair portion of the burden.

It is in the interests of democracy that the electorate be expanded and that red-tape now surrounding registration for voting purposes be eliminated wherever possible. H.R. 8053 does that, and I urge my colleagues to support it.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows to:

Mr. BRADEMAS (at the request of Mr. O'NEILL), for today, on account of official business.

Mr. CARNEY of Ohio (at the request of Mr. O'NEILL), for this week, on account of official business of the Committee on Interstate and Foreign Commerce.

Mr. CORMAN, for today, on account of official business.

Mr. FOUNTAIN (at the request of Mr. O'NEILL), for today, on account of official business.

Mr. GUYER (at the request of Mr. ARENDS), for today, on account of official business.

Mr. HALEY (at the request of Mr. SIKES), for the period May 6, 1974, through May 10, 1974, on account of illness.

Mr. HELSTOSKI (at the request of Mr. O'NEILL), for today, on account of official business.

Mr. MANN (at the request of Mr. O'NEILL), for today, on account of official business.

Mr. MORGAN (at the request of Mr. O'NEILL), for this week, on account of official business.

Mr. NICHOLS (at the request of Mr. O'NEILL), for today, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legisla-

tive program and any special orders heretofore entered, was granted to:

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

Mr. MCCOLLISTER, for 1 hour, today.

Mr. CLEVELAND, for 10 minutes, today.

Mrs. HECKLER of Massachusetts, for 30 minutes, today.

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

Mr. O'NEILL, for 10 minutes today.

Mr. FRASER, for 5 minutes, today.

Mr. VANIK, for 5 minutes, today.

Mr. GONZALEZ, for 5 minutes, today.

Mr. RANGEL, for 15 minutes, today.

Mr. MITCHELL of Maryland, for 60 minutes, on May 13.

Mr. HANSEN of Idaho (at the request of Mr. PEYSER), to address the House for 5 minutes today.

EXTENSION OF REMARKS

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

Mr. EVINS of Tennessee in two instances.

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

Mr. HILLIS.

Mr. HANRAHAN in two instances.

Mr. HEINZ.

Mr. GROSS.

Mr. HORTON.

Mr. ARCHER.

Mr. SARASIN in two instances.

Mr. CLEVELAND in two instances.

Mr. BRAY in two instances.

Mr. DU PONT in three instances.

Mr. ANDERSON of Illinois in three instances.

Mr. HUNT in two instances.

Mr. MINSHALL of Ohio.

Mr. STEIGER of Wisconsin in three instances.

Mr. BUTLER.

Mr. FRENZEL.

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

Mr. SISK.

Mr. ANNUNZIO in six instances.

Mr. RARICK in three instances.

Mr. GONZALEZ in three instances.

Mr. CULVER in six instances.

Mr. ROONEY of New York.

Mr. CONYERS in 10 instances.

Mr. GUNTER in two instances.

Mr. VANIK in two instances.

Mr. LUKEN.

Mr. EDWARDS of California.

Mr. BADILLO in two instances.

Mr. CORMAN in five instances.

Mr. EVINS of Tennessee in six instances.

Mr. CHARLES H. WILSON of California in 10 instances.

Mr. FRASER.

Mr. ICHORD.

Mr. RIEGLE.

Mr. ROYBAL in 10 instances.

Mr. ANDERSON of California in two instances.

SENATE BILLS AND JOINT RESOLUTIONS REFERRED

Bills and joint resolutions of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 354. An act to regulate commerce by establishing a nationwide system to restore motor vehicle accident victims and by requiring nofaul motor vehicle insurance as a condition precedent to using a motor vehicle on public roadways; to the Committee on Interstate and Foreign Commerce;

S. 1227. An act to amend section 415 of the Communications Act of 1934, as amended, to provide for a 2-year period of limitations in proceedings against carriers for the recovery of overcharges or damages not based on overcharges; to the Committee on Interstate and Foreign Commerce;

S. 1479. An act to amend subsection (b) of section 214 and subsection (c)(1) of section 222 of the Communications Act of 1934, as amended, in order to designate the Secretary of Defense (rather than the Secretaries of the Army and the Navy) as the person entitled to receive official notice of the filing of certain applications in the common carrier service and to provide notice to the Secretary of State where under section 214 applications involve service to foreign points; to the Committee on Interstate and Foreign Commerce;

S. 2457. An act to amend the Communications Act of 1934, as amended, to permit the Federal Communications Commission to grant radio station licenses in the safety and special and experimental radio services directly to aliens, representatives of aliens, foreign corporations, or domestic corporations with alien officers, directors, or stockholders; and to permit aliens holding such radio station licenses to be licensed as operators; to the Committee on Interstate and Foreign Commerce;

S. J. Res. 175. Joint resolution to authorize and request the President to issue a proclamation designating the calendar week beginning May 6, 1974, as "National Historic Preservation Week"; to the Committee on the Judiciary;

S. J. Res. 195. Joint resolution to authorize and request the President to issue a proclamation designating May 13, 1974, as "Ameri- Preservation Week"; to the Committee on the Judiciary; and

S.J. Res. 197. Joint resolution to authorize the designation of the seven-day period beginning June 17, 1974, and ending June 23, 1974, as "National Amateur Radio Week", to the Committee on the Judiciary.

BILLS PRESENTED TO THE PRESIDENT

Mr. HAYS, from the Committee on House Administration, reported that that committee did on May 2, 1974, present to the President, for his approval, bills of the House of the following titles:

H.R. 9293. To amend certain laws affecting the Coast Guard.

H.R. 11793. 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.

ADJOURNMENT

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

The motion was agreed to; accordingly (at 1 o'clock and 47 minutes p.m.), the House adjourned until tomorrow, Tuesday, May 7, 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:

2274. A letter from the President of the United States, transmitting notice of his intention to exercise his authority under section 506(a) of the Foreign Assistance Act of 1961, as amended, to order up to $50 million in defense articles from the stocks of the Department of Defense and defense services for military assistance to Cambodia, pursuant to section 652 of the act [22 U.S.C. 2411]; to the Committee on Foreign Affairs.

2275. A letter from the Director, Defense Civil Preparedness Agency, transmitting a report on Federal financial assistance to States for civil defense equipment and facilities during the quarter ended March 31, 1974, pursuant to 50 U.S.C. app. 2281(i); to the Committee on Armed Services.

2276. A letter from the Assistant Secretary of State for Congressional Relations, transmitting a copy of Presidential Determination No. 74–16 authorizing the provision of security supporting assistance to Egypt during fiscal year 1974 under sections 610(a), 614 (a), and 653(a) of the Foreign Assistance Act of 1961, as amended, pursuant to section 634(d) of the act [22 U.S.C. 2394(d)]; to the Committee on Foreign Affairs.

2277. A letter from the Assistant Secretary of State for Congressional Relations, transmitting a report on assistance-related funds obligated for Cambodia during the third quarter of fiscal year 1974, pursuant to 22 U.S.C. 2415(f); to the Committee on Foreign Affairs.

2278. A letter from the Assistant Secretary of State for Congressional Relations, transmitting reports on political contributions made by William D. Wolle, Ambassador-designate to the Sultanate of Oman, and by Deane R. Hinton, Ambassador-designate to the Republic of Zaire, pursuant to section 6 of Public Law 93–126; to the Committee on Foreign Affairs.

2279. A letter from the Assistant Secretary of State for Congressional Relations, transmitting a draft of proposed legislation to provide expanded support for scholarly, cultural and artistic exchange programs between Japan and the United States, and for other purposes; to the Committee on Foreign Affairs.

2280. A letter from the Director, Office of Management and Budget, Executive Office of the President, transmitting a report on budgetary reserves as of April 20, 1974, pursuant to section 3 of Public Law 93–9 [31 U.S.C. 581c–1]; to the Committee on Government Operations.

2281. A letter from the Director of Federal Affairs, National Railroad Passenger Corporation, transmitting the financial report of the Corporation for the month of January 1974, pursuant to section 308(a)(1) of the Rail Passenger Service Act of 1970, as amended; to the Committee on Interstate and Foreign Commerce.

2282. A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting reports concerning visa petitions approved according certain beneficiaries third and sixth preference classification, pursuant to section 204(d) of the Immigration and Nationality Act, as amended [8 U.S.C. 1154(d)]; to the Committee on the Judiciary.

2283. A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting copies of orders suspending deportation, together with a list of the persons involved, pursuant to section 244(a)(1) of the Immigration and Nationality Act, as amended [8 U.S.C. 1254 (c)(1)]; to the Committee on the Judiciary.

2284. A letter from the Acting Administrator of General Services, transmitting a draft of proposed legislation to amend subsection

(e) of the act of August 25, 1958 (Public Law 85–745, 72 Stat. 838), as amended, to provide that the widow of each former President shall receive an annual monetary allowance that is equal to 55 percent of the annual allowance authorized for former Presidents; to the Committee on Post Office and Civil Service.

2285. A letter from the Administrator, National Aeronautics and Space Administration, transmitting a report on negotiated contracts for experimental, developmental, test or research work, or industrial mobilization in the interest of the national defense, covering the period July through December 1973, pursuant to 10 U.S.C. 2304(e); to the Committee on Science and Astronautics.

RECEIVED FROM THE COMPTROLLER GENERAL

2286. A letter from the Comptroller General of the United States, transmitting an interim report on the Commodity Exchange Authority, Department of Agriculture, and on commodity futures trading; to the Committee on Government Operations.

PUBLIC BILLS AND RESOLUTIONS

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

By Mr. ADAMS:

H.R. 14580. A bill to amend the Internal Revenue Code of 1954 to eliminate the percentage depletion allowance for oil and gas wells and oil shale, to deny the deduction for intangible drilling and development costs, and to disallow the foreign tax credit for taxes paid to a foreign country with respect to foreign mineral income derived from any oil or gas well; to the Committee on Ways and Means.

By Mr. ANDERSON of California:

H.R. 14581. A bill to amend section 1682 of title 38 (U.S.C.) in order to provide cost-of-living increases, on a quarterly basis, for veterans receiving educational assistance allowances; to the Committee on Veterans' Affairs.

By Mr. ANDERSON of Illinois (for himself, Mr. CHAPPELL, and Mr. O'BRIEN):

H.R. 14582. A bill to amend section 1951, title 18, United States Code, act of July 3, 1946; to the Committee on the Judiciary.

By Mr. BIAGGI:

H.R. 14583. A bill to amend the provisions of the Social Security Act to consolidate the reporting of wages by employers for income tax withholding and old-age, survivors, and disability insurance purposes, and for other purposes; to the Committee on Ways and Means.

By Mr. BOWEN:

H.R. 14584. A bill to amend title 23, United States Code, the Federal-Aid Highway Act of 1973, and other related provisions of law, to increase safety on the Nation's highways; to the Committee on Public Works.

By Mr. CAREY of New York:

H.R. 14585. A bill to amend the Social Security Act to establish a national health insurance program for all Americans within the social security system, to improve the benefits in the medicare program including a new program of long-term care, to improve Federal programs to create the health resources needed to supply health care, to provide for the administration of the national health insurance program and the existing social security programs by a newly established independent Social Security Administration, to provide for the administration of health resource development by a semi-independent board in the Department of Health, Education, and Welfare, and for other purposes; to the Committee on Ways and Means.

By Mr. DAVIS of South Carolina:

H.R. 14586. A bill to direct the U.S. Civil Service Commission to conduct a study with respect to certain Federal employees; to the Committe on Post Office and Civil Service.

By Mr. FISH:

H.R. 14587. A bill to establish a National Foreign Investment Control Commission to prohibit or restrict foreign ownership control or management control, through direct purchase, in whole or part; from acquiring securities of certain domestic issuers of securities; from acquiring certain domestic issuers of securities, by merger, tender offer, or any other means; control of certain domestic corporations or industries, real estate or other natural resources deemed to be vital to the economic security and national defense of the United States; to the Committee on Interstate and Foreign Commerce.

H.R. 14588. A bill to create a Joint Congressional Committee on Foreign Investment Control in the United States; to the Committee on Rules.

By Mr. FROEHLICH:

H.R. 14589. A bill to prohibit Soviet energy investments; to the Committee on Banking and Currency.

H.R. 14590. A bill to amend section 2 of the act of April 14, 1910, relating to railway safety appliances, to require reflecting devices or materials as a safety measure on all railroad cars, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 14591. 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. HÉBERT (for himself and Mr. BRAY):

H.R. 14592. A bill to authorize appropriations during the fiscal year 1975 for procurement of aircraft, missiles, naval vessels, tracked combat vehicles, torpedoes, and other weapons, and research, development, test and evaluation for the Armed Forces, and to prescribe the authorized personnel strength for each Active Duty component and of the Selected Reserve of each Reserve component of the Armed Forces and of civilian personnel of the Department of Defense, and to authorize the military training student loads and for other purposes; to the Committee on Armed Services.

By Mr. KASTENMEIER:

H.R. 14593. A bill to terminate the Airlines Mutual Aid Agreement; to the Committee on Interstate and Foreign Commerce.

By Mr. KASTENMEIER (for himself and Mr. DRINAN):

H.R. 14594. A bill to insure the right to vote in the case of former criminal offenders; to the Committee on the Judiciary.

By Mr. MOAKLEY:

H.R. 14595. A bill to amend the Foreign Assistance Act of 1961 to authorize an appropriation of $300 million to provide famine and disaster relief, rehabilitation, and reconstruction assistance to the Sahelian nations of Africa; to the Committee on Foreign Affairs.

By Mr. RINALDO:

H.R. 14596. A bill to require the Secretary of the Interior to compile and keep current a mineral fuel reserves inventory; to the Committee on Interior and Insular Affairs.

By Mr. RODINO:

H.R. 14597. A bill to increase the limit on dues for U.S. membership in the International Criminal Police Organization; to the Committee on the Judiciary.

By Mr. ROGERS (for himself, Mr. CARTER, Mr. HASTINGS, Mr. FASCELL, Mr. HALEY, Mr. LEHMAN, Mr. PEPPER, Mr. BEVILL, Mr. BURGENER, Mr. CARNEY of Ohio, Ms. CHISHOLM, Mr. CORMAN, Mr. EILBERG, Mr. FROEHLICH, Mr. HANSEN of Idaho, Mr. HAWKINS, Mr. HECHLER of West Virginia, Mr. HOWARD, Mr. LUKEN, Ms. MINK, Mr. MURPHY of New York, Mr. REES, Mr. RODINO, Mr. ROYBAL, and Ms. SCHROEDER):

H.R. 14598. 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. SKUBITZ:

H.R. 14599. A bill to amend title XI of the Social Security Act to repeal the recently added provision for the establishment of Professional Standards Review Organizations to review services covered under the medicare and medicaid programs; to the Committee on Ways and Means.

By Mrs. SULLIVAN (for herself, Mr. LEGGETT, Mr. MURPHY of New York, Mr. STUBBLEFIELD, Mr. METCALFE, Mr. BOWEN, Mr. GROVER, and Mr. MOSHER):

H.R. 14600. A bill to increase the borrowing authority of the Panama Canal Company and revise the method of computing interest thereon; to the Committee on Merchant Marine and Fisheries.

By Mr. TIERNAN:

H.R. 14601. A bill to amend the Urban Mass Transportation Act of 1964 to provide priority in the allocation of funds thereunder to those cities and other public agencies which will permit persons who are at least 65 years of age to use the facilities at specially reduced fares, and for other purposes; to the Committee on Banking and Currency.

By Mr. UDALL:

H.R. 14602. A bill to provide for the efficient development of the natural resources of the Navajo and Hopi Reservations for the benefit of its residents, to assist the members of the Navajo and Hopi Tribes in becoming economically fully self-supporting, to resolve a land dispute between the Navajo and Hopi Tribes, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. ULLMAN (for himself, Mr. YATRON, Mr. ABDNOR, Mr. ANDERSON of Illinois, Mr. BELL, Mr. BEVILL, Mr. BREAUX, Mr. BURGENER, Mr. BYRON, Mrs. CHISHOLM, Mr. CLARK, Mr. CLEVELAND, Mr. COLLINS of Texas, Mr. COUGHLIN, Mr. DENHOLM, Mr. DERWINSKI, Mr. DIGGS, Mr. ESCH, Mr. Mr. FORSYTHE, Mr. GUDE, Mr. GUNTER, Mr. GUYER, Mr. HANLEY, Mr. HINSHAW, and Mr. HORTON):

H.R. 14603. A bill to amend the provisions of the Social Security Act to consolidate the reporting of wages by employers for income tax withholding and old-age survivors, and disability insurance purposes, and for other purposes; to the Committee on Ways and Means.

By Mr. ULLMAN (for himself, Mr. YATRON, Mr. HUDNUT, Mr. KEMP, Mr. LOTT, Mr. MAYNE, Mr. MCCORMACK, Mr. MCKAY, Mr. MCKINNEY, Mr. MICHEL, Mr. MOLLOHAN, Mr. MURTHA, Mr. PATMAN, Mr. PEPPER, Mr. PODELL, Mr. PREYER, Mr. REGULA, Mr. RIEGLE, Mr. ROBINSON of Virginia, Mr. ROE, Mr. SCHERLE, Mrs. SCHROEDER, Mr. SEBELIUS, Mr. SEIBERLING, and Mr. SHRIVER):

H.R. 14604. A bill to amend the provisions of the Social Security Act to consolidate the reporting of wages by employers for income tax withholding and old-age, survivors, and disability insurance purposes, and for other purposes; to the Committee on Ways and Means.

By Mr. ULLMAN (for himself, Mr. SCHNEEBELI, Mr. YATRON, Mr. STARK, Mr. STEED, Mr. STEELMAN, Mr. STEIGER of Wisconsin, Mr. STUDDS, Mr. THOMSON of Wisconsin, Mr. VEYSEY, Mr. WHITEHURST, Mr. WINN, Mr. WON PAT, Mr. YOUNG of Florida, and Mr. FROEHLICH):

H.R. 14605. A bill to amend the provisions of the Social Security Act to consolidate the reporting of wages by employers for income

tax withholding and old-age, survivors, and disability insurance purposes, and for other purposes; to the Committee on Ways and Means.

By Mr. VANDER VEEN:

H.R. 14606. A bill to improve the conduct and regulation of Federal election campaign activities and to provide public financing for such campaigns; to the Committee on House Administration.

By Mr. VANIK:

H.R. 14607. A bill to amend the Internal Revenue Code of 1954 to eliminate, in the case of any oil or gas well located outside the United States, the percentage depletion allowance and the option to deduct intangible drilling and development costs, and to deny a foreign tax credit with respect to the income derived from any such well; to the Committee on Ways and Means.

By Mr. FROEHLICH:

H.J. Res. 1000. Joint resolution proposing an amendment to the Constitution of the United States to provide 10-year terms for Federal judges; to the Committee on the Judiciary.

By Mr. MINSHALL of Ohio:

H.J. Res. 1001. Joint resolution asking that the President of the United States declare the first week of each November as Young Ladies' Radio League, Inc. National Week; to the Committee on the Judiciary.

By Mr. FORSYTHE:

H. Con. Res. 486. Concurrent resolution expressing the sense of Congress concerning recognition by the European Security Conference of the Soviet Union's occupation of Estonia, Latvia, and Lithuania; to the Committee on Foreign Affairs.

By Mr. ROYBAL (for himself, Mr. THOMPSON of New Jersey, Mr. BRADEMAS, Mr. FORD, Mr. MCFALL, Mr. O'HARA, and Mr. PERKINS):

H. Con. Res. 487. Concurrent resolution designating May 12 through May 18, 1974 as National Migrant Education Week; to the Committee on the Judiciary.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

450. By the SPEAKER: Memorial of the Legislature of the Commonwealth of Massachusetts, relative to the appropriation of funds for an economic and environmental impact study of the Dickey-Lincoln project; to the Committee on Appropriations.

451. Also, memorial of the Legislature of the State of Oklahoma, relative to State control over busing; to the Committee on Education and Labor.

452. Also, memorial of the House of Representatives of the State of Washington, relative to extension of the Economic Opportunity Act of 1964; to the Committee on Education and Labor.

453. Also, memorial of the Assembly of the State of California, relative to Amtrak; to the Committee on Interstate and Foreign Commerce.

454. Also, memorial of the House of Representatives of the State of Oklahoma, relative to State health planning and development programs; to the Committee on Interstate and Foreign Commerce.

455. Also, memorial of the Legislature of the Commonwealth of Pennsylvania, relative to the recycling of scrap iron and steel; to the Committee on Interstate and Foreign Commerce.

456. Also, memorial of the House of Representatives of the State of Washington, relative to requiring the marking of the sides of railroad cars with light reflecting material; to the Committee on Interstate and Foreign Commerce.

457. Also, memorial of the House of Representatives of the State of Washington, relative to rail passenger service between Seattle and Olympia, Wash.; to the Committee on Interstate and Foreign Commerce.

458. Also, memorial of the House of Representatives of the State of Washington, relative to National Volunteer Week; to the Committee on the Judiciary.

459. Also, memorial of the Legislature of the State of Idaho, relative to the use of foreign vessels in transporting anhydrous ammonia from Alaska to the Western States; to the Committee on Merchant Marine and Fisheries.

460. Also, memorial of the House of Representatives of the State of Washington, relative to the use of foreign vessels in transporting anhydrous ammonia from Alaska to Washington; to the Committee on Merchant Marine and Fisheries.

461. Also, memorial of the House of Representatives of the State of Missouri, relative to the retail sale of surplus office equipment by the U.S. Postal Service in competition with private enterprise; to the Committee on Post Office and Civil Service.

462. Also, memorial of the House of Repsentatives of the State of Washington, relative to increasing veterans' benefits to offset the increased cost of living; to the Committee on Veterans' Affairs.

463. Also, memorial of the House of Representatives of the State of Washington, relative to a national health care system; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. FLOOD:

H.R. 14608. A bill for the relief of Matrouk Dukum; to the Committee on the Judiciary.

By Mr. LOTT:

H.R. 14609. A bill for the relief of Maria Magdelena Pena Rich; to the Committee on the Judiciary.

SENATE—*Monday, May 6, 1974*

The Senate met at 10 a.m. and was called to order by Hon. SAM NUNN, a Senator from the State of Georgia.

PRAYER

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

Almighty God, Ruler of men and nations, amid the turbulence of these testing times, keep our hearts and minds in steadfast fidelity to Thy word. Grant us the wisdom and the courage to do our duty to that truth and righteousness which exalts a nation. Under stress keep our hearts at peace with Thee. May the spirit of the Man of Nazareth shape our judgments and guide our deliberations. Direct all our actions according to Thy will for the welfare of this Nation and the advancement of Thy kingdom.

In the Redeemer's name, we pray. Amen.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. EASTLAND).

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., May 6, 1974.

To the Senate:

Being temporarily absent from the Senate on official duties, I appoint Hon. SAM NUNN, a Senator from the State of Georgia, to perform the duties of the Chair during my absence.

JAMES O. EASTLAND,
President pro tempore.

Mr. NUNN thereupon took the chair as Acting President pro tempore.

REPORT OF A COMMITTEE SUBMITTED DURING ADJOURNMENT

Under authority of the order of the Senate of January 29, 1973, Mr. MCCLELLAN, from the Committee on Appropriations, reported favorably, with amendments, on May 3, 1974, the bill (H.R. 14013) making supplemental appropriations for the fiscal year ending June 30, 1974, and for other purposes, and submitted a report (No. 93-814) thereon, which was printed.

NOTICES OF MOTIONS TO SUSPEND THE RULE—AMENDMENTS TO SUPPLEMENTAL APPROPRIATIONS BILL SUBMITTED DURING ADJOURNMENT

AMENDMENT NO. 1258

(Ordered to be printed, and to lie on the table.)

Under authority of the order of the Senate of January 29, 1973, Mr. MCCLELLAN submitted the following notice in writing:

In accordance with rule XL of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend paragraph 4 of rule XVI for the purpose of proposing to the bill (H.R. 14013) making supplemental appropriations for the fiscal year ending June 30, 1974, and for other purposes, the following amendment, namely:

Page 6, on line 13, after the amount $22,300,000, insert the following:

: Provided, That not less than ninety-two flying units shall be maintained during fiscal year 1974.

Mr. MCCLELLAN also submitted an amendment, intended to be proposed by him, to House bill 14013, making supplemental appropriations for the fiscal year ending June 30, 1974, and for other purposes.