Smith, David A., XXXX.
Stitzinger, Robert H., xxx-xx-xxxx.
Storer, Duane L., xxx-xx-xxxx.
Taylor, William A. Jr., xxx-xx-xxxx.
Thompson, Harold M., xxx-xx-xxxx.
Turner, James E., Jr., xxx-xx-xxxx.
Upton, Robert F., xxx-xx-xxxx.
Van Keuren, Charles W., Jr., xxx-xx-xxxx.
Walker, Holman J., xxx-xx-xxxx.
Walters, Bobby G., xxx-xx-xxxx.
Warncock, Luther Jr., xxx-xx-xxxx.
Wasson, James L., xxx-xx-xxxx.
Watson, Glenn M., xxx-xx-xxxx.

CHAPLAIN

To be lieutenant colonel

Yates, James L., xxx-xx-xxxx.

DENTAL CORPS

To be lieutenant colonel

Nelson, Roy, Jr., xxx-xx-xxxx.

MEDICAL CORPS

To be lieutenant colonel

Bradley, Douglas D., xxx-xx-xxxx.
Burk, Houston W., xxx-xx-xxxx.
Cudmore, John W., xxx-xx-xxxx.
Holsinger, James W., Jr., xxx-xx-xxxx.
Markert, George C., xxx-xx-xxxx.

MEDICAL SERVICE CORPS

To be lieutenant colonel

Mayo, Dominic L., xxx-xx-xxxx.

IN THE NAVY

The following named officers of the U.S. Navy for temporary promotion to the grade of chief warrant officer, W–3 subject to qualification therefor as provided by law:

Apodaca, Paul Joseph.
Bledsoe, John Richard.
Bradford, Billy Cleveland.

The following named officers of the U.S. Navy for temporary promotion to the grade of chief warrant officer, W–4 subject to qualification therefor as provided by law:

Abenante, Ralph Pasquale.
Allen, Richard Roy.
Anderson, Jackson Ray.
Archibald, Robert John III.
Babington, David Clark.
Black, Harold Baxter.
Bouchillon, James Dennis.
Brooks, Harold Farquahar.
Brumit, Larry David, Jr.
Christiansen, Robert Canute.
Cunningham, Lawrence Michael.
Dennis, Jackie Lee.
Dickinson, Edwin Lincoln.
Dougherty, James Harold.
Duckworth, George Earle.
Franklin, Harrison Lee.
Gochenaur, George Earl.
Gray, Ivan Errol.
Hannon, Billie Gene.
Harris, Donald Edward.
Harville, Robert Albert.
Hawks, Oda Ellis.
Herrington, Hollis Frank.
Hinman, Leroy Thomas.
Hodges, Byron Wayne.
Horton, William Glennwood.
Johnson, James Dewey, Jr.
Johnston, Jerry Robert.
Johnston, Richard Earl.
Jones, Richard Leonard.
Jorgenson, Richard Clair.
Kannegieser, Andrew Anthony.
Kinner, Richard, Edward.
Kondziela, Jack.
Lafond, Paul Arthur.
Larock, Francis Joseph.
Lear, Gerald Shirley.
Lipinski, John Bernard.
Lutes, Jack.
McCarthy, John James, Jr.
McCormack, Walter Francis.
McDonald, Thomas Henry, Jr.
McManus, Theodore Glenn.
Meade, Joe Davis, III.
Miller, Gerald Jeffery.
Moudry, Joseph Ralph.
Myers, Edward Frederick.
Myrick, Jerry Eugene.
Offield, John Dale.
Olson, Neal Donald.
Owen, Harold.
Owens, James Clarence.
Parrish, Wendell Lee.
Patterson, Richard Lawrence.
Pitzer, Richard Lee.
Pochkowski, Joseph Daniel.
Posey, James Arthur, Jr.
Price, Loyd Harold.
Rearer, Thomas Charles.
Reddix, Charles John.
Reynolds, Eugene Nicholas.
Richardson, David Lee.
Richey, James Horace.
Rouse, Fred Lawson.
Sadowski, Donald Edward
Seals, William Truman
Seymour, John Clinton
Smith, Charles Frederick
Soule, Louis Manley
Spata, August
Spencer, Sidney Thomas
Stosel, Stanley Lewis
Stroup, William Emory
Sweigart, Donald Richard
Tellman, Donald Francis
Terryberry, Kenneth Charles
Tillery, Donnie V
Tounzen, Albert O., Jr
Truman, Harold Stanley
Turnquist, Arnold Clifford
Wells, Eugene Arthur
Wilson, Robert Henry
Wiltzius, Lawrence N., Jr
Windell, Marion Almond
Winslow, Robert Leon
Woods Melvin Isaac
Young, Harold James

IN THE MARINE CORPS

The following-named officers of the Marine Corps for temporary appointment to the grade of colonel:

Glen S. Aspinwall
Donald R. Austgen
Thomas J. Ayers
Howard G. Balogh
Carl L. Battistone
Don D. Beal
Glen T. Beauchamp
Harold J. Field, Jr.
Daniel J. Ford
Arthur D. Friedman
Joseph P. Gagliardo, Jr.
Elmer T. Garrett, Jr.
Donald E. Gillum
Roy L. Belli
Kenneth H. Berthoud, Jr.
John H. Blair
Daniel Z. Boyd
William C. Britt
William G. Carson, Jr.
Logan Cassedy
Don R. Christensen
Bernard E. Clark
Frank A. Clark
Fred E. Clark, Jr.
James E. Clark
Clayton L. Comfort
John C. Conlin
Richard M. Cooke
Gregory A. Corliss
Stanley D. Cox
Winchell M. Craig, Jr.
Daniel C. Daly
Darrell U. Davidson
Clyde D. Dean
Richard G. Deem
Charles F. Dininger, Jr.
Billy R. Duncan
John H. Dunn
Arthur J. Eagan
Raymond W. Edwards
William R. Eleazer
Gerit L. Fenenga
John P. Kraynak
Donald Q. Layne
Chester A. Liddle, Jr.
Bertram A. Mass
Byron E. Madden
Leroy A. Madera
Albert H. Manhard, Jr.
Bennie H. Mann, Jr.
James G. McCormick
Jack D. McCreight
Richard C. McDonald
James J. McMonagle
John H. Miller
William S. Miller, Jr.
Michael P. Murray
Michael J. Needham
Ronald E. Nelson
Merrill S. Newbill
Thomas F. Nugent
James K. O'Rourke
Earl F. Pierson, Jr.
Bert R. Pitcher, Jr.
Charles F. Pitchford
Walter S. Pullar, Jr.
Thomas F. Qualls
John M. Rapp
J. C. Rappe
Arvid W. Realsen
Edward D. Resnik
Donald G. Robison
Cledwyn P. Rowlands
Harold G. Glasgow
Richard W. Goodale
George O. Goodson, Jr.
Marcus J. Gravel
Johnny O. Gregerson
Jerome T. Hagen
William J. Hallisey, Jr.
James J. Harp
Donald L. Harvey
Thomas M. Hearn
Robert W. Heesch
James H. Higgins
Robert J. Henley
Charles W. Henry, Jr.
Ralph P. Holt
Joseph E. Hopkins
Walter P. Hutchins
John K. Hyatt, Jr.
Milton E. Irons
Floyd J. Johnson, Jr.
Herschel L. Johnson, Jr.
Mannon A. Johnson, Jr.
Martin D. Julian
James P. Kehoe
David A. Kelly
John A. Kinniburgh
Charles W. Knapp
Howard M. Koppenhaver
Alfred W. Ruete, Jr.
Americo A. Sardo
Ernest R. Savoy
Raymond A. Shaffer
Robert R. Sheahan
John E. Sinclair
Craig S. Smith
Joseph N. Smith
Kenneth E. Smith
David A. Spurlock
Merlin V. Statzer
Ray A. Stephens
John C. Studt
Richard A. Sulik
John L. Thatcher
Robert H. Thompson
William H. Tiernan
Bruce A. Truesdale
Richard T. Trundy
David S. Twining
James R. Vandenelzen
David H. Wagner
James H. Walker
Robert P. Walling
Joseph J. Went
Clair E. Willcox
Willard J. Woodring, Jr.
Earnest G. Young
Frank Zimolzak

The following named officers of the Marine Corps Reserve for temporary appointment to the grade of colonel:

Frederick P. Anthony
Alphonse J. Castellana
William A. Donald
Charles Edwards
Wilbur D. Everett
Paul S. Frappollo
Robert D. Jones
John Kovach, Jr.
Edgar J. Love
Robert R. Norton
Donald E. Schneider
Robert H. Schultz
Henry W. Steadman
Robert L. Talbert
Phillip P. Upschulte
Clifford D. Warfield

HOUSE OF REPRESENTATIVES—*Wednesday, May 29, 1974*

The House met at 12 o'clock noon.

Rev. Wayne Yeager, St. Timothy Episcopal Church, Massillon, Ohio, offered the following prayer:

O God our Father, for this Nation made from many kindreds and tongues, its mountains, prairies, oceans with foam, its hopes, its dreams, successes and failures, for those who served and sacrificed, we thank Thee.

Help us, to defend our liberties, preserve our unity, uphold what is right, abhor what is wrong, and perform that which is just. In peace, preserve us from corruption, in trouble defend us from suffering. Make us equal to our high trusts, reverent in the use of freedom, just in the exercise of power, and generous in the protection of weakness.

Turn our hearts back to Thee by forgiving us for what we have been, amending us for what we are, and directing us what we shall be, 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.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment a bill of the House of the following title:

H.R. 1817. An act to provide for the striking of national medals to honor the late J. Edgar Hoover.

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

S. 521. An act to declare that certain land of the United States is held by the United States in trust for the Cheyenne-Arapaho Tribes of Oklahoma;

S. 605. An act to amend the act of June 30, 1944, an act "to provide for the establishment of the Harpers Ferry National Monument", and for other purposes;

S. 2137. An act to amend the act of October 15, 1966 (80 Stat. 953, 20 U.S.C. 65a), relating to the National Museum of the Smithsonian Institution, so as to authorize additional appropriations to the Smithsonian Institution for carrying out the purposes of said act;

S. 2439. An act to amend the Wild and Scenic Rivers Act of 1968 by designating a segment of the New River as a potential component of the National Wild and Scenic Rivers System;

S. 3007. An act to authorize appropriations for the Indian Claims Commission for fiscal year 1975;

S. 3358. An act to authorize the conveyance of certain lands to the United States in trust for the Absentee Shawnee Tribe of Indians of Oklahoma;

S. 3359. An act to authorize the conveyance of certain lands to the United States in trust for the Citizen Band of Potawatomi Indians of Oklahoma; and

S. Con. Res. 86. Concurrent resolution authorizing the printing of additional copies of the hearings and final report of the Senate Select Committee on Presidential Campaign Activities.

PERMISSION TO FILE CONFERENCE REPORT ON H.R. 14013, FURTHER SUPPLEMENTAL APPROPRIATIONS, 1974

Mr. MAHON. Mr. Speaker, I ask unanimous consent that the managers may have until midnight tonight to file a conference report on H.R. 14013, making further supplemental appropriations for the fiscal year ending June 30, 1974, and for other purposes.

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

There was no objection.

CONFERENCE REPORT (H. REPT. No. 93–1070)

The Committee of Conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 14013) "making supplemental appropriations for the fiscal year ending June 30, 1974, and for other purposes," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 4, 12, 21, 22, 23, 25, 36, 37 38, 40, 43, 44, 47, 51, 52, 59, 61, 62, 63, 65, 67, 84, 90, 109, 131, 133, 139, and 162.

That the House recede from its disagreement to the amendments of the Senate numbered 2, 5, 8, 9, 10, 13, 14, 24, 32, 39, 50, 57, 64, 79, 81, 82, 83, 85, 89, 93, 96, 98, 102, 103, 104, 105, 108, 110, 111, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 128, 129, 130, 132, 138, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 164, 165, 166, 167, and 168, and agree to the same.

Amendment numbered 6: That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$309,175,000"; and the Senate agree to the same.

Amendment numbered 7: That the House recede from its disagreement to the amendment of the Senate numbered 7, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$251,350,000"; and the Senate agree to the same.

Amendment numbered 17: That the House recede from its disagreement to the amendment of the Senate numbered 17, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$100,800,000"; and the Senate agree to the same.

Amendment numbered 30: That the House recede from its disagreement to the amendment of the Senate numbered 30, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$400,000"; and the Senate agree to the same.

Amendment numbered 34: That the House recede from its disagreement to the amendment of the Senate numbered 34, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$2,265,584,000"; and the Senate agree to the same.

Amendment numbered 35: That the House recede from its disagreement to the amendment of the Senate numbered 35, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$370,000,000"; and the Senate agree to the same.

Amendment numbered 46: That the House recede from its disagreement to the amendment of the Senate numbered 46, and agree to the same with an amendment, as follows: In lieu of the matter proposed by said amendment insert:

PREVENTIVE HEALTH SERVICES

For an additional amount for "Preventive Health Services", $3,500,000, of which $2,500,000 shall be for carrying out Title I of the Lead-Based Paint Poison Prevention Act of 1974.

And the Senate agree to the same.

Amendment numbered 56: That the House recede from its disagreement to the amendment of the Senate numbered 56, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$1,188,000,000"; and the Senate agree to the same.

Amendment numbered 58: That the House recede from its disagreement to the amendment of the Senate numbered 58, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$21,000,000"; and the Senate agree to the same.

Amendment numbered 68: That the House recede from its disagreement to the amendment of the Senate numbered 68, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$170,000"; and the Senate agree to the same.

Amendment numbered 86: That the House recede from its disagreement to the amendment of the Senate numbered 86, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$6,250,000"; and the Senate agree to the same.

Amendment numbered 88: That the House recede from its disagreement to the amendment of the Senate numbered 88, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$225,000"; and the Senate agree to the same.

Amendment numbered 94: That the House recede from its disagreement to the amendment of the Senate numbered 94, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$7,000,000"; and the Senate agree to the same.

Amendment numbered 95: That the House recede from its disagreement to the amendment of the Senate numbered 95, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$39,800,000"; and the Senate agree to the same.

Amendment numbered 97: That the House recede from its disagreement to the amendment of the Senate numbered 97, and agree to the same with an amendment, as follows:

Restore the matter stricken by said amendment amended to read as follows:

Federal Highway Administration: Inter-American Highway

For expenses necessary to carry out the provisions of title 23 of the United States Code, as amended (sec. 212), $56,000.

And the Senate agree to the same.

Amendment numbered 99: That the House recede from its disagreement to the amendment of the Senate numbered 99, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$47,000,000"; and the Senate agree to the same.

Amendment numbered 100: That the House recede from its disagreement to the amendment of the Senate numbered 100, and agree to the same with an amendment, as follows: In lieu of the sum named in said amendment insert: "$2,000,000"; and the Senate agree to the same.

Amendment numbered 101: That the House recede from its disagreement to the amendment of the Senate numbered 101, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$12,000,000"; and the Senate agree to the same.

Amendment numbered 107: That the House recede from its disagreement to the amendment of the Senate numbered 107, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$220,000,000"; and the Senate agree to the same.

Amendment numbered 134: That the House recede from its disagreement to the amendment of the Senate numbered 134, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$26,914,000"; and the Senate agree to the same.

Amendment numbered 135: That the House recede from its disagreement to the amendment of the Senate numbered 135, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$28,885,000"; and the Senate agree to the same.

Amendment numbered 136: That the House recede from its disagreement to the amendment of the Senate numbered 136, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$22,093,000"; and the Senate agree to the same.

Amendment numbered 137: That the House recede from its disagreement to the amendment of the Senate numbered 137, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert $3,761,000"; and the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 1, 3, 11, 15, 16, 18, 19, 20, 26, 27, 28, 29, 31, 33, 41, 42, 45, 48, 49, 53, 54, 55, 60, 66, 69, 70, 71, 72, 73,

74, 75, 76, 77, 78, 80, 87, 91, 92, 106, 112, 123, 124, 125, 126, 127, 163 and 169.

GEORGE MAHON,
JAMIE L. WHITTEN,
JOHN J. ROONEY,
ROBERT L. F. SIKES,
OTTO E. PASSMAN,
JOE L. EVINS,
EDWARD P. BOLAND,
WILLIAM H. NATCHER,
DANIEL J. FLOOD,
TOM STEED,
JOHN M. SLACK,
JULIA BUTLER HANSEN,
JOHN J. MCFALL,
ELFORD A. CEDERBERG,
WILLIAM E. MINSHALL,
SILVIO O. CONTE,
GLENN R. DAVIS,
HOWARD W. ROBISON,
GARNER E. SHRIVER,
ROBERT C. MCEWEN,

Managers on the Part of the House.

JOHN L. MCCLELLAN,
WARREN G. MAGNUSON,
JOHN C. STENNIS,
JOHN O. PASTORE,
ALAN BIBLE,
ROBERT C. BYRD,
GALE W. MCGEE,
MIKE MANSFIELD,
WILLIAM PROXMIRE,
JOSEPH M. MONTOYA,
DANIEL K. INOUYE,
ERNEST F. HOLLINGS,
BIRCH BAYH,
MILTON R. YOUNG,
ROMAN L. HRUSKA,
NORRIS COTTON,
CLIFFORD P. CASE
(except amendment No. 16),
HIRAM L. FONG,
EDWARD W. BROOKE,
MARK O. HATFIELD,
TED STEVENS,
CHARLES MCC. MATHIAS, JR.,
RICHARD S. SCHWEIKER
(except amendment No. 162),
HENRY BELLMON,

Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 14013) making supplemental appropriations for the fiscal year ending June 30, 1974, and for other purposes, submit the following joint statement to the House and the Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report:

TITLE I

CHAPTER I. DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

Amendment No. 1: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate to provide language authorizing the Animal and Plant Health Inspection Service to establish and operate an English language school at Tuxtla Gutierrez, Chiapas, Mexico, for children of employees of the Animal and Plant Health Inspection Service engaged in the Mexican-American Screwworm Program.

Food and Nutrition Service

Food Stamp Program

Amendment No. 2: Appropriates $500,000,000 for the Food Stamp Program as proposed by the Senate instead of $450,000,000 as proposed by the House.

Soil Conservation Service

Watershed and Flood Prevention Operations

Amendment No. 3: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment to provide $23,661,000 for "Watershed and Flood Prevention Operations" instead of $20,000,000 as proposed by the House and $26,161,000 as proposed by the Senate. The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conferees are in agreement that the total funds provided shall be distributed as follows:

$1,161,000 to implement Section 5 of Public Law 93-251 for development of a source of water supply for the communities of Walton, Sissonville, Pocatalico and Gandeeville, West Virginia; Arkansas $76,800; Northeast United States $1,497,500; Northwest United States $7,350,000; Mississippi Area $8,649,000; Missouri Area $2,375,000; North Dakota $750,000; and Administrative Expenses $1,801,700.

DEPENDENT AGENCIES

Federal Trade Commission

Amendment No. 4: Deletes $250,000 proposed by the Senate for retroactive funding of the study of the Emergency Petroleum Allocation Act. The conferees will expect the Federal Trade Commission in the future to not proceed with unfunded projects prior to receiving approval from the Appropriations Committee.

CHAPTER II.—DEPARTMENT OF DEFENSE—MILITARY

Military personnel

Military Personnel, Navy

Amendment No. 5: Appropriates $16,000,000 as proposed by the Senate instead of $20,300,000 as proposed by the House. The introduction of a new strength accounting system in the Navy resulted in an overstatement of actual strength. This overstatement has now been corrected making the further reduction by the Senate possible.

Operation and maintenance

Operation and Maintenance, Navy

Amendment No. 6: Appropriates $309,175,000 instead of $242,475,000 as proposed by the House, and $341,675,000 as proposed by the Senate.

The Navy requested $159,600,000 for readiness improvements. The House allowed $99,300,000 for this purpose. The Senate increased the amount by $25,000,000 allowing a total of $124,300,000. The conferees agreed that an amount of $111,800,000 would be sufficient for this purpose.

The Navy also requested $119,700,000 for fuel price increases. The House allowed $110,000,000. The Senate provided $184,200,000 because of a fuel price increase announced by the Defense Supply Agency (DSA) to be effective April 1, 1974.

The conferees agreed that an increase of $164,200,000 would be sufficient for the remainder of fiscal year 1974 to cover fuel price increases.

The conferees are aware that DSA included in the April price increase a surcharge designed to generate an additional $56.8 million over their actual charges for procurement of petroleum products during the last quarter of the fiscal year. This surcharge is to recoup a possible loss incurred by the DSA Stock Fund during the first three quarters of the fiscal year. The conferees believed the surcharge to be excessive and accordingly reduced the combined Navy and Air Force request by $30 million. DSA should adjust its billings to these military departments so the reduction will not affect their approved programs.

Operation and Maintenance, Air Force

Amendment No. 7: Appropriates $251,350,000 instead of $224,650,000 as proposed by the House, and $261,350,000 as proposed by the Senate.

The Air Force requested $262,800,000 for fuel price increases. The House allowed $200,000,000. Because of the fuel price increase effective April 1, 1974, the Senate provided $236,700,000 for this purpose.

The conferees agreed that an increase of $226,700,000 would be sufficient for the remainder of fiscal year 1974 to cover fuel price increases.

Operation and Maintenance, Navy Reserve

Amendment No. 8: Appropriates $21,000,000 as proposed by the Senate instead of $17,700,000 as proposed by the House. The Senate increase is to cover the cost of the fuel price increase effective April 1, 1974.

Operation and Maintenance, Air Force Reserve

Amendment No. 9: Appropriates $9,500,000 as proposed by the Senate instead of $7,000,000 as proposed by the House. The Senate increase is to cover the cost of the fuel price increase effective April 1, 1974.

Operation and Maintenance, Air National Guard

Amendment No. 10: Appropriates $22,300,000 as proposed by the Senate instead of $14,000,000 as proposed by the House. The Senate increase is to cover the cost of the fuel price increase effective April 1, 1974. The increase will also allow 92 Air National Guard flying units to maintain proficiency and operational readiness during the last quarter of fiscal year 1974.

Amendment No. 11: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which requires that 92 Air National Guard flying units planned and budgeted for in fiscal year 1974 be retained in the Guard.

The conferees agree that the Air National Guard should be maintained at the present 92 flying units for the remainder of fiscal year 1974. The conferees further agree that the 92 flying units should be maintained in fiscal year 1975 and subsequent years. The Department of Defense is expected to continue to provide the most modern aircraft available for these flying units, as well as to program more modern aircraft for them in future years.

Procurement

Procurement of Weapons and Tracked Combat Vehicles, Army

Amendment No. 12. Appropriates $71,100,000 as proposed by the House instead of $58,600,000 as proposed by the Senate.

The conferees agreed to provide $47,400,000 for 133 M60A1 battle tanks, as proposed by the House, instead of $34,900,000 for 96 such tanks as proposed by the Senate.

Procurement of Ammunition, Army

Amendment No. 13. Appropriates $150,000,000 as proposed by the Senate instead of $200,000,000 as proposed by the House.

The House has proposed a general reduction of $68,000,000 from the ammunition request in which the Senate concurred, and the Senate had proposed an additional reduction of $50,000,000.

Other Procurement, Army

Amendment No. 14. Appropriates $35,500,000 as proposed by the Senate instead of $45,500,000 as proposed by the House.

The conferees agreed to an additional reduction of $10,000,000 as proposed by the Senate.

Aircraft Procurement, Navy

Amendment No. 15. Reported in technical disagreement. The managers on the part of

the House will offer a motion to appropriate $95,000,000 instead of $153,700,000 as proposed by the House and $113,000,000 as proposed by the Senate.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conferees agreed to the Senate deletion of $39,000,000 for six KC–130 tanker aircraft for the Marine Corps, and $1,700,000 for initial spares for those aircraft. The House had proposed funding the aircraft and spares. Requests which failed authorization were deleted.

Shipbuilding and Conversion, Navy

Amendment No. 16. Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment appropriating $24,800,000.

The $24,800,000 was budgeted to preserve the option for changing the construction rate of the Trident submarine should that prove desirable. The House deleted the funds and the Senate proposed that the $24,800,000 be provided.

Other Procurement, Navy

Amendment No. 17. Appropriates $100,800,000 instead of $108,300,000 as proposed by the House and $93,300,000 as proposed by the Senate.

The Senate concurred in the House reductions and proposed an additional reduction of $15,000,000. The conferees agreed to a reduction of $7,500,000.

Aircraft Procurement, Air Force

Amendment No. 18. Reported in technical disagreement. The managers on the part of the House will offer a motion to appropriate $107,700,000 instead of $294,000,000 as proposed by the House and $244,400,000 as proposed by the Senate.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conferees agreed to require that the $5,800,000 requested to modify a third fatigue test article for the C–5A aircraft be completed with research and development funds, as proposed by the House. This fatigue test article is not an operational piece of equipment, it was bought with research and development funds, and it is used to continue fatigue testing of C–5A aircraft structures. The $5,800,000 has been transferred to the Research, Development, Test and Evaluation, Air Force appropriation. Requests which failed authorization were deleted.

Missile Procurement, Air Force

Amendment No. 19. Reported in technical disagreement. The managers on the part of the House will offer a motion to appropriate $11,400,000 instead of $27,000,000 as proposed by the Senate. The House has proposed no funds for this appropriation.

The Senate had proposed $15,600,000 to buy expendable tactical drones and $11,400,000 to buy AQM–34V recoverable tactical drones. The conferees agreed to fund only the AQM–34V recoverable drones.

Other Procurement, Air Force

Amendment No. 20. Reported in technical disagreement. The managers on the part of the House will offer a motion to appropriate $82,400,000 instead of $97,400,000 as proposed by the House and $86,200,000 as proposed by the Senate.

The Senate had proposed $3,800,000 for the Continental Operations Range which the House had deleted. The conferees agreed to the House position with the understanding it will be reconsidered in the fiscal year 1975 appropriation bill.

The conferees also agreed to an additional reduction of $15,000,000 as proposed by the Senate.

Research, Development, Test and Evaluation, Air Force

Amendment No. 21. Appropriates $5,800,000 as proposed by the House. The Senate had deleted all funds from this appropriation.

The conferees agreed to provide $5,800,000 to complete the modification of the third fatigue test article for the C–5A.

Appropriation contingency

Amendment No. 22. Deletes "Appropriation Contingency" language as proposed by the Senate.

CHAPTER III. DISTRICT OF COLUMBIA

Amendment No. 23: Deletes the appropriation of $2,550,000 for "Federal Payment to the District of Columbia" proposed by the Senate.

Amendment No. 24: Appropriates $5,901,000 for "General operating expenses" as proposed by the Senate instead of $5,859,000 as proposed by the House.

CHAPTER IV. FOREIGN OPERATIONS

Indochina postwar reconstruction assistance

Amendment No. 25: Appropriates $49,000,000 as proposed by the House instead of $15,000,000 as proposed by the Senate.

In agreeing to the full House allowance of $49,000,000 as an additional amount for Indochina Postwar Reconstruction Assistance for South Vietnam, the conferees agree that no new Development Loan Funds should be made available to South Vietnam without the express approval of the Appropriations Subcommittees of both Houses of the Congress.

Disaster relief assistance

Amendment No. 26: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which amends the Foreign Assistance and Related Programs Appropriation Act, 1974 (Public Law 93–240) to allow the use of funds under disaster relief assistance for relief assistance in all the drought-stricken nations of Africa instead of just the Sahel region and makes the funds available until expended.

Department of State—Migration and refugee assistance

Amendment No. 27: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which provides $250,000 for the "International Committee of the Red Cross" subject to authorizing legislation being enacted into law.

CHAPTER V. VETERANS ADMINISTRATION

Amendment No. 28: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate to make the funds provided for compensation and pensions available until expended.

FUNDS APPROPRIATED TO THE PRESIDENT

Disaster relief

Amendment No. 29: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment to appropriate $32,600,000 instead of $100,000,000 as proposed by the Senate, and changing the heading to "Funds Appropriated to the President" instead of the Department of Housing and Urban Development.

The $32,600,000, together with a higher than anticipated carryover of $88,600,000, will provide the full $121,200,000 currently estimated to be needed for all 131 presently declared disasters. This includes the recent tornadoes that devastated the Midwestern States. The Congress stands ready to provide any additional funds that are necessary for disaster relief when funding requests are considered for fiscal year 1975.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

CHAPTER VI. DEPARTMENT OF THE INTERIOR

Amendment No. 30: Appropriates $400,000 for "Bureau of Sport Fisheries and Wildlife, Resource management", instead of $300,000 as proposed by the House and $450,000 as proposed by the Senate.

The managers on the part of the House and the Senate are in agreement that of the total amount reprogrammed from unobligated pollution abatement projects in "Bureau of Sport Fisheries and Wildlife, Construction and anadromous fish", $440,000 shall be provided for the Storrie Lake Dam, Las Vegas National Wildlife Refuge, New Mexico.

DEPARTMENT OF AGRICULTURE

Forest Service

Amendment No. 31: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which provides that $6,213,000 for insect and disease control under the heading "Forest Protection and Utilization, Forest land management" shall remain available until expended.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Amendment No. 32: Inserts heading as proposed by the Senate.

Office of Education

Amendment No. 33: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate, with an amendment as follows:

Office of Education

Indian Education

Notwithstanding any regulation of the Office of Education, Department of Health, Education, and Welfare, amounts for part A appropriated under this head in the Department of the Interior and Related Agencies Appropriations Act, 1974, shall remain available for allocation as provided by law to local educational agencies in Alaska in response to applications received on or before May 30, 1974.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

CHAPTER VII. DEPARTMENT OF LABOR

Manpower Administration

Amendments Nos. 34, 35, and 36: Appropriate $2,265,584,000 for "Comprehensive manpower assistance", instead of $2,048,584,000 as proposed by the House and $2,546,584,000 as proposed by the Senate. This total includes: $370,000,000 for public service employment under Title II of the Comprehensive Employment and Training Act, instead of $250,000,000 as proposed by the House and $412,500,000 as proposed by the Senate; $250,000,000 for public service employment under section 5 of the Emergency Employsive Employment and Training Act, instead of $412,500,000 as proposed by the Senate; and $305,584,000 for summer youth employment programs instead of $208,584,000, as proposed by the House and $381,584,000, as proposed by the Senate. $17,000,000 is to be used for a summer youth recreation and transportation program as proposed by the Senate. The House report endorsed the continuation of this program but did not earmark a specific amount for it.

The conferees agree that funding of OIC projects should be at least equivalent to the 1973 level of $23,400,000 and that funding of projects for training of persons with limited English-speaking capabilities sponsored by SER-Jobs for Progress should be at

least equivalent to the 1973 level of $16,200,000.

Amendment No. 37: Deletes appropriation of $10,000,000 for "Community service employment for older Americans", proposed by the Senate. The conferees note that the Department has not released funds previously appropriated for this purpose and direct that $10,000,000 provided in the first Supplemental Appropriations Act, 1974 be obligated without further delay. The conferees further direct that the program be administered primarily through national contracts, as previously directed by both the House and the Senate.

Amendments Nos. 38 through 43: Appropriate $81,000,000 for "Limitation on grants to states for unemployment insurance and employment services," as proposed by the Senate, instead of $85,000,000 as proposed by the House; delete earmarking of $40,000,000 for unemployment insurance services and $41,000,000 for employment services, proposed by the Senate; and make the entire amount available until June 30, 1975, as proposed by the House, instead of $41,000,000 as proposed by the Senate. The managers on the part of the House will offer motions to recede and concur in Senate amendments 41 and 42, which are reported in technical disagreement, and which make the funds available for increased costs of administration resulting from changes in a State law and for increased salary costs resulting from State salary compensation plans embracing employees of the State generally over those upon which the State's basic grant was based.

The intent of the conferees is that the funds should be available for both employment services and unemployment insurance services, as proposed by the Senate. Under the House bill, the funds would have been available only for unemployment insurance services. The conferees also agree that a portion of the funds provided herein should be used to forestall any further staff reductions and closings at State employment services offices.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Health Services and Mental Health Administration

Amendment No. 44: Deletes transfer language proposed by the Senate for "Health services delivery."

Amendment No. 45: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment which inserts language providing that funds previously appropriated for training programs as authorized by the Emergency Medical Services Systems Act of 1973 shall remain available until September 30, 1974.

The conferees are agreed that the Maternal and Child Health staff of 58 ought to be continued rather than decreased in order to facilitate the orderly transition of this program to a State formula grant basis.

Amendment No. 46: Appropriates $3,500,000 for "Preventive health services", instead of $7,000,000 as proposed by the Senate; deletes transfer language proposed by the Senate, and earmarks $2,500,000 for carrying out Title I of the Lead-Based Paint Poison Prevention Act of 1974, instead of $5,000,000 as proposed by the Senate. The House bill made no provision for "Preventive health services". The conferees have agreed to the appropriation of an additional $1,000,000 for continued operation and maintenance of the Arctic Health Research Center with the understanding that there will be no further Federal appropriations for this purpose.

National Institutes of Health

Amendment No. 47: Deletes transfer of $9,500,000 as proposed by the Senate for "National Cancer Institute." The conferees have agreed to the deletion without prejudice of the additional amount provided for the children's cancer center in the Northeast area of the United States with the understanding that appropriations already available to the National Cancer Institute will be used to complete this vital and important project, and that the Center's application for funds will be handled expeditiously.

Office of Education

Amendment No. 48: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment with an amendment which will appropriate $20,000,000 for "Elementary and secondary education" instead of $40,000,000 as proposed by the Senate, and will delete transfer language proposed by the Senate. The managers are agreed that $8,000,000 is earmarked for bilingual education grants authorized by Title VII of the Elementary and Secondary Education Act, to remain available until December 31, 1974; and $12,000,000 is earmarked for the Follow Through program authorized by section 222(a)(2) of the Economic Opportunity Act.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

Amendment No. 49: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment with an amendment which will appropriate $250,000 for "Higher education" instead of $400,000 as proposed by the Senate, will delete transfer language proposed by the Senate, and will make a technical adjustment in language. The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate. The amount agreed upon will provide planning grants for three demonstration centers for continuing education.

Amendment No. 50: Appropriates $394,000 for "Salaries and expenses", instead of $1,725,000 as proposed by the House.

Amendment No. 51: Deletes transfer language proposed by the Senate for "Salaries and expenses".

Amendment No. 52: Deletes transfer language proposed by the Senate for "Student loan insurance fund".

Amendment No. 53: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which will provide that $2,000,000 of the $269,400,000 appropriated by Public Law 93–25 for Title IV, part E of the Higher Education Act shall be available until June 30, 1974 for carrying out section 207 of the National Defense Education Act.

Amendment No. 54: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which will provide that any amounts appropriated for basic opportunity grants for fiscal year 1973 in excess of the amounts required to meet the payment schedule announced for academic year 1973–1974 shall remain available for payments under the payment schedule announced for the academic year 1974–1975.

Amendment No. 55: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which will provide that funds appropriated by Public Law 93–192 for State student incentive grants as authorized by section 415 A(b)(3) of the Higher Education Act, shall remain available until June 30, 1975.

Social and Rehabilitation Service

Amendment No. 56: Rescinds $1,188,000,000 for "Grants to States for public assistance", instead of $1,000,000,000 as proposed by the House and $1,225,000,000 as proposed by the Senate.

Amendment No. 57: Clarifies legal citation.

Amendment No. 58: Appropriates $21,000,000 for "Social and Rehabilitation Services" instead of $20,000,000 as proposed by the House, and $22,000,000 as proposed by the Senate.

Amendment No. 59: Deletes transfer language proposed by the Senate for "Social and Rehabilitation Services."

Amendment No. 60: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment with an amendment which will earmark $1,000,000 to remain available until expended, for facilities construction authorized by Section 301 of the Rehabilitation Act of 1973, instead of $2,000,000 proposed by the Senate.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The conferees have agreed to provide an additional $1,000,000 for construction of the West Virginia rehabilitation facility with the understanding that no further Federal appropriations will be made for this purpose.

Social Security Administration

Amendment No. 61: Deletes transfer language proposed by the Senate for "Special benefits for disabled coal miners".

Special Institutions

Amendment No. 62: Deletes transfer language proposed by the Senate for "Gallaudet College".

Amendment No. 63: Deletes transfer language proposed by the Senate for "Howard University".

Office of Child Development

Amendment No. 64: Corrects legislative citation.

Amendment No. 65: Deletes transfer language proposed by the Senate for "Child Development."

Amendment No. 66: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment extending the availability of the appropriation herein for "Child Development" until December 31, 1974.

Office of the Secretary

Amendment No. 67: Deletes transfer language proposed by the Senate for "Departmental Management".

Related Agencies

Federal Mediation and Conciliation Service

Amendment No. 68: Appropriates $170,000 for "Salaries and expenses", instead of $85,000 as proposed by the House and $594,000 as proposed by the Senate. Provides support for 52 additional positions, as proposed by the Senate, instead of 26, as proposed by the House.

Office of Economic Opportunity

Amendment No. 69: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment with an amendment which will appropriate $12,500,000 for "Economic opportunity program", instead of $19,500,000 proposed by the Senate. The House bill included no funds for the Office of Economic Opportunity. The managers on the part of the Senate will move to recede and concur in the amendment of the House to the amendment of the Senate.

The entire amount agreed to by the conferees is for the emergency food and medical services program. No additional funds are provided for the legal services program with the understanding that the continuing resolution will continue support for these programs until appropriations for fiscal year 1975 are enacted, and that programs now in existence will not be dismantled.

CHAPTER VIII. LEGISLATIVE BRANCH

Senate

Amendments Nos. 70 through 76: Reported in technical disagreement. Inasmuch as these amendments relate solely to the Senate and in accord with long practice, under which each body determines its own housekeeping requirements, and the other concurs without intervention, the managers on the part of the House will offer motions to recede and concur in the Senate amendments Nos. 70 through 76.

Architect of the Capitol

Amendment No. 77: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate appropriating $200,000 for "Senate Office Buildings."

Amendment No. 78: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate relating to the use and deposit of rental income from property acquired under the authority of the appropriation "Acquisition of property as a site for parking facilities for the United States Senate".

Library of Congress

Amendment No. 79: Deletes appropriation of $300,000 for fiscal year 1973 for "Salaries and Expenses, distribution of catalog cards" as proposed by the Senate.

Amendment No. 80: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate authorizing the use of funds available to the Library of Congress to provide additional parking facilities for employees, including transportation, in areas in the District of Columbia outside the limits of the Library of Congress grounds.

CHAPTER IX. MILITARY CONSTRUCTION

Military construction, Navy

Amendment No. 81: Defers consideration of the request by the Navy for $29,000,000 for expansion of facilities at the Naval Communications Station, Diego Garcia, Chagos Archipelago, until the fiscal year 1975 construction bill, as proposed by the Senate.

CHAPTER IX. DEPARTMENT OF DEFENSE—CIVIL

Amendment No. 82: Changes Chapter Number.

Department of the Army

Corps of Engineers—Civil

Flood control, Mississippi River and tributaries

Amendment No. 83: Appropriates $100,000,000 as proposed by the Senate instead of $80,000,000 as proposed by the House. These funds are not limited to work on the levees.

Construction, general

Amendment No. 84: Deletes amendment proposed by the Senate. The managers agree that, within available funds, the Corps should allocate up to $500,000 to the Ediz Hook Emergency Protection, Washington project; up to $40,000 for the Presque Isle, Peninsula, Erie, Pennsylvania project; and up to $25,000 for the Lower Guyandot River Basin, West Virginia channel cleanout project, due to the emergency situations that exist at these locations.

CHAPTER X. DEPARTMENT OF STATE

Amendment No. 85: Changes chapter number.

Administration of foreign affairs

Salaries and Expenses

Amendment No. 86: Appropriates $6,250,000 instead of $6,000,000 as proposed by the House and $6,500,000 as proposed by the Senate.

International organizations and conferences

Contributions to International Organizaitons

Amendment No. 87: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment appropriating $1,200,000 instead of $2,287,000 as proposed by the Senate.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

Educational exchange

Center for Cultural and Technical Interchange Between East and West

Amendment No. 88: Appropriates $225,000 instead of $200,000 as proposed by the House and $269,000 as proposed by the Senate.

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

Administration of Pribilof Islands

Amendment No. 89: Appropriates $330,000 as proposed by the Senate instead of $250,000 as proposed by the House.

National Bureau of Fire Prevention

Operations, Research and Administration

Amendment No. 90: Deletes proposal of the Senate to appropriate $4,000,000.

Maritime Administration

Operating-Differential Subsidies (Liquidation of Contract Authority)

Amendment No. 91: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate providing that this appropriation shall be available upon the enactment into law of authorizing legislation.

THE JUDICIARY

Courts of Appeals, District Courts, and other Judicial Services

Representation by Court-Appointed Counsel and Operation of Defender Organizations

Amendment No. 92: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate appropriating $2,000,000 for compensation and reimbursement of expenses of attorneys appointed by judges of the District of Columbia Court of Appeals or by judges of the Superior Court of the District of Columbia.

The conferees are agreed that this is the final appropriation to the Federal Judiciary for this purpose.

CHAPTER XI. DEPARTMENT OF TRANSPORTATION

Amendment No. 93: Changes chapter number.

Office of the Secretary

Amendment No. 94: Appropriates $7,000,000 for salaries and expenses instead of $4,000,000 as proposed by the House and $9,500,000 as proposed by the Senate. The conference agreement includes the full amount requested for the Northeast Corridor Contract Program.

Amendment No. 95: Appropriates $39,800,000 for interim operating assistance instead of $10,800,000 as proposed by the House and $50,000,000 as proposed by the Senate.

The managers are concerned with recent reports indicating that the Department of Transportation is conditioning emergency cash assistance for bankrupt railroads in the Northeast and Midwest on submission by the railroads of abandonment plans for so-called uneconomic lines.

Cash assistance is authorized under Section 213 of the Regional Rail Reorganization Act of 1973 (P.L. 93-236) which provides for the restructuring of the Penn Central and other bankrupt lines in the region.

The purpose of the cash assistance is to keep the bankrupt lines running until the final plan of the new system is drawn up and implemented.

Section 213(a) conditions the provision of such cash assistance not on abandonment of service, but on agreement of the recipient to maintain service "at a level no less than that in effect on the date of enactment" of the law.

Congress adopted this approach to be sure there will be something left to reorganize at the end of the long, complicated planning process now underway.

The Transportation Department can and should insure the proper use and accounting of emergency cash assistance by establishing reasonable terms and conditions on its payment. But for the Department to seek abandonments in return for such assistance would be contrary to the intent of Section 213(a) and would threaten to undermine all that Congress is trying to do under the Regional Rail Reorganization Act of 1973.

The conferees also feel that discontinuances and abandonments as provided for in Section 304(f) of the Act should be permitted for any railroad receiving financial assistance under Section 213 to the extent that such actions are not inconsistent with the intent of Section 213(a).

Amendment No. 96: Appropriates $3,000,000 for transportation planning, research, and development as proposed by the Senate instead of $3,170,000 as proposed by the House.

Federal Highway Administration

Amendment No. 97: Appropriates $56,000 for Inter-American Highway instead of $2,000,000 as proposed by the House.

Amendment No. 98: Provides $2,218,000 for railroad-highway crossings demonstration projects as proposed by the Senate instead of $1,500,000 as proposed by the House. The conferees direct that these funds shall be used only for the projects authorized by Section 163 of the Federal-Aid Highway Act of 1973.

Federal Railroad Administration

Amendment No. 99: Appropriates $47,000,000 for grants to the National Railroad Passenger Corporation instead of $41,300,000 as proposed by the House and $56,000,000 as proposed by the Senate.

The conferees are concerned about the substantial amount of Federal grants which are required to meet the National Railroad Passenger Corporation's (Amtrak) operating deficits.

In this regard the conferees direct the Secretary of Transportation in cooperation with the President of Amtrak to submit service and route criteria to the appropriate committees of Congress by December 31, 1974.

Amendment No. 100: Earmarks $2,000,000 of the appropriation for grants to the National Railroad Passenger Corporation for the initiation of a new service as set forth in section 403 of Public Law 91-518, as amended, instead of $4,000,000 as proposed by the Senate.

RELATED AGENCIES

United States Railway Association

Amendment No. 101: Appropriates $12,000,000 for administrative expenses instead of $8,000,000 as proposed by the House and $15,000,000 as proposed by the Senate.

CHAPTER XII. DEPARTMENT OF THE TREASURY

Amendment No. 102: Changes chapter number.

Bureau of the Public Debt

Amendment No. 103: Appropriates $2,000,000 for administering the public debt

as proposed by the Senate instead of $2,250,000 as proposed by the House.

Internal Revenue Service

Amendment No. 104: Appropriates $17,000,000 for accounts, collection and taxpayer service as proposed by the Senate instead of $17,442,000 as proposed by the House.

United States Secret Service

Amendment No. 105: Appropriates $2,700,000 for salaries and expenses as proposed by the Senate instead of $2,900,000 as proposed by the House.

Amendment No. 106: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate to make funds appropriated to the United States Secret Service available to provide protection to the immediate family of the Vice President of the United States.

Postal Service

Amendment No. 107: Appropriates $220,000,000, for payment to the postal service fund instead of $230,000,000 as proposed by the House and $200,000,000 as proposed by the Senate.

INDEPENDENT AGENCIES

Civil Service Commission

Amendment No. 108: Appropriates $38,000,000 for government payment for annuitants, employees health benefits, as proposed by the Senate instead of $13,165,000 as proposed by the House.

Amendment No. 109: Deletes language proposed by the Senate to provide that funds remain available until expended.

Amendment No. 110: Appropriates $292,000,000 for payment to the Civil Service Retirement and Disability Fund as proposed by the Senate instead of $292,429,000 as proposed by the House.

CHAPTER XIII

Amendment No. 111: Changes chapter number.

TITLE II. INCREASED PAY COSTS

LEGISLATIVE BRANCH

Senate

Amendment No. 112: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate inserting a center head and appropriating $1,000,000 for "Salaries, officers and employees", $21,365 for "Office of the Legislative Counsel of the Senate", $45,330 for "Senate policy committees", $1,067,975 for "Inquiries and investigations", $6,635 for "Folding documents", and $1,545 for "Miscellaneous items". This amendment relates solely to Senate housekeeping items.

Joint items

Amendment No. 113: Inserts language continuing the availability of the appropriation, as authorized by law, for "Joint Committee on Reduction of Federal Expenditures" as proposed by the Senate.

Amendment No. 114: Deletes appropriation of $26,650 for "Joint Committee on Atomic Energy" as proposed by the Senate.

Architect of the Capitol

Amendment No. 115: Appropriates $281,500 for "Senate Office Buildings" and $2,800 for "Senate garage" as proposed by the Senate.

Library of Congress

Amendment No. 116: Appropriates $269,000 for "Salaries and Expenses", Copyright Office, as proposed by the Senate instead of $319,000 as proposed by the House.

Amendment No. 117: Appropriates $464,000 for "Salaries and expenses," Congressional Research Service, as proposed by the Senate instead of $564,000 as proposed by the House.

Amendment No. 118: Appropriates $49,000 for "Salaries and Expenses", Books for the blind and physically handicapped, as proposed by the Senate instead of $89,000 as proposed by the House.

Amendment No. 119: Inserts language continuing the availability of the appropriation, as authorized by law, for "Salaries and Expenses", Revision of annotated Constitution, as proposed by the Senate.

EXECUTIVE OFFICE OF THE PRESIDENT

The White House Office

Amendment No. 120: Appropriates $650,000 for salaries and expenses as proposed by the Senate instead of $668,000 as proposed by the House.

Office of Management and Budget

Amendment No. 121: Appropriates $900,000 for salaries and expenses as proposed by the Senate instead of $1,000,000 as proposed by the House.

FUNDS APPROPRIATED TO THE PRESIDENT

Economic Stabilization Activities

Amendment No. 122: Appropriates $3,395,000 for salaries and expenses as proposed by the Senate instead of $3,495,000 as proposed by the House.

DEPARTMENT OF COMMERCE

Social and Economic Statistics Administration

Amendment No. 123: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate to permit the funds provided herein for "Periodic censuses and programs" to remain available until expended.

Minority business enterprise

Amendment No. 124: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate to permit the funds provided herein for "Minority business development" to remain available until expended.

National Oceanic and Atmospheric Administration

Amendment No. 125: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate to permit the funds provided herein for "Operations, research, and facilities" to remain available until expended.

Science and technology

Amendment No. 126: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate to permit funds provided herein for "Scientific and technical research and services" to remain available until expended.

Maritime Administration

Amendment No. 127: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate to permit the funds provided herein for "Operations and training" to remain available until expended.

DEPARTMENT OF DEFENSE—MILITARY

Military personnel, Army

Amendment No. 128: Appropriates $585,850,000 as proposed by the Senate, instead of $595,850,000 as proposed by the House.

Military personnel, Navy

Amendment No. 129: Appropriates $308,650,000 as proposed by the Senate, instead of $384,650,000 as proposed by the House.

Reserve personnel, Army

Amendment No. 130: Appropriates $23,092,000 as proposed by the Senate, instead of $36,092,000 as proposed by the House.

Reserve personnel, Marine Corps

Amendment No. 131: Appropriates $1,527,000 as proposed by the House, instead of $2,827,000 as proposed by the Senate.

National Guard personnel, Army

Amendment No. 132: Appropriates $69,600,000 as proposed by the Senate, instead of $51,600,000 as proposed by the House.

National Guard personnel, Air Force

Amendment No. 133: Appropriates $7,583,000 as proposed by the House, instead of $14,583,000 as proposed by the Senate.

Research, development, test and evaluation, Army

Amendment No. 134: Appropriates $26,914,000 instead of $17,930,000 as proposed by the House and $35,898,000 as proposed by the Senate.

Research, development, test and evaluation, Navy

Amendment No. 135: Appropriates $28,885,000 instead of $19,243,000 as proposed by the House and $38,528,000 as proposed by the Senate.

Research, development, test and evaluation, Air Force

Amendment No. 136: Appropriates $22,093,000 instead of $14,721,000 as proposed by the House and $29,466,000 as proposed by the Senate.

Research, development, test and evaluation, Defense Agencies

Amendment No. 137: Appropriates $3,761,000 instead of $2,506,000 as proposed by the House and $5,016,000 as proposed by the Senate.

DEPARTMENT OF DEFENSE—CIVIL

Department of the Army

Corps of Engineers—Civil

General expenses

Amendment No. 138: Appropriates $2,200,000 as proposed by the Senate instead of $2,300,000 as proposed by the House.

The Panama Canal

Amendment No. 139: Appropriates $1,000,000 for the Canal Zone Government, operating expenses as proposed by the House instead of $1,097,000 as proposed by the Senate.

Amendment No. 140: Limits general and administrative expenses of the Panama Canal Company to $1,294,000 as proposed by the Senate instead of $942,000 as proposed by the House.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Amendment No. 141: Transfers $1,500,000 to "Salaries and Expenses, Office of Education" as proposed by the Senate instead of $2,000,000 as proposed by the House.

DEPARTMENT OF THE INTERIOR

Amendment No. 142: Appropriates $6,746,000 for "Bureau of Mines, Mines and minerals" as proposed by the Senate instead of $7,746,000 as proposed by the House.

Amendment No. 143: Provides that the $283,000 appropriated for "National Park Service, Preservation of historic properties" shall remain available until expended, as proposed by the Senate.

Amendment No. 144: Appropriates $80,000 for "Office of Water Resources Research, Salaries and expenses" as proposed by the Senate.

DEPARTMENT OF STATE

Administration of foreign affairs

Amendment No. 145: Permits the funds

provided herein for "Acquisition, operation, and maintenance of buildings abroad" to remain available until expended, as proposed by the Senate.

DEPARTMENT OF TRANSPORTATION

Amendment No. 146: Provides that $111,000 of the $448,000 appropriated for Federal Railroad Administration, railroad safety is to be derived by transfer as proposed by the Senate instead of $448,000 as proposed by the House.

DEPARTMENT OF THE TREASURY

Federal Law Enforcement Training Center

Amendment No. 147: Appropriates $50,000 for salaries and expenses as proposed by the Senate instead of $55,000 as proposed by the House.

Bureau of Accounts

Amendment No. 148: Appropriates $1,300,000 for salaries and expenses as proposed by the Senate instead of $1,390,000 as proposed by the House.

Bureau of Customs

Amendment No. 149: Appropriates $15,500,000 for salaries and expenses as proposed by the Senate instead of $15,850,000 as proposed by the House.

Internal Revenue Service

Amendment No. 150: Appropriates $2,400,000 for salaries and expenses as proposed by the Senate instead of $2,450,000 as proposed by the House.

Amendment No. 151: Appropriates $36,000,000 for accounts, collection and taxpayer service as proposed by the Senate instead of $36,523,000 as proposed by the House.

Amendment No. 152: Appropriates $44,000,000 for compliance as proposed by the Senate instead of $44,500,000 as proposed by the House.

Office of the Treasurer

Amendment No. 153: Appropriates $800,000 for salaries and expenses as proposed by the Senate instead of $815,000 as proposed by the House.

Atomic Energy Commission

Operating Expenses

Amendment No. 154: Appropriates $11,200,000 as proposed by the Senate instead of $11,400,000 as proposed by the House.

General Services Administration

Property Management and Disposal Service

Amendment No. 155: Appropriates $1,700,000 for operating expenses as proposed by the Senate instead of $1,732,000 as proposed by the House.

Emergency Preparedness

Amendment No. 156: Appropriates $250,000 for salaries and expenses as proposed by the Senate instead of $350,000 as proposed by the House.

OTHER INDEPENDENT AGENCIES

Civil Service Commission

Amendment No. 157: Appropriates $4,700,000 for salaries and expenses as proposed by the Senate instead of $4,780,000 as proposed by the House.

Federal Power Commission

Amendment No. 158: Appropriates $1,500,000 for salaries and expenses as proposed by the Senate instead of $1,600,000 as proposed by the House.

Smithsonian Institution

Amendment No. 159: Appropriates $3,105,000 for "Salaries and expenses" as proposed by the Senate instead of $3,150,000 as proposed by the House.

Amendment No. 160: Appropriates $45,000 for "Science information exchange" as proposed by the Senate.

United States Information Agency

Amendment No. 161: Permits the funds provided herein for "Special international exhibitions" to remain available until expended, as proposed by the Senate.

ANNEXED BUDGETS

Export-Import Bank of the United States

Amendment No. 162: Deletes language proposed by the Senate which would have prohibited the Export-Import Bank from obligating or expending any funds available under its operating authority until the President made individual Presidential determinations on each transaction which has been committed or will be committed in Poland, Romania, Yugoslavia, and the U.S.S.R.

The managers understand that the proper legislative committees of both Houses of Congress are presently considering new legislation regarding the extension of the life of the Export-Import Bank beyond June 30, 1974. The managers hope that the new legislation would address the matter of establishing strict guidelines for national interest determinations with regard to the conduct of Export-Import Bank business with various Communist countries. The managers hope that early action on this issue will be forthcoming so that needed clarification will be established.

TITLE III. FISCAL YEAR 1973 RETROACTIVE PAY COSTS

Amendment No. 163: Reported in technical disagreement. Provides authority to cover costs arising from the United States Court of Appeals' decision retroactively granting Federal civilian employees a pay increase from October 1 through December 31, 1972.

The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment making a technical modification and authorizing the Clerk of the House of Representatives to grant the retroactive pay increase to any House employee who was on the payrolls for the period in question and where the "pay fixing" authority is no longer in office. The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

TITLE IV. GENERAL PROVISIONS

Amendment No. 164: Changes title number.

Amendment Nos. 165–168: Change section numbers.

Amendment No. 169: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the Senate amendment changing the section number with an amendment to validate obligations incurred beginning June 1, 1974, if otherwise in accordance with the provisions of the bill.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

CONFERENCE TOTAL—WITH COMPARISONS

The total new budget (obligational) authority for the fiscal year 1974 recommended by the Committee of Conference, with comparisons to the budget estimates, the House and Senate bills follow:

Budget estimates considered by House [1]	$10,532,735,943
House-passed bill [1]	8,811,662,043
Budget estimates considered by Senate [1]	11,100,530,077
Senate-passed bill	9,645,935,398
Senate bill compared with:	
Budget estimates	−1,454,594,679
House bill	+834,273,355
Conference agreement	9,301,474,398

[1] Includes $300,000 for fiscal year 1973.

Conference compared with:

Budget estimates	−$1,799,055,679
House bill	+489,812,355
Senate bill	−344,461,000

GEORGE H. MAHON,
JAMIE L. WHITTEN,
JOHN J. ROONEY,
ROBERT L. F. SIKES,
OTTO E. PASSMAN,
JOE L. EVINS,
EDWARD P. BOLAND,
WILLIAM H. NATCHER,
DANIEL J. FLOOD,
TOM STEED,
JOHN M. SLACK,
JULIA BUTLER HANSEN,
JOHN J. MCFALL,
ELFORD A. CEDERBERG,
WILLIAM E. MINSHALL,
SILVIO O. CONTE,
GLENN R. DAVIS,
HOWARD W. ROBISON,
GARNER E. SHRIVER,
ROBERT C. MCEWEN,
Managers on the Part of the House.

JOHN L. MCCLELLAN,
WARREN G. MAGNUSON,
JOHN C. STENNIS,
JOHN O. PASTORE,
ALAN BIBLE,
ROBERT C. BYRD,
GALE W. MCGEE,
MIKE MANSFIELD,
WILLIAM PROXMIRE,
JOSEPH M. MONTOYA,
ERNEST F. HOLLINGS,
BIRCH BAYH,
MILTON R. YOUNG,
ROMAN L. HRUSKA,
NORRIS COTTON,
CLIFFORD P. CASE, (except amendment 16),
HIRAM L. FONG,
EDWARD W. BROOKE,
MARK O. HATFIELD,
TED STEVENS,
CHARLES MCC. MATHIAS, JR.,
RICHARD S. SCHWEIKER, (except amendment 162),
HENRY BELLMON,
Managers on the Part of the Senate.

CALL OF THE HOUSE

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

The SPEAKER. Evidently a quorum is not present.

Mr. FLYNT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

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

[Roll No. 247]

Arends	Evins, Tenn.	McCloskey
Blatnik	Findley	McEwen
Boland	Foley	McKinney
Breaux	Fraser	McSpadden
Brown, Ohio	Gaydos	Maraziti
Broyhill, N.C.	Gibbons	Martin, Nebr.
Burke, Calif.	Goldwater	Michel, Ill.
Burton	Gray	Mills
Camp	Green, Oreg.	Minshall, Ohio
Carey, N.Y.	Gubser	Moorhead, Pa.
Chisholm	Hansen, Idaho	Murphy, N.Y.
Clark	Hansen, Wash.	Murtha
Clausen, Don H.	Harrington	O'Neill
Cleveland	Helstoski	Owens
Collier	Hinshaw	Passman
Conyers	Holifield	Pettis
Coughlin	Howard	Podell
Danielson	Hudnut	Powell, Ohio
de la Garza	Hutchinson	Preyer
Dellums	Johnson, Colo.	Rarick
Derwinski	Karth	Rees
Diggs	Ketchum	Reid
	Kyros	Rooney, N.Y.

Rooney, Pa.	Stark	Veysey
Rostenkowski	Stubblefield	Waggonner
Ryan	Stuckey	Walsh
Seiberling	Teague	Wilson,
Smith, Iowa	Tiernan	Charles, Tex.
Stanton,	Udall	Yatron
James V.	Vander Jagt	Young, Ill.

The SPEAKER. On this rollcall 346 Members have recorded their presence by electronic device, a quorum.

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

PERMISSION FOR COMMITTEE ON RULES TO FILE PRIVILEGED REPORTS

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

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

There was no objection.

EXTENDING VETERANS EDUCATION BENEFIT ELIGIBILITY

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

Mr. BIAGGI. Mr. Speaker, last week, I reluctantly gave up my fight to get H.R. 14464 passed. This bill would have extended veterans education benefit eligibility for 2 years. Instead, I gave my support to S. 3398, to provide for a 30-day extension. I took this step only after receiving explicit assurances that the Senate and the House would complete all necessary action on pending comprehensive veterans education benefit legislation by the end of June.

Yet, today I come to you with a mere 32 days remaining before the deadline of June 30, and report that this agreement is off to a most dismal start. Incredibly, the 30-day extension bill has not even reached the President's desk with only a precious 3 days remaining before 300,000 veterans will lose their educational benefit eligibility.

In addition, the Senate has not even scheduled S. 2784 for consideration. This I find unconscionable because if the Senate and House conferees are to complete their action by the end of June, it is vital that the Senate act on this bill immediately.

It seems to me that we owe more to the brave men who defended our Nation in times of war, than to dawdle in inactivity on a matter as important as their educational benefits. I strongly urge that the 30-day extension bill be sent to the President immediately for his signature, and that the Senate schedule S. 2784 for immediate consideration. What excuses will this Congress have to offer the veterans of this Nation if these important actions are not taken?

APPOINTMENT OF CONFEREES ON H.R. 11385, HEALTH SERVICES RESEARCH AND ASSISTANCE FOR MEDICAL LIBRARIES

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 11385) 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, with a Senate amendment thereto, disagree to the Senate amendment, and request a conference with the Senate thereon.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia? The Chair hears none, and appoints the following conferees: Messrs. STAGGERS, ROGERS, SATTERFIELD, DEVINE, and NELSEN.

APPOINTMENT OF CONFEREES ON S. 2830, RESEARCH AND PUBLIC EDUCATION WITH REGARD TO DIABETES MELLITUS

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the Senate bill (S. 2830) to amend the Public Health Service Act to provide for greater and more effective efforts in research and public education with regard to diabetes mellitus, with House amendments thereto, insist on the House amendments, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia? The Chair hears none, and appoints the following conferees: Messrs. STAGGERS, ROGERS, SATTERFIELD, DEVINE, and NELSEN.

APPOINTMENT OF CONFEREES ON S. 2893, IMPROVING NATIONAL CANCER PROGRAM

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the Senate bill (S. 2893) to amend the Public Health Service Act to improve the national cancer program and to authorize appropriations for such program for the next 3 fiscal years, with the House amendment thereto, insist on the House amendment, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia? The Chair hears none, and appoints the following conferees: Messrs. STAGGERS, ROGERS, SATTERFIELD, KYROS, PREYER, SYMINGTON, ROY, DEVINE, NELSEN, CARTER, HASTINGS, HEINZ, and HUDNUT.

DEPARTMENT OF STATE AUTHORIZATION FOR FISCAL YEAR 1974

Mr. HAYS. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 12466) to amend the Department of State Appropriations Authorization Act of 1973 to authorize additional appropriations for the fiscal year 1974, and for other purposes, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 1, line 9, strike out "$288,968,000" and insert $304,568,000".

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

Mr. THOMSON of Wisconsin. Mr. Speaker, I reserve the right to object, and I do so for the purpose of yielding to the gentleman from Ohio so he may explain the bill.

Mr. HAYS. Mr. Speaker, H.R. 12466 is the Department of State supplemental authorization for fiscal year 1974. The bill was considered in the Committee on Foreign Affairs in late February and passed the House on March 13. The Senate passed the bill with an amendment on March 29.

The Senate amendment was in response to an Executive communication that came in the interval between House and Senate action. It adds $15.6 million to the House passed bill.

Last year Congress authorized the transfer of the Foreign Service personnel of AID from the Civil Service retirement system to the Foreign Service retirement system. Existing law requires that the unfunded liability for new groups of employees entering the Foreign Service retirement system must be amortized in equal payments over a 30-year period. The actuary estimates that the transfer of these employees requires an annual payment of $15.6 million to the Foreign Service retirement system for each of the next 30 years to cover the unfunded liability created by this transfer. In short, this is a legal obligation that must be met.

The sum carried in the Senate amendment is for the current fiscal year that ends in a few weeks. I have discussed this amendment with ranking members of the committee on both sides of the aisle. They approve it.

It is my thought that in subsequent years this additional sum should not be carried in the State Department authorization and appropriation bills. It is a charge resulting from benefits conferred on AID personnel and properly should be carried in the AID authorization and appropriation bills.

Mr. THOMSON of Wisconsin. Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

AUTHORIZING APPROPRIATIONS FOR U.S. PARTICIPATION IN THE INTERNATIONAL OCEAN EXPOSITION '75

Mr. HAYS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the Senate bill (S. 2662) to

authorize appropriations for U.S. participation in the International Ocean Exposition '75.

The Clerk read the title of the Senate bill.

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

Mr. THOMSON of Wisconsin. Mr. Speaker, reserving the right to object, I do so to allow time to the gentleman from Ohio for the purpose of explaining this bill.

Mr. HAYS. Mr. Speaker, there is an element of urgency that leads me to call up S. 2662, a bill to authorize appropriations for U.S. participation in the International Ocean Exposition '75, to be held in Okinawa, Japan, next year.

The administration requested an authorization of $5.6 million of which $3.1 million was to be in dollars and $2.5 million in Japanese yen which the United States owns as a result of settlement made by Japan in 1962 for our post-war economic assistance.

The Senate passed the bill but deleted the reference to the use of Japanese yen. The entire authorization and appropriation was to be in dollars.

Meanwhile the appropriations committees of the House and Senate have included in the Second Supplemental Appropriations Act, 1974, the appropriation of $5.6 million of which $2.5 million is to be in yen, the original Executive request. The appropriation, however, is contingent upon enactment of this authorizing legislation.

My subcommittee considered this matter and agreed to this bill with the understanding that the dollar portion—$3.1 million—would be taken out of the salaries and expenses item for the U.S. Information Agency which is handling this program.

The urgency to which I referred arises from the fact that it is necessary for our Government to enter into contracts for the construction of its exhibit by June 1—only a few days away. I would not be disposed to follow this procedure except that the pending supplemental appropriation bill assures that $2.5 million will be in Japanese yen that we own. And the reduction that the subcommittee has made in USIA assures that we will not be adding $3.1 million to the budget.

As to the exhibit itself, it has the approval of the Bureau of International Expositions as a special category exposition. It is expected that at least 30 other nations will participate.

Our participation will strengthen our relations with Japan and particularly with Okinawa where we have had a long association and where we still retain important facilities. It will provide the United States an opportunity to demonstrate our ocean development projects.

The Japanese intend to use the exposition as an "accelerator" for their plans for developing ocean bed petroleum and mineral resources, desalting sea water, aquaculture for shrimp and fish, ocean pollution and control, and offshore facilities such as powerplants and airfields.

The United States will rely upon the private sector to loan or donate equipment and to demonstrate their accomplishments within their particular field of endeavor. The exposition will be an educational venture in what is perhaps the world's last frontier.

Mr. THOMSON of Wisconsin. Mr. Speaker, I withdraw my reservation of objection.

The SEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The Clerk read the Senate bill as follows:

S. 2662

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "International Ocean Exposition Appropriations Authorization Act of 1973".

SEC. 2. There is authorized to be appropriated for the United States Information Agency for "Special International Exhibitions", for United States participation in the International Ocean Exposition to be held in Okinawa, Japan, in 1975, as authorized by the Mutual Education and Cultural Exchange Act of 1961, as amended (22 U.S.C. 2451 et seq.), $5,600,000, to remain available until expended: *Provided,* That the amount authorized to be appropriated herein shall be available without regard to section 3108 of title 5, United States Code.

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.

COMMUNITY SERVICES ACT OF 1974

Mr. PERKINS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 14449) to provide for the mobilization of community development and assistance services and to establish a Community Action Administration in the Department of Health, Education, and Welfare to administer such programs.

The SPEAKER. The question is on the motion offered by the gentleman from Kentucky (Mr. PERKINS).

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 14449) with Mr. WHITE of Texas in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee rose on yesterday, title I of the committee amendment in the nature of a substitute ending on page 227, line 18, had been considered as read and open to amendment at any point.

Are there any amendments to title I of the committee amendment in the nature of a substitute?

AMENDMENT OFFERED BY MR. PERKINS

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

The Clerk read as follows:

Amendment offered by Mr. PERKINS: On page 197, strike paragraph (1) of Section 122(a) beginning on line 23 down through line 13 on page 199, and renumber the subsequent paragraphs accordingly.

Mr. PERKINS. Mr. Chairman, this amendment strikes the language pertaining to the legal services provision in the bill, which is merely for the purpose of transition, commencing at the bottom of page 197 on line 23 and going over through line 13 on page 199.

This language was put in the bill for the purpose of carrying on a legal services program during the period of transition from the regular program until the Legal Services Corporation became effective.

Mr. Chairman, that was the only purpose of the language. Inasmuch as several Members have asked questions about the legal services provision, we just felt that it was better to strike the entire provision.

Mr. STEIGER of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. PERKINS. Mr. Chairman, I yield to the gentleman from Wisconsin.

Mr. STEIGER of Wisconsin. Mr. Chairman, I want to indicate my support for the amendment offered by the gentleman from Kentucky. I think it ought to be quite clear—and would the gentleman from Kentucky agree with me—that this in no way shortens the life of the Legal Services program or prejudices any further action on the Legal Services program.

Mr. PERKINS. The gentleman is correct, because when the Corporation becomes effective, there certainly will not be any need for this language.

Mr. STEIGER of Wisconsin. And, if the gentleman will yield further, it would not preclude the other body from taking action should that become necessary?

Mr. PERKINS. That is correct.

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

Mr. PERKINS. Mr. Chairman, I yield to the gentleman from Washington.

Mr. MEEDS. Mr. Chairman, I rise in support of the amendment offered by the gentleman from Kentucky, and point out that this simply carries out the will of the Congress.

To leave this provision in, now that we have acted, would be inconsistent with the intent of the House as it spoke 10 days ago, or thereabouts, in creating the Legal Services Corporation.

Mr. PERKINS. The gentleman is correct.

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

Mr. PERKINS. Mr. Chairman, I yield to the gentleman from Minnesota (Mr. QUIE).

Mr. QUIE. Mr. Chairman, does the gentleman recall that, when this program started, Legal Services were not even mentioned in the legislation? It got started without any specific authorization.

However, by removing this language that subsequently was added, the extension of the legislation in order to make it a national program—by removal of this language, the subsection the gentleman proposes in his amendment, would that preclude the Community Action Administration from starting up a legal services program if a corporation were not established?

Mr. PERKINS. Mr. Chairman, I would not say it would preclude the Community Action Agency from starting up a Legal Services program, but I would say to the gentleman from Minnesota that, if that was the case, if that were done, it would be on a very limited basis.

Mr. QUIE. Would the gentleman say

that, by removing this language, we really are not stopping Legal Services as a program in this legislation, the Community Action Administration? In reality——

Mr. PERKINS. What I am saying is that the language was put in here to carry on the present Legal Services program until the effective date of the Corporation. It was put in merely as transitional language, and there is no real necessity for it, in my judgment.

Mr. QUIE. Mr. Chairman, if the gentleman will yield further, if the other body passes the conference report and it becomes law, then I agree that there is no need for the Legal Services section which the gentleman proposes to strike.

However, if it does not become law, then my question is: Are we actually just doing something for window dressing or actually preventing the Legal Services from operating until Congress came back and authorized Legal Services?

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

(By unanimous consent Mr. PERKINS was allowed to proceed for 2 additional minutes.)

Mr. PERKINS. Mr. Chairman, let me say to my distinguished colleague from Minnesota that if the Senate did put in some language reestablishing the Legal Services Corporation, I think that the gentleman from Minnesota and I could agree—assuming that action by the other body—to language that would only be for a limited period of time of 3 months or 6 months and I do not think the gentleman from Minnesota and I would have any difficulty agreeing on that. I can pledge to him now that we would not come back with any permanent language establishing a Legal Services program.

Mr. QUIE. Mr. Chairman, I am trying to point out that I would be more in support of the bill if I knew that the Legal Services would not operate at all unless the Congress takes further action.

As the gentleman and I both are in agreement, the Legal Services Corporation conference report that the House adopted is something we support. We hope the other body will pass it. We hope that the President will sign it, but if the President does not sign it, for instance, and his veto is sustained, then it seems to me that it would be necessary for the Congress to take some further action.

Mr. Chairman, the gentleman suggested that the Senate then could add it to this bill so that the Legal Services Corporation could be placed in H.R. 14449 before the Senate passes the bill. If the Senate put a provision for the Legal Services Corporation in this bill, then we would consider it in conference, which would then be further congressional action.

Mr. PERKINS. Mr. Chairman, there would be further congressional action, I would state to the gentleman. Assuming that did happen and the Senate did add some additional language concerning the Legal Services Corporation, there would be nothing to keep the gentleman from Minnesota and myself and the House conferees from agreeing to a continuation for a limited period of time until we came back, so we could bring a bill back to the Congress and get an authorization from this Congress.

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

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

Mr. Chairman, I would like to speak to the gentleman even further, so we make this clear, because the gentleman talks about the possibility of further legislative action to extend Legal Services for 30 days, 60 days, or whatever is necessary, in order to work out a corporation. I recognize that that is the case.

It is also possible, as the gentleman indicated earlier, that the Senate might take some action on legal services in this bill after it goes over there, if the Legal Services Corporation did not become law.

What I am trying to say, as the gentleman, I am sure, does agree, is that some kind of congressional action would have to be taken before legal services would be authorized to keep on going after June 30, 1974, if the Legal Services Corporation conference report did not become law.

Mr. PERKINS. Mr. Chairman, some language would have to be inserted somewhere along the line. I can make a pledge to the gentleman that we will not bring in here any permanent program without the membership of this body having the right to vote. I think that I can pledge myself now that if any language is inserted on the Senate side, and the conference report on the corporation is vetoed, the gentleman and I, along with the other conferees, can agree that it will only be for a limited period of time in order to permit the House to vote on this issue at the earliest possible date.

Mr. QUIE. Mr. Chairman, with that understanding, I support the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Kentucky (Mr. PERKINS).

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

Mr. QUIE. Mr. Chairman, I demand a recorded vote.

A recorded vote was refused.

The question was again taken; and on a division (demanded by Mr. QUIE) there were—ayes 40, noes 1.

So the amendment was agreed to.

AMENDMENT OFFERED BY MR. STEIGER OF WISCONSIN

Mr. STEIGER of Wisconsin. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. STEIGER of Wisconsin: Page 202, strike out line 22 and all that follows down through page 203, line 17.

Mr. STEIGER of Wisconsin. Mr. Chairman, in offering this amendment, I regret having to do it this way, but I do not think I have any other alternative. This is the amendment which I discussed at some length with the gentleman from California (Mr. HAWKINS).

The amendment is designed to provide a transfer of SOS to the Administration on Aging. That transfer comes after title I, and, therefore, I am offering the amendment at this time to strike SOS, and I will, when I can under the rules, then offer the amendment to establish a new title of SOS, which would then be in the Administration on Aging.

I want to make sure that it is clear that my intent is that the program is to be continued as a separate entity within the Administration on Aging, and that it is not to be included as any part of any formula grant program.

I would hope, Mr. Chairman, that the amendment would be adopted, and I will then offer the amendment concerning SOS when I can under the rules.

Mr. Chairman, when this bill was considered in the subcommittee, the senior opportunity and service program—SOS—was transferred to the Administration on Aging, but through an inadvertent error it was dropped in the full committee. My amendment today would reinstate that provision and officially transfer the program to the Administration on Aging within HEW.

I wish to make clear in doing so that it is my intent as well as the chairman of the subcommittee, Mr. HAWKINS, that this program be continued as a separate entity within the Administration on Aging, and that it not be included as part of any formula grant program.

Although the program's budget of $10 million has been relatively small, the money has been used very effectively to stimulate programs through community action agencies for the elderly poor throughout the Nation. In spite of the fact that these programs generally do not do anything spectacular which attracts headlines, they do provide essential services which enrich and upgrade the lives of the elderly.

I see no logistical problems in transferring the program from OEO to AOA since there are only two people directly employed in the SOS program at OEO at this time. The funding of programs should not be difficult to continue since they have only been renewals of existing programs and program dollars have been used to fund services. Over the last few years there has been no new research or initiatives begun through SOS. It is my hope that once the program is transferred that AOA will take such steps as may be necessary to commence new initiatives and other activities which will expand research activities.

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

Mr. Chairman, it is my understanding that this is done in order to prepare for the other amendment or the additional part of the amendment which will be offered.

May I ask the gentleman from Wisconsin (Mr. STEIGER) merely to explain the intent of it? I think there is a general agreement that the amendment should be supported, and I think the action in the committee did indicate support for the amendment.

There is only one point concerning this amendment that we are concerned about, that is, how it is to be handled, how the funding is to take place and whether it would be a grant or whether it would be under an allocation formula.

Mr. Chairman, may I ask the gentleman, what is his intent as to the manner in which it will be funded?

Mr. STEIGER of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. HAWKINS. I yield to the gentleman from Wisconsin.

Mr. STEIGER of Wisconsin. Mr. Chairman, I appreciate the gentleman from California giving me this opportunity to explain it further.

It is certainly my intent, as I stated in the well, that this is to be handled in the same way that we now handle SOS, and it is not to become part of any formula grant program within the Administration on Aging.

Mr. HAWKINS. Mr. Chairman, I wish to assure the gentleman that when the time comes, I will support the amendment.

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

Mr. HAWKINS. I yield to the gentleman from Kentucky.

Mr. PERKINS. Mr. Chairman, I have asked the gentleman to yield so that I may ask the gentleman from Wisconsin a question.

I am certainly in support of the amendment, but I have some reservations. I would like to ask the gentleman from Wisconsin this:

The other programs in the Department of Aging really do not affect the poorest of the poor, like the SOS program, the Senior Opportunity Services. Down my way the best thing that happens is that the SOS program provides transportation for the elderly poor, and I have a theory that when we transfer this to the regular agency, we are going to lose this local service that is so predominant in the SOS program at the present time.

Does the gentleman care to comment on that, and does he feel that these types of services will be rendered when this program is transferred to the Department of Aging?

Are we going to have a separate appropriation, or is there a line item in this amendment for this particular program?

I am reiterating my support of the amendment, but I am just wondering about this.

I am just wondering out loud about whether we are doing any harm to the real purposes of this program.

Mr. STEIGER of Wisconsin. Will the gentleman yield?

Mr. HAWKINS. Before yielding may I indicate that the amendment which will be offered and which is not included at this time, as I understand it, maintains the integrity of the program and establishes it in the same way as a separate title within that structure as we have done with the Comprehensive Health Services. It was on that basis that I did support the amendment and will continue to do so. To some extent that will probably answer the question of the chairman of the committee, the gentleman from Kentucky, that the amendment would not destroy the integrity, identity, and visibility of the program. That is my understanding of the matter.

I now yield to the gentleman from Wisconsin either to confirm or deny the accuracy of the statement I have made.

Mr. STEIGER of Wisconsin. I appreciate the gentleman's yielding.

I concur completely. We are establishing it with its identity intact. We will continue, may I say to the gentleman from Kentucky, to make sure there is specific emphasis on the elderly poor. That is the purpose of this program, including transportation and all of the other things SOS is doing across the country. In no way do I want to see it disrupted. The program serves a very useful purpose and it ought to be continued as is.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin (Mr. STEIGER).

The amendment was agreed to.

AMENDMENTS OFFERED BY MR. QUIE

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

The Clerk read as follows:

Amendment offered by Mr. QUIE: Page 176, beginning in line 5, strike out everything after "programs" through the period in line 8 and insert in lieu thereof: "The purpose of this Act is, first of all, to authorize certain programs to be administered by the Secretary of Health, Education, and Welfare (hereafter referred to as the 'Secretary')."

Mr. QUIE. Mr. Chairman, I have several amendments which include other portions of title I and also go into the next five titles. I ask unanimous consent that these amendments may be considered en bloc.

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

There was no objection.

The CHAIRMAN. The Clerk will report the amendments.

The Clerk read as follows:

Amendments offered by Mr. QUIE: Title I of the bill is amended as follows:

(1) Page 179, line 2, strike out "Administration" and insert in lieu thereof "Congress"; and

(2) By striking out "Director" in the following instances and inserting in lieu thereof "Secretary"—

Page 180, lines 6 and 20; page 181, lines 13 and 14 and line 21; page 182, lines 11 and 25; page 183, line 15; page 184, line 19; page 185, lines 1 and 18; page 187, line 3; page 191, line 19; page 192, line 4; page 193, line 12; page 194, line 19; page 195, lines 6, 13, and 23; page 196, lines 5, 11, 20 and 22; page 198 lines 7, 12, 14, and 23; page 199, lines 4, 7, and 11; page 200, lines 4, and 7; page 202, line 6; page 203, lines 12 and 15; page 203, line 23; page 204, line 2; page 205, line 1; page 206, lines 9, 10, and 15; page 207, lines 8, 11, and 12, and 17; page 208, lines 2, and 17; page 209, line 3; page 210, line 20; page 211, lines 9, 18, and 21; page 213, line 2; page 214, lines 3, 10, 16, and 24; page 215, lines 3, 10, 16, and 24; page 216, lines 3, 4, 16, and 21; page 217, lines 4, and 22; page 218, lines 12, 18, and 21; page 219, line 17; page 220, lines 4, 12, 20, and 25; page 221, lines 8, 9, 15, and 21; page 223, lines 3 and 12; page 224, lines 4, and 11; page 225, lines 6, 11, 16, and 17 (but only the hyphenated word), and line 21; page 226, lines 4, 10, and 15; page 227, line 5.

Title II is amended by striking out "Director" and inserting in lieu thereof "Secretary" in the following instances—

Page 228, lines 2, and 24; page 229, lines 5, and 14; page 230, line 5; page 231, lines 9, 11, and 21; page 232, line 3.

Title III is amended by striking out "Director" and inserting in lieu thereof "Secretary" in the following instances—

Page 236, line 4; page 238, lines 4, and 10.

Title IV is amended by striking out "Director" and inserting in lieu thereof "Secretary" in the following instances—

Page 242, line 20; page 244, line 13; page 246, lines 2, and 23; page 247, lines 4, 8, and 18; page 248, lines 3, 12, and 13.

Title V is amended by striking out "Director" and inserting in lieu thereof "Secretary" in the following instances—

Page 248, line 23; page 249, lines 6, 10, 16, and 22; page 250, lines 1, 7, 10, 14, 18, and 22; page 251, lines 6, 7, 12, 20, and 24; page 252, line 7; page 253, lines 4, 6, and 14.

Title VI is amended as follows:

(1) Page 254, strike out lines 4 and 5, and strike out section 601 (lines 6 through 17) and renumber the remaining sections accordingly;

(2) Page 254, line 24; page 255, line 7; and page 256, line 23, strike out "Administration" and insert in lieu thereof "Department of Health, Education, and Welfare";

(3) Page 257, strike out lines 15 and 16, and renumber the remaining paragraphs accordingly;

(4) Strike out "Director" and insert in lieu thereof "Secretary" in the following instances—

Page 254, lines 18, and 20; page 256, line 10; page 258, line 11; page 260, line 17; page 261, lines 12, and 18; page 262, lines 19, and 22; page 263, line 17; page 265, lines 6, 13, 20, and 25; page 266, line 13; page 267, lines 2, 10, and 25; page 268, line 19; page 269, line 3; page 270, line 24; page 271, lines 1, 13, and 19; page 272, line 23; page 273, lines 2, 16, and 23; page 274, line 5; page 275, lines 9, and 16; page 276, lines 4, and 15; page 277, lines 5, 10, 13, 17, and 25; page 278, lines 9, 15, and 16; and

(5) Page 266, line 3, strike out "the Administration during such year" and insert in lieu thereof "the Department of Health, Education, and Welfare during such year with respect to programs authorized by this Act".

Title XIII is amended as follows:

(1) By striking out "Director" and inserting in lieu thereof "Secretary" in the following instances—

Page 346, lines 9, and 24; page 347, line 3; page 350, line 2.

(2) Page 349, lines 14 and 15, strike out "Director of the Administration" and insert in lieu thereof "Secretary of Health, Education, and Welfare".

(3) Page 350, lines 7 and 8, strike out "Administration and the Director thereof" and insert in lieu thereof "Department of Health, Education, and Welfare and the Secretary thereof".

Mr. QUIE (during the reading). Mr. Chairman, I ask unanimous consent that the amendments may be considered as read and printed in the RECORD.

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

There was no objection.

Mr. QUIE. Mr. Chairman, these amendments have a single purpose—to strike from the bill the creation of a Community Action Administration headed by a Director directly responsible to the Secretary of HEW, and instead to give to the Secretary the authority to conduct community action programs and to fit this program into the structure of HEW in the manner he feels will be most appropriate and most effective in terms of bringing to bear all of the resources of the Department to accomplish the purposes of the bill.

This amendment is designed to make it possible to fully integrate the community action program with the rest of

the Department's responsibilities. Almost all of these responsibilities concern programs which directly affect the poor or the most vital needs of poor people—education, health, social security benefits, programs for very young children and for the elderly, welfare, programs for handicapped persons, and so forth. The bill treats community action as a completely separate, isolated activity with direct responsibility to the Secretary. The amendment would permit the Secretary to mesh community action with related programs, to deal with it administratively in the most effective way.

The provisions of the bill which establish this autonomous agency really are an ill-advised attempt to pick up OEO bodily and set it down within HEW without substantial change. But I feel that the Congress wants a change—and the change is in the direction of tying community action more closely with related activities of government at all levels, and thereby improving it through better coordination with programs which have a direct impact on the goals of community action. The amendment would foster that kind of change by permitting the Secretary to place it in HEW with these goals in mind.

Administratively, there is no very good argument for placing community action all by itself with a direct line to the Secretary. Much larger programs in HEW in terms of their authorizations—such as all the education programs and Head Start—do not have this status. But the most important consideration simply is that the isolation of community action would tend to weaken, rather than strengthen it, and would tend to go in the opposite direction from that of coordination with closely related activities.

Those who favor a truly new beginning and greater responsibility in community action programs will support this amendment.

We have, as I indicated yesterday, made some changes in community action as it operates locally, and an agreement within the committee—and I know there are no amendments to that—which will permit the Federal funding at the same level in the first year, the 1975 fiscal year, and reduce it by 10 percent the next 2 fiscal years.

This provides an incentive to encourage such agencies to provide public money for community action agencies, and there is incentive for community action agencies to go public.

All of these incentives, I think, move community action agencies in the direction that most of us want them to move. There is a feeling, I understand, of continuation of substantial Federal support of community action agencies. A few of the community action agencies have made some arrangements for local funding after the end of this fiscal year which ends in a month, but most of them have not, and therefore they would be left completely on their own, unable to know which way to turn in order to keep going in order to provide services for the poor. But the concern of this body ought to be primarily to make certain that community action agencies that are viable continue to operate and, however, to take a look at the Federal administration of the community action agencies and not just pick up OEO, which has been a burden to us since its inception, with all the problems that exist there, pick it up bodily and put it in HEW and keep it intact, and it ought not to be kept intact that way. However, there are many functions and services of OEO that could be blended in within other parts of HEW, and that can best be determined by the Secretary himself.

There should be no concern of the money going to the community action agencies because the money appropriated will only be used for that purpose, it cannot be used for other purposes as some people suggest, if we do not have a separate agency.

So, Mr. Chairman, I urge my colleagues to support my amendments.

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

Mr. Chairman, this amendment is perhaps one of the major ones to be considered by the House. I think it is the present consensus in most of the members of the committee that these amendments will completely emasculate the program and destroy the effectiveness of the program.

I think it should be thoroughly understood by the Members of the House, also, that many compromises were made with the ranking minority member, the gentleman from Minnesota (Mr. QUIE). The original position of the committee was to provide funding at a level of $410 million for community action agencies, and also to continue the present local matching of 80 to 20.

The strong testimony of governments and local officials throughout the country is that this present funding level is the most desirable, and local governments cannot possibly match on a percentage where the Federal matching is less than 80 percent.

The third point was the malstructuring, whether the agency should be transferred to an old line department. We made concessions to the gentleman from Wisconsin on all of these points. We reduced the funding to $330 million. We reduced the matching allowance in accordance with the desire, and we even agreed to transfer the program to HEW, which we were not desirous of doing. We thought that it should be an independent agency.

So I think we have been reasonable and fair, but there comes a basic point that one cannot go beyond in trying to be fair and reasonable and to retain a program. I think that we have reached that in the proposal which is now before us recommended by the committee, and I would ask the Members not to erode that position because it would destroy the program if in transferring it to HEW we destroy its visibility, its identity, its method of operation, and leave to the Secretary to do with the program as he so desires. We know that he is already overburdened, and it would simply mean that this program would then be merged with hundreds of other programs and lose altogether any importance at all in the alleviation of the problems of the poor people of this country.

We believe that it should remain as a visible advocate for the poor, as it was intended to be.

We think also that its functions should not be buried under other layers of bureaucracy, as it would be under the amendment which is now being proposed.

There is also another point which I think was raised about the cost of this program. In the Committee on Rules it was strongly recommended that we retain strong oversight over the program. The gentleman from Minnesota would have us bury the program in such a way that the committee could not even locate it. It would not appear in the budget in such a way that we could keep up with its cost effectiveness. We could not even locate the employees who would be facing us, so I think we would destroy any possibility of retaining any strong oversight by this Congress.

Also, administrative fragmentation would destroy the function of this program of coordination of citizen participation and of accountability. I do not think we want to do that. But the alternative also presents some real problems in terms of rural Community Action agencies, those agencies that may operate not in one city as we do in major cities, and not in one county, but Community Action agencies that may operate in rural areas that would embrace many counties. It would be an administrative impossibility to organize the Community Action agencies under those conditions.

I think that the present language which is now in the bill represents, as I see, a reasonable and fair compromise, and I hope that the Members will not disturb it by changing altogether the direction of the program by transferring it to an old-line agency and then not giving it strong structure or position and visibility and the possibility of oversight and accountability in that particular agency.

Mr. STEIGER of Wisconsin. Mr. Chairman, I move to strike the requisite number of words, and I rise to oppose the amendment.

Mr. Chairman, I yield to the distinguished gentleman from New Jersey (Mr. FRELINGHUYSEN).

(By unanimous consent, Mr. FRELINGHUYSEN was allowed to speak out of order.)

DISENGAGEMENT AGREEMENT REACHED BETWEEN SYRIANS AND ISRAELIS

Mr. FRELINGHUYSEN. Mr. Chairman, I rise at this time simply to announce that an agreement has been reached between the Syrians and the Israelis with respect to the disengagement. This is a most significant and, I think, a most heartening development.

Quite obviously, our Secretary of State, Mr. Kissinger, deserves major tribute for his contribution to this development. I am sure the process of a complete settlement still lies well ahead, but this is a most significant occasion.

Mr. Chairman, I thank the gentleman for yielding.

Mr. STEIGER of Wisconsin. Mr. Chairman, the gentleman from New Jersey is a hard act to follow with that welcome news.

What this statement comes down to, Mr. Chairman, is really a question as to the extent to which the legislative branch of Government ought to legitimately exercise some leadership.

I recognize that the gentleman from Minnesota has strong feelings about the question as to whether or not we ought to mandate a particular spot within the Department of Health, Education, and Welfare.

The gentleman from California (Mr. HAWKINS) has correctly stated that originally many of us thought we ought not to put community action within the Department of Health, Education, and Welfare but rather put it in an independent agency. We originally discussed action as a more appropriate role in combining community action and the voluntary services in action because of the affinity between VISTA and community action. The gentleman from Minnesota and others felt very strongly that was not the right answer and we acceded to his wishes by placing this within the Department of HEW.

But I can recall as well, as I am sure every Member in this House can recall the effort that comes about almost every time we try to say to a department or agency that this is what we think they ought to do to manage the program well. I pointed out in a letter I sent to my colleagues that in 1966 the Congress felt a particular need in the handicapped area and the then Secretary of HEW Wilbur Cohen buttonholed everybody and said: "You ought not to do that to us. You ought to let us run our own shop." In effect what the bureaucracy says is: "We do not think you should tell us anything about how to run anything. Let us go about our own business and run it the way we see fit."

I do not agree. I think the legislative branch has a legitimate reason to say and in this case a particularly legitimate reason to say to the Department of HEW that we believe there ought to be a Community Action Administration and it ought to have a Director and he ought to be confirmed by the Senate.

Simply to adopt the Quie amendment and let the Secretary bury this wherever he wants to would reduce the independence of the agency and mean that community action would be bound by more and more rigid bureaucracy, and more importantly it would mean in many cases that we would have the Department of Social Services in the State of Wisconsin fighting against community action even though they were in the same agency, if that is what they wanted to do.

I think the amendment is a mischievous one. The committee bill is good and we ought to keep to it on that basis.

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

Mr. STEIGER of Wisconsin. I yield to the able and distinguished gentleman from California (Mr. BELL) who has been so good in his efforts on behalf of this bill.

Mr. BELL. I rise in opposition to the amendment. Mr. Chairman, I wish to commend the gentleman from Wisconsin for his statement and also the comments of the gentleman from California (Mr. HAWKINS).

I think the amendment is a mischievous one. I think it would be for the best interests of the continuation of our war against poverty to defeat this amendment.

Mr. STEIGER of Wisconsin. I thank the gentleman very much for his comments and support.

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

Mr. STEIGER of Wisconsin. Mr. Chairman, I yield to the gentleman from Minnesota.

Mr. QUIE. Mr. Chairman, I thank the gentleman from Wisconsin for yielding.

I just wanted to say that if the Members would like to keep OEO intact and have liked the Federal operations of OEO or have wanted a new "advocop", then they would vote against the amendment.

The amendment is mischievous if they do want to keep the same OEO of the past going. I admit that. I want it to operate differently, and I think many Members of this body want to change OEO from the way it has operated in the past.

Mr. STEIGER of Wisconsin. May I say to the gentleman from Minnesota I think that clearly misses the whole point. That is not the issue.

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

(By unanimous consent, Mr. STEIGER of Wisconsin was allowed to proceed for 1 additional minute.)

Mr. STEIGER of Wisconsin. Mr. Chairman, that is not the question. The issue in my judgment is clearly not that we will significantly change the operation of the Office of Economic Opportunity, we are abolishing it. What we are doing is to transfer one part of OEO, community action, to the Community Services Administration. We are transferring Headstart and Community Economic Development and a whole series of things. I think the issue is legitimately whether Congress can say to HEW that we believe in the independence of community action.

I think it ought to be in a specific place and not let it be at the discretion of the Secretary of HEW.

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

Mr. STEIGER of Wisconsin. I yield to the gentleman.

Mr. QUIE. What the gentleman means is that the Headstart has been transferred to HEW a long time ago.

Mr. STEIGER of Wisconsin. By administrative action alone.

Mr. QUIE. What the gentleman is doing with OEO is just changing the name and letting the whole thing go on as before.

Mr. STEIGER of Wisconsin. We are changing significantly more than the name.

Mr. LONG of Louisiana. Mr. Chairman, I rise in opposition to the amendment. I would like to compliment the gentleman from Wisconsin on his views. I thought he set them forth rather vividly and I certainly agree with the argument he made.

The gentleman from Minnesota is correct that the amendment would transfer the authority directly to the Secretary of HEW, rather than leaving it a separate agency within HEW. This is really what worries me about the amendment.

I know from what has happened with respect to the impoundment of funds and the attitude that this present administration has had and the Secretary of HEW has had toward Community Action. This in itself concerns me more than anything else in the amendment.

I have about resolved in my own mind they would do anything to kill these programs.

Mr. Chairman, there was an article in the May 20 issue of the Wall Street Journal, which none of us would describe as a flaming liberal newspaper. It discusses a new OEO pilot project in West Virginia. This rather conservative newspaper has a most interesting comment. I quote the article:

> Such activities don't seem to offend City Hall officials. OEO's chief nemesis of the past, and are generating new arguments for the agency's extension.

It seems to me that OEO's newest nemesis, since it is no longer city hall, is the present administration—an administration that has been openly hostile to this kind of community action in the past and is openly hostile now to any continuation of Federal support for community action agencies. This fact is well known to the people who are counting on the Federal Government to maintain its commitment to the poor. We must assure these people and ourselves that we have done everything in our power to protect their legitimate interests. That means we must do everything we can to insure that there will be continued Federal support for community action.

If OEO can no longer remain an independent agency—and I gather from the comments of the gentleman from California (Mr. HAWKINS) that this is evidently not possible—then it is absolutely essential, in my opinion, that it have the maximum amount of independence and visibility that we can give it within a regular, old line department. It is not enough to provide the authority alone. We must also provide a structure to implement that authority, a staff of people who have a willingness to do so, and a Director whose appointment will be subject to the advice and consent of the Senate. This is the least we can do.

Mr. Chairman, we would be deceiving ourselves and those who are depending on us to continue these worthwhile activities if we made it easy for the Secretary of HEW and the present administration to push community action's head under water and silently drown it in the backwaters of the bureaucracy. If this administration is going to try to kill community action, let them make their attack out in the open.

This is what I feel this amendment is really all about. It would give the administration the opportunity to kill community action without assuming the public responsibility for committing such a murder. The proposed amendment would allow them to hide their irresponsible acts.

If the administration has a serious proposal to put forward on the future administration of community action, then I urge them to do so in the form of a reorganization plan, so that we all may see what they have in mind. This amendment is no way to proceed on this matter and I urge its defeat.

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

I realize that the OEO program has been a very controversial program. I think there are some parts of it that are very good and some parts that have not been so successful.

I think there have been many legitimate arguments made on this floor and elsewhere about specific components of the Office of Economic Opportunity programs.

I can certainly sympathize with those who undertake to specifically designate those programs with which they disagree and to try to do something about them. However, above all the controversy in this program, I think one thing comes through relatively unscathed. That is the concept that almost everyone agrees that there should be a concerted attack on poverty; that it should not be all splayed out and uncoordinated, undirected by various segments of government.

The gentleman from Minnesota, who generally is very skillful in wielding the scalpel on legislation, is, I think in this instance, wielding a meat ax; for the amendments which he proposes have the effect of killing the entire program because they strike at the heart of the concerted, concentrated nature of the attack on poverty.

This, I think, is to send this legislation and this program to its oblivion. I agree entirely with the gentleman who preceded me, the gentleman from Louisiana (Mr. LONG) who said that we ought to be very straightforward about this. If we want to kill OEO, then we ought to do it in the broad glare of publicity on the floor of the House of Representatives, and not allow it to be strangled in the bureaucracy at HEW.

Mr. Chairman, I think it is most important that this amendment be defeated so that the program can be kept in one place; so that it can remain that concentrated and concerted attack which is needed if we are ever to eradicate poverty in this country.

Mr. ERLENBORN. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. Sixty-one Members are present, not a quorum.

The Chair announces that he will vacate proceedings under the call when a quorum of the Committee appears.

Members will record their presence by electronic device.

QUORUM CALL VACATED

The CHAIRMAN. One hundred and four Members have appeared. A quorum of the Committee of the Whole is present. Pursuant to rule XXIII, clause 2, further proceedings under the call shall be considered as vacated.

The call was taken by electronic device.

The Committee will resume its business.

The question is on the amendments offered by the gentleman from Minnesota (Mr. QUIE).

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

RECORDED VOTE

Mr. QUIE. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 94, noes 284, not voting 55, as follows:

[Roll No. 248]

AYES—94

Abdnor	Eshleman	Price, Tex.
Andrews, N. Dak.	Fisher	Quie
Archer	Flynt	Rarick
Armstrong	Fountain	Rhodes
Ashbrook	Frey	Robinson, Va.
Bafalis	Froehlich	Rousselot
Baker	Giaimo	Ruth
Bauman	Goodling	Satterfield
Beard	Gross	Scherle
Blackburn	Harsha	Schneebeli
Bowen	Hastings	Sebelius
Bray	Hogan	Shoup
Broomfield	Hosmer	Shuster
Brotzman	Huber	Smith, N.Y.
Broyhill, Va.	Hudnut	Snyder
Burgener	Hunt	Spence
Chamberlain	Jarman	Steelman
Clancy	Kemp	Steiger, Ariz.
Cochran	King	Symms
Collins, Tex.	Lagomarsino	Talcott
Conable	Lott	Taylor, Mo.
Conlan	McCollister	Towell, Nev.
Crane	Martin, N.C.	Treen
Daniel, Dan	Milford	Wampler
Daniel, Robert W., Jr.	Miller	Ware
Dellenback	Mizell	Whitten
Dennis	Montgomery	Wiggins
Derwinski	Moorhead, Calif.	Young, Fla.
Dickinson	Myers	Young, S.C.
Duncan	Nelsen	Zion
Erlenborn	Parris	Zwach
	Powell, Ohio	

NOES—284

Abzug	Buchanan	Davis, Wis.
Adams	Burke, Calif.	Delaney
Addabbo	Burke, Fla.	Dellums
Alexander	Burke, Mass.	Denholm
Anderson, Calif.	Burleson, Tex.	Dent
Anderson, Ill.	Burlison, Mo.	Diggs
Andrews, N.C.	Butler	Dingell
Annunzio	Byron	Donohue
Ashley	Carney, Ohio	Dorn
Aspin	Carter	Downing
Badillo	Casey, Tex.	Drinan
Barrett	Cederberg	Dulski
Bell	Chappell	du Pont
Bennett	Chisholm	Eckhardt
Bergland	Clark	Edwards, Ala.
Bevill	Clausen, Don H.	Edwards, Calif.
Biaggi	Clay	Eilberg
Biester	Cleveland	Esch
Bingham	Cohen	Evans, Colo.
Blatnik	Collins, Ill.	Evins, Tenn.
Boggs	Conte	Fascell
Boland	Conyers	Fish
Bolling	Corman	Flood
Brademas	Cotter	Flowers
Brasco	Coughlin	Ford
Breckinridge	Cronin	Forsythe
Brinkley	Culver	Fraser
Brooks	Daniels, Dominick V.	Frelinghuysen
Brown, Calif.	Davis, Ga.	Frenzel
Brown, Mich.	Davis, S.C.	Fulton
Brown, Ohio		Fuqua
		Gaydos
		Gettys
		Gilman
		Ginn
		Gonzalez
		Grasso
		Green, Pa.
		Griffiths
		Grover
		Gude
		Gunter
		Guyer
		Haley
		Hamilton
		Hammer-schmidt
		Hanley
		Hanrahan
		Harrington
		Hawkins
		Hays
		Hébert
		Hechler, W. Va.
		Heckler, Mass.
		Heinz
		Henderson
		Hicks
		Hillis
		Holifield
		Holt
		Holtzman
		Horton
		Hungate
		Ichord
		Johnson, Calif.
		Johnson, Pa.
		Jones, Ala.
		Jones, N.C.
		Jones, Okla.
		Jones, Tenn.
		Jordan
		Kastenmeier
		Kazen
		Kluczynski
		Koch
		Kuykendall
		Kyros
		Landrum
		Latta
		Leggett
		Lehman
		Lent
		Litton
		Long, La.
		Long, Md.
		Lujan
		Luken
		McClory
		McCormack
		McDade
		McEwen
		McFall
		McKay
		McKinney
		Macdonald
		Madden
		Mahon
		Mallary
		Mann
		Maraziti
		Mathias, Calif.
		Mathis, Ga.
		Matsunaga
		Mayne
		Mazzoli
		Meeds
		Melcher
		Metcalfe
		Mezvinsky
		Mills
		Minish
		Mink
		Minshall, Ohio
		Mitchell, Md.
		Mitchell, N.Y.
		Moakley
		Mollohan
		Moorhead, Pa.
		Morgan
		Mosher
		Moss
		Murphy, Ill.
		Murphy, N.Y.
		Murtha
		Natcher
		Nedzi
		Nichols
		Nix
		Obey
		O'Brien
		O'Hara
		Owens
		Patman
		Patten
		Pepper
		Perkins
		Peyser
		Pickle
		Pike
		Poage
		Preyer
		Price, Ill.
		Pritchard
		Quillen
		Railsback
		Randall
		Rangel
		Rees
		Regula
		Riegle
		Rinaldo
		Roberts
		Robison, N.Y.
		Rodino
		Roe
		Rogers
		Roncalio, Wyo.
		Roncallo, N.Y.
		Rose
		Rosenthal
		Roush
		Roy
		Roybal
		Runnels
		Ruppe
		St Germain
		Sandman
		Sarasin
		Sarbanes
		Schroeder
		Seiberling
		Shipley
		Shriver
		Sikes
		Skubitz
		Slack
		Staggers
		Stanton, J. William
		Stark
		Steed
		Steele
		Steiger, Wis.
		Stephens
		Stokes
		Stratton
		Stuckey
		Studds
		Sullivan
		Symington
		Taylor, N.C.
		Thomson, Wis.
		Thone
		Thornton
		Traxler
		Udall
		Ullman
		Van Deerlin
		Vander Veen
		Vanik
		Vigorito
		Waldie
		Walsh
		Whalen
		White
		Whitehurst
		Widnall
		Williams
		Wilson, Bob
		Wilson, Charles H., Calif.
		Wilson, Charles, Tex.
		Winn
		Wolff
		Wright
		Wyatt
		Wydler
		Wylie
		Wyman
		Yates
		Yatron
		Young, Alaska
		Young, Ga.
		Young, Tex.
		Zablocki

NOT VOTING—55

Arends	Hansen, Idaho	Reid
Breaux	Hansen, Wash.	Reuss
Broyhill, N.C.	Helstoski	Rooney, N.Y.
Burton	Hinshaw	Rooney, Pa.
Camp	Howard	Rostenkowski
Carey, N.Y.	Hutchinson	Ryan
Clawson, Del	Johnson, Colo.	Sisk
Collier	Karth	Smith, Iowa
Danielson	Ketchum	Stanton, James V.
de la Garza	Landgrebe	Stubblefield
Devine	McCloskey	Teague
Findley	McSpadden	Thompson, N.J.
Foley	Madigan	Tiernan
Gibbons	Martin, Nebr.	Vander Jagt
Goldwater	Michel	Veysey
Gray	O'Neill	Waggonner
Green, Oreg.	Passman	Young, Ill.
Gubser	Pettis	
Hanna	Podell	

So the amendments were rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. QUIE

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

The Clerk read as follows:

Amendment offered by Mr. QUIE: Page 183, line 5, strike out the period and insert in lieu thereof: "; *Provided, however,* That when such delegated functions include the authority to approve programs within such

State the Director shall make available to the State, in addition to an amount no less than the amount made available to such State for State agency assistance under section 132 in the previous fiscal year, an amount in each fiscal year equal to such State's share (as determined by the formula set forth in the second sentence of section 125(a)) of the aggregate amount made available during the fiscal year ending June 30, 1974, for the operation of regional offices of the Office of Economic Opportunity."

Mr. QUIE. Mr. Chairman, in the committee we made provision for the Director to transfer his authority, which has traditionally now been operating through regional offices, to a State Economic Opportunity Office, if all of the community action agencies approve. The way it is now, a community action agency has to go to the regional office in order to secure the approval and the funding for its program. The bill makes the provision that the Director can give that authority to a State.

What my amendment does is to provide that when he is going to give that authority to a State, because all of the community action agencies approve of that arrangement, then the money that was used for administering the program of that State in the regional office will be transferred to the State. Nationally this amounts to $15 million, and so that State's share of $15 million would then accrue to the benefit of the State, and it seems to be only fair and equitable that we operate it in this way.

Mr. STEIGER of Wisconsin. Mr. Chairman, will the gentleman yield?

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

Mr. STEIGER of Wisconsin. I appreciate the gentleman's yielding.

Mr. Chairman, I want to make sure that I am clear in my understanding of what is being proposed. The gentleman's amendment says that if every community action agency within a State would like to have the State take on the job that is done by regional offices and by the Washington office, the State then may become in effect the administrative arm of the Federal Government for the purposes of community action; is that correct?

Mr. QUIE. That is correct. It would be the authority of the regional office as it has been operating now that would go to the State.

Mr. STEIGER of Wisconsin. All right. If all of the State community action agencies said "Yes," then the gentleman is saying that the function of the regional office insofar as that State is concerned is no longer operative, and it then goes to Washington for State community action?

Mr. QUIE. The authority to give regional office administrative authority to the State is in the bill. What my amendment does is to require that the money which was used by the regional office also go to the State. That State's share of the $15 million has been going to its regional office. The authority to administer through the State is in the bill that is before us.

Mr. STEIGER of Wisconsin. I support the amendment and I thank the gentleman.

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

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

Mr. HAWKINS. I thank the gentleman for yielding.

It seems that the intent of the amendment is eminently fair, and I certainly intend to support it. There is one point I should like to make sure that is limited in its impact. As I understand from what the gentleman has said, the total amount involved is approximately $15 million.

Mr. QUIE. That is correct.

Mr. HAWKINS. As the gentleman well knows, there are 10 regional offices, so we are talking about approximately $1½ million to each regional office, and then within that region a State's share of that $1.5 million would then flow to that particular State in which this amendment operates; is that approximately what we are talking about?

Mr. QUIE. That is correct.

Mr. HAWKINS. Mr. Chairman, on that basis, I support the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota (Mr. QUIE).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. KEMP

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

The Clerk read as follows:

Amendment offered by Mr. KEMP:

Page 179, beginning with line 15, strike out everything through line 6 on page 180 and insert in lieu thereof the following:

"SEC. 111. (a) A community action agency shall be—

"(1) a State;

"(2) a unit of general local government which has a population of fifty thousand or more persons on the basis of the most satisfactory current data available to the Director; or

"(3) any combination of units of general local government which are contiguous to each other (or are within the same area of the State) and which have an aggregate population of fifty thousand or more persons on the basis of the most satisfactory current data available to the Secretary. A State shall not qualify as the community action agency for any geographical area within the jurisdiction of a unit or combination of units described in paragraphs (2) and (3) unless such unit or combination of units has not submitted an approvable application for funding for a community action program under this title. The Director shall set appropriate dates for the submission of such applications during each fiscal year. A community action agency designated pursuant to this title may carry out part or all of its programs through arrangements with other public or private nonprofit agencies or organizations."

Page 180, beginning in line 23, strike out everything after the comma through "agencies" in line 1 on page 181, and insert in lieu thereof "or by other appropriate agencies with which the community action agency has made arrangements."

Page 182, beginning after "determines" in line 1, strike out everything through line 11 and insert in lieu thereof:

"(1) that neither the State nor any unit of general local government (or combinations of such units) eligible to be a community action agency under subsection (a) is willing to be designated as the community action agency for such community, or (2) that the community action agency serving such community has failed, after having a reasonable opportunity to do so, to submit approvable application for a community action program which meets the criteria for approval set forth in this title, or to carry out such a program in accordance with the requirements of this title, and no other community action agency eligible to serve such community is willing to be designated as the community action agency for such community.".

Page 183, beginning in line 11, strike out everything after the period through line 16 and insert in lieu thereof: "Each public or private nonprofit agency or organization with which a community action agency, or the Director, makes arrangements with under section 111, and such arrangements include responsibility for planning, developing, and coordinating community-wide antipoverty programs, shall have a governing board which meets the requirements of subsection (b)."

Mr. KEMP (during the reading). Mr. Chairman, I ask unanimous consent that further reading of the amendment be dispensed with and that it be printed in the RECORD.

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

There was no objection.

Mr. KEMP. Mr. Chairman, the purpose of this amendment is to shift this program to the State and local level and assure maximum participation by the people through decentralization. Although I did not offer it in committee, I did discuss it and for the record mentioned, I would offer it here in the Committee of the Whole. In 1967 the gentlewoman from Oregon (Mrs. GREEN) offered an amendment to the Economic Opportunity Act which required the community action agencies to be State or local governments or public or nonprofit private agencies or organizations designated by such governments. This was an important step and one which was recognized by its enactment.

This past year alone 107 community action agencies became a part of local government. The Green amendment left I think very wide discretion for the OEO Director to step in and designate private agencies to run the community action programs.

The amendment which I offer today goes one important logical step beyond that of the 1967 Green amendment. It requires that a community action agency be a State, a unit of general local government having a population of 50,000 or more persons, or a combination of general local government having an aggregate population of 50,000 or more people. They in turn make whatever arrangements they feel necessary and appropriate with other public or private nonprofit agencies to actually run part or all of their programs.

But the important thing is this. They cannot surrender the basic responsibility for the administration of the program as they now can under existing law.

One other thing should also be made clear about units of government which are eligible. That is, if we have an eligible unit or combination of units of general local government which have failed an approvable application, they must get the funds for their area. The State cannot then step in and take over their

programs unless they have failed to apply or have failed to run a program which meets the requirements of the act. This is the same as in the Comprehensive Manpower and Employment Act already passed by the Congress.

Also under my amendment the Director can still step in and run a community action program through a public or nonprofit private agency when a unit of general local government will not file an application, or where it will not run its program in accordance with the act, but must first assure that the State or another eligible unit of government will not assume these responsibilities.

This is crucial for what the amendment provides is a well-balanced approach to decentralization of the authority contained in this act with respect to community action agencies. The Director can step in only as the last resort, something which keeps pressure on the State and local government to continue to deliver social services to the poor, instead of stepping in at the beginning as under the present law.

The amendment, I believe, builds into the act a concept of public responsibility for community action programs. It is in this respect, a block grant approach. It would save millions of dollars in unnecessary Federal administrative costs for these programs, thus I think conserving funds for use for programs for the poor authorized under the proposed act. Eliminating the middlemen will help free programs of abuses which have too often characterized them in the past.

Then, very simply, Mr. Chairman, the community action block grants will keep more money in each State than under H.R. 14449 as reported for it eliminates all the vast salary and overhead costs at the Federal level.

WHAT THE AMENDMENT WOULD DO: SPECIFICALLY

Specifically, the amendment requires that a Community Action agency be a State, a unit of general local government of 50,000 or more population, or a combination of units of general local government—serving the same area of a State—with an aggregate population of 50,000 or more.

It prohibits a State from qualifying as a community action agency for any area covered by other eligible units of government which have submitted an approval application to be such agency.

It permits a community action agency to make arrangements with other public and nonprofit private agencies or organizations to carry out part or all of its programs, but these cannot be designated as the community action agency except by the Director in limited circumstances.

It removes language from the bill requiring the Director to determine that a State or local government qualifying under the bill is "capable of planning, conducting, administering, and evaluating a Community Action program," but retains the requirements of the bill with respect to such programs.

It strikes the language which says that components of a community action program may be administered by a community action agency "where consistent with sound and efficient management and applicable law, or by other agencies"—language which gives the Director broad authority to intervene—and inserts "or by other appropriate agencies with which the Community Action agency has made arrangements."

It changes the terms under which the Director may designate an agency other than one qualified to be the community action agency to run a program by striking those clauses which confer very broad discretion through the use of such language as a finding that the community action agency has failed to carry out its plan "in a satisfactory manner" and substituting language which limits intervention to situations where: First, neither the State nor any eligible units of local government are willing to be designated as the Community Action agency for a community or second, the Community Action agency serving such community has failed to submit an approvable application, to carry out the program in accordance with the requirements of the title, and no other governmental unit eligible to serve such community is willing to be designated as the Community Action agency.

It makes a conforming amendment relating to requirement of a public or nonprofit agency designated to act as the Community Action agency having a governing board with a specified composition.

WHAT THE AMENDMENT DOES NOT DO

On the other hand, the amendment does not change other requirements of the title, such as those relating to the overall conduct of the programs through a governing board having a certain representation of various interests—one-third public officials, one-third poor, one-third business, industry, labor, religious, education, and welfare groups, et cetera.

It does not eliminate the power of the Director to assure that no community is left without services under the title, or to assure that the provisions of the title are carried out—but it does circumscribe and limit his power to turn to an agency other than those governmental units eligible to be community action agencies in order to carry out the title.

In does not alter any other provision or requirement of the title, or of the act, except those described.

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

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

Mr. ROUSSELOT. Mr. Chairman, I thank the gentleman from New York for yielding.

In other words, what my colleague, the gentleman from New York who is on the Labor and Education Committee is trying to do is to eliminate so much of the funding in this program which is going for central administrative costs. In the past almost 70 to 80 percent has gone into central administration rather than to the poor. Is that not correct?

Mr. KEMP. Correct. What I am trying to do is decentralize the program and shift accountability and responsibility to elected officials where I think under a sound policy of federalism, it should be.

Mr. ROUSSELOT. The gentleman would like the officials at the local level to be responsible?

Mr. KEMP. Absolutely, it would start at the local level at first and then to the States if need be.

Mr. ROUSSELOT. I appreciate the gentleman's efforts in this regard.

The CHAIRMAN. The time of the gentleman has expired.

Mr. QUIE. Mr. Chairman, I yield the gentleman 2 additional minutes.

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

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

Mr. QUIE. It is my understanding from the amendment, and I particularly ask the gentleman, it still does not mean that the State or local government has to directly run the program. They can refuse, which would permit the private nonprofit agencies to run the program; is that correct?

Mr. KEMP. The gentleman is correct.

Mr. QUIE. So the money would go through those agencies. For instance, in the rural areas where there are more than one county; for example, in my district each agency covers three counties, the money would go to those local political subdivisions that together are more than 50,000 and those local political subdivisions can decide whether they want to be a community action agency. If they refused, the private nonprofit agency could be funded.

Mr. KEMP. The gentleman is correct. If the services are not being delivered, if the local unit does not offer those services, it would go to the State, and if the State does not offer them, then the Director would come in and make sure that those services are being offered to the poor; so it does protect those programs that are now in existence.

Mr. QUIE. I would say in that case it does, as the gentleman indicated, make the Green amendment operate better.

I regret at the time the amendment was offered that I did not support it; but from what I have seen in the meantime since more than 100 community action agencies have gone public, it was a good amendment; so I compliment the gentleman for devising an amendment to insure that that will operate better.

Mr. KEMP. I appreciate the gentleman's comments and that is exactly what my amendment would do. It would absolutely require that the agency go public and it would put responsibility for these programs in the hands of officials at the local or State level of government.

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

Mr. Chairman, I think that the author of this amendment certainly indicated his intent and that is not merely to make the programs at the local level permissible, but to mandate the local public officials into doing that which they have testified they do not wish to do. It certainly is distressing that at this late date a proposal of this nature, which was not offered in the subcommittee or in the full committee and was not discussed at any time in the committee, should have been offered in this manner for a program of this serious consequence.

In none of the hearings which were held around the country did any public official testify that he wanted this type of a program. As a matter of fact, Governors and city councilmen and other officials testified against it.

Since 1967 under the so-called Green amendment, local governments have had the opportunity to control, to name and to change or to terminate community action agencies. At the present time they have that opportunity and the option to take them over; but in only 97 cases out of over 900 community action agencies have used that option.

Now, this amendment would not simply strangle the program, as the Quie amendment would have done, it would virtually kill it. It would cause a realinement of the present relationships that reasonably exist between public and private agencies and between different levels of government, existing contracts, applications for aid and assistance under the act, all of these would be disturbed. The community action program is indeed a small program, only $330 million.

Under the proposed amendment, every community or combination of communities with a population of 50,000 would be available for funding. This means that more than 1,000 units would apply for some of the $330 million. Obviously, it has to be taken away from some agencies, and obviously it would have to come out of a common pot which would mean present community action agencies would be very substantially changed, if not completely abolished.

In addition, approximately half of the community action agencies are rural, occupying areas of low population density. This amendment would not disturb those community action agencies in high concentrations such as in ghettos and in cities, but it certainly would disturb in a very dramatic way rural areas that operate in more than one county. CAP agencies would be eliminated or forced to combine with other agencies that could qualify easily under existing arrangements.

After many years of growing pains, the Community Action program is today working reasonably effectively. It seems to me that there is no justification for changing it. This program has been tried under the so-called concentrated employment program which was a dismal failure and has practically been repealed. This is an agency, not for the delivery of jobs, but for the delivery of services and combinations of services coming from many different agencies, many different departments. It is impossible to realine them in such a way that one small unit of government through revenue sharing is going to be able to tap the resources of the innumerable agencies and departments for joint funding of the program.

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

(By unanimous consent Mr. HAWKINS was allowed to proceed for 1 additional minute.)

Mr. HAWKINS. Mr. Chairman, I have indicated that the program is opposed by the very officials that the author of this amendment says he is going to help by giving revenue sharing. At the present time, more than 42 governments are supporting the committee's proposal. We have in our possession recommendations and strong endorsements from such diverse governments as Alabama, of Mississippi, of Alaska, of New York, and of Illinois, and certainly of the gentleman's own State. I would think that if these officials are anxious to erase this program or are anxious for this type of so-called local action; if these local officials are not endorsing this particular amendment, but the committee's proposal, then it seems to me that the gentleman does not have any constituency.

The present proposal is endorsed by the United States League of Cities, the Conference of Governors, the Conference of Mayors, the AFL–CIO, and other national organizations. I know of no constituency or support which has come for this particular amendment.

Mr. Chairman, on that basis I think it is without substantial support excepting for a small minority of the members of the committee. I think that it, therefore, should be rejected.

Mr. STEIGER of Wisconsin. Mr. Chairman, I move to oppose the amendment.

Mr. Chairman, all of the members of this committee can reflect back on all of the controversy that has surrounded community action. At the time that we adopted the Green amendment in 1967, very few of the municipalities and/or States across the United States took advantage of what that Green amendment offered to them, which was the chance to take on a community action agency. Now, it is interesting that in the last year something like 107 community action agencies have, in fact, gone public.

That is, they have exercised the option that is available to them under the Green amendment to become a direct part of a municipality. But, the Kemp amendment, may I say to my colleague, is a very different thing. What the Kemp amendment says is, whether or not the mayor or the Governor wants to have community action become a part of the municipal operation, he must do it or else there will be no community action.

Mr. Chairman, that is a distinctively substantially different operation, and it is for that reason that I oppose the Kemp amendment.

I see no reason to force something which is being done by mayors and Governors across the United States as they see fit, but the Kemp amendment would have a very distinct and different result. Therefore, in my judgment, it is not the right thing to do.

Mr. Chairman, let me suggest to you at least two substantive problems with the Kemp amendment. There are something like 30 States, and I think Wisconsin is one of them; Florida is another, and there are a host of others which in effect have said to local municipalities, be they counties, townships, or cities, "You cannot jointly carry on a program with another municipality or another county unless authorized to do so by the legislature."

In the State of Florida, if there is a multi-county CAP agency, unless the State legislature specifically authorizes the county to carry out a program in connection with another county, they cannot do it.

Mr. Chairman, I hope the gentleman from Florida, the distinguished and able Mr. YOUNG, would confirm that because in Wisconsin I understand the situation is similar.

So let us understand that one of the problems we are going to have with the Kemp amendment is the possibility that we will lose significant numbers of community action agencies, not by design, not because the gentleman from New York wants to do it, but simply because there will not be enough time for legislatures to act prior to July 1.

Second, let us go to community action agencies in my State of Wisconsin. We have one CAP agency that is a seven-county multi-CAP agency. There is not any way, in my view, between now and the 1st of July, when the Kemp amendment will take effect, that we are going to be able to see seven county boards sit down to worry about how to deal with a community action agency.

Thusly, I say to my colleagues, Mr. Chairman, that I think the correct response to this program is to do just what the committee bill does and what the Green amendment does. The bill authorizes an incentive program of $50 million for community action agencies to encourage them to become public if they so desire, but it does not force the marriage. The Kemp amendment would force a marriage between community action agencies and local officials whether or not they wanted it. It would do damage to community action agencies, and therefore I hope the amendment is not agreed to.

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

Mr. STEIGER of Wisconsin. I will be happy to yield to the gentleman from New York.

Mr. KEMP. If the gentleman knows, how many agencies went public in the last year?

Mr. STEIGER of Wisconsin. To answer the gentleman, 107, if I remember correctly.

Mr. KEMP. Mr. Chairman, a statement was made that my amendment would strangulate these programs by mandating that they go public. Did the agencies that went public strangulate the programs?

Mr. STEIGER of Wisconsin. No, but the gentleman from New York, I think, understands full well that that was the voluntary effort allowed and authorized by the Green amendment, and that is a very different thing than what the gentleman is trying to do with this amendment, particularly when you get into the multi-CAP agencies.

Mr. Chairman, I urge the rejection of the amendment.

Mr. BAKER. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, nearly a year ago I made an effort to alert my colleagues to a lobby effort which was then being conducted to secure the continuation of the Office of Economic Opportunity. Cor-

rectly speaking, as I endeavored to point out, that lobby campaign was an effort to save the jobs of the bureaucrats at OEO, for it was conceived by and paid for by OEO employees across the land.

That effort was called the Coalition for the War on Poverty, and I wish I could say it has faded from the political scene. Unfortunately, while that organization may have ceased to exist—though I am not technically certain of that fact—another one, of similar background and purpose, called the Action Committee for Community Services, has taken its place. Rather than dedicating itself to the preservation of all OEO programs, many of which have already been spun off to other agencies and some of which have separate enabling legislation pending, this new organization is lobbying for the continuation of OEO as a separate entity, and of the Federal financing of the community action programs.

The debate over continuing OEO has gone on for some time, and the arguments on both sides are familiar to us all. My point at this time concerns the methods being used by the pro-OEO side of this question. What we have here, gentlemen, is a lobby organized by members of the unions of Federal employees in a specific agency, geared toward the perpetuation of that agency. The concern is not with the supposed beneficiaries of the program according to the intent of Congress, but with the preservation of the jobs of the union members.

That this is the purpose, is freely admitted. A memo last summer from the president of the National Council of OEO Locals, circulated to all employees of the Office of Economic Opportunity, stated:

> May and June are brought to you courtesy of your union. Now let's try for July, August, September.

The union, clearly, was taking the credit for having gotten its members their paychecks in the months of May and June, and was promising to do it for future months, with the help of the Coalition for the War on Poverty. That was 1973. Now, in 1974, the Action Committee for Community Services is proposing to do the same for the employees of community action programs.

The budget of this quickly organized lobby is estimated by the Washington Post at $250,000. That is a considerable sum to be gleaned from voluntary contributions and union dues. Last year, I know, the tactics used to extract the "voluntary" contributions from union members were almost coercive. I have not received any firsthand reports about recent fund-gathering efforts, but I suspect the pressure is still quite strong on union members.

With this $250,000 budget, several distinguished and powerful political figures have been hired, including two former colleagues. The salary of one is as high as $25,000 a month, which by any standard is considerable economic incentive. But everyone working on behalf of this cause is not getting paid especially for that purpose. At least one highly placed official within OEO itself has defied the administration's express intent of letting that agency fade away. This official, in the line of his regular duty, has recently launched a nationwide travel schedule, visiting different CAP and other program heads, gathering endorsements from local political figures for the various activities.

To return to this most effective political organizer using his position high in OEO's administration the pretext for these travels is that his duties require that he inform the various grantees that their Federal funds will no longer be available. In the past, however, telephones, telegrams, and the mail service have been sufficient to relay this news to project directors. Why should it now become necessary for agency officials to expend Government travel funds to meet face to face with different project administrators, to personally exchange words?

I do not mean to cast personal aspersions on any of the individuals involved in this lobby effort. I only mean to call attention to the means themselves, and to alert my colleagues to this lobby effort because I believe such tactics are undesirable, and questionable, ethically and perhaps legally as well.

OEO employees are not the first to band together into unions, and from there, into lobbies, for their professional interests. TVA employees have an organization of sorts to represent their employment interests in the halls of government. Postal workers likewise have organized a union to represent and further their interests. So this is not exactly a new technique, though I do believe the intensity of this particular campaign, and the high level of political activity which characterize it are unprecedented.

Setting a precedent for such activity is, in my opinion, undesirable at best, and dangerous to our democratic system of government at worst. I have only the experience of the past on which to base my conjecture of the future, and based on the experience of the past, I fear that once this principle is established, then any interest group within the Federal bureaucracy will feel itself totally justified in pressuring Congress for its own particular interest. Indeed, this principle has been pretty well established, for this is its second year of practice, whether formally or informally, it seems to be a de facto accepted procedure. No one has seriously questioned the continued employment of this means.

In fact, my prediction is already coming true. Another area of Federal bureaucracy has already formed its own lobby group in order to insure the continuation of their salary increases and job descriptions. This interest group is literally a spinoff from OEO, since the project initially began there, just as its lobbying tactics are emulated from OEO's union tactics.

I speak of the National Association of Head Start Directors. There are some 1,200 Head Start programs in the Nation, with, of course, 1,200 project directors. Head Start authorization expires this June, and the directors are concerned about the expansion of their programs and, concomitantly, their salaries. Several months ago, they formed this organization, which is holding its first national conference in Chicago next weekend. In discussing legislation and the future of their programs they are joined by migrant and Indian project directors, also within the HEW system now. I understand this Chicago meeting has been postponed previously, supposedly because there was some question about the propriety of using HEW travel funds for this purpose. Well might there be such a question: I myself would be the first to ask it if no one else were willing to.

And another HEW subsidiary, a particular national health care delivery program, last month had a week-long conference in Washington, featuring a day of lobbying on Capitol Hill—all this with Federal travel funds no less. So the principle of Federal employees pressuring the Federal Government has already been extended pretty far.

I am no lawyer, so I do not know the particulars of the Hatch Act, but my understanding is that that law was written precisely to avoid the kind of abuses I am calling your attention to today. I would, at the very least, expect there to be something potentially illegal, as well as ethically questionable, about Federal employees lobbying Congress in their own interest. As a legislator, I am alarmed that we allow ourselves to be subjected to such pressures and do not inquire into the source of the strength of the pressures. I would urge my colleagues to pay some attention to the nature of the lobbies so actively urging continuation and expansion of particular programs, in the interests of appropriate exercise of democratic processes, if nothing more partisan.

This amendment would place the administration of community services programs in the hands of local governments whose officials best know the needs of their areas.

I urge the adoption of this amendment.

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

Mr. Chairman, I would like to go over the amendment offered by the gentleman from New York (Mr. KEMP) and ask the gentleman some questions, because I have heard some of the statements made by Members who have risen in opposition to the amendment.

My understanding of the amendment is that the amendment would make it more difficult for those who are running the program in Washington to step in and take it away from the local government.

Under the act and under the committee bill, as we will recall, this can be done by the Federal agency simply finding, not subject to challenge, that the local government does not have the capability of planning, conducting, administering or evaluating a community action. Thus, then, if the State or local government agreed to do it, OEO now CAA could not take it away from them. Is that correct?

Mr. KEMP. Will the gentleman yield?

Mr. QUIE. I yield to the gentleman.

Mr. KEMP. The gentleman is correct. That is the effect of my amendment.

Mr. QUIE. I would say that a State or political subdivision of more than 50,000 population certainly must have the capability of running a community action program if it wants to. The question, though, would arise, as I mentioned earlier when I asked the gentleman to yield, of more than one county being involved within the agency. My understanding of your amendment is that if the local political subdivision will not do it, then they could turn it over to the State and they could run it if they wanted to; or if the State did not want to do it and no governmental unit wanted to run the program, then the Federal Government could turn it over to a private agency.

Mr. KEMP. Will the gentleman yield further?

Mr. QUIE. I yield to the gentleman.

Mr. KEMP. The gentleman is again correct. That is exactly what it would do.

Mr. QUIE. That insures, it seems to me, that in the rural areas where it would not be possible to develop the governmental mechanism for, let us say, a three- or four-county or seven-county area before the next legislature met, it would be possible for the present community action agency to operate until they developed the governmental capability of doing it. Is that correct?

Mr. KEMP. Will the gentleman yield again?

Mr. QUIE. I yield to the gentleman.

Mr. KEMP. The gentleman again is correct.

Mr. QUIE. The other question occurs as to how the program would be handled because of failure to comply with the requirements of the title. My understanding is Federal officials retain the full power to enforce the requirements of the title and when there is failure to comply, after having given reasonable opportunity to comply, as is the law right now, they can turn to others to run the program.

Mr. KEMP. Will the gentleman yield?

Mr. QUIE. I yield to the gentleman.

Mr. KEMP. I will say in answer to the answer, yes.

Mr. QUIE. It seems to me this has a great deal of similarity although opposite to the Federal bypass that exists in education legislation which we passed before. As I indicated when I asked the gentleman to yield, I will say to the gentleman from New York, it seems to me what this amendment does is to enable the Green amendment to operate more effectively, and there is not a danger of losing the services of community action in a community that wants it.

Mr. KEMP. Will the gentleman yield?

Mr. QUIE. I yield to the gentleman.

Mr. KEMP. The gentleman is absolutely correct. There is no danger to any program currently in existence and, as the gentleman correctly pointed out in his remarks, as a last resort the Federal Government then could step in. This is an attempt to decentralize the program, bring accountability and economy to it—something the Congress is on record as supporting.

Mr. HAWKINS. Will the gentleman yield?

Mr. QUIE. I yield to the gentleman.

Mr. HAWKINS. It was at the suggestion of the gentleman from Minnesota that we reduce the amount of funding to $330 million. Now the gentleman is supporting an amendment which will, in effect, enlarge the program. Are you therefore suggesting that you are willing to up the cost of the program and that every city and county and unit of government that responds to a mandate to create a community action program would be able to, and are you willing to vote the money for such a program?

Mr. QUIE. My understanding is the authorization would continue at $330 million as in the bill and those areas that presently have the community action program would get the first shot at receiving the money.

Mr. HAWKINS. In other words, you would divide the present funding level among a much larger number of agencies.

Mr. QUIE. My understanding is the ones who presently are in the community action program will have the first shot at it. That means you do not divide it among a greater number of agencies.

Mr. ROUSSELOT. Mr. Chairman, I move to strike the requisite number of words, and I rise in support of the amendment offered by the gentleman from New York (Mr. KEMP).

Mr. Chairman, I rise in support of this amendment, which I think is well drafted and well thought out. I rise also to answer the question which was properly raised by my colleague, the gentleman from California (Mr. HAWKINS). It has already been pointed out that the level of spending will remain the same in the bill by this amendment. The amendment does not alter the expenditure ceiling. As a matter of fact, the amendment enhances the amount of money that will be spent at the local level because it substantially reduces the tremendous overhead costs that we have had here in the Washington office in this program.

So the amendment does exactly what the gentleman from California (Mr. HAWKINS) wants it to do. It reduces the unnecessary overhead at the central Washington level, and assures that the money will go to the local level, which is what the gentleman from California wants to achieve.

Mr. Chairman, let me point out something else that has been brought to our attention—reported in the New York Times of Sunday, May 26, a study that was prepared by the New York State Charter Revision Commission shows that:

> . . . the temporary State Charter Revision Commission for New York City has concluded that the $40-million Community Action Program, a major anti-poverty effort, largely has failed to achieve its objectives because of ineffective structure and management.

This is evidently the result of a tremendous conflict between the directives from Washington, D.C., and the municipal governments that were asked to cooperate with the agency.

As I have pointed out, this is a study that was done in New York City, it was not even done by people here in Washington. This report is from the local viewpoint and it damatizes the need to improve the legislation.

The New York City Community Action program has not been effective because locally elected municipal officials are not consulted and are not brought in, and do not have an opportunity to actively participate.

The New York Times article further states:

> The Commission's report, prepared by its staff under the direction of Forrest Broman, said the main shortcoming of the program was the fact its agencies were separated intentionally from existing municipal-service agencies.

There has been great confusion and inability on the part of the CAP agencies to really serve the poor. The objective to serve the poor has been put in great jeopardy because there has not been cooperation with the locally elected officials.

Because my colleague, the gentleman from New York (Mr. KEMP) who serves on the Education and Labor Committee is aware of this conflict, he has presented us with an amendment that will do a great deal to solve the problem.

The New York Times article concludes by stating:

> To aid decentralization, the report recommends that district boundaries not be drawn "on explicit racial or ethnic grounds" and that election for Community Action posts be conducted by disinterested agencies or, if possible, as part of regular state and municipal elections to assure maximum voter participation.

So the study indicates that the maximum local participation could in fact be clearly enhanced if we would do just as the amendment offered by the gentleman from New York encourages us to do, and that is bring in locally elected officials.

I really cannot understand why my colleague, the gentleman from California (Mr. HAWKINS) would be so adverse to bringing in locally elected officials even in his own area in Los Angeles. That is where the real responsibility should be established—in locally elected officials. A vote against this amendment is a vote against allowing locally elected officials to play a responsible role, make no mistake about it. I think they should be included, and that we should welcome them into the decisionmaking process for the local Community Action Agencies.

Even my colleague, the gentleman from Wisconsin (Mr. STEIGER) has told us that there have been great efforts to involve local agencies and to get local elected officials involved. That is what the amendment offered by my colleague, the gentleman from New York (Mr. KEMP) would do. It is a well-drawn amendment.

I urge my colleagues if they believe in local government, if they believe in bringing in locally elected officials to participate in this program, to please vote for this amendment.

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

Mr. ROUSSELOT. I should be de-

lighted to yield to my good colleague, the gentleman from California.

Mr. HAWKINS. Is the gentleman aware that the example in New York which he cited is a good example of city operation in which this amendment is designed to place in every city throughout America——

The CHAIRMAN. The time of the gentleman has expired.

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

Mr. Chairman, I will only take a couple of minutes. I do want to state that the illustration given by the gentleman from New York is a community action program which is entirely run and operated by the city of New York, and that is where the problems were—among the local government officials.

Mr. Chairman, back in 1967 we gave the opportunity to all community action agencies and to the local public officials to take over the community action agencies if they wanted to take over their community action agencies. There are only about one hundred and some odd community action agencies since 1967 that have gone public. I know that the membership of this committee does not want to put completely out of business the private, nonprofit community action agencies throughout this country. They know what this would do to the distribution of funds.

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

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

Mr. KEMP. I appreciate the gentleman's yielding.

I would say to the Chairman and my committee that this amendment does not touch or even reach funding of the program or the formula under which it is to be distributed. It does not affect it.

Mr. PERKINS. I will say to the gentleman from New York I do not think we would want to mandate public agencies or public local governments to do something when they have declined to do so in the past, and where they have a good working relationship with local community action agencies. If this amendment is adopted, it would simply mean that about 75 percent of the local community action agencies would be completely put out of business over night, and there is no other way to interpret this amendment. This amendment would ring the death knell on community action agencies and destroy the allocation of funds to the poorest of the poor. For all intents and purposes, it would be better to repeal the community action program altogether than to adopt an amendment of this kind.

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

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

RECORDED VOTE

Mr. PERKINS. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 122, noes 264, not voting 47, as follows:

[Roll No. 249]

AYES—122

Andrews, N. Dak.	Frey	Poage
Archer	Froehlich	Powell, Ohio
Armstrong	Gettys	Price, Tex.
Ashbrook	Goodling	Quie
Bafalis	Gross	Rarick
Baker	Guyer	Rhodes
Bauman	Haley	Roberts
Beard	Hanrahan	Robinson, Va.
Blackburn	Hastings	Roncallo, N.Y.
Bowen	Hogan	Rousselot
Bray	Hosmer	Ruth
Brotzman	Huber	Satterfield
Broyhill, Va.	Hudnut	Scherle
Buchanan	Hunt	Schneebeli
Burgener	Ichord	Sebelius
Byron	Jarman	Shuster
Casey, Tex.	Jones, Okla.	Sikes
Clancy	Kemp	Smith, N.Y.
Clausen, Don H.	King	Snyder
Clawson, Del	Kuykendall	Spence
Cochran	Lagomarsino	Steiger, Ariz.
Collins, Tex.	Landgrebe	Symms
Conlan	Latta	Talcott
Crane	Lent	Taylor, Mo.
Daniel, Dan	Lott	Teague
Daniel, Robert W., Jr.	McCollister	Thone
Davis, Wis.	McEwen	Towell, Nev.
Denholm	Mahon	Treen
Dennis	Mann	Walsh
Derwinski	Martin, N.C.	Wampler
Devine	Mayne	Ware
Dickinson	Milford	Whitehurst
Duncan	Miller	Whitten
Edwards, Ala.	Minshall, Ohio	Wiggins
Erlenborn	Mitchell, N.Y.	Wilson, Bob
Eshleman	Mizell	Winn
Fisher	Montgomery	Wydler
Flynt	Moorhead, Calif.	Wyman
Fountain	Myers	Young, Fla.
	Nelsen	Young, S.C.
	Parris	Zion
		Zwach

NOES—264

Abdnor	Corman	Hanley
Abzug	Cotter	Hanna
Adams	Coughlin	Harrington
Addabbo	Cronin	Harsha
Alexander	Culver	Hawkins
Anderson, Calif.	Daniels, Dominick V.	Hays
Anderson, Ill.	Davis, Ga.	Hébert
Andrews, N.C.	Davis, S.C.	Hechler, W. Va.
Annunzio	Delaney	Heckler, Mass.
Ashley	Dellenback	Heinz
Aspin	Dellums	Henderson
Badillo	Dent	Hicks
Barrett	Diggs	Hillis
Bell	Dingell	Holifield
Bennett	Donohue	Holt
Bergland	Dorn	Holtzman
Bevill	Downing	Horton
Biaggi	Drinan	Hungate
Biester	Dulski	Johnson, Calif.
Bingham	du Pont	Johnson, Pa.
Blatnik	Eckhardt	Jones, Ala.
Boggs	Edwards, Calif.	Jones, N.C.
Boland	Ellberg	Jones, Tenn.
Bolling	Esch	Jordan
Brademas	Evans, Colo.	Kastenmeier
Brasco	Evins, Tenn.	Kazen
Breckinridge	Fascell	Kluczynski
Brinkley	Fish	Koch
Brooks	Flood	Kyros
Broomfield	Flowers	Landrum
Brown, Calif.	Ford	Leggett
Brown, Mich.	Forsythe	Lehman
Brown, Ohio	Fraser	Litton
Burke, Calif.	Frelinghuysen	Long, La.
Burke, Fla.	Frenzel	Long, Md.
Burke, Mass.	Fulton	Lujan
Burlison, Mo.	Fuqua	Luken
Butler	Gaydos	McClory
Carney, Ohio	Giaimo	McCormack
Carter	Gilman	McDade
Cederberg	Ginn	McFall
Chamberlain	Gonzlez	McKay
Chappell	Grasso	McKinney
Chisholm	Gray	Macdonald
Clark	Green, Pa.	Madden
Clay	Griffiths	Madigan
Cleveland	Grover	Mallary
Cohen	Gude	Maraziti
Collins, Ill.	Gunter	Mathias, Calif.
Conable	Hamilton	Mathis, Ga.
Conte	Hammer-schmidt	Matsunaga
Conyers		Mazzoli
		Meeds
		Melcher
		Metcalfe
		Mezvinsky
		Mills
		Minish
		Mink
		Mitchell, Md.
		Moakley
		Mollohan
		Moorhead, Pa.
		Morgan
		Mosher
		Moss
		Murphy, Ill.
		Murphy, N.Y.
		Murtha
		Natcher
		Nedzi
		Nichols
		Nix
		Obey
		O'Brien
		O'Hara
		Owens
		Patman
		Patten
		Pepper
		Perkins
		Peyser
		Pickle
		Pike
		Preyer
		Price, Ill.
		Pritchard
		Quillen
		Railsback
		Randall
		Rangel
		Rees
		Regula
		Reuss
		Riegle
		Rinaldo
		Robison, N.Y.
		Rodino
		Roe
		Rogers
		Roncallo, Wyo.
		Rose
		Rosenthal
		Roush
		Roy
		Roybal
		Runnels
		Ruppe
		St Germain
		Sandman
		Sarasin
		Sarbanes
		Schroeder
		Seiberling
		Shipley
		Shoup
		Shriver
		Sisk
		Skubitz
		Slack
		Staggers
		Stanton, J. William
		Stark
		Steed
		Steele
		Steelman
		Steiger, Wis.
		Stephens
		Stokes
		Stratton
		Studds
		Sullivan
		Symington
		Taylor, N.C.
		Thompson, N.J.
		Thomson, Wis.
		Thornton
		Tiernan
		Traxler
		Udall
		Ullman
		Van Deerlin
		Vander Veen
		Vanik
		Vigorito
		Waldie
		Whalen
		White
		Widnall
		Williams
		Wilson, Charles H., Calif.
		Wolff
		Wright
		Wyatt
		Wylie
		Yates
		Yatron
		Young, Alaska
		Young, Ga.
		Young, Tex.
		Zablocki

NOT VOTING—47

Arends	Hansen, Wash.	Rooney, N.Y.
Breaux	Helstoski	Rooney, Pa.
Broyhill, N.C.	Hinshaw	Rostenkowski
Burleson, Tex.	Howard	Ryan
Burton	Hutchinson	Smith, Iowa
Camp	Johnson, Colo.	Stanton, James V.
Carey, N.Y.	Karth	Stubblefield
Collier	Ketchum	Stuckey
Danielson	McCloskey	Vander Jagt
de la Garza	McSpadden	Veysey
Findley	Martin, Nebr.	Waggonner
Foley	Michel	Wilson, Charles, Tex.
Gibbons	O'Neill	Young, Ill.
Goldwater	Passman	
Green, Oreg.	Pettis	
Gubser	Podell	
Hansen, Idaho	Reid	

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. FROEHLICH

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

The Clerk read as follows:

Amendment offered by Mr. FROEHLICH: On page 224 add after the period on line 24 the following sentence: "No financial assistance shall be extended under this section for medical assistance and supplies in cases of abortion or sterilization".

Mr. FROEHLICH. Mr. Chairman, this is a rather simple amendment to a section of the bill that I understand is not going to be used. I understand that the family planning assistance area has been transferred by OEO to HEW already, except that this bill retains an authorization in the Community Action Administration for family planning assistance. That section is on page 224 of the bill and reads as follows:

In granting financial assistance for projects or activities in the field of family planning, the Director shall assure that family planning services, including the dissemination of family planning information and medical assistance and supplies, are made available to all low-income individuals . . .

Mr. Chairman, nowhere in this bill have I been able to find a definition of "family planning" and therefore, I offer this amendment.

The amendment is to this section. It just says that no financial assistance shall be extended under this section for medical assistance and supplies in cases of abortion or sterilization.

Mr. Chairman, this amendment, then, prevents the use of taxpayers' money to support abortion or sterilization if this section is ever activated under the guise of family planning.

It is a very simple amendment which I urge the Members to support.

Ms. ABZUG. Mr. Chairman, I move to strike the last word.

I hear some gentle male laughter in the back of the room.

Mr. Chairman, whatever the gentlemen's personal views are, it is certainly not a laughing matter. There is a Supreme Court decision in this country which is the law of the land. I think it ill behooves any Member of this House to laugh at the law of the land, whether he agrees with it or not. But more than that, I take this well once again to suggest that an amendment like this offends the fundamental philosophy of a country which bases itself upon equality under the law.

Even the gentleman who presents this amendment admits it is not relevant.

Mr. FROEHLICH. If the gentlewoman will yield, I did not say that.

Ms. ABZUG. What I believe the gentleman said was that it is an amendment brought to a section of the law which the gentleman does not believe is going to be meaningful.

Mr. FROEHLICH. If the gentlewoman will yield again, I am told it is not going to be meaningful.

Ms. ABZUG. Which the gentleman is told is not going to be meaningful, and that only shows the spurious nature of such an amendment.

When one's personal view is offered—and I respect the gentleman's right to his view, and I would hope the gentleman respects my right to my view—the constant instrusion of a personal view, makes bad legislation and is inappropriate and should be rejected by this body.

The gentleman stood up in this well, and the gentleman said that it is expected that this section of the statute will not be operative. Yet the gentleman insists upon appending an amendment to it, an amendment which does what? It does one thing only: It deprives the people in this country, the poor people in this country, of the same rights that other people have under the supreme law of this land.

This is a very discriminatory amendment, regardless of one's personal view. Whatever one's position is, a matter of religion or conscience, and I for one cannot object to that, the fact remains that when the gentleman says that this provision of family planning has to be subjected to an illegal and unconstitutional amendment, he is saying, "Poor people of this land, there is a Supreme Court. It makes decisions which can be applicable to all other people except you, the poor. You, the poor, can only obtain family assistance with certain specific prohibitions, albeit they violate the law of this land".

Mr. Chairman, I say to the Members, wherever one comes from, be it East, South, North or West, that the poor people in all these areas are deserving of more consideration. The poor people and the poor women of this country are deserving of more consideration.

By this amendment, the gentleman is telling them that they can have family planning services, but they cannot have family planning services in cases where Members of Congress are asserting their personal conscientious religious views which differ with the law of the land.

Mr. Chairman, there may be a remedy and there may be a vehicle, but the vehicle is not the minds and the hearts, the bodies and the hopes of the poor people of this country.

I would like the Members to know that the medical statistics so far demonstrate, that in New York City 42 percent of the abortions have been performed for poor people. All this amendment would do is to hypocritically allow the middle-class people of this country to continue to have abortions but prevent the poor people from being able to participate and obtain their equal rights under the law.

Mr. Chairman, that is all the gentleman does by his amendment. He does not salve his conscience, he does not promote his religious point of view; he merely discriminates against the poor women of this country, the poor women in his district, and the poor women in every other district in the land.

I urge this body once and for all, as a matter of law and as a matter of congressional responsibility, to reject this amendment.

Mr. Chairman, let us fight this issue out in an appropriate forum. The House of Representatives is not the forum for it, and this piece of legislation is not the proper vehicle.

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

Mr. Chairman and Members. From the debate just held, I think it is very obvious this is a rather emotional issue. It is also obvious that many of us in this body do not wish to rise at this time and discuss this matter. I think that is unfortunate.

I believe the reasonable place for a discussion on this issue of abortion should come through the committee process and by hearings held in the Committee on the Judiciary as to the ramifications of that issue, and where the public can have an opportunity to be heard on this issue.

Mr. Chairman, let me carefully read this particular amendment to the Members. It was rather hastily drawn perhaps, because it was written out on a sheet of paper. It states as follows:

> No financial assistance shall be extended under this section for medical assistance and supplies in cases of abortion or sterilization.

Irrespective of any Members' emotional feelings or moral feelings on the question of abortion, leaving that aside for the moment, I would suggest that it would be very important for us to reject this amendment on the ground that it contains the words "or sterilization."

Now I think that most every Member of this body would be against involuntary sterilization as I am. Indeed the recent hearings in the Senate brought that out.

However, there are many effective programs coming about in which sterilization on a voluntary basis is morally acceptable to the individual client and is a process for a method of family planning. Therefore in this amendment—the idea that "or sterilization" is prohibited—is the reason alone, irrespective of how you feel on the issue of abortion, this particular amendment should be rejected.

So let us reject the amendment on that ground and let us all urge that the House Committee on the Judiciary commence hearings as soon as possible on the question and issue of abortion.

I urge rejection of the amendment.

AMENDMENT OFFERED BY MR. TREEN TO THE AMENDMENT OFFERED BY MR. FROEHLICH

Mr. TREEN. Mr. Chairman, I offer an amendment to the amendment.

The Clerk read as follows:

> Amendment offered by Mr. TREEN to the amendment offered by Mr. FROEHLICH: strike out the words "or sterilization."

Mr. TREEN. Mr. Chairman, for the reasons just stated by the gentleman from Michigan, I have offered this amendment.

There are many of us in this Chamber—and I do not think there is any reason to go into a debate about the issue of abortion, because we have had it up many times on the floor—there are many of us here who are adamantly opposed to the use of Federal funds for the purposes of abortion, whereas many of us who feel that way feel differently about voluntary sterilization.

I concur with the Member who preceded me here who stated that he is absolutely opposed to any forced sterilization. I agree wholeheartedly. But in those instances where it is desired as a part of family planning, that should not be denied.

I think the Members of the House should have an opportunity to vote in favor of an amendment to prohibit the use of funds for abortion without, of course, prohibiting use of funds in the case of voluntary sterilization.

So a vote for this amendment to the amendment would remove the words "or sterilization." If that is adopted, we would have remaining simply the issue of using Federal funds for cases of abortion.

Ms. ABZUG. Would the gentleman yield?

Mr. TREEN. I am pleased to yield.

Ms. ABZUG. Would the gentleman explain to me what his concept of sterilization is?

Mr. TREEN. I do not believe I am here for the purpose of cross-examination, but, generally speaking, all of us, when we talk about sterilization, think of a process which might include any number of different methods which would render it impossible for someone to conceive.

Ms. ABZUG. To conceive. Have you ever heard of vasectomy?

Mr. TREEN. Yes, I have. I guess I am subject to cross-examination.

Ms. ABZUG. Do you consider that a part of the sterilization process?

Mr. TREEN. I am sorry. Would the gentlewoman repeat the question?

Ms. ABZUG. Do you consider that a part of the sterilization process?

Mr. TREEN. That is a form of sterilization, if I understand it correctly, yes.

Ms. ABZUG. OK. Let me ask the gentleman another question. Is it his suggestion it is OK for us to have authority to sterilize poor people but not allow them to make decisions for themselves as individuals as to whether or not they should have an abortion?

Mr. TREEN. Absolutely not. That is not my purpose here at all. My position here is—and let me explain this in answer to your inquiry—my position here is simply this: I think Members of this House should be permitted to vote on the question of using Federal funds for abortion without getting it tied up in the question of sterilization. By offering this particular amendment every Member of this House has a right to vote on these issues in seriatim.

Ms. ABZUG. Is the gentleman aware of the fact that there has been quite a bit of difference of opinion and that HEW is trying to establish guidelines on the sterilization issue as to what they consider to be voluntary sterilization and what they consider to be compulsory sterilization?

Mr. TREEN. Yes. I think it is a very serious issue, and I think it goes to the administration of the program. I thought I made it abundantly clear that I am adamantly opposed to the use of any funds, and adamantly opposed to any government, local or Federal, that would in any way bring about forced sterilization. That is a question of administration of the law which we write.

Ms. ABZUG. Do you think the law and the regulations should be followed on the sterilization issue, but in the case of abortion—and correct me if I am wrong—you think it should be the law of the land that poor people may not have abortions although you are willing to risk their having sterilization which might be contrary to the law? Is that correct?

Mr. TREEN. I do not concur in the gentlewoman's reasoning or rationalization at all. All I am saying is that we as Members of Congress have the right to say that Federal funds will not be spent for abortion. The issue here presented does not in any way affect or bear on the question of what an individual may wish; all we are saying is that Federal funds will not be used for the purpose of abortion.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Louisiana (Mr. TREEN) to the amendment offered by the gentleman from Wisconsin (Mr. FROEHLICH).

The amendment to the amendment was agreed to.

Mr. FRASER. Mr. Chairman, I move to strike the requisite number of words and I rise in opposition to the pending amendment.

Mr. Chairman, I think that the amendment may appear to some to be more acceptable now that the words "or sterilization" have been removed. But let me point out, really, what the amendment does: It says that if a woman gets an illegal abortion which is botched, and she is in need of medical assistance to save her life, and she goes to a clinic which is funded under this program, she must be turned away. That is the consequence of the way this amendment is worded, because it says that there shall be no medical assistance or supplies in cases of abortion. It does not say to finance an abortion. It says, in effect, if the medical situation involved abortion, this would prevent a clinic from offering help to a woman who was unable to get a legal abortion for lack of money, and sought an illegal abortion and ran into medical problems.

I think that this amendment is very badly drawn on that account. I would object to the amendment even if it were more clearly drawn, because I do not see why we insist that poor people cannot have access to the medical services that the rest of us are able to receive. I think that is fundamentally wrong.

If we pass this amendment, even if it were carefully written, we would not outlaw abortion, we would only outlaw it for poor people. But in the manner and the form in which this amendment appears, it goes much further, and would deny medical assistance to somebody who needed it for medical problems arising out of an abortion.

On all these grounds I think the amendment should be rejected.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin (Mr. FROEHLICH), as amended.

The question was taken; and on a division (demanded by Mr. FRASER) there were—ayes 48, noes 43.

RECORDED VOTE

Mr. GIAIMO. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 290, noes 91, not voting 52, as follows:

[Roll No. 250]

AYES—290

Abdnor	Burke, Fla.	Dent
Alexander	Burke, Mass.	Derwinski
Anderson, Ill.	Burleson, Tex.	Devine
Andrews, N.C.	Burlison, Mo.	Dickinson
Andrews, N. Dak.	Butler	Donohue
Annunzio	Byron	Dorn
Archer	Carney, Ohio	Downing
Armstrong	Carter	Dulski
Aspin	Casey, Tex.	Duncan
Bafalis	Cederberg	du Pont
Baker	Chamberlain	Edwards, Ala.
Barrett	Chappell	Eilberg
Bauman	Clancy	Erlenborn
Beard	Clark	Esch
Bell	Clausen, Don H.	Eshleman
Bennett	Clawson, Del	Evins, Tenn.
Bergland	Cleveland	Fish
Bevill	Cochran	Fisher
Biaggi	Cohen	Flood
Biester	Collins, Tex.	Flowers
Blatnik	Conlan	Flynt
Boggs	Conte	Forsythe
Boland	Cotter	Fountain
Bowen	Coughlin	Frelinghuysen
Bray	Crane	Frenzel
Breckinridge	Cronin	Frey
Brinkley	Daniel, Dan	Froehlich
Brooks	Daniel, Robert W., Jr.	Fulton
Broomfield	Daniels, Dominick V.	Fuqua
Brotzman	Davis, Ga.	Gaydos
Brown, Mich.	Davis, Wis.	Gettys
Brown, Ohio	Delaney	Gilman
Broyhill, Va.	Denholm	Ginn
Buchanan	Dennis	Gonzalez
Burgener	Dingell	Goodling
Burke, Calif.	Downing, Va.	Grasso
Burleson, Tex.	Drinan	Gray
Burlison, Mo.	Duncan, Tenn.	Green, Pa.
Burton	Edwards, Calif.	Gross
Carney, Ohio	Eilberg	Grover
Carter	Esch	Gude
Casey, Tex.	Evans, Colo.	Gunter
Cederberg	Evins, Tenn.	Guyer
Chamberlain	Fascell	Haley
Chappell	Findley	Hamilton
Clancy	Fish	Hammer-schmidt
Clark	Fisher	Hanley
Clausen, Don H.	Flood	Hanrahan
Clawson, Del	Flowers	Harsha
Cleveland	Flynt	Hastings
Cochran	Forsythe	Hays
Cohen	Fountain	Hébert
Collins, Tex.	Frelinghuysen	Hechler, W. Va.
Conlan	Frenzel	Heckler, Mass.
Conte	Frey	Heinz
Cotter	Froehlich	Henderson
Coughlin	Fulton	Hillis
Crane	Fuqua	Hogan
Cronin	Gaydos	Holt
Daniel, Dan	Gettys	Huber
Daniel, Robert W., Jr.	Gilman	Hudnut
Daniels, Dominick V.	Ginn	Hungate
Davis, Ga.	Gonzalez	Hunt
Davis, Wis.	Goodling	Ichord
Delaney	Grasso	Jarman
Denholm	Gray	Johnson, Calif.
Dent	Green, Pa.	Johnson, Pa.
Derwinski	Gross	Jones, Ala.
Devine	Grover	Jones, N.C.
Dickinson	Gude	Jones, Tenn.
Donohue	Gunter	Kastenmeier
Dorn	Guyer	Kazen
Downing	Haley	Kemp
Dulski	Hamilton	King
Duncan	Hammer-schmidt	Kluczynski
du Pont	Hanley	Kuykendall
Edwards, Ala.	Hanrahan	Kyros
Eilberg	Harsha	Lagomarsino
Erlenborn	Hastings	Landgrebe
Esch	Hays	Landrum
Eshleman	Hébert	Latta
Evins, Tenn.	Hechler, W. Va.	Lent
Fish	Heckler, Mass.	Litton
Fisher	Heinz	Long, La.
Flood	Henderson	Long, Md.
Flowers	Hillis	Lott
Flynt	Hogan	Lujan
Forsythe	Holt	Luken
Fountain	Huber	McClory
Frelinghuysen	Hudnut	McCollister
Frenzel	Hungate	McDade
Frey	Hunt	McEwen
Froehlich	Ichord	McKay
Fulton	Jarman	Macdonald
Fuqua	Johnson, Calif.	Madden
Gaydos	Johnson, Pa.	Madigan
Gettys	Jones, Ala.	Mahon
Gilman	Jones, N.C.	Mallary
Ginn	Jones, Tenn.	Mann
Gonzalez	Kastenmeier	Maraziti
Goodling	Kazen	Mathias, Calif.
Grasso	Kemp	Mathis, Ga.
Gray	King	Mayne
Green, Pa.	Kluczynski	Mazzoli
Gross	Kuykendall	Melcher
Grover	Kyros	Miller
Gude	Lagomarsino	Mills
Gunter	Landgrebe	Minish
Guyer	Landrum	Mitchell, N.Y.
Haley	Latta	Mizell
Hamilton	Lent	Moakley
Hammer-schmidt	Litton	Mollohan
Hanley	Long, La.	Montgomery
Hanrahan	Long, Md.	Moorhead, Calif.
Harsha	Lott	Moorhead, Pa.
Hastings	Lujan	Morgan
Hays	Luken	Murphy, Ill.
Hébert	McClory	Murtha
Hechler, W. Va.	McCollister	Myers
Heckler, Mass.	McDade	Natcher
Heinz	McEwen	Nelsen
Henderson	McKay	Nichols
Hillis	Macdonald	Obey
Hogan	Madden	O'Brien
Holt	Madigan	O'Hara
Huber	Mahon	Owens
Hudnut	Mallary	Parris
Hungate	Mann	Patten
Hunt	Maraziti	Perkins
Ichord	Mathias, Calif.	Peyser
Jarman	Mathis, Ga.	Pickle
Johnson, Calif.	Mayne	Pike
Johnson, Pa.	Mazzoli	Powell, Ohio
Jones, Ala.	Melcher	Preyer
Jones, N.C.	Miller	Price, Ill.
Jones, Tenn.	Mills	Price, Tex.
Kastenmeier	Minish	Quie
Kazen	Mitchell, N.Y.	Quillen
Kemp	Mizell	Railsback
King	Moakley	Randall
Kluczynski	Mollohan	Rarick
Kuykendall	Montgomery	Regula
Kyros	Moorhead, Calif.	Reuss
Lagomarsino	Moorhead, Pa.	Rhodes
Landgrebe	Morgan	Rinaldo
Landrum	Murphy, Ill.	Roberts
Latta	Murtha	Robinson, Va.
Lent	Myers	Rodino
Litton	Natcher	Roe
Long, La.	Nelsen	Rogers
Long, Md.	Nichols	Roncallo, N.Y.
Lott	Obey	Roush
Lujan	O'Brien	Rousselot
Luken	O'Hara	Roy
McClory	Owens	Runnels
McCollister	Parris	Ruppe
McDade	Patten	Ruth
McEwen	Perkins	St Germain
McKay	Peyser	Sandman
Macdonald	Pickle	Sarasin
Madden	Pike	Sarbanes
Madigan	Powell, Ohio	Satterfield
Mahon	Preyer	Scherle
Mallary	Price, Ill.	Schneebeli
Mann	Price, Tex.	Sebelius
Maraziti	Quie	Shipley
Mathias, Calif.	Quillen	Shoup
Mathis, Ga.	Railsback	Shriver
Mayne	Randall	Shuster
Mazzoli	Rarick	Sikes
Melcher	Regula	Skubitz
Miller	Reuss	Slack
Mills	Rhodes	Snyder
Minish	Rinaldo	Spence
Mitchell, N.Y.	Roberts	Staggers
Mizell	Robinson, Va.	Stanton, J. William
Moakley	Rodino	Steed
Mollohan	Roe	Steele
Montgomery	Rogers	Steiger, Ariz.
Moorhead, Calif.	Roncallo, N.Y.	Steiger, Wis.
Moorhead, Pa.	Roush	Stephens
Morgan	Rousselot	Stratton
Murphy, Ill.	Roy	Stuckey
Murtha	Runnels	Sullivan
Myers	Ruppe	Symms
Natcher	Ruth	Talcott
Nelsen	St Germain	Taylor, Mo.
Nichols	Sandman	Taylor, N.C.
Obey	Sarasin	Teague
O'Brien	Sarbanes	Thomson, Wis.
O'Hara	Satterfield	Thone
Owens	Scherle	Thornton
Parris	Schneebeli	Tiernan
Patten	Sebelius	Towell, Nev.
Perkins	Shipley	Traxler
Peyser	Shoup	Treen
Pickle	Shriver	Ullman
Pike	Shuster	Vanik
Powell, Ohio	Sikes	Vigorito
Preyer	Skubitz	Walsh
Price, Ill.	Slack	Wampler
Price, Tex.	Snyder	Whalen
Quie	Spence	White
Quillen	Staggers	Whitehurst
Railsback	Stanton, J. William	Whitten
Randall	Steed	Widnall
Rarick	Steele	Wiggins
Regula	Steiger, Ariz.	Williams
Reuss	Steiger, Wis.	Wilson, Bob
Rhodes	Stephens	Winn
Rinaldo	Stratton	Wright
Roberts	Stuckey	Wyatt
Robinson, Va.	Sullivan	Wydler
Rodino	Symms	Wylie
Roe	Talcott	Wyman
Rogers	Taylor, Mo.	Yatron
Roncallo, N.Y.	Taylor, N.C.	Young, Alaska
Roush	Teague	Young, Fla.
Rousselot	Thomson, Wis.	Young, S.C.
Roy	Thone	Young, Tex.
Runnels	Thornton	Zablocki
Ruppe	Tiernan	Zwach
Ruth	Towell, Nev.	
St Germain	Traxler	
Sandman	Treen	
Sarasin	Ullman	
Sarbanes	Vanik	
Satterfield	Vigorito	
Scherle	Walsh	
Schneebeli	Wampler	
Sebelius	Whalen	
Shipley	White	
Shoup	Whitehurst	
Shriver	Whitten	
Shuster	Widnall	
Sikes	Wiggins	
Skubitz	Williams	
Slack	Wilson, Bob	
Snyder	Winn	
Spence	Wright	
Staggers	Wyatt	
Stanton, J. William	Wydler	
Steed	Wylie	
Steele	Wyman	
Steiger, Ariz.	Yatron	
Steiger, Wis.	Young, Alaska	
Stephens	Young, Fla.	
Stratton	Young, S.C.	
Stuckey	Young, Tex.	
Sullivan	Zablocki	
Symms	Zwach	
Talcott		
Taylor, Mo.		
Taylor, N.C.		
Teague		
Thomson, Wis.		
Thone		
Thornton		
Tiernan		
Towell, Nev.		
Traxler		
Treen		
Ullman		
Vanik		
Vigorito		
Walsh		
Wampler		
Whalen		
White		
Whitehurst		
Whitten		
Widnall		
Wiggins		
Williams		
Wilson, Bob		
Winn		
Wright		
Wyatt		
Wydler		
Wylie		
Wyman		
Yatron		
Young, Alaska		
Young, Fla.		
Young, S.C.		
Young, Tex.		
Zablocki		
Zwach		

NOES—91

Abzug	Fascell	Nedzi
Adams	Ford	Nix
Addabbo	Fraser	Patman
Anderson, Calif.	Giaimo	Pepper
Ashbrook	Griffiths	Pritchard
Ashley	Hanna	Rangel
Badillo	Harrington	Rees
Bingham	Hawkins	Riegle
Blackburn	Hicks	Robison, N.Y.
Bolling	Holifield	Roncalio, Wyo.
Brademas	Holtzman	Rose
Brasco	Horton	Rosenthal
Brown, Calif.	Hosmer	Roybal
Burke, Calif.	Jones, Okla.	Schroeder
Chisholm	Jordan	Selberling
Clay	Koch	Sisk
Collins, Ill.	Leggett	Smith, N.Y.
Conable	Lehman	Stark
Conyers	McCormack	Steelman
Corman	McFall	Stokes
Culver	McKinney	Studds
Davis, S.C.	Martin, N.C.	Udall
Dellenback	Matsunaga	Van Deerlin
Dellums	Meeds	Vander Veen
Diggs	Metcalfe	Waldie
Dingell	Mezvinsky	Ware
Drinan	Milford	Wolff
Eckhardt	Mink	Yates
Edwards, Calif.	Mitchell, Md.	Young, Ga.
Evans, Colo.	Mosher	Zion
	Moss	

NOT VOTING—52

Arends	de la Garza	Hansen, Idaho
Breaux	Dennis	Hansen, Wash.
Broyhill, N.C.	Findley	Helstoski
Burton	Foley	Hinshaw
Camp	Gibbons	Howard
Carey, N.Y.	Goldwater	Hutchinson
Collier	Green, Oreg.	Johnson, Colo.
Danielson	Gubser	Karth

Ketchum	Podell	Thompson, N.J.
McCloskey	Reid	Vander Jagt
McSpadden	Rooney, N.Y.	Veysey
Martin, Nebr.	Rooney, Pa.	Waggonner
Michel	Rostenkowski	Wilson,
Minshall, Ohio	Ryan	Charles H.,
Murphy, N.Y.	Smith, Iowa	Calif.
O'Neill	Stanton,	Wilson,
Passman	James V.	Charles, Tex.
Pettis	Stubblefield	Young, Ill.
Poage	Symington	

So the amendment, as amended, was agreed to.

The result of the vote was announced as above recorded.

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

Mr. Chairman, I want to take a minute to call attention to what I hope is a completely noncontroversial part of this bill, but one that is of the utmost importance to many of the young people in our country.

Mr. Chairman, this section of the bill is entitled, "The Youth Recreation and Sport Program." It is also known as the national summer youth sports program. This program is funded at the rate of $3 million a year. It reaches over 40,000 young men and women every year, ages 10 to 18. The sponsorship of the program, outside of the Federal Government, is the NCAA.

Mr. Chairman, this program has done more to improve and help young disadvantaged people than any program the Government has entered into that is aimed at children aged 10 to 18 in this area of recreation.

Mr. Chairman, I would like to urge the Members to keep in mind when they are voting in support of this legislation the entire bill, that this program is part of it. It is insignificant in dollars, but it is worth more than, I think, any of us can imagine as far as the young people in this country are concerned. Therefore, I will urge the passage of this bill. I would like to mention at this time that Warren Jackson, a member of my community, has been most helpful in developing this legislation together with the NCAA. I publicly want to thank him for his help.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

TITLE II—SPECIAL PROGRAMS TO COMBAT POVERTY IN RURAL AREAS

PART A—RURAL LOAN PROGRAMS

STATEMENT OF PURPOSE

SEC. 211. It is the purpose of this part to meet some of the special needs of low-income rural families by establishing a program of loans to assist in raising and maintaining their income living standards.

LOANS TO FAMILIES

SEC. 212. (a) The Director is authorized to make loans having a maximum maturity of fifteen years and in amounts not resulting in an aggregate principal indebtedness of more than $3,500 at any one time to any low-income rural family where, in the judgment of the Director, such loans have a reasonable possibility of effecting a permanent increase in the income of such families, or, in the case of the elderly, will contribute to the improvement of their living or housing conditions by assisting or permitting them to—

(A) acquire or improve real estate or reduce encumbrances or erect improvements thereon,

(B) operate or improve the operation of farms not larger than family sized, including but not limited to the purchase of feed, seed, fertilizer, livestock poultry, and equipment, or

(C) participate in cooperative associations; and/or to finance nonagricultural enterprises which will enable such families to supplement their income.

(b) Loans under this section shall be made only if the family is not qualified to obtain such funds by loan under other Federal programs.

COOPERATIVE ASSOCIATIONS

SEC. 213. The Director is authorized to make loans to local cooperative associations furnishing essential processing, purchasing, or marketing services, supplies, or facilities predominantly to low-income rural families.

LIMITATIONS ON ASSISTANCE

SEC. 214. No financial or other assistance shall be provided under this title unless the Director determines that—

(a) the providing of such assistance will materially further the purposes of this title, and

(b) in the case of assistance provided pursuant to section 213, the applicant is fulfilling or will fulfill a need for services, facilities, or activities which is not otherwise being met.

LOAN TERMS AND CONDITIONS

SEC. 215. Loans pursuant to sections 212 and 213 shall have such terms and conditions as the Director shall determine, subject to the following limitations:

(a) there is reasonable assurance of repayment of the loan;

(b) the credit is not otherwise available on reasonable terms from private sources or other Federal, State, or local programs;

(c) the amount of the loan, together with other funds available, is adequate to assure completion of the project or achievement of the purposes for which the loan is made;

(d) the loan bears interest at a rate not less than (1) a rate determined by the Secretary of the Treasury, taking into consideration the average market yield on outstanding Treasury obligations of comparable maturity, plus (2) such additional charge, if any, toward covering other costs of the program as the Director may determine to be consistent with its purposes;

(e) with respect to loans made pursuant to section 213, the loan is repayable within not more than thirty years, and

(f) no financial or other assistance shall be provided under this part to or in connection with any corporation or cooperative organization for the production of agricultural commodities or for manufacturing purposes: *Provided*, That (1) packing, canning, cooking, freezing, or other processing used in preparing or marketing edible farm products, including, dairy products, shall not be regarded as manufacturing merely by reason of the fact that it results in the creation of a new or different substance; and (2) a cooperative organization formed by and consisting of members of an Indian tribe (including any tribe with whom the special Federal relationship with Indians has been terminated) engaged in the production of agricultural commodities, or in manufacturing products, on an Indian reservation (or former reservation in the case of tribes with whom the special Federal relationship with Indians has been terminated) shall not be regarded as a cooperative organization within the purview of this clause.

REVOLVING FUND

SEC. 216. (a) To carry out the lending and guaranty functions authorized under this subpart there is authorized to be established a revolving fund. The capital of the fund shall consist of such amounts as may be advanced to it by the Director from funds appropriated pursuant to this Act and shall remain available until expended.

(b) The Director shall pay into miscellaneous receipts of the Treasury, at the close of each fiscal year, interest on the capital of the fund at a rate determined by the Secretary of the Treasury, taking into consideration the average market yield on outstanding Treasury obligations of comparable maturity during the last month of the preceding fiscal year. Interest payments may be deferred with the approval of the Secretary of the Treasury, but any interest payments so deferred shall themselves bear interest.

(c) Whenever any capital in the fund is determined by the Director to be in excess of current needs, such capital shall be credited to the appropriation from which advanced, where it shall be held for future advances.

(d) Receipts from any lending and guaranty operations under this Act (except operations under title III carried on by the Small Business Administration) shall be credited to the fund. The fund shall be available for the payment of all expenditures of the Director for loans, participations, and guaranties authorized under this part.

PART B—ASSISTANCE FOR MIGRANT, AND OTHER SEASONALLY EMPLOYED, FARMWORKERS AND THEIR FAMILIES

STATEMENT OF PURPOSE

SEC. 221. The purpose of this part is to assist migrant and seasonal farmworkers and their families to improve their living conditions and develop skills necessary for a productive and self-sufficient life in an increasingly complex and technological society.

FINANCIAL ASSISTANCE

SEC. 222. (a) The Secretary of Labor may provide financial assistance to assist State and local agencies, private nonprofit institutions and cooperatives in developing and carrying out programs to fulfill the purpose of this part.

(b) Programs assisted under this part may include projects or activities—

(1) to meet the immediate needs of migrant and seasonal farmworkers and their families, such as day care for children, education, health services, improved housing and sanitation (including the provision and maintenance of emergency and temporary housing and sanitation facilities), legal advice and representation, and consumer training and counseling;

(2) to promote increased community acceptance of migrant and seasonal farmworkers and their families; and

(3) to equip unskilled migrant and seasonal farmworkers and members of their families as appropriate through education and training to meet the changing demands in agricultural employment brought about by technological advancement and to take advantage of opportunities available to improve their well-being and self-sufficiency by gaining regular or permanent employment or by participating in available Government employment or training programs.

LIMITATIONS ON ASSISTANCE

SEC. 223. (a) Assistance shall not be extended under this part unless the Secretary determines that the applicant will maintain its prior level of effort in similar activities.

(b) The Secretary shall establish necessary procedures or requirements to assure that programs under this part are carried on in coordination with other programs or activities providing assistance to the persons and groups served.

TECHNICAL ASSISTANCE, TRAINING, AND EVALUATION

SEC. 224. The Secretary may provide directly or through grants, contracts, or other arrangements, such technical assistance or training of personnel as may be required to implement effectively the purposes of this title.

Mr. HAWKINS (during the reading). Mr. Chairman, I ask unanimous consent that title II be considered as read,

printed in the RECORD, and open to amendment at any point.

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

There was no objection.

The CHAIRMAN. Are there any amendments to title II? If not, the Clerk will read.

The Clerk read as follows:

TITLE III—EMPLOYMENT AND INVESTMENT INCENTIVES

STATEMENT OF PURPOSE

SEC. 301. It is the purpose of this title to assist in the establishment, preservation, and strengthening of small business concerns and improve the managerial skills employed in such enterprises, with special attention to small business concerns (1) located in urban or rural areas with high proportions of unemployed or low-income individuals, or (2) owned by low-income individuals; and to mobilize for these objectives private as well as public managerial skills and resources.

LOANS, PARTICIPATIONS, AND GUARANTIES

SEC. 302. (a) The Administrator of the Small Business Administration is authorized to make, participate (on an immediate basis) in, or guarantee loans, repayable in not more than fifteen years, to any small business concern (as defined in section 3 of the Small Business Act (15 U.S.C. 632) and regulations issued thereunder), or to any qualified person seeking to establish such a concern, when he determines that such loans will assist in carrying out the purposes of this part, with particular emphasis on the preservation or establishment of small business concerns located in urban or rural areas with high proportions of unemployed or low-income individuals or owned by low-income individuals: *Provided, however,* That no such loans shall be made, participated in, or guaranteed if the total of such Federal assistance to a single borrower outstanding at any one time would exceed $50,000. The Administrator of the Small Business Administration may defer payments on the principal of such loans for a grace period and use such other methods as he deems necessary and appropriate to assure the successful establishment and operation of such concern. The Administrator of the Small Business Administration may, in his discretion, as a condition of such financial assistance, require that the borrower take steps to improve his management skills by participating in a management training program approved by the Administrator of the Small Business Administration: *Provided however,* That any management training program so approved must be of sufficient scope and duration to provide reasonable opportunity for the individuals served to develop entrepreneurial and managerial self-sufficiency. The Administrator of the Small Business Administration shall encourage, as far as possible, the participation of the private business community in the program of assistance to such concerns, and shall seek to stimulate new private lending activities to such concerns through the use of the loan guaranties, participations in loans, and pooling arrangements authorized by this section.

(b) To the extent necessary or appropriate to carry out the programs provided for in this title the Administrator of the Small Business Administration shall have the same powers as are conferred upon the Director by section 602 of this Act. To insure an equitable distribution between urban and rural areas for loans between $3,500 and $25,000 made under this part, the Administrator is authorized to use the agencies and agreements and delegations developed under title II of this Act as he shall determine necessary.

(c) The Administrator shall provide for the continuing evaluation of programs under this section, including full information on the location, income characteristics, and types of businesses and individuals assisted, and on new private lending activity stimulated, and the results of such evaluation together with recommendations shall be included in the report by section 609.

LOAN TERMS AND CONDITIONS

SEC. 303. Loans made pursuant to section 302 (including immediate participation in and guaranties of such loans) shall have such terms and conditions as the Administrator of the Small Business Administration shall determine, subject to the following limitations—

(a) there is reasonable assurance of repayment of the loan;

(b) the financial assistance is not otherwise available on reasonable terms from private sources or other Federal, State, or local programs;

(c) the amount of the loan, together with other funds available, is adequate to assure completion of the project or achievement of the purposes for which the loan is made;

(d) the loan bears interest at a rate not less than (1) a rate determined by the Secretary of the Treasury, taking into consideration the average market yield on outstanding Treasury obligations of comparable maturity, plus (2) such additional charge, if any, toward covering other costs of the program as the Administrator of the Small Business Administration may determine to be consistent with its purposes: *Provided, however,* That the rate of interest charged on loans made in redevelopment areas designated under the Area Redevelopment Act (42 U.S.C. 2501 et seq.) shall not exceed the rate currently applicable to new loans made under section 6 of that Act (42 U.S.C. 2505); and

(e) fees not in excess of amounts necessary to cover administrative expenses and probable losses may be required on loan guaranties.

DISTRIBUTION OF FINANCIAL ASSISTANCE

SEC. 304. The Administrator of the Small Business Administration shall take such steps as may be necessary to insure that, in any fiscal year, at least 50 per centum of the amounts loaned or guaranteed pursuant to this title are allotted to small business concerns located in urban areas identified by the Director, after consideration of any recommendations of the Administrator of the Small Business Administration, as having high concentrations of unemployed or low-income individuals or to small business concerns owned by low-income individuals. The Administrator of the Small Business Administration, after consideration of any recommendations of the Director, shall define the meaning of low income as it applies to owners of small business concerns eligible to be assisted under this title, and such definition need not correspond to the definition of low income as used elsewhere in this Act.

LIMITATION ON FINANCIAL ASSISTANCE

SEC. 305. No financial assistance shall be extended pursuant to this title where the Administrator of the Small Business Administration determines that the assistance will be used in relocating establishments from one area to another if such relocation would result in an increase in unemployment in the area of original location.

TECHNICAL ASSISTANCE AND MANAGEMENT TRAINING

SEC. 306. (a) The Administrator of the Small Business Administration is authorized to provide financial assistance to public or private organizations to pay all or part of the costs of projects designed to provide technical and management assistance to individuals or enterprises eligible for assistance under section 302, with special attention to small business concerns located in urban areas of high concentration of unemployed or low-income individuals or owned by low-income individuals.

(b) Financial assistance under this section may be provided for projects, including without limitation—

(1) planning and research, including feasibility studies and market research;

(2) the identification and development of business opportunities;

(3) the furnishing of centralized services with regard to public services and government programs, including programs authorized under section 302;

(4) the establishment and strengthening of business service agencies, including trade associations and cooperatives;

(5) the encouragement of the placement of subcontracts by major business with small business concerns located in urban areas of high concentration of unemployed or low-income individuals or owned by low-income individuals, including the provisions of incentives and assistance to such major businesses so that they will aid in the training and upgrading of potential subcontractors or other small business concerns; and

(6) the furnishing of business counseling, management training, and legal and other related services, with special emphasis on the development of management training programs using the resources of the business community, including the development of management training opportunities in existing businesses, and with emphasis in all cases upon providing management training of sufficient scope and duration to develop entrepreneurial and managerial self-sufficiency on the part of the individuals served.

(c) The Administrator of the Small Business Administration shall give preference to projects which promote the ownership, participation in ownership, or management of small business concerns by residents of urban areas of high concentration of unemployed or low-income individuals, and to projects which are planned and carried out with the participation of local businessmen.

(d) To the extent feasible, services under this section shall be provided in a location which is easily accessible to the individuals and small business concerns served.

(e) The Administrator of the Small Business Administration shall, in carrying out programs under this section, consult with and take into consideration, the views of the Secretary of Commerce, with a view to coordinating activities and avoiding duplication of effort.

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

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

There was no objection.

(f) The President may, if he determines that it is necessary to carry out the purposes of this title, transfer any of the functions under this section to the Secretary of Commerce.

(g) The Administrator of the Small Business Administration shall provide for an independent and continuing evaluation of programs under this section, including full information on and analysis of the character and impact of managerial assistance provided, the location, income characteristics and types of businesses and individuals assisted, and the extent to which private resources and skills have been involved in these programs. Such evaluation together with any recommendations as he deems advisable shall be included in the report required by section 609.

GOVERNMENT CONTRACTS

SEC. 307. (a) The Administrator of the Small Business Administration shall take such steps as may be necessary and appropriate, in coordination and cooperation with the heads of other Federal departments and agencies, so that contracts, subcontracts, and deposits made by the Federal Government or in connection with programs aided with Federal funds are placed in such a way as to further the purposes of this title.

(b) The Administrator of the Small Business Administration shall provide for the continuing evaluation of programs under this section and the results of such evalution together with recommendations shall be included in the report required by section 609.

POINT OF ORDER

Mr. BLACKBURN. Mr. Chairman, I make a point of order against title III of this bill, H.R. 14449, as amended.

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

Mr. BLACKBURN. Mr. Chairman, I make a point of order against the language in title III of the committee amendment to H.R. 14449. The language I refer to begins on page 234, line 3, through page 242, line 5 of the bill as reported by the Committee on Education and Labor. I make this point of order on the ground that this title properly falls within the jurisdiction of a committee other than Education and Labor, namely, the Committee on Banking and Currency of which I am a member.

The purpose of title III of this bill is "to assist in the establishment, preservation, and strengthening of small business concerns and improve the managerial skills employed in such enterprises" paying special attention to the impoverished areas. The title continues with the mechanism by which the Administrator of the Small Business Administration "is authorized to make—or guarantee loans" to assist in carrying out the purpose. The title goes further to structure the "loan terms and conditions" and "limitations on financial assistance" by using the Office of the Administrator of the Small Business Administration to determine if they are consistent with the purposes of this title. The Committee on Education and Labor has even seen fit to give the Administrator of SBA "the same powers as are conferred upon the Director by section 602 of this act."

If the Chair were to continue to examine the provisions of title III keeping in mind clause 4 of rule XI of the Rules of the House of Representatives, he would be compelled to sustain my point of order. Clause 4 of rule XI outlines the jurisdiction of the Committee on Banking and Currency and it states specifically in 4(e) that the committee shall exercise jurisdiction over matters relating to "financial aid to commerce and industry." The history of the committee having jurisdiction of this type of legislation has been clear and in volume VII of Cannon's Precedents it states that:

> Subjects relating to rural credits . . . including the extension of rural credit legislation come within the jurisdiction of the Committee on Banking and Currency. (VII, 1971)

As early as 1916 the Committee on Banking and Currency was reporting bills "to create financial agents for the United States" (64th Cong., 1st Session, Report No. 630, 634). The participation of small business enterprises in Government contracts and technical and management assistance as provided under the Small Business Act and now proposed in this title are clearly within the small business matters now under the jurisdiction of the present Committee on Banking and Currency. None of these matters belong within the jurisdiction of the Committee on Education and Labor. In volume VII of Cannon's Precedents it is stated that:

> The committees are the creatures of the House and exercise no authority or jurisdiction beyond that specifically conferred by the rules or by special authorization of the House itself. (VII)

Having taken all these matters into consideration, I feel that the Chair can only find that title III, as now drafted in the pending bill, is properly within the jurisdiction of the Committee on Banking and Currency and will be compelled to sustain my point of order.

Mr. HAWKINS. Mr. Chairman, may I be heard on the point of order?

The CHAIRMAN. The Chair will hear the gentleman.

Mr. HAWKINS. Mr. Chairman, I submit to the Chair that this particular section, as covered in the gentleman's point of order, has been in the act since its very beginning in 1964. Every particular component of this program could conceivably be covered by several different committees as to jurisdiction. However, they all relate to a limited and specified group within a certain class.

At the present time this language is in title IV of the existing Economic Opportunity Act of 1964. It was in that act, and it has been continued. This House has voted on this particular title at least six different times. It has never yet been ruled out of order.

Mr. Chairman, I submit that the committee amendment as a whole is germane to the bill, and that the point of order is not well taken and should be rejected.

Mr. STEIGER of Wisconsin. Mr. Chairman, may I be heard on the point of order?

The CHAIRMAN. The Chair will hear the gentleman.

Mr. STEIGER of Wisconsin. Mr. Chairman, I wish to speak on the point of order as a supplement to the analysis provided by the distinguished gentleman from California (Mr. HAWKINS) with which I agree. There is, I think, one other point that ought to be made.

The precedents of the House, as they have operated up until now, have in effect said that a particular section of a bill which is reported by a committee as a part of an original bill is not subject to a point of order.

Title III, as it is contained in this bill, comes to the House as a part of the bill reported by the Committee on Education and Labor. It is, therefore, germane to the work of that committee as it has operated and, in my judgment, would not be subject to a point of order.

I hope the Chair will overrule the point of order.

The CHAIRMAN (Mr. WHITE). The Chair is ready to rule.

The Chair rules, as to the point of order raised by the gentleman from Georgia (Mr. BLACKBURN) that no point of order lies to the language in title III, since title III is a part of the amendment in the nature of a substitute reported by the Committee on Education and Labor, and contains matter which was also in the original bill referred to that committee.

The point of order that the title is not germane and does not come within the jurisdiction of the Committee on Education and Labor is not pertinent at this time.

The Chair has listened to and considered the arguments offered by the proponents and the opponents of the point of order, and the Chair overrules the point of order.

The Clerk will read.

The Clerk read as follows:

TITLE IV—WORK EXPERIENCE, TRAINING, AND DAY CARE PROGRAMS

PART A—WORK EXPERIENCE AND TRAINING PROGRAMS

STATEMENT OF PURPOSE

SEC. 411. It is the purpose of this part to expand the opportunities for constructive work experience and other needed training available to persons (including workers in farm families with less than $1,200 net family income, unemployed heads of families and other needy persons) who are unable to support themselves or their families.

TRANSFER OF FUNDS

SEC. 412. In order to permit the carrying out of work experience and training programs meeting the criteria set forth in the Comprehensive Employment and Training Act of 1973, the Director is authorized to transfer funds (1) to make payments under section 1115 of the Social Security Act for experimental, pilot, or demonstration projects which provide pretraining services and basic maintenance, health, family, basic education, day care, counseling, and similar supportive services required for such programs, and (2) to reimburse the Secretary of Labor for carrying out the activities described in the Comprehensive Employment and Training Act of 1973. Costs of such projects and activities shall, notwithstanding the provisions of the Social Security Act and the Comprehensive Employment and Training Act of 1973, be met entirely from funds appropriated to carry out this part: *Provided*, That such funds may not be used to assist families and individuals insofar as they are otherwise receiving or eligible to receive assistance or social services through a State plan approved under title I, IV, X, XIV, XVI, or XIX of the Social Security Act.

LIMITATIONS ON WORK EXPERIENCE AND TRAINING PROGRAMS

SEC. 413. (a) The provisions of paragraph (1) to (6), inclusive, of section 409 of the Social Security Act, unless otherwise inconsistent with the provisions of this part, shall be applicable with respect to work experience and training programs assisted with funds under this part. The costs of such programs to the United States shall, notwithstanding the provisions of such Act, be met entirely from funds appropriated or allocated to carry out the purpose of this part.

(b) Work experience and training programs shall be so designed that participation of individuals in such programs will not ordinarily exceed 36 months, except that nothing in this subsection shall prevent the provision of necessary and appropriate follow-up services for a reasonable period after an individual has completed work experience and training.

(c) Not more than 12½ per centum of the sums appropriated or allocated for any fiscal year to carry out the purposes of this part

shall be used within any one State. In the case of any work experience and training program approved on or after July 1, 1968, not more than 80 per centum of the costs of projects or activities referred to in section 412 may be paid from funds appropriated or allocated to carry out this part, unless the Director determines, pursuant to regulations prescribed by him establishing objective criteria for such determinations, that assistance in excess of such percentage is required in furtherance of the purposes of this part. Non-Federal contributions may be in cash or in kind, fairly evaluated, including but not limited to plant equipment and services.

TRANSITION

SEC. 414. The Secretary of Labor is authorized to provide work experience and training programs authorized by the Comprehensive Employment and Training Act of 1973. The Secretary of Health, Education, and Welfare pursuant to agreement with the Secretary of Labor which shall include provisions for joint evaluation and approval of the training and work experience aspect of each project or program may—

(1) with the concurrence of the Secretary of Labor, renew existing projects and programs, or develop and provide new projects or programs, to accomplish the purposes of this part and of the Comprehensive Employment and Training Act of 1973; and

(2) with the concurrence of the Secretary of Labor, develop and provide other work experience and training programs pursuant to such Act, with respect to such project or parts of projects which the Secretary of Labor is unable to provide after being given notice and a reasonable opportunity to do so.

PART B—DAY CARE PROJECTS

STATEMENT OF PURPOSE

SEC. 421. The purpose of this part is to provide day care for children from families which need such assistance to become or remain self-sufficient or otherwise to obtain objectives related to the purposes of this Act, with particular emphasis upon enabling the parents or relatives of such children to choose to undertake or to continue basic education, vocational training, or gainful employment.

FINANCIAL ASSISTANCE FOR DAY CARE PROJECTS

SEC. 422. (a) The Director is authorized to provide financial assistance to appropriate public agencies and private organizations to pay not to exceed 90 per centum of the cost of planning, conducting, administering, and evaluating projects under which children from low-income families or from urban and rural areas with large concentrations or proportions of low-income persons may receive day care. Non-Federal contributions may be in cash or in kind, fairly evaluated, including but not limited to plant, equipment and services. Such day care projects shall provide health, education, social, and such other supportive services as may be needed. Financial assistance under this section may be provided to employers, labor unions, or to joint employer-union organizations, for day care projects established at or in association with a place of employment or training where such projects are financed in major part through private funds. Project costs payable under this title may include costs of renovation and alteration of physical facilities. Financial assistance under this section may be provided in conjunction with or to supplement day care projects under the Social Security Act or other relevant statutes.

(b) The Director may require a family which is not a low-income family to make payment, in whole or in part, for the day care services provided under this program where the family's financial condition is, or becomes through employment or otherwise, such as to make such payment appropriate.

(c) The Director may provide, directly or through contracts or other arrangements, technical assistance and training necessary steps to coordinate programs under his for the initiation or effective operation of programs under this subpart.

(d) The Director shall take all necessary jurisdiction which provide day care, with a view to establishing, insofar as possible, a common set of program standards and regulations, and mechanisms for coordination at the State and local levels. Such standards shall be no less comprehensive than the Federal interagency day care requirements as approved by the Department of Health, Education, and Welfare, the Office of Economic Opportunity, and the Department of Labor on September 23, 1968. In approving applications for assistance under this part, the Director shall take into consideration (1) the extent to which applicants show evidence of coordination and cooperation between their projects and other day care programs in the areas which they will serve, and (2) the extent to which unemployment or low-income individuals are to be employed, including individuals receiving or eligible to receive assistance under the Social Security Act.

(e) Each project to which payments are made hereunder shall provide for a thorough evaluation. This evaluation shall be conducted by such agency or independent public or private organization as the Director shall designate, with a view to determining, among other things, the extent to which the day care provided may have increased the employment of parents and relatives of the children served, the extent to which such day care may have reduced the costs of aid and services to such children, the extent to which such children have received health and educational benefits, and the extent to which the project has been coordinated with other day care activities in the area served. Up to 100 per centum of the costs of evaluation may be paid by the Director from funds appropriated for the purposes of carrying out this title, except that where such evaluation is carried on by the assisted agency itself, he may pay only 90 per centum of such costs. Such evaluations, together with a report on the program described in this subpart, shall be included in the report required by section 609.

Mr. HAWKINS (during the reading). Mr. Chairman, I ask unanimous consent that title IV of the committee amendment in the nature of a substitute be considered as read, printed in the RECORD, and open to amendment at any point.

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

There was no objection.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

TITLE V—EVALUATION, RESEARCH, AND DEMONSTRATION

PART A—EVALUATION

COMPREHENSIVE EVALUATION OF PROGRAMS

SEC. 511. (a) The Director shall provide for the continuing evaluation of programs under this Act and of programs authorized under related Acts, including evaluations that describe and measure, with appropriate means and to the extent feasible, the impact of such programs, their effectiveness in achieving stated goals, their impact on related programs, and their structure and mechanisms for delivery of services, and including, where appropriate, comparisons with appropriate control groups composed of persons who have not participated in such programs. The Director may, for such purposes, contract or make other arrangements for independent evaluations of those programs or individual projects.

(b) The Director shall to the extent feasible develop and publish standards for evaluation of program effectiveness in achieving the objectives of this Act. He shall consider the extent to which such standards have been met in deciding whether to renew or supplement financial assistance authorized under any section of this Act.

(c) In carrying out this part, the Director may require community action agencies to provide independent evaluations.

COOPERATION OF OTHER AGENCIES

SEC. 512. Federal agencies administering programs related to this Act shall—

(1) cooperate with the Director in the discharge of his responsibility to plan and conduct evaluations of such poverty-related programs as he deems appropriate, to the fullest extent permitted by other applicable law; and

(2) provide the Director on a cooperative basis with such agency, with such statistical data, program reports, and other materials, as they collect and compile on program operations, beneficiaries, and effectiveness.

CONSULTATION

SEC. 513. (a) In carrying out evaluations under this part, the Director shall, whenever possible, arrange to obtain the opinions of program participants about the strengths and weaknesses of programs.

(b) The Director shall consult, when appropriate, with State agencies, in order to provide for jointly sponsored objective evaluation studies of programs on a State basis.

PUBLICATION OF EVALUATION RESULTS

SEC. 514. (a) The Director shall publish summaries (prepared by the evaluator) of the results of evaluative research and evaluations of program impact and effectiveness no later than sixty days after its completion.

(b) The Director shall take necessary action to assure that all studies, evaluations, proposals, and data produced or developed with Federal funds shall become the property of the United States.

(c) The Director shall publish summaries of the results of activities carried out pursuant to this title in the report required by section 609 of this Act.

EVALUATION BY OTHER ADMINISTERING AGENCIES

SEC. 515. The head of any agency administering a program authorized under this Act may, with respect to such program, conduct evaluations and take other actions authorized under this title to the same extent and in the same manner as the Director under this part. Nothing in this section shall preclude the Director from conducting such evaluations or taking such actions otherwise authorized under this title with respect to such programs.

PART B—RESEARCH AND DEMONSTRATION PROGRAMS

ASSISTANCE FOR PROJECTS

SEC. 521. (a) The Director may contract or provide financial assistance for demonstration projects conducted by public or private agencies which are designed to test or assist in the development of new approaches or methods that will aid in overcoming special problems or otherwise in furthering the purposes of this Act. He may also contract or provide financial assistance for research pertaining to the purposes of this Act.

(b) The Director shall establish an overall plan to govern the approval of demonstration projects and the use of all research authority under this Act. The plan shall set forth specific objectives to be achieved and priorities among such objectives. In formulating the plan, the Director shall consult with other Federal agencies for the purposes of minimizing duplication among similar activities or projects and determining whether the findings resulting from any research or demon-

stration projects may be incorporated into one or more programs for which those agencies are responsible. As part of the annual report required by section 609, or in a separate annual report, the Director shall submit a description for each fiscal year of the current plan required by this section, of activities subject to the plan, and of the findings derived from those activities, together with a statement indicating the time and, to the extent feasible, the manner in which the benefits of those activities and findings are expected to be realized.

(c) Not more than 15 per centum of the sums appropriated or allocated in any fiscal year for this title shall be used for the purposes of this section. One-third of the sums so appropriated or allocated shall be available only for projects authorized under subsection (f) of this section.

(d) No demonstration project under this section shall be commenced in any city, county, or other major political subdivision, unless a plan setting forth such proposed demonstration project has been submitted to the appropriate community action agency, or, if there is no such agency, to the local governing officials of the political subdivision, and such plan has not been disapproved by the community action agency or governing body, as the case may be, within thirty days of such submission, or, if so disapproved, has been reconsidered by the Director and found by him to be fully consistent with the provisions and in furtherance of the purposes of this title.

(e) The Director shall develop and carry out demonstration projects which (1) aid elderly persons to achieve greater self-sufficiency, (2) focus upon the problems of rural poverty, (3) are designed to develop new techniques and community-based efforts to prevent narcotics addiction or to rehabilitate narcotic addicts, or (4) are designed to encourage the participation of private organizations, other than non-profit organizations, in programs under this title.

(f) The Director shall conduct, either directly or through grants or other arrangements, research and demonstration projects designed to assure a more effective use of human and natural resources of rural America and to slow the migration from rural areas due to lack of economic opportunity, thereby reducing population pressures in urban centers. Such projects may be operated jointly or in cooperation with other federally assisted programs, particularly programs authorized under the Public Works and Economic Development Act of 1965, in the area to be served by the project.

Mr. HAWKINS. (during the reading) Mr. Chairman, I ask unanimous consent that title V of the committee amendment in the nature of a substitute be considered as read, printed in the RECORD, and open to amendment at any point.

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

There was no objection.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

TITLE VI—ADMINISTRATION AND COORDINATION

PART A—ADMINISTRATION

ESTABLISHMENT OF THE ADMINISTRATION FOR COMMUNITY SERVICES

SEC. 601. (a) There is established in the Department of Health, Education, and Welfare a Community Action Administration (hereinafter in this Act referred to as the "Administration") which shall be headed by a Director (hereinafter in this Act referred to as the "Director"). The Administration shall be the principal agency for carrying out this Act. In the performance of his functions, the Director shall be directly responsible to the Secretary. The Secretary shall not approve any delegation of the functions of the Director to any other officer not directly responsible to the Director.

(b) The Director shall be appointed by the President by and with the advice and consent of the Senate.

AUTHORITY OF THE DIRECTOR

SEC. 602. In addition to the authority conferred upon him by other sections of this Act, the Director is authorized to—

(1) appoint in accordance with the civil service laws such personnel as may be necessary to enable the Administration to carry out its functions, and, except as otherwise provided herein, fix the compensation of such personnel in accordance with chapter 51 of title 5, United States Code: *Provided*, That all Federal personnel, employed on the effective date of this Act under authorization and appropriation of the Economic Opportunity Act of 1964, as amended, shall be transferred to, and to the extent feasible, assigned to related functions and organizational units in the Administration without loss of salary, rank, or other benefits, including the right to representation and to existing collective bargaining agreements;

(2)(A) employ experts and consultants or organizations thereof as authorized by section 3109 of title 5, United States Code, except that no individual may be employed under the authority of this subsection for more than one hundred days in any fiscal years; (B) compensate individuals so employed at rates not in excess of the daily equivalent of the rate payable to a GS–18 employee under section 5332 of such title, including traveltime; (c) allow such individuals, while away from their homes or regular places of business, travel expenses (including per diem in lieu of subsistence) as authorized by section 5703 of such title for persons in the Government service employed intermittently, while so employed; and (D) annually renew contracts for such employment under this clause;

(3) appoint, without regard to the civil service laws, one or more advisory committees composed of such private citizens and officials of the Federal, State, and local governments as he deems desirable to advise him with respect to his functions under this Act; and members of such committees (including the National Advisory Council established in section 606), other than those regularly employed by the Federal Government, while attending meetings of such committees or otherwise serving at the request of the Director, shall be entitled to receive compensation and travel expenses as provided in subsection (b) with respect to experts and consultants;

(4) with the approval of the President, arrange with and reimburse the heads of other Federal agencies for the performance of any of the provisions of this Act;

(5) with their consent, utilize the services and facilities of Federal agencies without reimbursement, and, with the consent of any State or a political subdivision of a State, accept and utilize the services and facilities of the agencies of such State or subdivision without reimbursement;

(6) accept in the name of the Administration, and employ or dispose of in furtherance of the purposes of this Act, or of any title thereto, any money or property, real, personal, or mixed, tangible or intangible, received by gift, devise, bequest, or otherwise;

(7) accept voluntary and uncompensated services;

(8) allocate and expend funds made available under this Act as he deems necessary to carry out the provisions hereof, including (without regard to the provisions of section 4774(d) of title 10, United States Code), expenditure for construction, repairs, and capital improvements;

(9) disseminate, without regard to the provisions of section 3204 of title 39, United States Code, data and information, in such form as he shall deem appropriate to public agencies, private organizations, and the general public;

(10) adopt an official seal, which shall be judicially noticed;

(11) collect or compromise all obligations to or held by him and all legal or equitable rights accruing to him in connection with the payment of obligations in accordance with Federal Claims Collection Act of 1966 (31 U.S.C. 951–53);

(12) notwithstanding any other provision of law relating to the acquisition, handling, or disposal of real or personal property by the United States, deal with, complete, rent, renovate, modernize, or sell for cash or credit at his discretion any properties acquired by him in connection with loans, participations, and guaranties made by him pursuant to title II and title III of this Act;

(13) expend funds made available for purposes of this Act as follows: (A) for printing and binding, in accordance with applicable law and regulations; and (B) without regard to any other law or regulation, for rent of buildings and space in buildings and for repair, alteration, and improvement of buildings and space in buildings rented by him; but the Director shall not utilize the authority contained in this subclause (B)—

(i) except when necessary to obtain an item, service, or facility, which is required in the proper administration of this Act, and which otherwise could not be obtained, or could not be obtained in the quantity or quality needed, or at the time, in the form, or under the conditions in which, it is needed, and

(ii) prior to having given written notification to the Administrator of General Services (if the exercise of such authority would affect an activity which otherwise would be under the jurisdiction of the General Services Administration) of his intention to exercise such authority, the item, service, or facility with respect to which such authority is proposed to be exercised, and the reasons and justifications for the exercise of such authority;

(14) establish such policies, standards, criteria, and procedures, prescribe such rules and regulations, enter into such contracts and agreements with public agencies and private organizations and persons, and make such payments (in lump sum or installments, and in advance or by way of reimbursement, and in the case of grants otherwise authorized under this Act, with necessary adjustments on account of overpayments and underpayments) as are necessary or appropriate to carry out the provisions of this Act; and

(15) generally perform such functions and take such steps, consistent with the purposes and provisions of this Act, as he deems necessary or appropriate to carry out the provisions of this Act.

POLITICAL ACTIVITIES

SEC. 603. (a) No part of any funds appropriated to carry out this Act, or any program administered by the Administration, shall be used to finance, directly or indirectly, any activity designed to influence the outcome of any election to Federal office, or any voter registration activity, or to pay the salary of any officer or employee of the Administration who, in his official capacity as such an officer or employee, engages in any such activity. As used in this section, the term "election" has the same meaning given such term by section 301(a) of the Federal Election Campaign Act of 1971 (Public Law 92–225), and the term "Federal office" has the same meaning given such term by section 301(c) of such Act.

(b) Programs assisted under this Act shall not be carried on in a manner involving the use of funds, the provision of services, or

the employment or assignment of personnel in a manner supporting or resulting in the identification of such programs with (1) any partisan or nonpartisan political activity or any other political activity associated with a candidate, or contending faction or group, in an election for public or party office, (2) any activity to provide voters or prospective voters with transportation to the polls or similar assistance in connection with any such election, or (3) any voter registration activity. The Director, after consultation with the Civil Service Commission, shall issue rules and regulations to provide for the enforcement of this section, which shall include provisions for summary suspension of assistance for no more than thirty days until notice and an opportunity to be heard can be provided or other action necessary to permit enforcement on an emergency basis.

(c) For purposes of chapter 15 of title 5 of the United States Code any overall community action agency which assumes responsibility for planning, developing, and coordinating community-wide antipoverty programs and receives assistance under this Act shall be deemed to be a State or local agency; and for purposes of clauses (1) and (2) of section 1502(a) of such title any agency receiving assistance under this Act shall be deemed to be a State or local agency.

APPEALS, NOTICE, AND HEARING

SEC. 604. The Director shall prescribe procedures to assure that—

(1) special notice of and an opportunity for a timely and expeditious appeal to the Director is provided for an agency or organization which would like to serve as a delegate agency under title I and whose application to the prime sponsor or community action agency has been wholly or substantially rejected or has not been acted upon within a period of time deemed reasonable by the Director;

(2) financial assistance under title I and part B of title II shall not be suspended for failure to comply with applicable terms and conditions, except in emergency situations, nor shall an application for refunding under section 121, 122, or 222, be denied, unless the recipient agency has been given reasonable notice and opportunity to show cause why such action should not be taken; and

(3) financial assistance under title I and part B of title II shall not be terminated for failure to comply with applicable terms and conditions unless the recipient agency has been afforded reasonable notice and opportunity for a full and fair hearing.

ADVISORY COUNCILS

SEC. 605. (a) There is hereby established in the Administration a National Advisory Council on Community Services (hereinafter referred to as the Advisory Council), to be composed of twenty-one members appointed, for staggered terms and without regard to the civil service laws, by the President. Such members shall be representative of the public in general and appropriate fields of endeavor related to the purposes of this Act. The President shall designate the chairman from among such members. The Advisory Council shall meet at the call of the chairman but not less often than four times a year. The Director shall be an ex officio member of the Advisory Council.

(b) The Advisory Council shall—

(1) advise the Director with respect to policy matters arising in the administration of this Act; and

(2) review the effectiveness and the operation of programs under this Act and make recommendations concerning (A) the improvement of such programs, (B) the elimination of duplication of effort, and (C) the coordination of such programs with other Federal programs designed to assist low-income individuals and families.

Such recommendations shall include such proposals for changes in this Act as the Advisory Council deems appropriate.

(c) The Advisory Council shall make an annual report of its findings and recommendations to the President not later than March 31 of each calendar year beginning with the calendar year 1975. The President shall transmit each such report to the Congress together with his comments and recommendations.

ANNOUNCEMENT OF RESEARCH OR DEMONSTRATION CONTRACTS

SEC. 606. (a) The Director or the head of any Federal agency administering a program under this Act shall make a public announcement concerning:

(1) The title, purpose, intended completion date, identity of the contractor, and proposed cost of any contract with a private or non-Federal public agency or organization for any demonstration or research project; and

(2) The results, findings, data, or recommendations made or reported as a result of such activities.

(b) The public announcements required by subsection (a) shall be made within thirty days of entering into such contracts and thereafter within thirty days of the receipt of such results.

(c) It shall be the duty of the Comptroller General to assure that the requirements of this section are met, and he shall at once report to the Congress concerning any failure to comply with these requirements.

LABOR STANDARDS

SEC. 607. All laborers and mechanics employed by contractors or subcontractors in the construction, alteration or repair, including painting and decorating of projects, building and works which are federally assisted under this Act shall be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a—276a-5). The Secretary of Labor shall have, with respect to such labor standards, the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176; 64 Stat. 1267) and in section 2 of the Act of June 1, 1934, as amended (48 Stat. 948, ch. 492, as amended; 40 U.S.C. 276c).

AUDIT

SEC. 608. (a) Each recipient of Federal grants, subgrants, contracts, subcontracts, or loans entered into under this Act other than by formal advertising, and which are otherwise authorized by this Act, shall keep such records as the Director shall prescribe, including records which fully disclose the amount and disposition by such recipient of the proceeds of such assistance, the total cost of the project or undertaking in connection with which such assistance is given or used, the amount of that portion of the cost of the project or undertaking supplied by other sources, and such other records as will facilitate an effective audit.

(b) The Director and the Comptroller General of the United States, or any of their duly authorized representatives, shall, until the expiration of three years after completion of the project or undertaking referred to in subsection (a) of this section, have access for the purpose of audit and examination to any books, documents, papers, and records of such recipients which in the opinion of the Director or the Comptroller General may be related or pertinent to the grants, contracts, subcontracts, subgrants, or loans referred to in subsection (a).

REPORTS

SEC. 609. Not later than one hundred and twenty days after the end of each fiscal year, the Director shall prepare and submit to the President for transmittal by the President to the Congress a full and complete report on the activities of the Administration during such year. Each such report shall contain a detailed statement with respect to programs established by this Act which are administered by other Federal agencies, together with an opinion of the Director with respect to the extent to which the operation of such programs fulfill the purposes of this Act.

PROGRAMS FOR THE ELDERLY POOR

SEC. 610. It is the intention of Congress that whenever feasible the special problems of the elderly poor shall be considered in the development, conduct, and administration of programs under this Act. The Director shall (1) carry out such investigations and studies, including consultations with appropriate agencies and organizations, as may be necessary to develop and carry out a plan for the participation of the elderly poor in programs under this Act, including programs providing employment opportunities, public service opportunities, education and other services and activities which assist the elderly poor to achieve self-sufficiency; (2) maintain a constant review of all programs under this Act to assure that the needs of the elderly poor are given adequate consideration; (3) initiate and maintain interagency liaison with all other appropriate Federal agencies to achieve a coordinated national approach to the needs of the elderly poor; and (4) determine and recommend to the President and the Congress such programs requiring additional authority and the necessary legislation to provide such authority. In exercising his responsibilities under this section, the Director shall cooperate with the Commissioner on Aging. The Director shall describe the ways in which this section has been implemented in the annual report required by section 609.

COMPARABILITY OF WAGES

SEC. 611. (a) The Director shall take such action as may be necessary to assure that persons employed in carrying out programs financed under title I (except a person compensated as provided in section 602) shall not receive compensation at a rate which is (1) in excess of the average rate of compensation paid in the area where the program is carried out to a substantial number of the persons providing substantially comparable services, or in excess of the average rate of compensation paid to a substantial number of the persons providing substantially comparable services in the area of the person's immediately preceding employment, whichever is higher or (2) less than the minimum wage rate prescribed in section 6(a)(1) of the Fair Labor Standards Act of 1938.

(b) Not later than sixty days after the close of the fiscal year 1975 and each fiscal year thereafter the Director shall prepare and submit to the President for submission to the Congress a list of the names of all officers or employees whose compensation is subject to the limitations set forth in subsection (a) of this section and who were receiving at the end of such fiscal year a salary of $10,000 or more per year, together with the amount of compensation paid to each person and the amount of such compensation paid from funds advanced or granted pursuant to this Act. No grant, contract or agreement shall be made under any of the provisions of this Act referred to in subsection (a) of this section which does not contain adequate provisions to assure the furnishing of information required by the preceding sentence.

(c) No person whose compensation exceeds $6,000 per annum and is paid pursuant to any grant, contract, or agreement authorized under part A of title I (except a person compensated as provided in section 602) shall be employed at a rate of compensation which exceeds by more than 20 per centum

the salary which he was receiving in his immediately preceding employment, but the Director may grant exceptions for specific cases. In determining salary in preceding employment for one regularly employed for a period of less than twelve months per year, the salary shall be adjusted to an annual basis.

LIMITATION ON BENEFITS FOR THOSE VOLUNTARILY POOR

SEC. 612. The Director shall take such action as may be necessary to assure that, in determining a person's eligibility for benefits under this Act on account of his poverty, such person will not be deemed to meet the poverty criteria if his lack of income results from his refusal, without good cause, to seek or accept employment commensurate with his health, age, education, and ability.

JOINT FUNDING

SEC. 613. Pursuant to regulations prescribed by the President, where funds are advanced for a single project by more than one Federal agency to a community action agency or other agency assisted under this Act, any one Federal agency may be designated to act for all in administering the funds advanced. In such cases, a single local share requirement may be established according to the proportion of funds advanced by each agency, and any such agency may waive any technical grant or contract requirement (as defined by such regulations) which is inconsistent with the similar requirements of the administering agency or which the administering agency does not impose.

PROHIBITION OF FEDERAL CONTROL

SEC. 614. Nothing contained in this Act shall be construed to authorize any department, agency, officer, or employee of the United States to exercise any direction, supervision, or control over the curriculum, program of instruction, administration, or personnel of any education institution or school system.

LIMITATION WITH RESPECT TO CERTAIN UNLAWFUL ACTIVITIES

SEC. 615. No individual employed or assigned by any community action agency or other agency assisted under this Act shall, pursuant to or during the performance of services rendered in connection with any program or activity conducted or assisted under this Act by such community action agency or such other agency, plan, initiate, participate in, or otherwise aid or assist in the conduct of any unlawful demonstration, rioting, or civil disturbance.

TRANSFER OF FUNDS

SEC. 616. Notwithstanding any limitation on appropriations for any program or activity under this Act or any Act authorizing appropriations for such program or activity, not to exceed 20 per centum for each fiscal year of the amount appropriated or allocated from any appropriation for the purpose of enabling the Director to carry out any such program or activity under the Act may be transferred and used by the Director for the purpose of carrying out any other such program or activity under the Act.

LIMITATIONS ON FEDERAL ADMINISTRATIVE EXPENSES

SEC. 617. The total administrative expenses, including the compensation of Federal employees, incurred by Federal agencies under the authority of this Act for any fiscal year shall not exceed 10 per centum of the amount authorized to be appropriated by this Act for that year: *Provided, however,* That grants, subsidies, and contributions, and payments to individuals, other than Federal employees shall not be counted as an administrative expense.

PRIVATE ENTERPRISE PARTICIPATION

SEC. 618. The Director and the heads of any Federal departments or agencies to which the conduct of programs described in this Act have been delegated shall take such steps as may be desirable and appropriate to insure that the resources of private enterprise are employed to the maximum feasible extent in the programs described in this Act. The Director and such other agency heads shall submit at least annually to the Congress a joint or combined report describing the actions taken and the progress made under this section.

ADVANCE FUNDING

SEC. 619. For the purpose of affording adequate notice of funding available under this Act, appropriations for grants, contracts, or other payments under this Act are authorized to be included in the appropriation Act for the fiscal year preceding the fiscal year for which they are available for obligation.

POVERTY LINE

SEC. 620. (a) Every agency administering programs authorized by this Act in which the poverty line is a criterion of eligibility shall revise the poverty line at annual intervals, or at any shorter interval it deems feasible and desirable.

(b) The revision required by subsection (a) of this section shall be accomplished by multiplying the official poverty line (as defined by the Office of Management and Budget) by the average percentage change in the Consumer Price Index during the annual or other interval immediately preceding the time at which the revision is made.

(c) Revisions required by subsection (a) of this section shall be made and issued not more than thirty days after the date on which the necessary Consumer Price Index data becomes available.

NOTICE AND HEARING PROCEDURES FOR SUSPENSION AND TERMINATION OF FINANCIAL ASSISTANCE

SEC. 621. The Director is authorized, in accordance with the provisions of this section, to suspend further payments or to terminate payments under any contract or grant providing assistance under this Act, whenever he determines there is a material failure to comply with the applicable terms and conditions of any such grant or contract. The Director shall prescribe procedures to insure that—

(1) assistance under this Act shall not be suspended for failure to comply with applicable terms and conditions, except in emergency situations for thirty days, nor shall an application for refunding under this Act be denied, unless the recipient has been given reasonable notice and opportunity to show cause why such action should not be taken; and

(2) assistance under this Act shall not be terminated for failure to comply with applicable terms and conditions unless the recipient has been afforded reasonable notice and opportunity for a full and fair hearing.

DURATION OF PROGRAM

SEC. 622. The Director shall carry out the programs provided for in this Act during the fiscal year ending June 30, 1975, and the three succeeding fiscal years. For each such fiscal year, only such sums may be appropriated as the Congress may authorize by law.

DISTRIBUTION OF BENEFITS BETWEEN RURAL AND URBAN AREAS

SEC. 623. The Director shall adopt appropriate administrative measures to assure that the benefits of and services under this Act will be distributed equitably between residents of rural and urban areas.

PART B—COORDINATION

RESPONSIBILITIES OF THE DIRECTOR

SEC. 631. In addition to his other powers under this Act, and to assist the President in coordinating the anti-poverty efforts of all Federal agencies, the Director shall—

(1) undertake special studies of specific coordination problems at the request of the President or the Council, or on his own initiative;

(2) consult with interested agencies and groups, including State agencies described in section 132 of this Act and the National Advisory Council, with a view to identifying coordination problems that may warrant consideration by the Council or the President and, to the extent feasible or appropriate, initiate action for overcoming those problems, either through the Administration or in conjunction with other Federal, State, or local agencies; and

(3) prepare a five-year national poverty action plan showing estimates of Federal and other governmental expenditures, and, where feasible, the contributions of the private sector, needed to eliminate poverty in this country within alternative periods of time. Such plan shall include estimates of the funds necessary to finance all relevant programs authorized by this and other Acts, and any new programs which may be necessary to eliminate poverty in this country, and it shall include recommendations for such new programs. The plan shall be presented to the Congress and updated on an annual basis.

COOPERATION OF FEDERAL AGENCIES

SEC. 632. (a) Federal agencies administering programs related to this Act shall—

(1) cooperate with the Director and with the Council in carrying out their duties and responsibilities; and

(2) carry out their programs and exercise their functions so as to assist in carrying out the provisions and purposes of this Act, to the fullest extent permitted by other applicable law.

(b) The Council and the Director may call upon Federal agencies to supply statistical data, program reports, and other materials as they deem necessary to discharge their responsibilities under this Act.

(c) The President may direct that particular programs and functions, including the expenditure of funds, of Federal agencies shall be carried out, to the extent not inconsistent with other applicable law, in conjunction with or in support of programs authorized under this Act.

COMBINATIONS AMONG PROJECTS AND PROGRAMS

SEC. 633. In order to encourage efficiencies, close unnecessary service gaps, and generally promote more effective administration, the Director shall require, to the fullest extent feasible, that projects or programs assisted under this Act be carried on so as to supplement one another, or where appropriate other related programs or projects, and be included within or otherwise carried on in combination with community action programs. In the case of other programs related to this Act, the heads of the Federal agencies responsible for those programs shall, to the extent permitted by law, similarly provide assistance for projects and activities in a manner which encourages combinations with other related projects and activities where appropriate, and with community action programs. The Director shall, in carrying out his responsibilities under this part, make a continuing review of the operation of this section with a view to (1) determining particular groups of programs which, because of their objectives, or similarities in target groups or areas, are especially appropriate for combined or closely coordinated operation at the State or local level, and making recommendations accordingly to the President or appropriate Federal officials; (2) evaluating Federal agency procedures for carrying out this section, and developing or recommending additional or common procedures, as appropriate; and (3) determining whether, and to what extent, consolidations of Federal programs may be justified and making recommendations respecting such consolidations to the President.

INFORMATION CENTER

SEC. 634. (a) The Director shall establish and operate an information center for the purpose of insuring that maximum use is made of Federal programs related to this Act and that information concerning those programs and other relevant information is readily available to public officials and other interested persons. The Director shall collect, prepare, analyze, correlate, and distribute information as described above, either free of charge or by sale at cost (any funds so received to be deposited to the Director's account as an offset of that cost), and may make arrangements and pay for any printing and binding without regard to the provisions of any other law or regulations. In connection with operation of the center, the Director may carry on research or studies concerning the improvement of information systems in support of the purposes of this Act, the adequacy of existing data, ways in which data generated on the State and local level may be incorporated into Federal information systems, and methods by which data may be made more readily available to State and local officials or used to further coordination objectives.

(b) The Director shall publish and maintain on a current basis, a catalog of Federal programs relating to individual and community improvement. He may also make grants, from funds appropriated to carry out title I of this Act, to States and communities to establish information service centers on the collection, correlation, and distribution of information required to further the purposes of this Act.

(c) In order to assure that all appropriate officials are kept fully informed of programs related to this Act, and that maximum use is made of those programs, the Director shall establish procedures to assure prompt distribution to State and local agencies of all current information, including administrative rules, regulations, and guidelines, required by those agencies for the effective performance of their responsibilities.

SPECIAL RESPONSIBILITIES: TRAINING PROGRAMS

SEC. 635. (a) It shall be the responsibility of the Director, the Secretary of Labor, and the heads of all other departments and agencies concerned, acting through such procedures or mechanisms as the President may prescribe, to provide for, and take such steps as may be necessary and appropriate to implement, the effective coordination of all programs and activities within the executive branch of the Government relating to the training of individuals for the purpose of improving or restoring employability.

(b) The Secretary of Labor, pursuant to such agreements as may be necessary or appropriate (which may include arrangements for reimbursement) shall—

(1) be responsible for assuring that the Federal-State employment service provides and develops its capacity for providing maximum support for the programs described in subsection (a); and

(2) obtain from the Secretary of Commerce, and the head of any other Federal agency administering a training program, such employment information as will facilitate the placement of individuals being trained.

Mr. HAWKINS (during the reading). Mr. Chairman, I ask unanimous consent that title VI of the committee amendment in the nature of a substitute be considered as read, printed in the RECORD, and open to amendment at any point.

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

There was no objection.

AMENDMENT OFFERED BY MR. FORD

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

The Clerk read as follows:

Amendment offered by Mr. FORD: On page 254, line 19, strike all after "SEC. 602." down through line 10 on page 255 and insert the following:

"In addition to the authority conferred upon him by other sections of this Act, the Director is authorized to—

(1) appoint and assign under transfer of function authorities in accordance with the civil service laws such personnel as may be necessary to enable the Administration to carry out its functions, and, except as otherwise provided herein, fix the compensation of such personnel in accordance with chapter 51 of title 5, United States Code: Provided, that insofar as duties and responsibilities currently being performed by O.E.O. employees continue to be performed by employees transferred to H.E.W. in an operational identity separate and distinct from other H.E.W. employees the exclusive representation now held by O.E.O. employees pursuant to Executive Order 11491, as amended, will continue;"

Mr. FORD. Mr. Chairman, this amendment is really intended to provide for the transitional process of transferring people from the present separate OEO over into the Department of HEW so that there will be no conflict in discontinuance of their respective rights under the collective bargaining agreements that were in effect.

As the bill was originally drafted we had a problem. The Civil Service Commission raised an objection. The gentleman from Minnesota and other members of the committee raised an objection. What this amendment would seek to do is something less than the bill proposes in simply guaranteeing that the existing collective bargaining agreements under the present executive order will be preserved.

It does not go beyond that. It has been cleared with the representatives of the collective bargaining units involved, with the American Federation of Government Employees and with members of the Post Office and Civil Service Committee.

I would like to yield now to the gentleman from North Carolina (Mr. HENDERSON).

Mr. HENDERSON. I thank the gentleman for yielding.

I wish to commend the gentleman for offering the amendment to us, and I rise in support of it.

It is my understanding the position of this amendment is that it assures the representation that the OEO employees now have will carry over to the successor organization in HEW. This amendment provides for the protection of representation rights of OEO employees within the framework of the existing executive order.

I would like to ask the gentleman from Michigan if my understanding is correct.

Mr. FORD. The gentleman from North Carolina, the chairman of the Manpower Subcommittee of the Committee on Post Office and Civil Service, is an expert without peer in this House on matters affecting Federal personnel, and he is exactly correct in his interpretation of this amendment.

Mr. HENDERSON. I thank the gentleman.

If the gentleman will yield further, I think it is important that we note we are not legislating any additional representation rights for the OEO employees but are providing for the protection of their existing rights through the transition period and transferring OEO employees to HEW.

I commend the gentleman, because it makes the bill much more valuable to those of us who support this legislation.

Mr. QUIE. Will the gentleman yield?

Mr. FORD. I yield to the gentleman from Minnesota.

Mr. QUIE. I want to indicate that I will support the amendment offered by the gentleman. I think it is a good one wherein he worked out the differences I raised and I know others have raised, also.

My first objection was in the providing all Federal personnel employed on the effective date of the act under authorizations and appropriations of the Economic Opportunity Act shall be transferred. I notice that the gentleman takes care of that and his amendment provides that employees can go over there and they do not have bumping privileges over the HEW employees, which is a part that was taken care of by the defeat of the previous amendment that was offered. It keeps them in a separate unit.

I believe it takes care of the representation, also, under the Executive order.

So I commend the gentleman for an excellent amendment.

Mr. HAWKINS. Will the gentleman yield?

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

Mr. HAWKINS. I simply rise to state that the members of the committee on this side are willing to accept the amendment and are in accord with it.

I wish at this time to commend the gentleman in the well, the gentleman from Michigan, for helping us to resolve this troublesome problem. He has done an excellent job and deserves to be highly commended.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan (Mr. FORD).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. QUIE

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

The Clerk read as follows:

Amendment offered by Mr. QUIE: Page 273, after line 26, insert:

"TERMINATION OF CERTAIN REGIONAL OFFICE FUNCTIONS

"SEC. 624. Within one year from the date of enactment of this Act, the Director shall cease all operations in regional office relating to the approval of or the provision of financial assistance to community action programs authorized under title I of this Act, and shall conduct such operations directly or in accordance with section 111(g)."

Mr. QUIE. Mr. Chairman, what this amendment does is to eliminate the regional offices. And it insures about 1 year in there because you have to have some

transition period in order to go through that.

The way the community action agencies operate now they go through the regional offices for approval of their proposals. It seems to me preferable if the Federal Government would deal through the States through the community action agencies under section 111(g), which permits that if all the community action agencies agree to it in the State, the amendment that was adopted, that I offered earlier, which also transfers the money that was used by the regional offices for administering the program for that State, would go to the State.

So, under this amendment, the community action agencies would either have to deal directly with the Federal agency that would be called the Community Action Administration within HEW, or else be able to work out an agreement within their State.

It seems to me that regional offices are undesirable. They are not answerable to anyone. They are a long way from a person who is delegated or who is appointed by the President. And, being out in the regions, they are really an arm of the Federal agency, and any tough decisions would have to be transferred back to Washington again, so they might as well deal directly with them.

There are 905 community action agencies in operation now. It seems to me they either can deal directly with Washington, which is the way it operated in the first years of the Economic Opportunity Act, or else they can work out the arrangements that are provided for in section 111(g).

Regional offices, I think, have been undesirable, because they are not answerable to the poor community of the State. And when you deal with the State those individuals are answerable to the elected officials, otherwise they are removed.

I think that regional offices have been an undesirable component of the Federal agencies. I would like to see regional offices abolished in other agencies. But what we are dealing with right now is the OEO, and the Community Action Administration.

So I urge my colleagues to adopt this amendment.

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

Mr. Chairman, H.R. 14449 contains a provision permitting States to assume the functions of the regional office if the Community Action agencies within the State agree to the takeover.

Without such an agreement, however, and without the regional offices, the oversights, administration, and evaluation of local Community Action programs will have to be conducted by the Washington office. This will require oversight of over 1,500 grantees.

Regionalization is a key component of the new federalism and while there are many legitimate concerns about the manner in which regional offices have operated, there is a useful purpose to be served in administering programs on a regional basis, particularly with regard to planning and coordination with other Federal programs. All Federal agencies now operate through Federal regional councils. By eliminating the regional mechanism for the poverty program, there would be no opportunity for its advocates to have an impact on the regional planning decisions.

A major function of the regional offices is the regular inspection of grantees for technical assistance and for monitoring the performance of programs to prevent mismanagement, the abuse of power, and other activities felt undesirable.

So it seems to me that if this body wishes to actually monitor and to keep the programs honest, to save money, and certainly to prevent abuse, then this amendment should be rejected.

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

Mr. Chairman, this amendment is one with which I find myself in a difficult position. There is a lot of appeal to the concept of abolishing regional offices, and I suspect all of us have from time to time had an experience in which we have not been able to get much of a response out of regional offices. I know that from the standpoint of those at the local level, the Community Action Agencies would probably just as soon do away with regional offices, given problems they have had with them since 1965. Yet when we look at it, we come down to the point of saying the choice that the gentleman from Minnesota is giving us is not whether we go State or Federal, not whether we go local or national, but where does the Federal Government's responsibility best lie?

I must say in all honesty I am not persuaded by his argument, in spite of the opposition he has to regional offices and in spite of the problems with regional offices, that somehow we ought to bring everything back here to Washington. That is the effect of the amendment.

By attempting to abolish this Agency this function through regional offices, what we are saying is that everything will now have to be done here in an agency in Washington. All the people in effect are going to have to be here in Washington. I do not know what we gain by that. The gentleman has not made it easier for anybody at the local level to deal with this problem. All he has done, it seems to me, is remove to a degree a layer of bureaucracy, but I do not think he has solved the problem.

On that basis, I think that we should not adopt the amendment, and I hope that the House will reject it so that we can legitimately deal with the problem the gentleman from Minnesota raises, one that I can sympathize with but one which I do not believe this amendment deals with properly.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota (Mr. QUIE).

The question was taken; and on a division (demanded by Mr. QUIE) there were—ayes 28, noes 43.

So the amendment was rejected.

AMENDMENT OFFERED BY MR. FRASER

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

The Clerk read as follows:

Amendment offered by Mr. FRASER: Page 266, line 10, insert "(a)" immediately after "SEC. 610.".

Page 267, immediately after line 8, insert the following new subsection:

(b) The Director shall initiate and carry out, in cooperation with the Federal Council on the Aging, a study to carry out the purposes of section 205(g) of the Older Americans Act of 1965 (87 Stat. 34). Such study shall review the interrelationships of benefit programs for the elderly operated by Federal, State, and local government agencies, and shall develop measures for bringing about greater uniformity of eligibility standards, and for eliminating the negative impact which the standards of one program may have on another program.

Mr. FRASER. Mr. Chairman, I want to commend the committee for focusing attention on the problems of the elderly poor.

Section 610 of this act calls for a coordinated national approach to the needs of this large group of impoverished Americans.

Mr. Chairman, one of the major problems faced by millions of the elderly poor involves the operation of Government programs intended to aid them. Many find that an increase in benefits from one program triggers a cutback in aid from another Government source, so they never seem to come out very much ahead.

Each time we raise social security, for example, veterans pensions go down, food stamps are cut back, public housing rent goes up, and supplementary security income is reduced in many States.

Some social security recipients find that they are almost better off without the higher social security payments because of the negative impact this increase has on other Government benefits.

My amendment is intended to deal with this general problem by authorizing the Director of the Community Action Administration, in cooperation with the Federal Council on Aging, to undertake a study of the interrelationship of benefit programs for the elderly operated by Federal, State, and local government agencies. The CAA Director would also be directed to develop proposals aimed at bringing about greater uniformity and consistency in program standards.

We know that the multiple benefits problems facing the elderly is pervasive but we have only a vague notion of its dimensions. There is no accurate up-to-date data available which indicates how many older people are receiving multiple benefits and from what sources.

If we are to succeed in getting older people off the treadmill they now find themselves on, a comprehensive review of Federal benefit programs for the elderly is clearly needed. The new Community Action Administration, with its focus on the needs of the low-income elderly, would seem to be the appropriate agency to undertake this study.

A year ago, Congress authorized a study of this problem in the Older Americans Act but that congressional directive has not been implemented.

Section 610 of the bill now before us authorizes the Director of the Community Action Administration to "initiate and maintain interagency liaison with all other appropriate agencies to achieve a coordinated approach to the needs of the elderly poor." Section 610 also authorizes the CAA Director to "carry out investigations and studies which assist the elderly poor to achieve self-sufficiency."

It would seem, then, that the study of the multiple benefits problem, as authorized in our amendment, represents a logical extension of the authority already provided the Director of the Community Action Administration in section 610 of this act.

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

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

Mr. HAWKINS. Mr. Chairman, the members of the committee on this side of the aisle have had an opportunity to read the amendment and are willing to accept it.

Certainly I wish to commend the gentleman in the well for his great efforts in behalf of the elderly poor.

Mr. FRASER. Mr. Chairman, I thank the gentleman.

Mr. STEIGER of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. FRASER. I yield to the gentleman from Wisconsin.

Mr. STEIGER of Wisconsin. Mr. Chairman, does the gentleman from Minnesota know whether or not the Administrator of HEW is carrying out the study requested of him in the Older Americans Act?

Mr. FRASER. My understanding is that he has not, and probably will not because that separate provision of the Older Americans Act had an 18-month time period, which will soon run out, so in a sense it becomes an obsolete provision of the Older Americans Act.

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

Mr. FRASER. I yield to the gentleman from New Jersey.

Mr. HUNT. I thank the gentleman from Minnesota for yielding.

Mr. Chairman, would the gentleman's amendment in any way assist the veterans who had their pensions reduced monetarily by the increases in social security? We have had an erosion of veterans' pensions, and I am interested in the fact that in the past 3 years, as we have raised social security by about 31 percent total, so the veterans' pensions have been diminished. Will this help us in any way?

Mr. FRASER. The amendment is directed exactly to that problem. I do not want to tell the gentleman it solves that problem but it directs the Director to carry out this study so we can find a solution to these problems.

Mr. HUNT. Would the gentleman amend his amendment to include a study of the veterans' pension bills so we will not have to wait for some hearings later this year? These people are pretty old. We are not helping them on their fixed incomes when we have this erosion by 31 percent with other costs going up. It does not help them a bit. I suggest the gentleman, if it is possible for him to do so, amend his amendment and I believe it will get a great deal of support.

Mr. FRASER. The amendment does embrace the problem of the veterans' pensions but it is not a self-executing provision in the sense that by adopting this amendment we protect the veterans. It simply calls for a study to deal with the problem.

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

(By unanimous consent, Mr. FRASER was allowed to proceed for 1 additional minute.)

Mr. FRASER. Mr. Chairman, I am a cosponsor of bills to protect the veterans' pensions. We need action from the Veterans Committee soon on this legislation. But this is a recurring problem and what we are trying to do here is to find some permanent solutions.

Mr. HUNT. I thank the gentleman for that comment. I think this amendment has been long needed.

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

Mr. FRASER. I yield to the gentleman from Minnesota.

Mr. FRENZEL. I would like to congratulate the gentleman on his amendment and indicate to the body that we, too, find the problem that the gentleman finds and I hope through his amendment we will conduct a study to prevent the situation in which apparently increases turn out to be no gain or throwing our senior citizens for a loss.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota (Mr. FRASER).

The amendment was agreed to.

The CHAIRMAN. Are there any further amendments to title VI? If not, the Clerk will read.

The Clerk read as follows:

TITLE VII—HEADSTART-FOLLOW THROUGH

SHORT TITLE

SEC. 701. This title may be cited as the "Headstart-Follow Through Act" (hereinafter in this title referred to as the "Act").

STATEMENT OF PURPOSE

SEC. 702. In recognition of the role while Project Headstart has played in the effective delivery of comprehensive health, educational, nutritional, social, and other services to economically disadvantaged children and their families, the Act extends the authority for appropriation of funds for that program.

PART A—PROGRAM AUTHORITY AND REQUIREMENTS

AUTHORIZATION OF HEADSTART PROGRAM

SEC. 711. The Secretary may, upon application by an agency which is eligible for designation as a Headstart agency, pursuant to section 714, provide financial assistance to such agency for the planning, conduct, administration, and evaluation of a program to be known as Project Headstart focused upon children from low-income families who have not reached the age of compulsory school attendance which (A) will provide such comprehensive health, nutritional, educational, social, and other services as the Secretary finds will aid the children to attain their full potential, and (B) will provide for direct participation of the parents of such children in the development, conduct, and overall program direction at the local level. Pursuant to such regulations as the Secretary may prescribe, persons who are not members of low-income families may be permitted to receive services in projects assisted under the Act.

AUTHORIZATION OF APPROPRIATIONS

SEC. 712. There are authorized to be appropriated for carrying out the purposes of this part $500,000,000 for the fiscal year ending June 30, 1975, $525,000,000 for the fiscal year ending June 30, 1976, and $550,000,000 for the fiscal year ending June 30, 1977.

ALLOTMENT OF FUNDS: LIMITATIONS ON ASSISTANCE

SEC. 713. (a) Of the sums which are appropriated or allocated pursuant to section 712, the Secretary shall allot not more than 2 per centum among Guam, American Samoa, the Trust Territory of the Pacific Islands, and the Virgin Islands, according to their respective needs. He shall also reserve not more than 20 per centum of those sums for allotment in accordance with such criteria and procedures as he may prescribe. The remainder shall be allotted among the States, in accordance with the latest available data, so that equal proportions are distributed on the basis of the number of children age 0–5 living in poverty in each State as compared to all States: *Provided*, That no State shall receive less than obligated in fiscal 1974.

(b) Financial assistance extended to a grantee agency for a Headstart program shall not exceed 80 per centum of the approved costs of the assisted program or activities, except that the Secretary may approve assistance in excess of such percentage if he determines, in accordance with regulations establishing objective criteria, that such action is required in furtherance of the purposes of the Act. Non-Federal contributions may be in cash or in kind, fairly evaluated, including but not limited to plant, equipment, or services. The Secretary shall not require non-Federal contributions in excess of 20 per centum of the approved cost of programs or activities assisted under the Act.

(c) No program shall be approved for assistance under the Act unless the Secretary satisfies himself that the services to be provided under such program will be in addition to, and not in substitution for, comparable services previously provided without Federal assistance. The requirement imposed by the preceding sentence shall be subject to such regulations as the Secretary may adopt.

(d) The Secretary shall establish policies and procedures designed to assure that no less than 10 per centum of the total number of enrollment opportunities in Headstart programs in each State shall be available for handicapped children (as defined in paragraph (1) of section 602 of the Education of the Handicapped Act) and that services shall be provided to meet their special needs. The Secretary shall report to the Congress at least annually on the status of handicapped children in Headstart programs, including the number of children being served, their handicapping conditions, and the services being provided such children.

(e) The Secretary shall adopt appropriate administrative measures to assure that benefits of the Act will be distributed equitably between residents of rural and urban areas.

DESIGNATION OF GRANTEES

SEC. 714. (a) A public or private nonprofit agency which (1) has the power and authority to carry out the purposes of the Act and perform the functions set forth in section 715 within a community, and (2) is determined by the Secretary to be capable of planning, conducting, administering, and evaluating, either directly or by other means, a Headstart program, may be designated as a Headstart agency.

(b) For the purposes of the Act, a community may be a city, county, multicity, or multicounty unit, an Indian reservation, or a neighborhood or other area (irrespective of

boundaries or political subdivisions) which provides a suitable organization base and possesses the commonality of interest needed to operate a Headstart program.

(c) In the administration of the provisions of this section, the Secretary shall give priority in the designation of Headstart agencies to any public or private nonprofit agency which is receiving funds under any Headstart program on the date of the enactment of this section, except that the Secretary shall, before giving such priority, determine that the agency involved meets program and fiscal requirements established by the Secretary.

REQUIRED POWERS AND FUNCTIONS OF HEADSTART AGENCIES

SEC. 715. (a) In order to be designated as a Headstart agency under the Act; an agency must have authority under its charter or applicable law to receive and administer funds under the Act, funds and contributions from private or local public sources which may be used in support of a Headstart program, and funds under any Federal or State assistance program pursuant to which a public or private nonprofit agency (as the case may be) organized in accordance with the Act could act as grantee, contractor, or sponsor of projects appropriate for inclusion in a Headstart program. Such an agency must also be empowered to transfer funds so received, and to delegate powers to other agencies, subject to the powers of its governing board and its overall program responsibilities. This power to transfer funds and delegate powers must include the power to make transfers and delegations covering component projects in all cases where this will contribute to efficiency and effectiveness or otherwise further program objectives.

(b) In order to be so designated, a Headstart agency must also (1) establish effective procedures by which parents and area residents concerned will be enabled to influence the character of programs affecting their interests, (2) provide for their regular participation in the implementation of those programs, and (3) provide technical and other support needed to enable parents and area residents to secure on their own behalf available assistance from public and private sources.

SUBMISSION OF PLANS TO GOVERNORS

SEC. 716. In carrying out the provisions of the Act, no contract, agreement, grant, or other assistance shall be made for the purpose of carrying out a Headstart program within a State unless a plan setting forth such proposed contract, agreement, grant, or other assistance has been submitted to the Governor of the State, and such plan has not been disapproved by the Governor within thirty days of such submission, or, if so disapproved, has been reconsidered by the Secretary and found by him to be fully consistent with the provisions and in furtherance of the purposes of the Act. Funds to cover the costs of the proposed contract, agreement, grant, or other assistance shall be obligated from the appropriation which is current at the time the plan is submitted to the Governor. This section shall not, however, apply to contracts, agreements, grants, loans, or other assistance to any institution of higher education in existence on the date of enactment of this Act.

ADMINISTRATION REQUIREMENTS AND STANDARDS

SEC. 717. (a) Each Headstart agency shall observe standards of organization, management, and administration which will assure, so far as reasonably possible, that all program activities are conducted in a manner consistent with the purposes of the Act and the objective of providing assistance effectively, efficiently, and free of any taint of partisan political bias or personal or family favoritism. Each such agency shall establish or adopt rules to carry out this section, which shall include rules to assure full staff accountability in matters governed by law, regulations, or agency policy. Each agency shall also provide for reasonable public access to information, including but not limited to public hearings at the request of appropriate community groups and reasonable public access to books and records of the agency or other agencies engaged in program activities or operations involving the use of authority or funds for which it is responsible. Each such agency shall adopt for itself and other agencies using funds or exercising authority for which it is responsible, rules designed to establish specific standards governing salaries, salary increases, travel and per diem allowances, and other employee benefits; to assure that only persons capable of discharging their duties with competence and integrity are employed and that employees are promoted or advanced under impartial procedures calculated to improve agency performance and effectiveness; to guard against personal or financial conflicts of interests; and to define employee duties in an appropriate manner which will in any case preclude employees from participating, in connection with the performance of their duties, in any form of picketing, protest, or other direct action which is in violation of law.

(b) No financial assistance shall be extended under the Act in any case in which the Secretary determines that the costs of developing and administering a program assisted under the Act exceed 15 per centum of the total costs, including non-Federal contributions to such costs, of such program. The Secretary, after consultation with the Director of the Office of Management and Budget, shall establish by regulation, criteria for determining (i) the costs of developing and administering such program and (ii) the total costs of such program. In any case in which the Secretary determines that the cost of administering such program does not exceed 15 per centum and such total costs but is, in his judgment, excessive, he shall forthwith require the recipient of such financial assistance to take such steps prescribed by him as will eliminate such excessive administrative cost, including the sharing by one or more Headstart agencies of a common director and other administrative personnel. The Secretary may waive the limitation prescribed by this paragraph for specific periods of time not to exceed six months whenever he determines that such a waiver is necessary in order to carry out the purposes of the Act.

(c) The Secretary shall prescribe rules or regulations to supplement subsection (a), which shall be binding on all agencies carrying on Headstart program activities with financial assistance under the Act. He may, where appropriate, establish special or simplified requirements for smaller agencies or agencies operating in rural areas.

(d) All rules, regulations, guidelines, instructions, and application forms published or promulgated by the Secretary pursuant to the Act shall be published in the Federal Register at least thirty days prior to their effective date.

POVERTY LINE

SEC. 718. (a) The Secretary shall revise annually (or at any shorter interval he deems feasible and desirable) a poverty line which, except as provided in section 711, shall be used as a criterion of eligibility for participation in Headstart programs.

(b) The revision required by subsection (a) of this section shall be accomplished by multiplying the official poverty line (as defined by the Office of Management and Budget) by the average percentage change in the Consumer Price Index during the annual or other interval immediately preceding the time at which the revision is made.

(c) Revisions required by subsection (a) of this section shall be made and issued not more than thirty days after the date on which the necessary Consumer Price Index data becomes available.

APPEALS, NOTICE AND HEARING

SEC. 719. The Secretary shall prescribe procedures to assure that—

(1) special notice of and an opportunity for a timely and expeditious appeal to the Secretary is provided for an agency or organization which would like to serve as a delegate agency under the Act and whose application to the Headstart agency has been wholly or substantially rejected or has not been acted upon within a period of time deemed reasonable by the Secretary;

(2) financial assistance under the Act shall not be suspended for failure to comply with applicable terms and conditions, except in emergency situations, nor shall an application for refunding be denied, unless the recipient agency has been given reasonable notice and opportunity to show cause why such action should not be taken; and

(3) financial assistance under the Act shall not be terminated for failure to comply with applicable terms and conditions unless the recipient has been afforded reasonable notice and opportunity for a full and fair hearing.

RECORDS AND AUDIT

SEC. 720. (a) Each recipient of financial assistance under the Act shall keep such records as the Secretary shall prescribe, including records which fully disclose the amount and disposition by such recipient of the proceeds of such financial assistance, the total cost of the project or undertaking in connection with which such financial assistance is given or used, the amount of that portion of the cost of the project or undertaking supplied by other sources, and such other records as will facilitate an effective audit.

(b) The Secretary and the Comptroller General of the United States, or any of their duly authorized representatives, shall have access for the purpose of audit and examination to any books, documents, papers, and records of the recipients that are pertinent to the financial assistance received under the Act.

TECHNICAL ASSISTANCE AND TRAINING

SEC. 721. The Secretary may provide, directly or through grants or other arrangements, (1) technical assistance to communities in developing, conducting, and administering programs under the Act and (2) training for specialized or other personnel which is needed in connection with Headstart programs.

RESEARCH AND DEMONSTRATION PROGRAMS

SEC. 722. (a) The Secretary may contract or provide financial assistance for pilot or demonstration projects conducted by public or private agencies which are designed to test or assist in the development of new approaches or methods that will aid in overcoming special problems or otherwise in furthering the purposes of the Act. He may also contract or provide financial assistance for research pertaining to the purposes of the Act.

(b) The Secretary shall establish an overall plan to govern the approval of pilot or demonstration projects and the use of all research authority under the Act. The plan shall set forth specific objectives to be achieved and priorities among such objectives.

ANNOUNCEMENT OF RESEARCH OR DEMONSTRATION CONTRACTS

SEC. 723. (a) The Secretary shall make a public announcement concerning—

(1) the title, purpose, intended completion date, identity of the contractor, and proposed cost of any contract with a private or non-Federal public agency or organization for any demonstration or research project; and

(2) the results, findings, data, or recommendations made or reported as a result of such activities.

(b) The public announcements required by subsection (a) shall be made within thirty days of entering into such contracts and thereafter within thirty days of the receipt of such results.

EVALUATION

SEC. 724. (a) The Secretary shall provide for the continuing evaluation of programs under the Act, including evaluations that describe and measure, with appropriate means and to the extent feasible, the impact of such programs, their effectiveness in achieving stated goals, their impact on related programs, and their structure and mechanisms for delivery of services, and including, where appropriate, comparisons with appropriate control groups composed of persons who have not participated in such programs. The Secretary may, for such purposes, contract or make other arrangements for independent evaluations of those programs or individual projects.

(b) The Secretary shall to the extent feasible develop and publish standards for evaluation of program effectiveness in achieving the objectives of the Act. He shall consider the extent to which such standards have been met in deciding whether to renew or supplement financial assistance authorized under the Act.

(c) In carrying out evaluations under the Act, the Secretary may require Headstart agencies to provide independent evaluations.

GENERAL PROVISIONS; DEFINITIONS

SEC. 725. As used in the Act—

(1) the term "Secretary" means the Secretary of Health, Education, and Welfare;

(2) the term "State" means a State, the Commonwealth of Puerto Rico, the District of Columbia, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands; except that when used in section 713(a) of the Act this term means only a State, the Commonwealth of Puerto Rico, or the District of Columbia; and

(3) the term "financial assistance" includes assistance advanced by grant, agreement, or contract, and payments may be made in installments and in advance or by way of reimbursement, with necessary adjustments on account of overpayments or underpayments.

LABOR STANDARDS

SEC. 726. All laborers and mechanics employed by contractors or subcontractors in the construction, alteration, or repair, including painting and decorating of projects, buildings, and works which are federally assisted under the Act shall be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a–276a–5). The Secretary of Labor shall have, with respect to such labor standards, the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176; 64 Stat. 1267; 5 U.S.C. 133—133z–15), and section 2 of the Act of June 1, 1934, as amended (48 Stat. 948, as amended; 40 U.S.C. 276(C)).

COMPARABILITY OF WAGES

SEC. 727. (a) The Secretary shall take such action as may be necessary to assure that persons employed in carrying out programs financed under the Act shall not receive compensation at a rate which is (1) in excess of the average rate of compensation paid in the area where the program is carried out to a substantial number of the persons providing substantially comparable services, or in excess of the average rate of compensation paid to a substantial number of the persons providing substantially comparable services in the area of the person's immediately preceding employment, whichever is higher or (2) less than the minimum wage rate prescribed in section 6(a)(1) of the Fair Labor Standards Act of 1938.

NONDISCRIMINATION PROVISIONS

SEC. 728. (a) No person in the United States shall on the ground of race, creed, color, national origin, sex, or political affiliation be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity funded in whole or in part with funds made available under the Act.

(b) The Secretary shall enforce the provisions of this section by (1) referring the matter to the Attorney General with a recommendation that an appropriate civil action be instituted, (2) exercising the powers and functions provided by title VI of the Civil Rights Act of 1964, or (3) taking such other action as may be provided by law.

LIMITATION WITH RESPECT TO CERTAIN UNLAWFUL ACTIVITIES

SEC. 729. No individual employed or assigned by any Headstart agency or other agency assisted under the Act shall, pursuant to or during the performance of services rendered in connection with any program or activity conducted or assisted under the Act by such Headstart agency or such other agency, plan, initiate, participate in, or otherwise aid or assist in the conduct of any unlawful demonstration, rioting, or civil disturbance.

POLITICAL ACTIVITIES

SEC. 730. (a) For purposes of chapter 15 of title 5 of the United States Code any agency which assumes responsibility for planning, developing, and coordinating Headstart programs and receives assistance under the Act shall be deemed to be a State or local agency; and for purposes of clauses (1) and (2) of section 1502(a) of such title any agency receiving assistance under this title shall be deemed to be a State or local agency.

(b) Programs assisted under the Act shall not be carried on in a manner involving the use of program funds, the provision of services, or the employment or assignment of personnel in a manner supporting or resulting in the identification of such programs with (1) any partisan or nonpartisan political activity or any other political activity associated with a candidate, or contending faction or group, in an election for public or party office, (2) any activity to provide voters or prospective voters with transportation to the polls or similar assistance in connection with any such election, or (3) any voter registration activity. The Secretary, after consultation with the Civil Service Commission, shall issue rules and regulations to provide for the enforcement of this section, which shall include provisions for summary suspension of assistance or other action necessary to permit enforcement on an emergency basis.

ADVANCE FUNDING

SEC. 731. For the purpose of affording adequate notice of funding available under the Act, appropriations for grants, contracts, or other payments under the Act are authorized to be included in the appropriation Act for the fiscal year preceding the fiscal year for which they are available for obligation.

PART B—FOLLOW THROUGH PROJECTS

GRANTEES: NATURE OF PROJECTS

SEC. 751. (a)(1) The Secretary is authorized to provide financial assistance in the form of grants to local educational agencies, combinations of such agencies, and, as provided in paragraph (2) of this subsection, any other public or appropriate nonprofit private agencies, organizations, and institutions for the purpose of carrying out a program to be known as Follow Through focused primarily on children from low-income families (as defined by the Secretary) in kindergarten and primary grades, including such children enrolled in private nonprofit elementary schools, who were previously enrolled in Headstart or similar programs.

(2) Whenever the Secretary determines (A) that a local educational agency receiving assistance under paragraph (1) is unable or unwilling to include in a Follow Through project children enrolled in nonprofit private schools who would otherwise be eligible to participate therein, or (B) that it is otherwise necessary in order to accomplish the purposes of this section, he may provide financial assistance for the purpose of carrying out a Follow Through project to any other public or appropriate nonprofit private agency, organization, or institution.

(3) Projects to be assisted under this section must provide comprehensive services which the Secretary finds will aid in the continued development of children described in paragraph (1) to their full potential. Such projects must provide for the direct participation of the parents of such children in the development, conduct, and overall direction of the program at the local level. If the Secretary determines that participation in the project of children who are not from low-income families will enhance the development of children from low-income families or will otherwise serve to carry out the purposes of this section, he may require or permit the inclusion of such children from non-low-income families, but only to the extent that their participation will not dilute the effectiveness of the services designed for children described in paragraph (1).

AUTHORIZATION OF APPROPRIATIONS

SEC. 752. (a) There are authorized to be appropriated for carrying out the purposes of this part $60,000,000 for the fiscal year ending June 30, 1975, and for each of the two succeeding fiscal years.

Funds so appropriated shall remain available for obligation and expenditure during the fiscal year succeeding the fiscal year for which they are appropriated, except that so much of the funds appropriated which the Secretary determines to be necessary to carry out the activities authorized by subsection (c)(2) shall remain available until expended.

(b) Financial assistance extended pursuant to subsection (a) for a Follow Through project shall be equal to 80 per centum of the approved costs of the assisted program or activities, except that the Secretary may approve assistance in excess of such percentage if he determines, in accordance with regulations establishing objective criteria, that such action is required in furtherance of the purposes of this section. Non-Federal contributions may be in cash or in kind, fairly evaluated, including but not limited to plant, equipment, or services.

(c) No project shall be approved for assistance under this section unless the Secretary satisfies himself that the services to be provided under such project will be in addition to, and not in substitution for, services previously provided without Federal assistance. The requirement proposed by the preceding sentence shall be subject to such regulations as the Secretary may adopt.

RESEARCH AND DEMONSTRATION, EVALUATION, AND TECHNICAL ASSISTANCE ACTIVITIES

SEC. 753. (a) In conjunction with the activities authorized by subsection (a), the Secretary may—

(1) contract or provide financial assistance for pilot or demonstration projects conducted by public or private agencies which are designed to test or assist in the development of new approaches or methods that will aid in overcoming special problems or otherwise in furthering the purposes of this section;

(2) provide, by contract or other arrangement, on a nationwide basis, for the continuing evaluation of projects assisted under this section, including evaluations that describe and measure, with appropriate means and to the extent feasible, the impact of such projects, their effectiveness in achieving stated goals, their impact on related programs, and their structure and

mechanisms for delivery of services, and including, where appropriate, comparisons with appropriate control groups composed of persons who have not participated in such projects; and

(3) provide, directly or through grants or other appropriate arrangements (A) technical assistance to Follow Through projects in developing, conducting, and administering programs under this section and (B) training for specialized or other personnel which is needed in connection with Follow Through projects.

ADVANCE FUNDING

SEC. 754. For the purpose of affording adequate notice of funding available under this part, appropriations for grants, contracts, or other payments under the Act are authorized to be included in the appropriation Act for the fiscal year preceding the fiscal year for which they are available for obligation.

GENERAL PROVISIONS

SEC. 755. (a) Recipients of financial assistance under this section shall provide maximum employment opportunities for residents of the area to be served, and to parents of children who are participating in projects assisted under this section.

(b) Financial assistance under this section shall not be suspended for failure to comply with applicable terms and conditions, except in emergency situations, nor shall an application for refunding be denied, unless the recipient agency has been given reasonable notice and opportunity to show cause why such action should not be taken.

(c) Financial assistance under this section shall not be terminated for failure to comply with applicable terms and conditions unless the recipient has been afforded reasonable notice and opportunity for a full and fair hearing.

TITLE VIII—NATIVE AMERICANS

SHORT TITLE

SEC. 801. This part may be cited as the "Native American Program Extension Act of 1974" (hereinafter in this part referred to as the "Act").

STATEMENT OF PURPOSE

SEC. 802. The purpose of the Act is to promote the goal of economic and social self-sufficiency for American Indians and Alaskan natives.

FINANCIAL ASSISTANCE FOR NATIVE AMERICAN PROJECTS

SEC. 811. (a) The Secretary is authorized to provide financial assistance to public and nonprofit private agencies, including but not limited to, governing bodies of Indian tribes, Alaskan Native villages and regional corporations established by the Alaska Native Claims Settlement Act, for projects pertaining to the purposes of the Act. In determining the projects to be assisted under this section, the Secretary shall consult with other Federal agencies for the purpose of eliminating duplication or conflict among similar activities or projects and for the purpose of determining whether the findings resulting from those projects may be incorporated into one or more programs for which those agencies are responsible.

(b) Financial assistance extended to an agency pursuant to subsection (a) shall be equal to 80 per centum of the approved costs of the assisted project, except that the Secretary may approve assistance in excess of such percentage if he determines, in accordance with regulations establishing objective criteria, that such action is required in furtherance of the purposes of the Act. Non-Federal contributions may be in cash or in kind, fairly evaluated, including but not limited to plant, equipment, and services.

(c) No project shall be approved for assistance under this section unless the Secretary satisfies himself that the activities to be carried out under such project will be in addition to, and not in substitution for, comparable activities previously carried out without Federal assistance, except that the Secretary may waive this requirement in any case in which he determines, in accordance with regulations establishing objective criteria, that application of the requirement would result in unnecessary hardship or otherwise be inconsistent with the purposes of the Act.

TECHNICAL ASSISTANCE AND TRAINING

SEC. 812. The Secretary may provide, directly or through other arrangements (1) technical assistance to public and private agencies in developing, conducting, and administering projects under the Act, and (2) short-term in-service training for specialized or other personnel which is needed in connection with projects receiving financial assistance under section 811 of the Act.

RESEARCH AND DEMONSTRATION PROJECTS

SEC. 813. (a) The Secretary may provide financial assistance for pilot or demonstration projects conducted by public or private agencies which are designed to test or assist in the development of new approaches or methods that will aid in furthering the purposes of the Act. He may also provide financial assistance for research pertaining to the purposes of the Act.

(b) The Secretary shall establish an overall plan to govern the approval of pilot or demonstration projects and the use of all research authority under the Act. The plan shall set forth specific objectives to be achieved and priorities among such objectives.

ANNOUNCEMENT OF RESEARCH OR DEMONSTRATION CONTRACTS

SEC. 814. (a) The Secretary shall make a public announcement concerning—

(1) the title, purpose, intended completion date, identity of the contractor, and proposed cost of any contract with a private or non-Federal public agency for a demonstration or research project; and

(2) except in cases in which the Secretary determines that it would not be consistent with the purposes of the Act, the results, findings, data, or recommendations made or reported as a result of such activities.

(b) The public announcements required by subsection (a) shall be made within thirty days of entering into such contracts and thereafter within thirty days of the receipt of such results.

SUBMISSION OF PLANS TO STATE AND LOCAL OFFICIALS

SEC. 815. (a) No financial assistance may be provided to any project under section 811 of the Act or any pilot or demonstration project under section 813 of the Act, which is to be carried out on or in an Indian reservation or Alaskan Native village, unless a plan setting forth the project has been submitted to the governing body of that reservation or village and the plan has not been disapproved by the governing body within thirty days of its submission.

(b) No financial assistance may be provided to any project under section 811 of the Act or any pilot or demonstration project under section 813 of the Act, which is to be carried out in a State other than on or in an Indian reservation or Alaskan Native village, unless the Secretary has notified the chief executive officer of the State of his decision to provide that assistance.

(c) No financial assistance may be provided to any project under section 811 of the Act or any pilot or demonstration project under section 813 of the Act, which is to be carried out in a city, county, or other major political subdivision of a State, other than on or in an Indian reservation or Alaskan Native village, unless the Secretary has notified the local governing officials of the political subdivision of his decision to provide that assistance.

RECORDS AND AUDIT

SEC. 816. (a) Each agency which receives financial assistance under the Act shall keep such records as the Secretary may prescribe, including records which fully disclose the amount and disposition by that agency of such financial assistance, the total cost of the project in connection with which such financial assistance is given or used, the amount of that portion of the cost of the project supplied by other sources, and such other records as will facilitate an effective audit.

(b) The Secretary and the Comptroller General of the United States, or any of their duly authorized representatives, shall have access for the purpose of audit and examination to any books, documents, papers, and records of any agency which receives financial assistance under the Act that are pertinent to the financial assistance received under the Act.

APPEALS, NOTICE, AND HEARING

SEC. 817. The Secretary shall prescribe procedures to assure that—

(1) financial assistance under section 811 of the Act will not be suspended for failure to comply with any applicable terms and conditions, except in emergency situations, nor an application for refunding under that section denied, unless the assisted agency has been given reasonable notice and opportunity to show cause why such action should not be taken; and

(2) financial assistance under section 811 of the Act will not be terminated for failure to comply with any applicable terms and conditions unless the assisted agency has been afforded reasonable notice and opportunity for a full and fair hearing.

EVALUATION

SEC. 818. (a) The Secretary shall provide for the evaluation of projects assisted under the Act, including evaluations that describe and measure, with appropriate means and to the extent feasible, the impact of such projects, their effectiveness in achieving stated goals, their impact on related programs, and their structure and mechanisms for delivery of services, and including, where appropriate, comparisons with appropriate control groups composed of persons who have not participated in such projects. The Secretary may, for such purpose, contract or make other arrangements for independent evaluations of projects.

(b) The Secretary shall, to the extent feasible, develop and publish standards for evaluation of project effectiveness in achieving the objectives of the Act. He shall consider the extent to which such standards have been met in deciding whether to renew or supplement financial assistance authorized under the Act.

(c) In carrying out evaluations under the Act, the Secretary may require agencies which receive assistance under the Act to provide independent evaluations.

LABOR STANDARDS

SEC. 819. All laborers and mechanics employed by contractors or subcontractors in the construction, alteration, or repair, including painting or decorating of buildings or other facilities in connection with projects assisted under the Act, shall be paid wages at rates not less than those prevailing on similar construction in the locality, as determined by the Secretary of Labor in accordance with the Davis-Bacon Act. The Secretary of Labor shall have, with respect to such labor standards, the authority and functions set forth in Reorganization Plan Numbered 14 of 1950, and section 2 of the Act of June 1, 1934.

CRIMINAL PROVISIONS

SEC. 820. (a) Whoever, being an officer, director, agent, or employee of, or connected in any capacity with, any agency receiving financial assistance under the Act embezzles, willfully misapplies, steals, or obtains by fraud any of the moneys, funds, assets, or property which are the subject of a grant or contract of assistance pursuant to the Act,

shall be fined not more than $10,000 or imprisoned for not more than two years, or both, but if the amount so embezzled, misapplied, stolen, or obtained by fraud does not exceed $100, he shall be fined not more than $1,000 or imprisoned not more than one year, or both.

(b) Whoever, by threat of procuring dismissal of any person from employment or of refusal to employ or refusal to renew a contract of employment in connection with assistance under the Act, induces any person to give up any money or thing of value to any person (including an assisted agency), shall be fined not more than $1,000 or imprisoned not more than one year, or both.

DELEGATION OF AUTHORITY

SEC. 821. (a) The Secretary is authorized to delegate to the heads of other departments and agencies of the Federal Government any of the Secretary's functions, powers, and duties under the Act, as he may deem appropriate, and to authorize the redelegation of such functions, powers, and duties by the heads of such departments and agencies.

(b) Departments and agencies of the Federal Government shall exercise their powers, duties, and functions in such manner as will assist in carrying out the objectives of the Act.

(c) Funds appropriated for the purpose of carrying out the Act may be transferred between departments and agencies of the Government, if such funds are used for the purposes for which they are authorized and appropriated.

DEFINITIONS

SEC. 822. As used in the Act—

(1) the term "Secretary" means the Secretary of Health, Education, and Welfare;

(2) the term "financial assistance" includes assistance advanced by grant, agreement, or contract, but does not include the procurement of plant or equipment, or goods or services;

(3) the term "State" includes the District of Columbia; and

(4) the term "Indian reservation or Alaskan Native village" includes the reservation of any federally recognized Indian tribe, including any band, nation, pueblo, or rancheria, any former reservation in Oklahoma, any community under the jurisdiction of an Indian tribe, including a band, nation, pueblo, or rancheria, with allotted lands or lands subject to a restriction against alienation imposed by the United States or a State, and any lands of or under the jurisdiction of an Alaskan Native village or group, including any lands selected by Alaskan Natives or Alaskan Native organizations under the Alaska Native Claims Settlement Act.

AUTHORIZATION OF APPROPRIATIONS

SEC. 823. There are authorized to be appropriated for the purpose of carrying out the provisions of the Act, such sums as may be necessary for the fiscal years ending June 30, 1975, June 30, 1976, and June 30, 1977.

TITLE IX—COMPREHENSIVE HEALTH SERVICES

COMPREHENSIVE HEALTH SERVICES

SEC. 901. The Secretary of Health, Education, and Welfare shall establish within the Department of Health, Education, and Welfare a "Comprehensive Health Services" program which shall include—

(a) programs to aid in developing and carrying out comprehensive health services projects focused upon the needs of urban and rural areas having high concentrations or proportions of poverty and marked inadequacy of health services for the poor. These projects shall be designed—

(1) to make possible, with maximum feasible use of existing agencies and resources, the provision of comprehensive health services, such as preventive medical, diagnostic, treatment, rehabilitation, family planning, narcotic addiction and alcoholism prevention and rehabilitation, mental health, dental, and followup services, together with necessary related facilities and services, except in rural areas where the lack of even elemental health services and personnel may require simpler, less comprehensive services to be established first; and

(2) to assure that these services are made readily accessible to low-income residents of such areas, are furnished in a manner most responsive to their needs and with their participation and wherever possible are combined with, or included within, arrangements for providing employment, education, social, or other assistance needed by the families and individuals served: *Provided, however,* That pursuant to such regulations as the Secretary of Health, Education, and Welfare may prescribe, persons provided assistance through programs assisted under this paragraph who are not members of low-income families may be required to make payment, or have payment made in their behalf, in whole or in part for such assistance. Funds for financial assistance under this paragraph shall be allotted according to need and capacity of applicants to make rapid and effective use of that assistance, and may be used as necessary, to pay the full costs of projects. Before approving any project, the Secretary shall solicit and consider the comments and recommendations of the local medical associations in the area and shall consult with appropriate Federal, State, and local health agencies and take such steps as may be required to assure that the program will be carried on under competent professional supervision and that existing agencies providing related services are furnished all assistance needed to permit them to plan for participation in the program and for the necessary continuation of those related services; and

(b) programs to provide financial assistance to public or private agencies to projects designed to develop knowledge or enhance skills in the field of health services for the poor. Such projects shall encourage both prospective and practicing health professionals to direct their talents and energies toward providing health services for the poor. In carrying out the provisions of this paragraph, the Secretary is authorized to provide or arrange for training and study in the field of health services for the poor. Pursuant to regulations prescribed by him, the Secretary may arrange for the payment of stipends and allowances (including travel and subsistence expenses) for persons undergoing such training and study and for their dependents. The Secretary shall achieve effective coordination of programs and projects authorized under this section with other related activities.

TITLE X—HUMAN SERVICES POLICY RESEARCH

SHORT TITLE

SEC. 1001. This title may be cited as the "Human Services Policy Research Act of 1974".

STATEMENT OF PURPOSE

SEC. 1002. The purpose of the title is to stimulate a better focusing of all available local, State, private, and Federal resources upon the goal of enabling low-income families, and low-income individuals of all ages, in rural and urban areas to attain the skills, knowledge, and motivations and secure the opportunities needed for them to become fully self-sufficient.

RESEARCH AND PILOT PROGRAMS

SEC. 1011. (a) The Secretary of Health, Education, and Welfare (hereinafter in this title referred to as the "Secretary") may contract or provide financial assistance for pilot or demonstration projects conducted by public or private agencies which are designed to test or assist in the development of new approaches or methods that will aid in overcoming special problems or otherwise in furthering the purposes of this part. He may also contract or provide financial assistance for research and evaluation pertaining to the purposes of this part.

(b) The Secretary shall establish an overall plan to govern the approval of pilot or demonstration projects and the use of all reasearch authority under this title. The plan shall set forth specific objectives to be achieved and priorities among such objectives. In formulating the plan, the Secretary shall consult with other Federal agencies for the purpose of minimizing duplication among similar activities or projects and determining whether the findings resulting from any research or pilot projects may be incorporated into one or more programs for which those agencies are responsible.

(c) No pilot or demonstration project under this section shall be commenced in any city, county, or other major political subdivision, unless a plan setting forth such proposed pilot or demonstration project has been submitted to the chief executive officer of the State, and to the local governing officials of the city, county, or major political subdivision, in which the project is to be located, and such plan has not been disapproved by them within thirty days of such submission, or, if so disapproved, has been reconsidered by the Secretary and found by him to be fully consistent with the provisions and in furtherance of the purposes of this part.

CONSULTATION

SEC. 1012. (a) In carrying out evaluations under this title, the Secretary shall, whenever possible, arrange to obtain the opinions of program participants about the strengths and weaknesses of programs.

(b) The Secretary shall consult, when appropriate, with State agencies, in order to provide for jointly sponsored objective evaluation studies of programs on a State basis.

(c) In carrying out evaluations under this title, the Secretary shall consult with the heads of other Federal agencies carrying out activities related to the subject matter of those evaluations.

ANNOUNCEMENT OF RESEARCH, DEMONSTRATION, AND EVALUATION CONTRACTS

SEC. 1013. (a) The Secretary shall make a public announcement concerning—

(1) the title, purpose, intended completion date, identity of the contractor, and proposed cost of any contract with a private or non-Federal public agency or organization for any demonstration, research project, or evaluation under this part; and

(2) the results, findings, data, or recommendations made or reported as a result of such demonstration, research project, or evaluation.

(b) The public announcements required by subsection (a) shall be made within thirty days of entering into any such contract and thereafter within thirty days of the receipt of such results, findings, data, or recommendations.

(c) The Secretary shall take necessary action to assure that all studies, evaluations, proposals, and data produced or developed with Federal funds employed under the Act shall become the property of the United States.

(d) The Secretary shall publish summaries of the results of activities carried out pursuant to this title.

NONDISCRIMINATION PROVISIONS

SEC. 1014. (a) The Secretary shall not provide financial assistance for any program, project, or activity under this part unless the grant, contract, or agreement with respect thereto specifically provides that no person with responsibilities in the operation thereof will discriminate with respect to any such program, project, or activity because of race, creed, color, national origin, sex, political affiliation, or beliefs.

(b) No person in the United States shall on the ground of sex be excluded from participation in, be denied the benefits of, be

subjected to discrimination under, or be denied employment in connection with any program or activity receiving assistance under this title. The Secretary shall enforce the provisions of the preceding sentence in accordance with section 602 of the Civil Rights Act of 1964. Section 603 of such Act shall apply with respect to any action taken by the Secretary to enforce such sentence. This section shall not be construed as affecting any other legal remedy that a person may have if that person is excluded from participation in, denied the benefits of, subjected to discrimination under, or denied employment in connection with any program, project, or activity receiving assistance under this title.

PROHIBITION OF FEDERAL CONTROL

SEC. 1015. Nothing contained in this title shall be construed to authorize any department, agency, officer, or employee of the United States to exercise any direction, supervision, or control over the curriculum, program of instruction, administration, or personnel of any educational institution or school system.

DEFINITIONS

SEC. 1016. As used in this title—

(1) the term "State" means a State, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands; and

(2) the term "pilot or demonstration project" means any project, whether or not involving research or evaluation, which includes the delivery of human services.

AUTHORIZATION OF APPROPRIATIONS

SEC. 1017. There are authorized to be appropriated for purposes of this title such sums as may be necessary for the fiscal year ending June 30, 1975, and each of the next two fiscal years.

TITLE XI—COMMUNITY ECONOMIC DEVELOPMENT

SHORT TITLE

SEC. 1100. This title may be cited as the "Community Economic Development Act of 1974."

CONGRESSIONAL FINDINGS AND STATEMENT OF PURPOSE

SEC. 1101. In spite of the fact that a large majority of Americans are enjoying the highest standard of living in the world, many of our great cities and numerous rural communities are characterized by: A contracting or moribund economic base; substantial and persistent unemployment and underemployment; deteriorated housing; insufficient or outmoded physical facilities to promote industrial and commercial development; and a general lack of the resources necessary to promote vigorous business planning and development by and for the benefit of residents of such urban and rural low-income areas. For too long, substantial numbers of minority group members and low-income whites for a variety of reasons have been denied access to the economic and social mainstream of American life. In order to overcome these problems, the Federal Government must establish a more expansive program of direct and indirect financial assistance which will: (1) Enable communities to develop and redevelop the total economic and social well-being of their communities, (2) provide technical and managerial assistance to members of minority groups and low-income whites, so as to facilitate their entry into new businesses and to strengthen and expand existing businesses owned by such individuals, and (3) provide direct financial assistance to community development corporations and cooperatives comprised of residents of urban and rural low income areas to enable them to plan for and develop businesses, housing, facilities for commercial and industrial development, and other social programs. Such programs should be operated and directed in such a manner so as to promote the achievement of permanent economic and social benefits—jobs, housing, ownership, and income—through the creation of employment and business ownership opportunities for those members of minority groups, including low-income whites, who reside in economically depressed urban and rural areas.

PART A—MINORITY BUSINESS ASSISTANCE

DEFINITIONS

SEC. 1111. As used in this title:

(a) "Secretary" means the Secretary of Commerce.

(b) "Minority business enterprise" means a business enterprise that is owned or controlled by one or more socially or economically disadvantaged persons. Such disadvantage may arise from cultural, racial, chronic economic circumstances or background or other similar cause. Such persons include, but are not limited to, Negroes, Puerto Ricans, Spanish-speaking Americans, American Indians, Eskimos and Aleuts.

(c) "State" means the States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, and the territories and possessions of the United States.

TECHNICAL AND MANAGEMENT ASSISTANCE

SEC. 1112. (a) The Secretary may provide financial assistance, under such terms and conditions as he deems necessary or appropriate, in the form of grants or grants-in-aid to individuals, partnerships, corporations, and other entities, and to States and their subdivisions and agencies thereof:

(1) To assist them in developing and carrying out programs and projects designed to make available management and technical assistance to minority business enterprise, including, but not limited to—

(A) planning and research, including feasibility studies and market research;

(B) identification and development of new business opportunities;

(C) furnishing of centralized services with regard to public services and Government programs; and

(D) furnishing of business counseling, management training, legal and other related services, with special emphasis on the development of management training programs using the resources of the business and academic communities, including the development of management training opportunities in existing businesses, and with emphasis in all cases upon providing management training of sufficient scope and duration to develop entrepreneurial and managerial self-sufficiency on the part of the individuals served.

(2) To assist in developing community support for minority business enterprise by—

(A) establishing and strengthening business service agencies, including trade or professional associations and cooperatives;

(B) encouraging the placement of contracts and subcontracts by businesses and other organizations with minority business enterprises (including the provision of incentive and assistance to businesses and other organizations so that they will aid in the training and upgrading of potential and existing minority business entrepreneurs);

(C) furnishing economic feasibility information and other services to financial organizations in connection with applications for financial assistance to a particular proposed minority business enterprise and in connection with the planning and initiation of such enterprises;

(D) paying all or part of the costs, including but not limited to tuition, of the participation of socially or economically disadvantaged persons in courses and training programs for the development of skills relating to any aspect of business management; and

(E) conducting pilot or demonstration projects designed to overcome the special problems of minority business enterprises or otherwise to further the purposes of this part.

(b) The Secretary is authorized to grant 100 per centum of the total program or project cost of grants authorized pursuant to subsection (a) of this section. In addition, advance payments may be made on all authorized grants whenever the Secretary in his discretion so determines.

PART B—COMMUNITY ECONOMIC DEVELOPMENT

CONGRESSIONAL STATEMENT OF PURPOSE

SEC. 1121. The purpose of this part is to encourage the development of special programs by which the residents of urban and rural low-income areas may, through self-help and mobilization of the community at large, with appropriate Federal assistance, improve the quality of their economic and social participation in community life in such a way as to contribute to the elimination of poverty and the establishment of permanent economic and social benefits.

STATEMENT OF PURPOSE

SEC. 1122. The purpose of this part is to establish special programs of assistance to private locally initiated community corporations including cooperatives, or organizations conducting activities which (1) are directed to the solution of the critical problems existing in particular communities or neighborhoods (defined without regard to political or other subdivisions or boundaries) within those urban and rural areas having concentrations or substantial numbers of low-income persons; (2) are of sufficient size, scope, and duration to have an appreciable impact in such communities, neighborhoods, and rural areas in arresting tendencies toward dependency, chronic unemployment, and community deterioration; and (3) hold forth the prospect of continuing to have such impact after the termination of financial assistance under this part.

ESTABLISHMENT OF PROGRAMS—FINANCIAL ASSISTANCE; NUMERICAL RESTRICTION OF PROGRAMS; SCOPE OF PROGRAMS

SEC. 1123. (a) The Secretary is authorized to provide financial assistance to community development corporations and to cooperatives for the payment of all or part of the costs of programs which are designed to carry out the purposes of this part. Such programs shall be restricted in number so that each is of sufficient size, scope, and duration to have an appreciable impact on the area served. Such programs may include—

(1) economic and business development programs, including programs which provide financial and other assistance (including equity capital) to start, expand, or locate businesses in or near the area served so as to provide employment and ownership opportunities for residents of such areas, and programs including those described in title IV of the Economic Opportunity Act of 1964, as amended (42 U.S.C. 2901–2907), for small businesses in or owned by residents of such areas;

(2) community development and housing activities which create new training, employment, and ownership opportunities and which contribute to an improved living environment; and

(3) training and public service employment programs and related services for unemployed or low-income persons which support and complement community development programs financed under this title including, without limitation, activities such as those described in the Comprehensive Employment and Training Act of 1973 (Public Law 93–203).

(b) The Secretary shall conduct programs assisted under this part so as to contribute, on an equitable basis between urban and rural areas, to the elimination of poverty and the establishment of permanent economic and social benefits in such areas.

FINANCIAL ASSISTANCE REQUIREMENTS—REGULATIONS; CONDITIONS

SEC. 1124. (a) The Secretary, under such regulations as he may establish, shall not provide financial assistance for any program or component project under this part unless he determines that—

(1) such community development corporation is responsible to residents of the area served (a) through a governing body not less than 50 per centum of the members of which are area residents and (b) in accordance with such other guidelines as may be established by the Secretary: *Provided, however,* That the composition of the governing bodies of organizations owned or controlled by the community development corporation need not be subject to such residency requirement;

(2) all projects and related facilities will, to the maximum feasible extent, be located in the areas served;

(3) projects will, where feasible, promote the development of entrepreneurial and management skills and the ownership or participation in ownership of assisted businesses and housing, cooperatively or otherwise, by residents of the area served;

(4) projects will be planned and carried out with the participation of local businessmen and financial institutions and organizations by their inclusion on program boards of directors, advisory councils, or through other appropriate means;

(5) the program will be appropriately coordinated with local planning under this chapter, the Demonstration Cities Metropolitan Development Act of 1966, and with other relevant planning for physical and human resources of the areas served;

(6) no participant will be employed on projects involving political parties, or the construction, operation, or maintenance of so much of any facility as is used or to be used for sectarian instruction or as a place for religious worship;

(7) the program will not result in the displacement of employed workers or impair existing contracts for services, or result in the substitution of Federal for other funds in connection with work that would otherwise be performed;

(8) the rates of pay for time spent in work-training and education, and other conditions of employment, will be appropriate and reasonable in the light of such factors as the type of work, geographical region, and proficiency of the participant;

(9) the program will, to the maximum extent feasible, contribute to the occupational development or upward mobility of individual participants;

(10) preference will be given to low-income or economically disadvantaged residents of the areas served in filling jobs and training opportunities; and

(11) training programs carried out in connection with projects financed under this part shall be designed wherever feasible to provide those persons who successfully complete such training with skills which are also in demand in communities, neighborhoods, or rural areas other than those for which programs are established under this part.

(b) Financial assistance under this section shall not be extended to assist in the relocation of establishments from one location to another if such relocation would result in an increase in unemployment in the area of original location.

(c) The level of financial assistance for related purposes under this Act, or any other program for Federal financial assistance, to the area served by a special impact program shall not be diminished in order to substitute funds authorized by this part.

APPLICATIONS OF OTHER FEDERAL RESOURCES—SMALL BUSINESS ADMINISTRATION PROGRAMS

SEC. 1125. (a) (1) Funds granted under this part which are invested, directly or indirectly, in a small business investment company or a local development company, shall be included as "private paid-in capital and paid-in surplus," "combined paid-in capital and paid-in surplus," and "paid-in capital" for purposes of sections 302, 303, and 502, respectively, of the Small Business Investment Act of 1958.

(2) Within ninety days of the enactment of this Act, the Administrator of the Small Business Administration, after consultation with the Secretary, shall prescribe such regulations as may be necessary and appropriate to insure the availability to community development corporations of such programs as shall further the purposes of this part.

(b) (1) Areas selected for assistance under this title shall be deemed "redevelopment areas" within the meaning of section 401 of the Public Works and Economic Development Act of 1965, shall qualify for assistance under the provisions of title I and title II of that Act, and shall be deemed to have met the overall economic development program requirements of section 1022(b)(10) of such Act.

(2) Within ninety days of the enactment of this title the Secretary shall prescribe regulations which will insure that community development corporations and cooperatives shall qualify for assistance and shall be eligible to receive such assistance under all such programs of the Economic Development Administration as shall further the purposes of this title.

(c) The Secretary of Housing and Urban Development, after consultation with the Secretary, shall take all necessary steps (1) to assure that community development corporations assisted under this part or their subsidiaries shall qualify as sponsor under section 106 of the Housing and Urban Development Act of 1968, and sections 221, 235, and 236 of the National Housing Act of 1949 or any successor legislation; (2) to assure that land for housing and business location and expansion is made available under title I of the Housing Act of 1949 or any successor legislation as may be necessary to carry out the purposes of this part; and (3) to assure that funds are available under section 701(b) of the Housing Act of 1954 or any successor legislation to community development corporations assisted under this part.

(d) The Secretary of the United States Department of Agriculture or, where appropriate, the Administrator of the Farmers Home Administration, after consultation with the Secretary shall take all necessary steps to insure that community development corporations and local cooperative associations shall qualify for (1) such assistance in connection with housing development under the Housing Act of 1949, or any superseding legislation, (2) such assistance in connection with housing, business, industrial, and community development under the Consolidated Farmers Home Administration Act of 1961 and the Rural Development Act of 1972, or any superseding legislation, and (3) such further assistance under all such programs of the United States Department of Agriculture, as shall further the purposes of this part.

(e) Any funds approved as a grant to a community development corporation or a local cooperative association pursuant to the provisions of this title, and any assets or services acquired with such funds, shall be deemed non-Federal for the purpose of any programs referred to in this title which may required a non-Federal contribution.

(f) The Secretary shall take such steps as may be necessary and appropriate, in coordination and cooperation with the heads of other Federal departments and agencies, so that contracts, subcontracts, and deposits made by the Federal Government or in connection with programs aided with Federal funds are placed in such a way as to further the purposes of this part.

(g) On or before six months after the enactment of this Act, and annually thereafter, the Secretary shall submit to the Congress a detailed report setting forth a description of all Federal agency programs which he finds relevant to achieving the purposes of this part and the extent to which such programs have been made available to community development corporations receiving financial assistance under this part including specifically the availability and effectiveness of programs referred to in subsections (a), (b), and (c) of this section. Where appropriate, the report required under this subsection also shall contain recommendations for the more effective utilization of Federal agency programs for carrying out the purposes of this part.

FEDERAL SHARE OF PROGRAMS COSTS

SEC. 1126. Federal grants to any program carried out pursuant to this part, including grants used by community development corporations for capital investments, shall (1) not exceed 90 per centum of the cost of such program including costs of administration unless the Secretary determines that assistance in excess of such percentage is required in furtherance of the purposes of this part, and (2) be made available for deposit to the grantee, under conditions which the Secretary deems appropriate, within thirty days following approval by the Secretary and the local community development corporation of the grant agreement. Non-Federal contributions may be in cash or in kind, fairly evaluated, including but not limited to plant, equipment, and services. Capital investments made with funds granted as a result of the Federal share of the costs of programs carried out under this part, and the proceeds from such capital investments, shall not be considered Federal property.

Subpart I—Rural Programs

CONGRESSIONAL STATEMENT OF PURPOSE

SEC. 1127. It is the purpose of this part to meet the special economic needs of rural communities or areas with concentrations or substantial numbers of low-income persons by providing support to self-help programs which promote economic development and independence, as a supplement to existing similar programs conducted by other departments and agencies of the Federal Government. Such programs should encourage low-income families to pool their talents and resources so as to create and expand rural economic enterprise.

FINANCIAL ASSISTANCE—LOW-INCOME RURAL FAMILIES; AMOUNT

SEC. 1128. (a) The Secretary is authorized to provide financial assistance, including loans having a maximum maturity of fifteen years and in amounts not resulting in an aggregate principal indebtedness of more than $3,500 at any one time, to any low-income rural family where, in the judgment of the Secretary, such financial assistance has a reasonable possibility of effecting a permanent increase in the income of such families, or will contribute to the improvement of their living or housing conditions, by assisting or permitting them to—

(1) acquire or improve real estate or reduce encumbrances or erect improvements thereon;

(2) operate or improve the operation of farms not larger than family sized, including, but not limited to, the purchase of feed, seed, fertilizer, livestock, poultry, and equipment; or

(3) participate in cooperative associations, or to finance nonagricultural enterprises which will enable such families to supplement their income.

(b) The Secretary is authorized to provide financial assistance to local cooperative associations in rural areas containing concentrations or substantial numbers of low-income persons for the purpose of defraying all or part of the costs of establishing and operating cooperative programs for farming, purchasing, marketing, processing, and to

improve their income as producers and their purchasing power as consumers, and to provide such essentials as credit and health services. Costs which may be defrayed shall include but not be limited to—

(1) administrative costs of staff and overhead;

(2) costs of planning and developing new enterprises;

(3) costs of acquiring technical assistance; and

(4) initial capital where it is determined by the Secretary that the poverty of the families participating in the program and the social conditions of the rural area require such assistance.

LIMITATIONS ON ASSISTANCE

SEC. 1129. (a) No financial assistance shall be provided under this part unless the Secretary determines that—

(1) any cooperative association receiving assistance has a minimum of fifteen active members, a majority of which are low-income rural persons;

(2) adequate technical assistance is made available and committed to the programs being supported;

(3) such financial assistance will materially further the purposes of this part; and

(4) the applicant is fulfilling or will fulfill a need for services, supplies, or facilities which is otherwise not being met.

(b) The level of Federal financial assistance for related purposes to the area served by a program under this part shall not be diminished in order to substitute funds authorized by this part.

Subpart II—Support Programs

TRAINING AND TECHNICAL ASSISTANCE

SEC. 1130. (a) The Secretary shall provide directly or through grants, contracts, or other arrangements such technical assistance and training of personnel as may be required to effectively implement the purposes of this subchapter. No financial assistance shall be provided to any public or private organization under this section unless the Secretary provides the beneficiaries of these services with opportunity to participate in the selection of and to review the quality and utility of the services furnished them by such organization.

(b) Technical assistance to community development corporations and both urban and rural cooperatives may include planning, management, legal, preparation of feasibility studies, product development, marketing, and the provision of stipends to encourage skilled professionals to engage in full-time activities under the direction of a community organization financially assisted under this subchapter.

(c) Training for employees of community development corporations and for employees and members of urban and rural cooperatives shall include, but not be limited to, on-the-job training, classroom instruction, and scholarships to assist them in development, managerial, entrepreneurial, planning, and other technical and organizational skills which will contribute to the effectiveness of programs assisted under this subchapter.

DEVELOPMENT LOAN FUND—AUTHORIZATION OF LOANS, GUARANTEES, OR OTHER FINANCIAL ASSISTANCE; ELIGIBLE PERSONS; CONDITIONS; INTEREST RATE; REPAYMENT PERIOD

SEC. 1131. (a) The Secretary is authorized to make or guarantee loans (either directly or in cooperation with banks or other organizations through agreements to participate on an immediate or deferred basis) to community development corporations and to cooperatives eligible for financial assistance under section 1123 of this title, to families under section 1128(a) of this title, and to local cooperatives eligible for financial assistance under section 1128(b) of this title, for business, housing, and community development projects who the Secretary determines will carry out the purposes of this subchapter. No loans, guarantees, or other financial assistance shall be provided under this section unless the Secretary determines that—

(1) there is reasonable assurance of repayment of the loan;

(2) a loan is not otherwise available on reasonable terms from private sources or other Federal, State, or local programs; and

(3) the amount of the loan, together with other funds available, is adequate to assure completion of the project or achievement of the purposes for which the loan is made.

Loans made by the Secretary pursuant to this section shall bear interest at a rate not less than a rate determined by the Secretary of the Treasury taking into consideration the average market yield on outstanding Treasury obligations of comparable maturity, plus such additional charge, if any, toward covering other costs of the program as the Secretary may determine to be consistent with its purposes, except that, for the five years following the date on which funds are initially available to the borrower, the rate of interest shall be set at a rate considered appropriate by the Secretary in light of the particular needs of the borrower which rate shall not be lower than 1 per centum. All such loans shall be repayable within a period of not more than thirty years.

(b) The Secretary is authorized to adjust interest rates, grant moratoriums on repayment of principal and interest, collect or compromise any obligations held by him, and to take such other actions in respect to such loans as he shall determine to be necessary or appropriate, consistent with the purposes of this section.

(c)(1) To carry out the lending and guaranty functions authorized under this part, there shall be established a Development Loan Fund consisting of two separate accounts, one of which shall be a revolving fund called the Rural Development Loan Fund and the other of which shall be a revolving fund called the Community Development Loan Fund. The capital of each such revolving fund shall remain available until expended.

(2) The Rural Development Loan Fund shall consist of such amounts as may be deposited in such Fund by the Secretary out of funds made available from appropriations for the purposes of carrying out this subchapter.

(3) The Community Development Loan Fund shall consist of such amounts as may be deposited in such fund by the Secretary out of funds made available from appropriations for the purpose of carrying out this subchapter. The Secretary may make deposits in the Community Development Loan Fund in any fiscal year in which he has made available for grants to community development corporations under part B of this title not less than $60,000,000 out of funds made available from appropriations for the purpose of carrying out this title.

EVALUATION AND RESEARCH; REPORT TO CONGRESS

SEC. 1132. (a) Each program for which grants are made under this title shall provide for a thorough evaluation of the effectiveness of the program in achieving its purposes, which evaluation shall be conducted by such public or private organizations as the Secretary may designate, and all or part of the costs of evaluation may be paid from funds appropriated to carry out this subpart. In evaluating the performance of any community development corporation funded under part B of this title, the criteria for evaluation shall be based upon such program objectives, goals, and priorities as are consistent with the purposes of this Act and as were set forth by such community development corporation in its proposal for funding as approved and agreed upon by the Secretary or as subsequently modified from time to time by mutual agreement between the Secretary and such community development corporation.

(b) The Secretary shall conduct, either directly or through grants or other arrangements, research designed to suggest new programs and policies to achieve the purposes of this title in such ways as to provide opportunities for employment, ownership, and a better quality of life for low-income residents. The Secretary shall particularly investigate the feasibility and most appropriate manner of establishing development banks and similar institutions and shall report to the Congress on his research findings and recommendations not later than ninety days after enactment of this Act.

PART C—ADMINISTRATION

APPOINTMENT OF ASSISTANT SECRETARY OF COMMERCE

SEC. 1141. The Secretary shall administer this title with the assistance of an Assistant Secretary of Commerce. The Assistant Secretary created by this section shall be appointed by the President by and with the advice and consent of the Senate and shall be compensated at the rate provided for level IV of the Federal Executive Salary Schedule. Such Assistant Secretary shall perform such functions under this Act as the Secretary shall prescribe.

TRANSFER OF PERSONNEL

SEC. 1142. Personnel engaged in administering title VII of the Economic Opportunity Act of 1964, as amended, and related economic development programs shall be transferred to the Department of Commerce in accordance with applicable laws and regulations.

REGULATIONS

SEC. 1143. The Secretary is authorized to issue such regulations to implement the purposes of this Act as he deems necessary and appropriate. Such regulations shall be promulgated in accordance with the notice and comment requirements of subsections (b), (c), (d), and (e) of section 553 of title 5 of the United States Code.

APPEALS, NOTICES AND HEARINGS

SEC. 1144. The Secretary shall prescribe procedures to assure that community development corporations or cooperatives have been afforded reasonable notice and opportunity for a full and fair hearing in the event that financial assistance to them under part B of this title is suspended or terminated for failure to comply with applicable terms and conditions, or in the event that an application for refunding is denied.

RECORDS AND AUDIT

SEC. 1145. (a) Each recipient of assistance under this Act shall keep such records as the Secretary shall prescribe, including records which fully disclose the amount and the disposition by such recipient of the proceeds of such assistance, the total cost of the project or undertaking in connection with which such assistance is given or used, and the amount and nature of that portion of the cost of the project or undertaking supplied by other sources, and such other records as will facilitate an effective audit.

(b) The Secretary and the Comptroller General of the United States, or any of their duly authorized representatives, shall, upon reasonable notice to the recipient, have access for the purpose of audit and examination to any books, documents, papers, and records of the recipient that are pertinent to assistance received under this title.

CONGRESSIONAL REVIEW

SEC. 1146. (a) The Senate Committee on Labor and Public Welfare and the House Committee on Education and Labor shall conduct a joint study which shall include—

(1) a consideration of an appropriate administrative agency for the conduct of programs after July 1, 1975, under this title.

(2) review the extent to which programs and activities conducted under this title meet the overall need in the Nation for com-

munity economic development programs and the resources available from public and private funds in meeting those needs.

(b) The Senate Committee on Labor and Public Welfare and the House Committee on Education and Labor shall report on their findings, together with any recommendations for further legislation, not later than one year after enactment of this title.

PART D—AUTHORIZATION OF APPROPRIATIONS

SEC. 1156. (a) For the purpose of carrying out Part A of this title, there are hereby authorized such sums as may be necessary for the fiscal years ending June 30, 1974, 1975, 1976, and 1977.

(b) For the purpose of carrying out part B of this title, there are hereby authorized such sums as may be necessary for the fiscal years ending June 30, 1975, 1976, and 1977.

TITLE XII—AUTHORIZATION OF APPROPRIATIONS

AUTHORIZATION OF APPROPRIATIONS

SEC. 1201. (a) For the purpose of carrying out this Act, except where specifically provided, there are authorized to be appropriated such sums as may be necessary for the fiscal year ending June 30, 1974, and for each of the three succeeding fiscal years.

(b) For the purposes of carrying out the programs authorized under section 121 there is authorized to be appropriated $330,000,000 for the fiscal year 1975 and such sums as may be necessary for each of the two succeeding fiscal years.

(c) In addition to the amounts made available pursuant to subsection (b) there is also authorized to be appropriated not to exceed $50,000,000 to carry out section 145 (Incentive Grants) during the fiscal year ending June 30, 1975, and such sums as may be necessary during each of the two succeeding fiscal years, except that in no event may more than 12½ per centum of such additional amounts be used in any one State.

AVAILABILITY OF FUNDS

SEC. 1202. Notwithstanding any other provisions of law, unless enacted in express and specific limitation of the provisions of this section, funds appropriated for any fiscal year to carry out any program under this Act or any predecessor authority shall remain available, in accordance with the provisions of this Act, for obligation and expenditure until expended.

TITLE XIII—GENERAL PROVISIONS

DEFINITIONS

SEC. 1301. As used in this Act—

(1) the term "State" means a State, the Commonwealth of Puerto Rico, the District of Columbia, Guam, American Samoa, or the Virgin Islands, and for purposes of title I, part A of title II and title III the meaning of "State" shall also include the Trust Territory of the Pacific Islands; except that when used in section 125 of this Act this term means only a State, Puerto Rico, or the District of Columbia. The term "United States" when used in a geographical sense includes all those places named in the previous sentence, and all other places continental or insular, subject to the jurisdiction of the United States;

(2) the term "financial assistance" when used in title I, part B of title II, title III, and part B of title IV, includes assistance advanced by grant, agreement, or contract, but does not include the procurement of plant or equipment, or goods or services;

(3) the term "lower living standard budget" means that income level (adjusted for regional and metropolitan, urban and rural differences and family size) determined annually by the Bureau of Labor Statistics of the Department of Labor and referred to by such Department as the "lower living standard budget"; and

(4) the term "poor" or "low-income" persons, individuals, or volunteers means such individuals whose incomes fall at or below the poverty line as set forth in section 620: *Provided*, That in determining who is "poor" or "low-income", the Director shall take into consideration existing poverty guidelines as appropriate to local situations.

NONDISCRIMINATION

SEC. 1302. (a) The Director shall not provide financial assistance for any program under this Act unless the grant, contract, or agreement with respect to such program specifically provides that no person with responsibilities in the operation of such program will discriminate with respect to any such program because of race, creed, color, national origin, sex, political affiliation, or beliefs.

(b) No person in the United States shall on the grounds of sex be excluded from participation in, be denied the benefits of, be subjected to discrimination under, or be denied employment in connection with any program or activity receiving assistance under this Act. The Director shall enforce the provisions of the preceding sentence in accordance with section 602 of the Civil Rights Act of 1964. Section 603 of such Act shall apply with respect to any action taken by the Director to enforce such sentence. This section shall not be construed as affecting any other legal remedy that a person may have if that person is excluded from participation in, denied the benefits of, subjected to discrimination under, or denied employment in connection with any program or activity receiving assistance under this Act.

GUIDELINES

SEC. 1303. All rules, regulations, guidelines, instructions, and application forms published or promulgated pursuant to this Act shall be published in the Federal Register at least thirty days prior to their effective date.

CRIMINAL PROVISIONS

SEC. 1304. (a) Whoever, being an officer, director, agent, or employee of, or connected in any capacity with, any agency receiving financial assistance under this Act embezzles, willfully misapplies, steals, or obtains by fraud any of the moneys, funds, assets, or property which are the subject of a grant or contract of assistance pursuant to this Act, shall be fined not more than $10,000 or imprisoned for not more than two years, or both; but if the amount so embezzled, misapplied, stolen, or obtained by fraud does not exceed $100, he shall be fined not more than $1,000 or imprisoned not more than one year, or both.

(b) Whoever, by threat of procuring dismissal of any person from employment or of refusal to employ or refusal to renew a contract of employment in connection with a grant or contract of assistance under this Act induces any person to give up any money or thing of any value to any person (including such grantee agency), shall be fined not more than $1,000 or imprisoned not more than one year, or both.

WITHHOLDING CERTAIN FEDERAL TAXES BY ANTIPOVERTY AGENCIES

SEC. 1305. Upon notice from the Secretary of the Treasury or his delegate that any person otherwise entitled to receive a payment made pursuant to a grant, contract, agreement, loan or other assistance made or entered into under this Act is delinquent in paying or depositing (1) the taxes imposed on such person under chapters 21 and 23 of the Internal Revenue Code of 1954, or (2) the taxes deducted and withheld by such person under chapters 21 and 24 of such Code, the Director shall suspend such portion of such payment due to such person, which, if possible, is sufficient to satisfy such delinquency, and shall not make or enter into any new grant, contract, agreement, loan or other assistance under this Act with such person until the Secretary of the Treasury or his delegate has notified him that such person is no longer delinquent in paying or depositing such tax or the Director determines that adequate provision has been made for such payment. In order to effectuate the purpose of this section on a reasonable basis the Secretary of the Treasury and the Director shall consult on a quarterly basis.

REPEAL OF ECONOMIC OPPORTUNITY ACT OF 1964

SEC. 1306. (a) The Economic Opportunity Act of 1964, as amended (Public Law 92-424), is hereby repealed.

(b) The personnel, property, records, and unexpected balances of appropriations, allocations, and other funds employed, used, held, available, or to be made available in connection with the functions of the Director of the Office of Economic Opportunity are hereby transferred to the Director of the Administration. All grants, contracts, and other agreements awarded or entered into under the authority of the Economic Opportunity Act of 1964, as amended, will be recognized under comparable provisions of this Act so that there is no disruption of ongoing activities for which there is continuing authority.

(c) All official actions taken by the Director of the Office of Economic Opportunity, his designee, or any other person under the authority of the Economic Opportunity Act of 1964, as amended, which are in force on the effective date of this Act and for which there is continuing authority under the provisions of this Act, shall continue in full force and effect until modified, superseded, or revoked by the Director.

(d) All references to the Office of Economic Opportunity, or the Director of the Office of Economic Opportunity in any statute, reorganization plan, Executive order, regulation, or other official document or proceeding shall, on and after the effective date of this Act, be deemed to refer to the Administration and the Director thereof.

(e) No suit, action, or other proceeding, and no cause of action, by or against the agency known as Office of Economic Opportunity, or any action by any officer thereof acting in his official capacity, shall abate by reason of enactment of this Act.

EFFECTIVE DATE

SEC. 1307. The provisions of this Act shall take effect on the date of the enactment of this Act.

Mr. HAWKINS (during the reading). Mr. Chairman, I ask unanimous consent that the rest of the bill beginning on page 279 and through page 350 be considered as read, printed in the RECORD, and open to amendment at any point.

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

There was no objection.

AMENDMENTS OFFERED BY MRS. MINK

Mrs. MINK. Mr. Chairman, I offer three amendments and ask unanimous consent that they be considered en bloc.

The CHAIRMAN. Is there objection to the request of the gentlewoman from Hawaii?

There was no objection.

The Clerk read as follows:

Amendments offered by Mrs. MINK: On page 302, line 4, after the word "Indians" insert a comma and add the following: "Hawaiian Natives (as defined in the Hawaiian Homes Commission Act of 1920, as amended)".

On page 302, line 10, after the word "Act" insert the following: "and such public and nonprofit private agencies serving Hawaiian Natives".

On page 305, line 14, after the comma following "village" insert the following: "or Hawaiian Homestead.".

And on line 22, after the comma following "village" insert the following: "or Hawaiian Homestead,".

Mr. HICKS. Mr. Chairman, will the gentlewoman yield?

Mrs. MINK. I yield to the gentleman from Washington.

Mr. HICKS. Mr. Chairman, I rise in support of H.R. 14449 and in particular of Follow Through, one of the programs which this legislation would continue.

The Follow Through program began as a response to the findings that Head Start children lost their early gains when they were returned to traditional classrooms. Follow Through projects utilize the strategy of planned variation in an attempt to sustain the achievements of preschool children in programs such as Head Start. Those who are involved with the Follow Through program are satisfied that participating schools and classrooms are experiencing positive change, and express the hope that early education will be influenced by the Follow Through successes.

I am advised that Follow Through involves about 81,000 low income pupils in communities scattered across the Nation. New approaches and techniques are being implemented in 170 sites. Approximately 70 percent of the children attending belong to minority racial and ethnic groups in cities and rural areas.

I am told that my district has one of the outstanding Follow Through projects in the Nation. The program in Tacoma, Wash., has had a very beneficial and positive impact on parents and the community. It is closely integrated with Head Start and title I programs to provide support services to serve the needs of the children in the program.

To the parents and children involved in Follow Through, it is the outstanding Federal educational effort. It has not only provided individualized instruction, staff development for teachers, and assistance and active participation of parents in the education of their children, but social service contacts with children and families, referrals and consultation with community agencies, and dental, medical and nutritional help. Jobs have been provided for low income people which in many, many instances have provided that one step up to greater financial security and family stability.

I was greatly distressed by the administration proposal to phase out this outstanding program over the next 3 years. However, I am pleased to note that rather than phasing out the program, the committee has authorized appropriations for Follow Through at a level of $60 million for each of the 3 years of the life of the act now under consideration.

Mrs. MINK. Mr. Chairman, the purpose of these three amendments is to qualify the Native Hawaiian who is a native American for the programs which would be authorized by title VIII. Under title VIII the Secretary, as it is currently written, is authorized to provide financial assistance to public and nonprofit private agencies, including governing bodies of Indian tribes, Alaskan Native villages, and regional corporations.

My amendment would define the purpose section to include the Native Hawaiian as a group which could be benefited by the projects under title VIII.

It also amends section 811 so that public and nonprofit private agencies serving Native Hawaiians would qualify for grants.

It also amends the section which requires the Governors and mayors to consent before these projects are permitted in an area.

Mr. Chairman, I think it is not well known or understood that Native Hawaiians are very much similar to American Indians and the Native Alaskans. Both these two latter groups have dominated the legislative scene: First, because we have a subcommittee in the Committee on the Interior that cares for programs related to American Indians and second, because of the Alaska Native Claims Settlement Act for the Alaska Natives.

Native Hawaiians have not been the beneficiaries in any legislation paralleling what we have done for the American Indians and the Alaska Natives.

Notwithstanding this lack of legislative action they do still constitute a group of native Americans who were the inhabitants of the islands of Hawaii before they were annexed in 1898 and made a part of the United States as a territory, which in 1959 became a State. I feel that the recognition which these people are entitled to have is long overdue.

The Congress did, in 1920, through the effective work of Prince Kuhio, the Hawaii territorial nonvoting delegate at that time, pass the Hawaiian Homestead Act, which set aside certain lands in Hawaii for the particular and exclusive use of Native Hawaiians for the purpose of these people being able to build their homes and obtain low-interest loans from the Government and hold their lands under a 99-year lease.

These homesteads are still in existence in Hawaii. My definition of Native Hawaiians is tied to this Hawaiian Homestead Act for administrative unity. In that act, the definition for a Native Hawaiian is a person with 50 percent or more aboriginal native Hawaiian blood. It is this group of people who are most disadvantaged in Hawaii. They live in isolated areas. Their circumstances are very similar to that of American Indians. In many cases, they were given lands which were least desired by the Government or by the people; lands which could not be used by the agricultural interests of sugar and pineapple.

These are set aside for the natives. They are often far away from urban areas. These people cannot find jobs and need the assistance which might be made available to them if they were qualified under title VIII.

Mr. Chairman, I urge the committee to adopt my amendments.

Mr. HAWKINS. Mr. Chairman, will the gentlewoman yield?

Mrs. MINK. Mr. Chairman, I yield to the gentleman from California.

Mr. HAWKINS. Mr. Chairman, the gentlewoman has discussed her series of amendments with members of the committee on this side. I think she has a very valid point, and we accept them.

Mr. STEIGER of Wisconsin. Mr. Chairman, will the gentlewoman yield?

Mrs. MINK. Mr. Chairman, I yield to the gentleman from Wisconsin.

Mr. STEIGER of Wisconsin. Mr. Chairman, I want to indicate that I think the amendments offered by the gentlewoman from Hawaii are good, and we accept them. I hope they can be adopted.

Mr. MATSUNAGA. Mr. Chairman, I rise in support of the amendment offered by my colleague from Hawaii (Mrs. MINK). In fact I myself was prepared to offer the amendment if my colleague or any other member of the committee had not offered it. The amendment is a simple one, designed to remove an apparent oversight on the part of the administration and the Committee on Education and Labor which reported the bill. The amendment deals with title VIII entitled the Native American Program Extension Act which provides grants to programs promoting the economic self-sufficiency of native Americans. The beneficiaries of the existing program are limited to American Indians and Alaskan Natives. The pending amendment would simply add the only native American group in the United States presently excluded, the Native Hawaiians, who are certainly no less deserving of recognition and support than any other native Americans.

Mr. Chairman, according to U.S. Census Bureau figures, the Hawaiian and part-Hawaiian residents of the State of Hawaii comprise only 9.3 percent of the total State population. There are approximately 71,000 Native Hawaiians in the State. I am informed by the U.S. Department of Health, Education, and Welfare that over 800,000 American Indians and over 35,000 Alaskan Natives live in the United States. This amendment would thus add only about 8 percent more potential beneficiaries to the existing program. But whatever the impact, the discrimination against this particular group of native Americans ought no longer be permitted.

Today, fully one-third of all Native Hawaiians receive welfare assistance in the State of Hawaii. 19 percent of all Hawaiians fall below the poverty level as defined by the Hawaii Department of Social Services, as compared to an estimated total of 9 percent of the State population.

Mr. Chairman, although I would not claim that Native Hawaiians are suffering as much as or more than other native Americans, I must call the attention of this House to the fact that real and serious problems plague the Hawaiian residents of my State. The figures I cited amply demonstrate this. Furthermore, plight of unemployed and underemployed Native Hawaiians is just as crippling to the soul and the family budget as it is to other native Americans.

Mr. Chairman, I believe in the native Americans projects and in the positive, self-help assistance it makes available to our native Americans. I urge the approval of the pending amendment, so that assistance may be extended to the

only native American group excluded from the project's benefits, the Native Hawaiians. American justice demands it.

The CHAIRMAN. The question is on the amendments offered by the gentlewoman from Hawaii (Mrs. MINK).

The amendments were agreed to.

AMENDMENT OFFERED BY MR. QUIE

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

The Clerk read as follows:

Amendment offered by Mr. QUIE: Page 349, line 10, strike out "personnel,".

Mr. QUIE. Mr. Chairman, this amendment is made to conform with the amendment offered by the gentleman from Michigan (Mr. FORD). The amendment offered by the gentleman from Michigan takes care of the transfer of personnel. So there will not be any confusion, this amendment proposes to drop the word "personnel."

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

Mr. QUIE. Mr. Chairman, I yield to the gentleman from California.

Mr. HAWKINS. Mr. Chairman, my understanding of the amendment is that it is to be related to the amendment which we accepted on section 602; to the understanding that was worked out through the efforts of the gentleman from Michigan (Mr. FORD) the gentleman from Minnesota, and others. Within the context of that agreement and that amendment, which I understand this is limited to, I am certainly willing to accept it.

Mr. QUIE. Mr. Chairman, I thank the gentleman.

Mr. FORD. Mr. Chairman, I move to strike the requisite number of words in order to engage in colloquy with the gentleman who offers the amendment.

Mr. Chairman, unless I am mistaken, the only language in the bill which provides any specific direction that the present employees of OEO, to the extent that they are actually needed, will be transferred to HEW, is contained in this section.

Is it the gentleman's intention that by striking the word "personnel," he removes the requirement that every single person be transferred, but nevertheless would say that those people who do fit in will be transferred?

Mr. QUIE. If the gentleman would yield for a reply, yes. The language the gentleman offered in his amendment authorizes the director to use and assign in accordance with Civil Service. That will be the applicable language. By that language, the gentleman removes the requirement that all personnel had to be transferred. This, then, would be in compliance with it.

Mr. Chairman, we did the same thing with the Legal Services bill, where we provided for the transfer of property and records and so forth.

We dropped the word "personnel" in that conference report, as well.

Mr. FORD. I would like to support the gentleman and be absolutely clear. My understanding of his intent, and I agree with it if it is consistent with my amendment, is that it might not be prudent or possible to transfer every last, single person presently in OEO to HEW, and we would, by dropping this word "personnel," be eliminating that particular requirement.

On the other hand, to the extent that personnel are needed in HEW to operate the continuing programs of OEO, my understanding is that present OEO employees will be taken over by the new agency performing the job; is that correct?

Mr. QUIE. That is correct. Under the gentleman's amendment, under transfer of funds and authority, which is in Civil Service, it would protect them because they are the ones who are handling those functions at the time of transfer.

Mr. FORD. Mr. Chairman, one final question: Would not the proper construction, when viewed afterwards, that the Committee of the Whole removed the word "personnel"—no one could properly construe that to be an indication of our intent to provide something other than a transfer of all needed personnel from OEO to HEW?

Mr. QUIE. It could not be construed to have any intent other than to be complementary to the amendment offered by the gentleman.

Mr. FORD. Mr. Chairman, I thank the gentleman.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota (Mr. QUIE).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. MEEDS

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

The Clerk read as follows:

Amendment offered by Mr. MEEDS: Page 302, line 10, after "Act," insert "and Indian organizations in urban or rural nonreservation areas,".

Mr. MEEDS. Mr. Chairman, I will not require the full 5 minutes. Indeed, I will require very little of it.

This is what I call a conforming amendment. It conforms to what is presently being done and what the intent of Congress is, that funds under this section be spent by these organizations among the others who are listed.

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

Mr. MEEDS. I will be happy to yield to the gentleman from California.

Mr. HAWKINS. Mr. Chairman, I would like to say that the amendment on this side is acceptable.

Mr. STEIGER OF Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. MEEDS. I yield to the gentleman from Wisconsin.

Mr. STEIGER OF Wisconsin. Mr. Chairman, it is a good amendment, and I hope that it is adopted.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Washington (Mr. MEEDS).

The amendment was agreed to.

Mr. STEIGER of Wisconsin. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. STEIGER of Wisconsin: Page 343, immediately after line 25, insert the following new title:

TITLE XII—SENIOR OPPORTUNITIES AND SERVICES

SENIOR OPPORTUNITIES AND SERVICES

SEC. 1201. The Secretary of Health, Education, and Welfare shall establish within the Administration on Aging a program to be known as Senior Opportunities and Services designed to identify and meet the needs of older, poor persons above the age of sixty in one or more of the following areas: development and provision of new employment and volunteer services; effective referral to existing health, welfare, employment, housing, legal, consumer, transportation, education, and recreational and other services; stimulation and creation of additional services and programs to remedy gaps and deficiencies in presently existing services and programs; modification of existing procedures, eligibility requirements and program structures to facilitate the greater use of, and participation in, public services by the older poor; development of all-season recreation and service centers controlled by older persons themselves, and such other activities and services as the Secretary may determine are necessary or specially appropriate to meet the needs of the older poor and to assure them greater self-sufficiency.

And redesignate the following titles and sections accordingly.

Mr. STEIGER of Wisconsin (during the reading). Mr. Chairman, I ask unanimous consent that further reading of the amendment be dispensed with and that it be printed in the RECORD.

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

There was no objection.

Mr. STEIGER of Wisconsin. Mr. Chairman, this is the amendment we discussed at some time earlier in the day.

Having adopted the amendment to remove SOS from title I this is to establish a Senior Opportunities and Services program in the Administration on Aging of HEW.

Mr. Chairman, it is to have a separate identity in the agency, not to be included in any formula grant program, and I urge the adoption of the amendment.

Mr. HAWKINS. Will the gentleman yield?

Mr. STEIGER of Wisconsin. I will be delighted to yield to the gentleman from California.

Mr. HAWKINS. As previously stated, Mr. Chairman, there is no objection from the Members on this side.

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

Mr. Chairman, the action on that last amendment went so fast that I did not understand it. It appears that we have another bill out of the Committee on Education and Labor which is being written on the House floor, at least in substantial part.

Just what did that last amendment provide?

Mr. STEIGER of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. GROSS. Yes, I yield. I am among the aging, and I would like to know what we are doing in that respect.

Mr. STEIGER of Wisconsin. Absolutely. I wanted to make sure that was clear.

Mr. Chairman, if the gentleman will yield, what this amendment does is consistent with the action taken by the Committee of the Whole some time ago. I offered an amendment which deleted from the bill the present authority for the program for SOS.

Mr. GROSS. What is the meaning of "SOS"?

Mr. STEIGER of Wisconsin. Senior Opportunities and Services. It is for the elderly poor, and, therefore, I am sure that the gentleman, with his pension after his years of service, will not qualify.

Mr. GROSS. That is bad news.

Mr. STEIGER of Wisconsin. Mr. Chairman, if the gentleman will yield further, this establishes in Chapter 12 a program known as Senior Opportunities and Services as a pick-up for what we eliminated earlier in title I.

Mr. GROSS. Well, I do not correlate that with what we did previously in title I. However, I will accept the explanation.

Mr. STEIGER of Wisconsin. I am grateful for the gentleman's acceptance.

Mr. GROSS. Mr. Chairman, while the gentleman is on his feet, I would like to ask him a question or two.

This bill calls for the spending of almost $3,760,000,000; is that correct?

Mr. STEIGER of Wisconsin. The gentleman is correct.

Mr. GROSS. Where does the gentleman from Wisconsin and the other members of this committee propose to get that kind of money?

Mr. STEIGER of Wisconsin. Out of the Treasury of the United States, through tax dollars.

I am sure that the gentleman from Iowa will be most particularly helpful in that regard as he sends his check in every month to the Treasury Department.

Mr. GROSS. I am not aware that I send a check to the Treasury Department every month.

Is that what the gentleman stated, that I send a check to the Treasury Department every month?

Mr. STEIGER of Wisconsin. Mr. Chairman. I just assumed that the gentleman did through withholding. Perhaps my statement should have been more carefully worded.

The funds are going to come from the Treasury.

Mr. GROSS. I just do not see it. I guess the withholding goes there, but I do not write checks every month.

This $3,760,000,000 will have to be borrowed, will it not, and interest of 8 to 9 percent paid on the borrowing?

Mr. STEIGER of Wisconsin. Not necessarily so.

Mr. GROSS. Why not?

Mr. STEIGER of Wisconsin. Mr. Chairman, if the gentleman will yield further, we raise a substantial amount of tax revenue each year, and I would judge that almost every dollar that is included in this bill, except for something like $330 million for community action, is budgeted by the President.

Mr. GROSS. Mr. Chairman, which of the other spending bills to come before the House will the gentleman from Wisconsin join me in opposing to cut the expenditures of the Federal Government so that we can stop inflation and the payment of 8 percent and 9 percent on Treasury borrowings?

What bills will the gentleman join me in voting against, among the appropriation bills that will be coming down the line?

The gentleman should be able to say that he effected savings in other places to pay for this huge program calling for $3,760,000,000?

Mr. STEIGER of Wisconsin. Mr. Chairman, if the gentleman will yield, I do not know what my choices are in terms of what the gentleman from Iowa decides to vote against. I think my record is clear on this matter but I have in the past voted against public works bills.

I voted for the famous Aspin-Rousselot amendment not very long ago, against the recommendations of the President and the Vice President, and many Republicans voted against that amendment. I thought that it was a responsible action to save a little money on the budget of the Department of Defense.

That amendment was defeated.

Mr. Chairman, we all make our judgments on every vote which we cast, and we determine where our priorities exist.

I think the effort to provide for community action programs to help poor people ought to have some priority with us.

Mr. GROSS. Mr. Chairman, you have already spent about $25 billion on this program since its inception, have you not?

Mr. STEIGER of Wisconsin. Mr. Chairman, I will say that I am sure the gentleman is stating an accurate figure. I do not know what the exact figure is.

Mr. GROSS. There is no end in sight, and it keeps going up every year.

Mr. STEIGER of Wisconsin. No, actually it has not gone up every year. We have kept it at about the same level.

Mr. GROSS. This $3,760,000,000 is a lot of money.

Mr. STEIGER of Wisconsin. That is over 3 years.

Mr. GROSS. Yes, it is over 3 years. But that is still a fair piece of change, is it not?

Mr. STEIGER of Wisconsin. There is no question about that. The gentleman is correct. This provides for Head Start and community economic development and community action programs.

Mr. GROSS. Especially in view of the fact that inflation is now going up at an annual rate in two digits; is that not correct?

Mr. STEIGER of Wisconsin. Yes, it is.

Mr. GROSS. Inflation is now at or nearly 12 percent.

Mr. STEIGER of Wisconsin. Yes, it is.

Mr. GROSS. How does the gentleman propose to stop inflation unless there are cuts up and down the line, including this program?

Mr. STEIGER of Wisconsin. There must be cuts. There would have to be cuts. I agree with the gentleman from Iowa completely about that. But that is one of the problems——

Mr. GROSS. The gentleman a short time ago opposed the abolition of the regional offices. You cannot tell me that abolition of all the regional offices in this program would not save a substantial amount of money.

Mr. STEIGER of Wisconsin. It will not save one dime.

Mr. GROSS. Why not?

Mr. STEIGER of Wisconsin. Because you will only bring them back to Washington where the cost of living is higher and where the cost of food is higher and all costs are higher.

Mr. GROSS. Why would you have to bring them to Washington?

Mr. STEIGER of Wisconsin. Because we involve individuals who will have to make decisions in this program, and if we abolish the regional offices, then they would have to come back to Washington where there would be people who could make the decisions. That is what it is all about.

Mr. GROSS. Decisions are not made in the regional offices and the gentleman knows it.

The CHAIRMAN. The time of the gentleman has expired.

The question is on the amendment offered by the gentleman from Wisconsin (Mr. STEIGER).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. COHEN

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

The Clerk read as follows:

Amendment offered by Mr. COHEN: Page 302, line 9, after "tribes" insert "on Federal and State reservations".

Page 310, line 12, after "federally", insert "or state".

Mr. COHEN. Mr. Chairman, the amendment which I offer is simply intended to clarify the definition of Indian Reservation under the bill. Although it appears in the committee's report that Indians residing on State reservations will be eligible for the services of this act, I believe this language will remove any question in the matter which in later years could be used to discriminate against these individuals.

I commend the committee for their foresight in establishing the Native American program within the Department of Health, Education, and Welfare because of the inter-relationship between various HEW service programs and those funded by the Native American program. This approach has worked well to increase the economic and social service self-sufficiency to the Indian people in my State.

Unfortunately, though the legislation establishes vital national goals, under the definition of Indian reservation contained in this bill, significant portions of our Indian population could be arbitrarily excluded from access to these resources simply because they do not reside on or near federally recognized Indian reservations. Although I believe it was the intent of the committee that Indians who are not federally recognized would be eligible for assistance by this act, unless this language is added, program authorized by this act, currently serving Maine Indians, may be jeopardized be-

cause they are not on a Federal reservation, as is the case with 50 percent of our Native American population.

In too many instances, these non-Federal reservation Indians have not shared in the development, management, and implementation of programs ostensibly designed for Indians because of this geographical accident. Therefore, the language I offer is intended to insure that those Indians residing on State reservations who are presently considered eligible for these programs will continue to be so.

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

Mr. COHEN. I yield to the gentleman.

Mr. QUIE. Mr. Chairman, we will be glad to accept the amendment on this side.

Mr. HAWKINS. Will the gentleman yield?

Mr. COHEN. I yield to the gentleman.

Mr. HAWKINS. The gentleman from Maine discussed his amendment with us. It is a purely clarifying amendment. It is a very welcome change, and we are glad to accept it.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Maine, (Mr. COHEN).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. KAZEN

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

The Clerk read as follows:

Amendment offered by Mr. KAZEN:

Amend H.R. 14449 on page 349, line 15, by adding after the word "grants" the following: "applications for grants".

Mr. KAZEN. Mr. Chairman, this section, 1306, is the one that repeals the Economic Opportunity Act of 1964. It provides that all grants, contracts, and other agreements awarded or entered into under the authority of the Economic Opportunity Act, will be recognized under comparable provisions of this act so that there is no disruption of ongoing activities for which there is continuing authority.

All I am doing is adding "applications for grants" so that there will not be a gap in the process of getting these applications considered.

Mr. HAWKINS. Will the gentleman yield?

Mr. KAZEN. I yield to the gentleman.

Mr. HAWKINS. This amendment is a very desirable one. I think it is an oversight, and we certainly wish to accept it and commend the gentleman for his efforts on the bill in correcting this oversight.

Mr. KAZEN. I thank the gentleman.

Mr. STEIGER of Wisconsin. Will the gentleman yield?

Mr. KAZEN. I yield to the gentleman from Wisconsin.

Mr. STEIGER of Wisconsin. I appreciate the gentleman's yielding. I concur with the statement of the gentleman from California. I believe that the amendment can be helpful, and I urge its adoption.

Mr. KAZEN. I thank the gentleman and urge the adoption of the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas (Mr. KAZEN).

The amendment was agreed to.

Mr. BADILLO. Mr. Chairman, because of the nature of the legislation before us, I feel that I must explain my vote.

I shall vote in support of H.R. 14449, the Community Service Act of 1974, because it represents our sole hope of keeping alive some of the much-needed programs of the Office of Economic Opportunity. However, I am far from satisfied with the bill. It is a measure weak in several key areas: First, the level of funding it authorizes for the community action programs just barely reaches last year's appropriation levels and makes no allowance for increased needs or inflation; second, it fails to safeguard the integrity of the programs because it does not place them within the framework of an independent agency; and third, the administrative framework it establishes within the Department of Health, Education, and Welfare will, in my opinion, prove to be a flimsy bulwark against an administration committed to destroying the concepts of advocacy and representation for the poor.

My unhappiness with the measure is not meant to reflect upon the efforts of the chairman of the subcommittee, Mr. HAWKINS, or upon the chairman of the full committee, Mr. PERKINS, both of whom worked long and hard to safeguard the interests of the Nation's needy and elderly. It merely mirrors my dissatisfaction with this compromise forced upon the Democratic members of the committee by supporters of the Nixon administration. I hope and trust that this year's elections will bring in a Congress strong enough to act in the best interest of the people without the need to stoop to "minimally acceptable" solutions.

Mr. YOUNG of Alaska. Mr. Chairman, I am very happy to endorse H.R. 14449. This bill provides for the continuation of Community Action agencies and their programs and some other OEO programs, under a Community Action Administration within HEW. The Alaska rural community action program has been an effective advocate for the rights of low-income Alaskans.

Alaska is an extremely large State with many pockets of poverty, particularly in its native population. The rural community action program has addressed itself to the needs of low income people better than any other program introduced heretofore in Alaska. It has operated one of the best Head Start programs in the country, at a cost which is lower than that of many of the Head Start programs in the Nation.

It involves some 700 children in rural areas and about 200 children in urban areas. There are Head Start programs in Kaltag, Nulato, Fort Yukon and 30 other villages extending from Barrow, which is on the Beaufort Sea of the Arctic Ocean to Hoonah in South Central Alaska on the Gulf of Alaska of the Pacific Ocean. The Head Start program has proven to be the most successful human resource development program in Alaska as it has allowed and encouraged parent participation and community policymaking for people who were previously alien to such activities.

We have seen the beneficial aspects of rural community action program and its administration of several grant-in-aid programs that have helped immeasurably in the development of our bush community.

I recognize that we in no way can hope to cure all of the social and economic ills still existing in the bush. We need all the help that Federal, State and private resources can muster. Therefore, I am wholeheartedly supporting this legislation which will allow such beneficial programs to continue.

Mr. BURKE of Massachusetts. Mr. Chairman, I would like to address my remarks to the subject of the community action programs, programs which are doomed to destruction when funding for the Office of Economic Opportunity runs out on June 30.

I am most pleased with the work which the community action programs have accomplished throughout our Nation, as we continue to battle poverty and to aid the Nation's poor. This work is commendable, and is in need of continuation.

In my home State of Massachusetts, there are approximately 24 community action agencies, agencies which operate and coordinate multiservice programs that are easily accessible to the cities and towns which they serve. Thousands of low-income citizens of Massachusetts have communicated to their elected representatives both on the State and Federal levels their need for the services which the community action programs provide. We cannot and must not eliminate these funds.

Programs such as Head Start, manpower programs, and other activities sponsored by the community action agencies have proven their worth, and I feel we cannot abandon them at this point. The States cannot do this job alone. The community action programs must be fed assistance at the Federal level

So, then, let us continue our battle against poverty and economic disaster to our low-income citizens. We must act decisively to help those unable to help themselves.

Mr. FRENZEL. Mr. Chairman, I rise today in support of H.R. 14449, the Community Services Act of 1974. The Economic Opportunity Act, which is the grandfather of today's bill, was signed into law on August 20, 1964. In the following 10 years, the OEO programs have bounced up and down in both popularity and production. On the whole, however, the program has served as a bulwark of our national antipoverty efforts.

In education, manpower development and training, health and nutrition, and economic self-development OEO has been a spawning ground for social initiatives and programs. This effect can be seen clearly in my own State of Minnesota. Though the OEO programs in my district have suffered from some difficulties, the spinoff of community concern and private action has been substantial.

The State legislature has also acted

to preserve the functions of many OEO programs. It has endorsed the use of State funds as a supplementary measure—an approval not easily given.

Although I do support the bill before the House today, I have some questions about it. First, this bill provides for control through the States. I support the federalism concept, and I have no doubt that Minnesota agencies will be able to work through the State of Minnesota with no difficulty. There may, however, be areas where States have been less enthusiastic about these programs. I hope the committee is ready and willing to exercise all necessary oversight responsibilities to ensure State cooperation with local agencies.

Second, the funding level authorized by the bill is the current level of operations. That means, of course, an actual program cut, because with inflation the same amount of dollars will not go as far. My own county, which has been without a community action group for several years therefore has no opportunity to participate under this bill. If the experience under this bill is satisfactory, as I believe it will be, I hope that the committee will look into providing program assistance in those areas where it is not now being provided and where it is needed.

It should go without saying that at this low level of funding, attempts to reduce the authorization should be strongly resisted.

I am pleased that the committee has found a way to preserve the useful committee work being carried on by the OEO agency. I am hopeful that the bill will promptly be passed.

Mr. BELL. Mr. Chairman, Congressman PAUL FINDLEY is unable to be here today but has expressed his strong support for this bill in a letter to me. Congressman FINDLEY recognizes the importance of the Head Start program, as well as community action, and I would therefore like to insert the text of his letter in the CONGRESSIONAL RECORD at this point:

Hon. ALPHONZO BELL,
House of Representatives,
Washington, D.C.

DEAR AL: Although I am not able to be present to vote on the Community Services Act of 1974, I want to express my support for the bill, and in particular for those sections dealing with the Community Action Agencies and the Head Start-Follow Through programs.

As a result of considerable cooperation and compromise, the committee has reported a bill to permit many of the OEO programs to continue functioning under different agencies.

The bill provides for continuing the Head Start and Follow Through programs which have benefited so many pre-school children. Without such a program, these children might have been relegated to beginning their education several steps behind their classmates. Many, perhaps most, would never have caught up. The Head Start program in west-central Illinois has achieved a commendable record and enjoys almost universal acceptance in each community.

The Community Action Agencies in the Congressional district I represent have long served their communities well by encouraging the poor and disadvantaged to participate in reordering their own lives. I believe that they should continue to operate as they have in the past, possessed with the flexibility to meet local needs. In addition to the responsibilities they presently possess, under this bill they will gain jurisdiction over important programs such as food and nutrition assistance, opportunities and services for the aged poor, sports programs for disadvantaged youths, loans to rural families and day care projects.

I commend you and the Committee for the advance represented by this bill.

Sincerely yours,

PAUL FINDLEY,
Representative in Congress.

Mr. BIAGGI. Mr. Chairman, I rise to urge my colleagues to support H.R. 14449, the Community Services Act of 1974. This is an important bill, but one which was very hard to write. As a member of the Education and Labor Committee I saw at first hand the difficult problems involved in designing a new structure for the Nation's poverty programs, basically sound in concept, but often deficient in execution. To make matters more difficult, we were dealing with a number of widely differing views on this legislation both in committee and on the part of the many affected groups that testified before us. We have, however, succeeded in working out what I think is a sensible and fair compromise.

The essential point is that H.R. 14449 maintains the programs presently carried out by the expiring Office of Economic Opportunity. The new administration of these programs is not structurally independent, as some would like, but the important objectives of the programs involved will continue to be pursued. More important, the Office of Economic Opportunity's vital offspring, the community action programs, are preserved essentially intact.

I regard it as essential that these local units continue to exist, for it is here that those affected by the programs have the opportunity to participate in what the impact of the agencies is going to be. I think these are major, positive achievements in the fight for opportunities for the poor.

It is true, of course, the administrative organization is not entirely satisfactory. The Office of Economic Opportunity has been placed in the Department of Health, Education, and Welfare. There are some who fear this will mean the effective end of the agency's programs. I do not personally believe so. The present solution may not be perfect, but it is also not necessarily permanent. Congress should and has taken an active oversight interest in the poverty programs, and I am sure will continue to do so. If there are problems with the new administrative arrangements, I am confident that Congress will look at its work once again and overhaul it if necessary.

The funding levels are generous, though not as high as some of us would have liked. The Federal matching shares in the programs administered by the Director of the Community Action Administration, while declining over time, are, once again, generous and we have retained permission for the Director to waive the percentage requirement for individual agencies if the total non-Federal share in a State meets the non-Federal share requirement generally. This will permit many poor local areas to continue to participate in the poverty programs.

The critical point is that we have retained nearly all of the basic programs. In addition to those I have mentioned, the community economic development program, the human services policy research program, the comprehensive health services program, the migrant programs are all continued, as well as Head Start and the Follow Through program.

I realize, of course, this compromise, while sensible, is displeasing to many. There are those who think there ought to be more money for the poverty programs and a different and more independent administrative structure. There are also those, however, who want to see the whole program killed outright, or at least so broken up as to be ineffective. This last group points to undeniable failures and abuses in the program and I fully respect their discontent, though I do not share their objective.

In fact, what we in the Education and Labor Committee has done is to satisfy neither group. We believed reform was necessary, and some elements of the new administrative represent attempts to remedy some of the abuses of the past. But we also believed it essential if poverty were to be successfully attacked that the Federal Government would have to continue to play a significant role in the fight. This meant, above all, that we had to have a bill, some bill, that would be acceptable to many different points of view and pass the House. I believe H.R. 14449 meets this requirement, though it does not please everyone.

Therefore, I urge my colleagues to vote for H.R. 14449 and send it to the Senate and the President as quickly as possible. We must not forget that if we fail to act, or act unfavorably, the current programs and the entire Federal antipoverty effort will come to an end on June 30 of this year. We owe it to the American people not to make such important policy by delay, inaction or accident.

Mr. HORTON. Mr. Chairman, I urge my colleagues to vote in favor of H.R. 14449, the Community Services Act of 1974, providing for the continuation of programs currently authorized under the Economic Opportunity Act of 1964 and establishing a new Community Action Administration in the Department of Health, Education, and Welfare.

I must voice my disappointment, as will many of my colleagues, with the bill that has finally reached the House floor. I supported efforts to extend the Office of Economic Opportunity for 3 more years, and it is unfortunate that the bill approved by the Education and Labor Committee did not follow that course.

Debate over OEO and this bill in particular strikes me as a rather sad commentary on this Nation's priorities. Critics have been very vocal in pointing to deficiencies in the management of Federal funds. They have characterized OEO as an unnecessary "poverty bureaucracy."

But the truth is that before the Office of Economic Opportunity was established in 1964, we had no large-scale antipoverty program and we will never have one unless we are willing to provide

a reasonable level of Federal support. Virtually every interest group—ranging from agriculture to small business—has Federal line agencies to serve them. Until 1964, however, the disadvantaged had no focal point and their needs were lost in the bureaucracy.

Actually, it is remarkable that OEO programs have been so successful over the past 10 years in helping to meet the needs of the poor. They have never been funded above a pilot level of appropriations. The Community Action program in Monroe County, N.Y., for example, has operated with a frozen budget of $965,000 for 6 years. Throughout this period, they have not sat back and waited for a check from Washington. On the contrary, they have made every effort to become as self-supporting as possible.

One of the primary deficiencies of the bill before us is the progressive decrease in the Federal matching share from 80 percent of program costs in fiscal year 1975 to 60 percent for fiscal year 1977. These provisions will place a severe hardship on communities which are already strapped for funds and are operating under huge deficits. This bill is still a long way from the President's desk and I hope actions of the other body will improve upon the funding provisions.

Mr. Chairman, several amendments will be offered which will further weaken H.R. 14449 and perhaps render it a bare skeleton. The most serious, of course, is the amendment which would allow the Secretary of Health, Education, and Welfare to determine the placement of the program within HEW. The bill reported by the committee was designed to prevent OEO programs from being swallowed up in HEW, and the integrity of the Community Action Administration must be preserved. OEO's recent history should be lesson enough for the need to protect the organization of antipoverty programs from administrative fiat.

Mr. Chairman, despite concerted efforts to gut OEO, support for extending its programs has come from all areas of the country and from individuals of differing political persuasions. I want to share with my colleagues some of the communications I have received which bear on our actions today. In particular, I draw attention to the remarks of Thomas P. Ryan, Jr., mayor of the city of Rochester and the resolution adopted by our city council. Their message, I believe, is that this legislation is urgently needed if we are truly committed to eradicating poverty.

CITY OF ROCHESTER, N.Y.,
Rochester, N.Y., April 22, 1974.

HON. FRANK HORTON,
Rayburn Building,
Washington, D.C.

DEAR CONGRESSMAN HORTON: I am forwarding for your consideration a City Council Resolution supporting continued federal funding for Action for a Better Community, Inc., the Monroe County/Rochester Community Action Program. This resolution reflects the deep concern and support of the Rochester community for continuing this federal program which has provided valuable services to many of our impoverished residents.

It has been brought to my attention that the House Education and Labor Committee has dropped consideration of a simple extension of the Equal Opportunity Amendments of 1964 (H.R. 12464) in favor of drafting new legislation. This new legislation, H.R. 14094, has been reported to the full committee and mark-up is expected in the next few days. While this legislation would extend the programs of the Office of Economic Opportunity, federal financial commitment to the program would decline. The federal/local division of funding is proposed to be 80/20 in FY 1975, 75/25 in FY 1976, and 70/30 in FY 1977. I foresee that the requirement of increased local matching will force our Community Action Agency to seek local support. At a time when the City of Rochester is struggling for financial survival, the idea of forcing Community Action Agencies to increase their local match is an impossibility.

I am sure that Rochester is not alone in its serious lack of financial resources. In recognition of this fact and in recognition of the valuable services rendered by Action for a Better Community, Inc. and Community Action Agencies in other cities, I ask you to oppose the proposed increase matching requirements. I further ask you to once again extend your influence to members of the Education and Labor Committee and Congress as a whole in opposing this measure.

Your response to City requests in the past has been greatly appreciated. I thank you for the interest and concern you have expressed in urban problems. Your immediate action in this matter would further assist the Rochester community.

Sincerely,

THOMAS P. RYAN, JR.,
Mayor.

RESOLUTION SUPPORTING CONTINUED FEDERAL FUNDING FOR ACTION FOR A BETTER COMMUNITY, INC.

Whereas, Action for a Better Community, Inc. was incorporated in January, 1965, under the terms of the Economic Opportunity Act of 1964, in order to act as sponsor for the Monroe County/Rochester Community Action Program; and

Whereas, the attack on conditions of poverty is an issue which deserves continued national commitment and financial assistance from the federal government; and

Whereas, Action for a Better Community, Inc. is providing a variety of services for the impoverished community in the greater Rochester area; and

Whereas, federal funding for ABC, Inc. presently expires May 31, 1974 and the Economic Opportunity Act of 1964 expires June 30, 1974;

Now, therefore, be it resolved by the Council of the City of Rochester that the President and the Office of Economic Opportunity make full funding available to ABC, Inc. for their fiscal year FYJ, which is the period of February 1974 through January 31, 1975; and

Be it further resolved that City Council urges Congress to immediately adopt the Equal Opportunity Amendments of 1974 (H.R. 12464), which provide for the extension of the Equal Opportunity Act of 1964 until June 30, 1976, and

Be it further resolved that copies of this resolution be delivered to all appropriate parties including local congressional representatives and representatives of the Office of Economic Opportunity.

CITY SCHOOL DISTRICT,
Rochester, N.Y., April 25, 1974.

HON. FRANK J. HORTON,
House of Representatives,
Washington, D.C.

DEAR SIR: H.R. 12464 is scheduled to be brought before the House of Representatives during the week of April 21. Its purpose is to continue the Economic Opportunity Act, which has begun many valuable programs in Rochester, particularly in the inner-city. I am especially concerned for the future of Action for A Better Community, which has provided many valuable programs for poor people, black, white, and Spanish-speaking, in Monroe County. I urge you to vote for the extension of EOA and to urge your colleagues to work for its passage.

Sincerely,

JOHN M. FRANCO.

CITY SCHOOL DISTRICT,
Rochester, N.Y., April 26, 1974.

HON. FRANK J. HORTON,
House of Representatives,
Washington, D.C.

DEAR SIR: The purpose of this letter is to urge your strong support of H.R. 12464, a bill to extend the Economic Opportunity Act for three more years.

As you know, the Economic Opportunity Act was enacted in the 1960's to provide the poor with the programs and the leadership necessary for them to help themselves. In Rochester Economic Opportunity Act funds have provided support for adult education programs, day care, drug and alcoholism rehabilitation programs, and leadership training for youth. The Economic Opportunity Act has been the principal funding source for Action For A Better Community, Rochester's Community Action Agency, which has made significant contributions to the protection of the rights of poor people.

I urge you to cast your vote for this bill and to urge other members of the House of Representatives to do the same. Only by a strong vote for both Houses will the Administration, which last year attempted to impound funds intended for the poor, realize the importance of this legislation for urban and rural poor people who wish to establish significant alternatives to doles and "make work" programs.

Sincerely,

HARVEY GRANITE,
Coordinator, Urban Funded Programs.

Mr. NIX. Mr. Chairman, I rise in strong support of the Community Services Act, as reported. This bill will preserve the community action programs and many other important programs of the Economic Opportunity Act. Community action programs, which have proven their worth, even to many doubters, will be relocated in a new administration in the Department of Health, Education, and Welfare. I believe it is very important that this administration be given its own identity in the Department to maintain a vigorous community action program. Local community action agencies have shown themselves to be invaluable tools in providing services to poor people throughout our country. Through a combination of local participation and Federal support, they have been able to provide a helping hand that neither local or Federal efforts alone can supply.

This bill also provides new authority for a host of successful programs, such as Head Start, Follow Through, and Native American and migrant programs. These people-oriented programs have provided a ray of hope to groups in our society that have traditionally been ignored by all levels of government.

The dilemma of poverty in an affluent society still faces us squarely, as it did when President Johnson started a national commitment to eliminate it. We know that there are no easy answers to the problem of poverty. But we do know that many programs have proven to be effective tools in helping people to overcome the handicap of poverty. We must continue to work to find even more effective ways of using the resources of gov-

ernment to help those who have not yet achieved a decent standard of living for themselves and their children.

Mr. Chairman, this bill does not provide all that many of us would have liked. Substantial compromises have been made to meet various objections. But through the efforts of the gentleman from California (Mr. HAWKINS) and his colleagues, it is a sound bill. It preserves the important programs that have proven successful. It provides a new and solid administrative setup for community action. It continues our commitment to use the resources of the Federal Government to fight the causes and the symptoms of the cruel poverty that still holds millions of our fellow citizens. I support the bill and I urge its passage.

Mrs. MINK. Mr. Chairman, although I would have preferred to maintain the Office of Economic Opportunity as a separate agency, I must conclude that transferring the poverty programs to the Department of Health, Education and Welfare is the only means available to us at his time to assure the continuation of these programs.

I am deeply concerned, however, that if we do not take the appropriate steps to protect the programs within HEW that we are presiding over a wake.

I disagree with my colleague from Minnesota that the placement of these programs within HEW should be left to the discretion of the agency. HEW is a huge bureaucracy which serves many different kinds of people; without a distinct organization entity, the poverty programs will be lost in that bureaucracy, the poverty focus merged with other target populations and objectives, and the accountability and visibility lost.

For 10 years there was a national mandate to address the problems of poverty. I do not believe we can allow that mandate to be lost.

A separate administration within the Department will clearly facilitate monitoring and evaluating the poverty programs by Congress and other concerned bodies. Futher, it will facilitate coordination of other Federal poverty programs.

Although the dollar figure for community action is relatively small, the program's impact on billions of dollars of Federal programs is in more than 10 different departments and agencies.

One of the mandates given to the Community Action Administration in the committee bill is to monitor and evaluate Federal programs administered by other Federal departments and agencies. Such an evaluation would clearly be impossible without he independent status of the monitoring unit.

The community action program has been successful because it has been flexible and independent and because it is heavily dependent on local direction. Merging this program with other programs in the department will lose all flexibility and independence and strangle innovation in red tape.

Finally, the focus of the Department of Health, Education, and Welfare has traditionally been on the State level; whereas community action programs have by nature been local. It is necessary to preserve the integrity of the organizational structure of the community action programs in order to assure this continued relationships with local governments and agencies.

Mr. DAVIS of Georgia. Mr. Chairman, I am pleased to rise in support of the bill before us today, H.R. 14449, the Community Services Act.

As others before me have stated, I would have preferred an extension of the Office of Economic Opportunity and its programs, and I introduced legislation earlier this year which would have extended the authorization of the Economic Opportunity Act for 3 years. But I recognize the problems involved in an extension at this time, and I believe that the most important element is saving the programs.

I believe that the community action program has indeed matured over the years to the point where it now enjoys widespread acceptance in the community and among local elected officials who once raised their voices in opposition. The Governor of my State, Gov. John West, was an early strong supporter of the continuation of OEO. I understand that other political figures not generally associated with the poverty program such as Governor Wallace of Alabama and Governor Waller of Mississippi have also endorsed the continuation of the Federal poverty programs.

The Community Action Agency in the city of Charleston, S.C., operates a $4 million program serving the needs of the poor of that city. Among the programs which would be lost if funding is not continued to the Charleston CAP are a transportation program for the elderly poor and for residents of outlying areas, an information and referral program to link with other social service programs, a youth development program and a major industrial education project.

In many parts of South Carolina, as well as other rural areas throughout the country, community action agencies offer the only system to provide social services to the poor in those communities.

South Carolina is one of the few States which have taken action to provide funds for CAA's in the absence of Federal funds. But even the $1.409 million appropriated by the State is insufficient to maintain the programs currently operated by the 20 CAA's in the State. At the most, this money would simply permit the CAA's to continue to administer other Federal programs such as Head Start, but would allow no innovative programs, no local initiative programs.

I believe that it is time to recognize that CAA's perform a vital service for which no alternatives presently exist. To withdraw support for the community action program at a time when inflation, fuel and other shortages are hitting the poor the hardest is taking a giant step backward in our national commitment to alleviate the problems of poverty in this country.

Mr. DOMINICK V. DANIELS. Mr. Chairman, I rise in support of H.R. 14449 the Community Services Act of 1974. I am pleased that the Education and Labor Committee in its wisdom saw fit to continue the community action program to permit communities across the Nation to continue their battle against poverty and economic stress.

Under this bill we are considering today local communities receive financial assistance and encouragement for a wide range of community service programs. I think this is sound because each individual area knows best what is needed and how our limited resources can best be expended. Today's bill indicates that the Federal Government is continuing its commitment to the desperate poverty which is an ugly facet of life in some urban centers and in rural America as well. I am also pleased that the committee bill addresses itself to the problem of our elderly poor, a group who are all too often tragic victims of today's ever worsening inflationary spiral. I am concerned about the senior opportunities and services programs which have served the elderly poor quite well when one considers the relatively small investment of money by the Federal Government.

Mr. Chairman, this is not a perfect bill. Like many other pieces of legislation all Members will not be happy with it. Some say it goes too far and others not far enough. On the other hand we have continued the community action programs and their vitally needed social services.

Thus, Mr. Chairman, not without some reservations I support this bill. We cannot afford to do less and we ought to do more. Hopefully, at some future time we will have an administration in the White House a little more concerned about the poor and the elderly.

Mr. DORN. Mr. Chairman, I urge the House to approve the Community Services Act now before us which would continue the programs of the Office of Economic Opportunity—OEO. This bill would continue programs such as Community Action, Head Start, Follow Through, community food and nutrition, rural housing development, senior opportunities, and local initiative. For South Carolina these programs are especially important.

This bill represents government at its best. I believe we have an obligation to offer special assistance to those who have been denied economic opportunity. The Community Action-OEO programs show that we can and will do something to offer an equal opportunity to all our citizens.

Mr. Chairman, programs funded by OEO have vitally affected the lives of thousands of South Carolinians whose income falls below the poverty line. Head Start has been especially beneficial in improving the educational opportunities for so many of our people. These programs are the very best investment Government can make; children with no place to go, many handicapped by poverty and disease, receive the best possible preschool training. Head Start has been a splendid example of a community-based child development program with maximum parent involvement.

Mr. Chairman, may I commend especially the directors and personnel of the Community Action agencies, as their dedicated and devoted efforts have brought new life and new hope to so

many of our people. May we also commend the public-minded citizens who serve on local Community Action boards of directors. Their outstanding efforts have helped to assure that Community Action agencies and all the programs they administer remain sensitive and sympathetic to local needs and local conditions. The Community Action program has been successful because it has been tailored to the needs of the local community.

Mr. Chairman, continuation of OEO programs and Head Start has my complete support, and I urge the Congress to pass this bill by an overwhelming margin.

Mrs. BURKE of California. Mr. Chairman, a decade ago, President Lyndon Johnson declared this Nation's war on poverty, with its noble—and uniquely American—goal of extending justice and dignity for all.

Congress acted expeditiously to create the Office of Economic Opportunity and charged it with leading the attack on the hunger, poverty, and ignorance which then shackled some 36 million citizens.

In 1966–67, Congress amended the Economic Opportunity Act to earmark funds for eight "national emphasis programs" to be operated by Community Action Agencies. More than 185,000 people are currently employed by programs conducted by CAA. Some of these programs are Head Start, manpower training, health services, legal services, food distribution, and transportation programs.

Of these 185,000 people, 51 percent, or 94,375, were previously unemployed or received public assistance. Some 11 million people have been served by CAA programs, and for each salary of $5,000, $13,000 of economic activity was generated at the local level.

Now, unless Congress acts on H.R. 14449, the Economic Opportunity Amendments of 1974, OEO and all that it has symbolized will die forever with the expiration of the Economic Opportunity Act. The administration has requested only phaseout funding for OEO in the next fiscal year, and nothing at all for its major remaining weapon, the Community Action program.

I think that it is clear that most local communities cannot meet the costs necessary to continue the programs Community Action Agencies presently administer, even with the use of general revenue sharing funds. If local communities or States do pick up the funding for some of these programs, obviously it will not be in the amounts equaling previous years.

In Los Angeles as a result of Community Action, we have enjoyed such outstanding aid programs as community health centers, child centers, drug abuse, and the Indian free center. These have been invaluable.

While the antipoverty program's traditional defenders have been liberal Democrats, support from entirely new directions has been recorded. Alabama's Governor George Wallace is for it; so are Representatives WILLIAM JENNINGS BRYAN DORN, of South Carolina, and Indianapolis' Republican Mayor Richard Lugar, to name just a few new friends. Forty-nine of the Nation's Governors and hundreds of its mayors want this humane program to continue.

The reasons for their support are simple. Community Action Agencies have proven to be inexpensive, effective methods of administering Federal, State, and local programs which now reach an estimated 12 million poor, black and white, include large numbers of children and the aged.

Community Action Agencies are also providing another valuable service to State and local officials. When the poor have a grievance, they are now much more likely to turn to their local Community Action Agency for help, rather than march on city hall.

H.R. 14449, makes good sense to me. The measure includes funding, not only for Community Action, but for Head Start, Follow Through, emergency food, help for Indians, migrants, the elderly, and other programs which started in OEO, but which are now scattered in other Federal agencies.

I hope that Congress will not neglect this opportunity to protect the interests of the poor, minorities, the disadvantaged, and the American people in general.

If the OEO antipoverty programs are permitted to falter and die at this point, the strength and impetus a strong federally coordinated and funded program can offer will be lost, and the weight of responsibility will be shifted to State and local governments which, already overburdened with competing demands for limited funds, will be ill-prepared to continue it.

Helping people to help themselves is always a sound way to spend tax dollars. The Nation gave its word to the poor 10 years ago. We should not renege on that word now.

Mr. MOAKLEY. Mr. Chairman, I rise in support of the Community Services Act of 1974, and I urge the House to pass it without any weakening amendments. Even though I oppose the Nixon administration's attempts to dismantle the Office of Economic Opportunity, I urge you to support this bill, because it is crucial that we save the programs that are now part of OEO.

The amendments proposed would destroy this bill. The essence of the new plan is to have a Community Action Administration within the Department of Health, Education, and Welfare. We must not allow these provisions to be eliminated.

We must also reject any effort to recognize only States and municipalities as prime sponsors. In my own city of Boston, the organization, Action for Boston Community Development (ABCD) has been working for years, effectively implementing OEO programs. We must not turn their responsibilities over to politicians who are less familiar with the intricacies involved.

This bill would provide continued support for such important programs as Head Start, Follow Through, and senior opportunities and services as well as community action and economic development programs. These programs are at the heart of our effort to rejuvenate our Nation's cities. We must not let them die.

I urge you to consider the effect of eliminating these programs. In the city of Boston, it would mean a loss of $14 million in funds for antipoverty programs. This would be disastrous. Equally hard hit would be every city and large town in America.

I urge my colleagues to reaffirm Congress commitment to saving our Nation's cities and helping Americans who are trying to pull themselves out of the rut of poverty.

Mr. FISHER. Mr. Chairman, the pending bill, which prolongs many of the services of the Office of Economic Opportunity, should be defeated. The measure calls for expenditure of $1.2 billion during the next fiscal year, an additional $150,000 the following year, and $1,300,-500,000 in 1977. That adds up to a total of more than $3.5 billion over a 3-year period.

What programs would be financed? There are 12 different categories listed. They include $330 million annually for "local initiative," presumably Community Action programs. Another is for legal services, up to $100 million in 1977. There is $40 million per year for "community economic development," $22 million annually for "human services policy research," incentive grants of $50 million, up to $43 million for "Native American program," and a variety of others.

A good many of these are obvious duplications of similar projects now financed by other agencies. There are 900 Community Action programs to be continued, with 80 percent of these CAA funds going to pay salaries of staff members.

It would appear that those who are poverty stricken actually receive but a limited amount of benefits from these expenditures. Take legal services for the poor, for example. A former Director of OEO recently revealed that under the banner of "legal aid for the poor" funds were used to subsidize a wide-ranging liberal agenda for social change. It is used to finance a nationwide network of nearly 3,000 attorneys and others to support lawyers who use it to finance litigation for almost any purpose under the Sun.

Here are a few of the purposes for which this tax money is being expended:

A class action attack on the U.S. Postal Service for refusing to hire persons with histories of illegal drug abuse.

A suit against OMB, challenging the President's impoundment of funds for environmental programs.

A Supreme Court appeal insisting on the right of an unmarried minor to obtain contraceptives.

A Pennsylvania suit challenging the detention of a convicted felon accused of committing an additional crime while free on bail.

A Miami case arguing that seizure of an automobile by the U.S. Customs in connection with an allegation of illegal possession of drugs violated the plaintiff's right to due process.

A class action demanding that an Iowa statute prohibiting the civil service employment of convicted felons to be set aside.

A Missouri suit questioning the transfer to adult court jurisdiction of a minor charged with four counts of murder.

A West Virginia case demanding that the warden of the State prison show cause why a prisoner should be denied his liberty before assigning the prisoner to solitary confinement.

Scores and scores of other lawsuits could be cited, all equally ludicrous and equally as unrelated to the war on poverty.

In fact, the Congress has been extremely derelict by granting blank check authority to the OEO to use tax money for almost any purpose it might choose, whether or not related to the war on poverty. And it appears OEO has taken full advantage of that privilege.

Another good example of wasteful spending by that agency was recently revealed when it was disclosed that OEO has used vast amounts of antipoverty money to hire lobbyists for the purpose of bringing pressure on Congress to approve the legislation we are now considering. On May 11, 1974, the local paper reported OEO had employed former Congressman William Cramer as their chief lobbyist—with an antipoverty fee of $25,000 per month.

The same news article stated that OEO and CAP employees—180,000 of them across the Nation—have organized a lobbying campaign which may spend as much as $250,000, a war chest collected from their dues checkoffs and contributions.

Mr. Chairman, how long will this type of profligate spending of tax money be tolerated? If the Congress wants to improve its public image, now reported at a low level, here would seem to be a good place to help restore public confidence. There has been around $15 billion expended on this war on poverty. Those programs that are actually useful and beneficial can be transferred to other agencies, but this would be a relatively small part of the entire package.

Mr. RANDALL. Mr. Chairman, I rise in support of H.R. 14449, the Community Service Act of 1974.

Mr. Chairman, as I read the different titles of this bill, I enthusiastically support this legislation because it eliminates some of the most objectionable provisions of the old law and provides many programs that we need today.

Who can forget the efforts of the administration to attempt to dismantle OEO in 1973 without the prior approval of the Congress. Remember old Howy Phillips and his group that was known as the wrecking crew that moved in with the intent and purpose of completely wrecking all of the programs administered by the Office of Economic Opportunity. But, fortunately, this effort was halted by court action, and I might add that the court action was initiated by an agency in our own congressional district in west central Missouri.

As we all know, the 1-year extension of OEO and its programs are due to expire on June 30, 1974. It is quite a deadline that must be met because the other body has not yet commenced to act. But hopefully the example we set here today by the overwhelming approval of H.R. 14449 will occasion prompt action by the other body.

The bill establishes a Community Action Administration within the Department of Health, Education, and Welfare to administer community action programs. There is a sensible definition of the level of poverty reflecting the Orshansky poverty index as determined by the 1970 census. There are so many good features of this new legislation that they far overshadow any possible deficiencies. Basic and fundamental are the community action programs. These include community food and nutrition programs. Who could possibly oppose the senior opportunities services which are a part of this enactment? Then there is provision for rural housing development and rural loan programs. Provision is made for the extension of Head Start and Follow Through.

Mr. Chairman, I took a very dim view of the poverty program during the first year or two of its existence because all of the funding was directed toward the ghetto areas to the complete exclusion of the rural areas. Actually during those first few years all the rural areas were able to receive were a few crumbs that fell off the table. Today it is different. Today there are some workable and effective rural programs in operation.

Before I conclude these brief remarks I wish to pay tribute to the program administered by the West Central Missouri Rural Development Corp. Its director, Charles Braithwait, has been responsible for many accomplishments of that corporation. He deserves the credit which he has justly earned as a leader in a whole series of programs that have improved the well-being not only of the youth but also those in the lower income brackets and the senior citizens in several counties of west central Missouri in which the corporation he heads operates.

There may be those who prefer to remain adamantly opposed to the concept of the poverty program. The best remedy for this kind of opposition in my judgment is to see the good which has been accomplished by west central and the changes for the better that have been made in the rural areas which it embraces.

In order for these programs to be carried on, is good enough reason for me to support H.R. 14449.

Mr. PODELL. Mr. Chairman, there has been much storm and fury over the proposal before us today, to continue the OEO Community Action programs in a new agency as part of the Department of Health, Education, and Welfare.

I was appalled, although not really surprised, when President Nixon and his hatchetman, Howard Phillips, attempted to subvert the law of the land by ending OEO without congressional approval. Fortunately the courts soon put a stop to these illegal antics.

But Howard Phillips has not given up. He is still on his one-man vendetta against the poor. I have received mail from his organization, as I am sure all of my colleagues have, that details a list of reasons why we should vote against H.R. 14449, and why such a vote would not harm poor people.

The only thing I can say to Mr. Phillips is that I have seen CAPS in action, and I know that they work.

In my district there is an area known as Coney Island, which has become what is popularly known as a poverty pocket. Had it not been for a Community Action program in Coney Island, it would have become a disaster area.

But because there was an OEO and a Community Action program, there have been programs set up that are training people for jobs, providing day care and Head Start services, giving impoverished elderly people the life-giving combination of food and companionship, and carrying on a wide-ranging program of services that are breathing new life into an area once given up for dead. Coney Island is only one of many CAP's in New York City and throughout the country that prove Howard Phillips is wrong.

I know that CAP's work, and I want to see them keep on working. That is why I support the passage of H.R. 14449 without any weakening amendments.

When this country officially declared a war on poverty 9 years ago, it was greeted as the dawn of a new age, an age in which everyone who wanted to work or go to school would be given a chance to do so. It was to be the beginning of a program that would end poverty in our lifetime, a massive social experiment dedicated to improving the quality of life for everyone in this country.

Since those first days, we have learned much. The primary lesson has been that it is not easy to wipe out generations of neglect, poor education, poor nutrition, rundown housing, and all the other ills that go hand in hand with being poor, overnight, or even in the space of a decade.

It takes time and it takes money. It also takes a realization that for every dollar we spend now we will see returns in a better educated, fully employed, decently housed populace that will amply repay our present investments.

I do not think that we should end the program, or weaken it in the name of the "new federalism," because there have been some failures. How many boondoggles have we heard of in the Defense Department. How many weapons projects are obsolete before they are completed? How many gentlemen farmers are we supporting through our agricultural subsidy programs? And yet we continue to fund these programs at higher and higher levels each year. Why should we expect the poor to conform to a higher standard of achievement and conduct than we set for other recipients of Federal money? Such an attitude borders on the unconscionable.

The bill before us now is, in my opinion, a great improvement over the original OEO legislation. For the first time, there is an explicit commitment to meeting the needs of the elderly poor, and giving them an active voice in CAP activities and programs. The bill also recognizes that there are many poor people who live outside designated poverty areas, but who still need the kind of assistance this legislation can pro-

vide, and it makes provisions to see to it that these people get the help they need. Both of these provisions indicate that the new Community Action Administration will be far more flexible and innovative than OEO was, and I look forward to seeing this Administration set up in the near future.

I would like to see this legislation enacted not only because there are a large number of people in my district who would benefit greatly from it. I want to see it become law because this Nation cannot afford to have a class of people who are permanently poor and undereducated. We cannot afford it if we are genuinely concerned about our continued economic growth and if we are genuine committed to the principle of equality for all.

I do not buy the arguments that the new Community Action Administration would pose a threat to the structure of the executive branch. I do not buy the arguments of those who say that CAP's should only be responsible to State governments, particularly when there are a number of State governments known for their hostility to CAP's.

The only arguments I will buy are those that say that the Community Action Administration is a good way to continue worthwhile programs that have made considerable headway in reducing poverty in the United States.

We made a commitment nearly a decade ago, and people all over this Nation are looking to us to renew that commitment. We should not let their pleas go unanswered. To do so would be to condemn millions of people to lives of poverty and despair. We would give these people the answer they want and deserve, that we support H.R. 14449, and that we want to see community action programs continued because we know that they do work.

The CHAIRMAN. If there are no further amendments, the question is on the committee amendment in the nature of a substitute, as amended.

The committee amendment in the nature of a substitute, as amended, was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. WHITE, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 14449) to provide for the mobilization of community development and assistance services and to establish a Community Action Administration in the Department of Health, Education, and Welfare to administer such programs, pursuant to House Resolution 1140, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the committee amendment in the nature of a substitute adopted in the Committee of the Whole? If not, the question is on the amendment.

The amendment was agreed to.

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

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

MOTION TO RECOMMIT OFFERED BY MR. ASHBROOK

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

The SPEAKER. Is the gentleman opposed to the bill?

Mr. ASHBROOK. I am, Mr. Speaker.

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

The Clerk read as follows:

Mr. ASHBROOK moves to recommit the bill H.R. 14449 to the Committee on Education and Labor.

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

There was no objection.

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

The motion to recommit was rejected.

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

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

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 331, nays 53, not voting 49, as follows:

[Roll No. 251]

YEAS—331

Abdnor	Clay	Gialmo
Abzug	Cleveland	Gilman
Adams	Cohen	Ginn
Addabbo	Collins, Ill.	Gonzalez
Alexander	Conable	Grasso
Anderson, Calif.	Conte	Gray
	Conyers	Green, Pa.
Anderson, Ill.	Corman	Griffiths
Andrews, N.C.	Cotter	Grover
Andrews, N. Dak.	Coughlin	Gubser
	Cronin	Gude
Annunzio	Culver	Gunter
Armstrong	Daniels, Dominick V.	Guyer
Ashley		Hamilton
Aspin	Davis, Ga.	Hammer-schmidt
Badillo	Davis, S.C.	
Bafalis	Davis, Wis.	Hanley
Barrett	Delaney	Hanna
Bell	Dellenback	Hanrahan
Bennett	Dellums	Harrington
Bergland	Denholm	Harsha
Biaggi	Dent	Hastings
Biester	Dickinson	Hawkins
Bingham	Diggs	Hébert
Boggs	Dingell	Hechler, W. Va.
Boland	Donohue	Heckler, Mass.
Bolling	Dorn	Heinz
Bowen	Downing	Henderson
Brademas	Drinan	Hicks
Brasco	Dulski	Hillis
Bray	Duncan	Hogan
Breckinridge	du Pont	Holifield
Brinkley	Eckhardt	Holt
Brooks	Edwards, Ala.	Holtzman
Broomfield	Edwards, Calif.	Horton
Brotzman	Eilberg	Hosmer
Brown, Calif.	Erlenborn	Hudnut
Brown, Mich.	Esch	Hungate
Brown, Ohio	Eshleman	Hunt
Burgener	Evans, Colo.	Ichord
Burke, Calif.	Evins, Tenn.	Jarman
Burke, Fla.	Fascell	Johnson, Calif.
Burke, Mass.	Fish	Johnson, Pa.
Burlison, Mo.	Flood	Jones, Ala.
Butler	Flowers	Jones, N.C.
Byron	Ford	Jones, Okla.
Carey, N.Y.	Forsythe	Jones, Tenn.
Carney, Ohio	Fountain	Jordan
Carter	Fraser	Kastenmeier
Casey, Tex.	Frelinghuysen	Kazen
Cederberg	Frenzel	King
Chamberlain	Frey	Kluczynski
Chappell	Froehlich	Koch
Chisholm	Fulton	Kuykendall
Clark	Fuqua	Kyros
Clausen, Don H.	Gaydos	Lagomarsino
	Gettys	Landrum
Latta	Obey	Stark
Leggett	O'Brien	Steed
Lehman	O'Hara	Steele
Lent	Owens	Steelman
Litton	Patman	Steiger, Wis.
Long, La.	Patten	Stephens
Long, Md.	Pepper	Stokes
Lujan	Perkins	Stratton
Luken	Peyser	Stuckey
McClory	Pickle	Studds
McCollister	Pike	Sullivan
McCormack	Poage	Symington
McDade	Preyer	Talcott
McEwen	Price, Ill.	Taylor, Mo.
McFall	Pritchard	Taylor, N.C.
McKay	Quie	Thomson, Wis.
McKinney	Quillen	Thone
Macdonald	Railsback	Thornton
Madden	Randall	Tiernan
Madigan	Rangel	Towell, Nev.
Mahon	Rees	Traxler
Mallary	Regula	Udall
Mann	Reuss	Ullman
Maraziti	Rhodes	Van Deerlin
Martin, N.C.	Riegle	Vander Veen
Mathias, Calif.	Rinaldo	Vanik
Matsunaga	Robison, N.Y.	Vigorito
Mayne	Rodino	Waldie
Mazzoli	Roe	Walsh
Meeds	Rogers	Wampler
Melcher	Roncalio, Wyo.	Whalen
Metcalfe	Roncallo, N.Y.	White
Mezvinsky	Rose	Whitehurst
Milford	Rosenthal	Whitten
Miller	Roush	Widnall
Mills	Roy	Wiggins
Minish	Roybal	Williams
Mink	Runnels	Wilson, Bob
Minshall, Ohio	Ruppe	Wilson, Charles H., Calif.
Mitchell, Md.	St Germain	
Mitchell, N.Y.	Sandman	Winn
Moakley	Sarasin	Wolff
Mollohan	Sarbanes	Wright
Montgomery	Schroeder	Wyatt
Moorhead, Pa.	Seiberling	Wydler
Morgan	Shipley	Wylie
Mosher	Shoup	Wyman
Moss	Shriver	Yates
Murphy, Ill.	Sikes	Yatron
Murtha	Sisk	Young, Alaska
Myers	Skubitz	Young, Fla.
Natcher	Slack	Young, Ga.
Nedzi	Smith, N.Y.	Young, Tex.
Nelsen	Staggers	Zablocki
Nichols	Stanton, J. William	Zwach
Nix		

NAYS—53

Archer	Devine	Robinson, Va.
Ashbrook	Fisher	Rousselot
Baker	Flynt	Ruth
Bauman	Goodling	Satterfield
Beard	Gross	Scherle
Blackburn	Haley	Schneebeli
Broyhill, Va.	Huber	Sebelius
Burleson, Tex.	Kemp	Shuster
Clancy	Landgrebe	Snyder
Clawson, Del	Lott	Spence
Cochran	Mathis, Ga.	Steiger, Ariz.
Collins, Tex.	Mizell	Symms
Conlan	Moorhead, Calif.	Teague
Crane		Treen
Daniel, Dan	Parris	Ware
Daniel, Robert W., Jr.	Powell, Ohio	Young, S.C.
	Price, Tex.	Zion
Dennis	Rarick	
Derwinski	Roberts	

NOT VOTING—49

Arends	Hansen, Wash.	Podell
Bevill	Hays	Reid
Blatnik	Helstoski	Rooney, N.Y.
Breaux	Hinshaw	Rooney, Pa.
Broyhill, N.C.	Howard	Rostenkowski
Buchanan	Hutchinson	Ryan
Burton	Johnson, Colo.	Smith, Iowa
Camp	Karth	Stanton, James V.
Collier	Ketchum	
Danielson	McCloskey	Stubblefield
de la Garza	McSpadden	Thompson, N.J.
Findley	Martin, Nebr.	Vander Jagt
Foley	Michel	Veysey
Gibbons	Murphy, N.Y.	Waggonner
Goldwater	O'Neill	Wilson, Charles, Tex.
Green, Oreg.	Passman	
Hansen, Idaho	Pettis	Young, Ill.

So the bill was passed.

The Clerk announced the following pairs:

Mr. Thompson of New Jersey with Mr. Blatnik.

Mr. Rostenkowski with Mr. Breaux.

Mr. ROONEY of Pennsylvania with Mrs. Green of Oregon.
Mr. Rooney of New York with Mrs. Hansen of Washington.
Mr. Howard with Mr. Ryan.
Mr. Karth with Mr. Arends.
Mr. Stubblefield with Mr. Martin of Nebraska.
Mr. Waggonner with Mr. Broyhill of North Carolina.
Mr. O'Neill with Mr. Michel.
Mr. Murphy of New York with Mr. Findley.
Mr. de la Garza with Mr. Buchanan.
Mr. James V. Stanton with Mr. Hansen of Idaho.
Mr. Podell with Mr. McCloskey.
Mr. Hays with Mr. Goldwater.
Mr. Burton with Mr. Camp.
Mr Helstoski with Mr. Vander Jagt.
Mr. Bevill with Mr. Hinshaw.
Mr. Foley with Mr. Collier.
Mr. Danielson with Mr. Hutchinson.
Mr. Gibbons with Mr. Pettis.
Mr. McSpadden with Mr. Charles Wilson of Texas.
Mr. Smith of Iowa with Mr. Young of Illinois.
Mr. Reid with Mr. Passman.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. BREAUX. Mr. Speaker, I was unable to be present yesterday on rollcall 251 on the Community Services Act. Had I been present I would have cast my vote for the passage of the bill.

Mr. Speaker, I ask unanimous consent that my statement appear in the permanent RECORD immediately following the rollcall.

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

There was no objection.

PERMISSION TO MAKE CLERICAL AND CONFORMING CHANGES IN H.R. 14449

Mr. HAWKINS. Mr. Speaker, I ask unanimous consent that in the engrossment of the bill H.R. 14449 the Clerk be authorized to make clerical and conforming changes in punctuation, section and title numbers, cross-references, and the table of contents to reflect the amendments of the committee.

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

There was no objection.

GENERAL LEAVE

Mr. HAWKINS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks and include extraneous matter on the bill just passed.

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

There was no objection.

ELECTION TO COMMITTEES

Mrs. GRIFFITHS. Mr. Speaker, on behalf of the gentleman from Arkansas (Mr. MILLS) I offer a privileged resolution (H. Res. 1150) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 1150

Resolved, That BOB TRAXLER, of Michigan, be, and he is hereby, elected to the standing committees of the House of Representatives on Public Works and Post Office and Civil Service.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PROVIDING FOR CONSIDERATION OF H.R. 13678, TO AMEND NATIONAL LABOR RELATIONS ACT

Mr. PEPPER, from the Committee on Rules, reported the following privileged resolution (H. Res. 1151, Rept. No. 93–1067) which was referred to the House Calendar and ordered to be printed:

H. Res. 1151

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 13678) to amend the National Labor Relations Act to extend its coverage and protection to employees of nonprofit hospitals, and for other purposes. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Education and Labor, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit. After the passage of H.R. 13678, the Committee on Education and Labor shall be discharged from the further consideration of the bill S. 3203, and it shall then be in order to consider the said Senate bill in the House.

PROVIDING FOR CONSIDERATION OF H.R. 14747, TO AMEND SUGAR ACT OF 1948, AS AMENDED

Mr. PEPPER, from the Committee on Rules, reported the following privileged resolution (H. Res. 1152, Rept. No. 93–1068) which was referred to the House Calendar and ordered to be printed:

H. Res. 1152

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 14747) to amend the Sugar Act of 1948, as amended. After general debate, which shall be confined to the bill and shall continue not to exceed two hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Agriculture, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

HOPI-NAVAJO LAND PARTITION

Mr. PEPPER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1095 and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. Res. 1095

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 10337) to authorize the partition of the surface rights in the joint use area of the 1882 Executive Order Hopi Reservation and the surface and subsurface rights in the 1934 Navajo Reservation between the Hopi and Navajo Tribes, to provide for allotments to certain Paiute Indians, and for other purposes. After general debate, which shall be confined to the bill and shall continue not to exceed two hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interior and Insular Affairs, the bill shall be read for amendment under the five-minute rule. It shall be in order to consider the amendment in the nature of a substitute recommended by the Committee on Interior and Insular Affairs now printed in the bill as an original bill for the purpose of amendment under the five-minute rule. At the conclusion of such consideration, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore (Mr. MCFALL). The gentleman from Florida is recognized for 1 hour.

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

Mr. Speaker, House Resolution 1095 provides for an open rule with 2 hours of general debate on H.R. 10337, a bill to settle a land dispute between the Hopi and Navajo Indian Tribes.

House Resolution 1095 provides that it shall be in order to consider the amendment in the nature of a substitute recommended by the Committee on Interior and Insular Affairs now printed in the bill as an original bill for the purpose of amendment.

H.R. 10337 partitions lands in which the Navajo and Hopi Indian Tribes have joint, undivided, and equal interests. The bill provides that the U.S. District Court for the District of Arizona shall partition the surface of the estate area between the Hopi and Navajo Indian Tribes.

H.R. 10337 partitions the Hopi interest in the 1934 Navajo Reservation by describing an area of exclusive Hopi interest around the village of Moencopi including approximately 234,000 acres. The bill provides that members of the Navajo Tribe residing on lands which are or will be partitioned to the Hopi shall be removed from such lands over a 5-year period. A total of $28 million is authorized for appropriation to pay the costs of such removal.

Mr. Speaker, I urge the adoption of House Resolution 1095 in order that we may discuss H.R. 10337.

Mr. DEL CLAWSON. Mr. Speaker, House Resolution 1095, as explained, provides for the consideration of H.R. 10337, Settlement of Dispute Between Hopi and Navajo Indian Tribes, under an open rule with 2 hours of general debate. In addition, the rule makes the committee substitute in order as an original bill for the purpose of amendment.

The purpose of H.R. 10337 is to partition lands in which the Navajo and Hopi Indian Tribes have joint interests and provide for the resolution of related issues.

A problem has arisen because the two tribes are unable to use the land jointly in harmony.

This bill authorizes the U.S. District Court for the District of Arizona to partition one joint-use area equally between the tribes.

Regarding a second disputed area, a specified partition is provided in the bill, with special allotments made to a few Paiute Indians settled in the area.

It is estimated that from 6,000 to 8,000 persons may be required to be moved by the bill. The United States will be required to purchase the habitations and improvements of Indians required to move. Moving expenses plus relocation assistance will also be paid. The bill authorizes $28,800,000 for relocation and $300,000 for the cost of surveying and making boundaries as partitioned.

Mr. Speaker, the rule is open, and I recommend its adoption.

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

Mr. DEL CLAWSON. I will be happy to yield to the gentleman from Maryland.

Mr. BAUMAN. Mr. Speaker, I rise for the purpose of asking whoever might be appropriate what the program is for this evening and whether we intend to finish this legislation and debate under the rule tonight. I just want to know what the program is for this evening.

Mr. PEPPER. Mr. Speaker, my information from the distinguished chairman of the Committee on Interior and Insular Affairs is that when the rule is adopted, he does propose to take up the bill.

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

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

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

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

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. MEEDS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 10337) to authorize the partition of the surface rights in the joint-use area of the 1882 Executive Order Hopi Reservation and the surface and subsurface rights in the 1934 Navajo Reservation between the Hopi and Navajo Tribes, to provide for allotments to certain Paiute Indians, and for other purposes.

The SPEAKER. The question is on the motion offered by the gentleman from Washington (Mr. MEEDS).

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 10377) with Mr. WHITE in the chair.

The Clerk read the title of the bill.

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

The CHAIRMAN. Under the rule, the gentleman from Washington (Mr. MEEDS) will be recognized for 1 hour, and the gentleman from Ohio (Mr. REGULA) will be recognized for 1 hour.

The Chair recognizes the gentleman from Washington (Mr. MEEDS).

Mr. MEEDS. Mr. Chairman, I yield myself 15 minutes.

Mr. Chairman, this is the third time on the floor of the House that we have considered what some of us have described in the past as the largest and most vexing quiet-title action in the West, the dispute between the Navajos and Hopis regarding a substantial piece of real estate in Arizona.

By way of background, I have a map here which I will use to illustrate the subject matter of this presentation.

It should be noted the Hopi Indians were first recorded as being in the general area described here in the white portion as early as A.D. 1300.

The Hopi Indians are a village Indian or pueblo Indian. They live in pueblos on tops of the mesas. They till the soil at the bottom of the mesas, and some graze sheep and other flocks. There are about 6,000 Hopi Indians, most of whom are living in some villages or pueblos located generally in the middle of the area in white and in the area shaded green up on the right hand side.

Mr. Chairman, they do not use as much land as their neighbors, the Navajo, who are a different type of people inasmuch as they are somewhat seminomadic. They graze large flocks of sheep and horses. They live in family or kinship groups. A daughter or son marries, children come, and they often move about in these entire groups.

Mr. Chairman, while there are only 6,000 Hopi Indians, there are some 130,000 Navajo Indians.

The Navajos today have a reservation consisting of 13 million acres in Arizona, Utah, and New Mexico, which completely surrounds all the area we are here discussing, all of the shaded areas on this map.

In 1882, after encroachment by the Navajos on lands which the Hopis had traditionally claimed and after encroachment by white settlers, an Executive order was signed which set aside some 2,272,095 acres. That is the area covered here on the map, completely surrounded by orange. This entire block constitutes about 2,500,000 acres. It was set aside for "the Hopi Indians and such other Indians as the Secretary of the Interior may see fit to settle thereon."

Even after the set-aside, however, the Navajos continued to encroach upon the land which was set aside, and again, because of their nomadic habits and because of the very arid nature of this land, it is necessary, in order to graze any stock, to provide a vast number of acres per animal grazed.

Elsewhere, of course, the Navajos continued to have more and more land added to their reservation, in and around it.

So the encroachment by the Navajos constituted a very substantial problem to the Hopis, and it was a constant point of friction almost from the outset of the 1882 Executive order.

However, the Secretary of Interior and the Commissioner of Indian Affairs, who under the original provision had the power to locate other Indians thereon, continued to allow the Navajos to encroach and indeed, in many instances, provided grazing permits and took other action which indicated their total agreement, or at least their tacit agreement, with the Navajo coming into the area.

However, Mr. Chairman, friction increased to the point that in 1958, at the urging of the Hopi Indians, the Congress passed legislation which authorized a three-judge district court in Arizona to adjudicate the conflicting tribal claims. In the case which resulted from that, Healing against Jones, which was handed down in 1962, the court made four major findings.

First of all, the court held that neither tribe had obtained vested rights in the Executive order land under the Executive order, but that those rights were vested by the Congress in the 1958 authorizing legislation.

The court held, second, that by the 1943 action of establishing a grazing district for the exclusive use of the Hopis the Secretary had, in fact, created that for the Hopis exclusively. That is the area outlined here on the map in white.

Third, because of other executive actions, the Secretary had impliedly—and the Members will recall I talked about the grazing permits and other actions—settled the Navajo in the entire 1882 area, with the exception of the exclusive use area in the middle;

And fourth, that the two tribes had a joint undivided interest in all of the 1882 land, all of this area except for that part in white.

Then the court went on to say that it lacked the jurisdiction to partition, to actually divide the land among the two tribes, and so it gave them a joint undivided interest in the land.

This is somewhat like telling the Palestinians and the Jewish people that they have a joint undivided interest in Palestine. A substantial controversy has raged ever since.

Now, the present fact is that with the exception of the area in white, the district 6 area, the Navajo are almost entirely occupying the rest of the joint use area.

They are refusing, in many ways, to permit Hopi use. There is a supplemental proceeding under the case of Healing against Jones to get them out and reduce their stock and a number of other things, but these things have not been overly successful. So the matter was brought to the Congress first about 1970 and we began to hold hearings and look into it.

In 1971 the House of Representatives passed a bill sponsored by the gentleman from Arizona (Mr. STEIGER), which did about what we see on the map here. First of all, it set aside this area in district 6 totally for the Hopis. Then it divided it so that the Navajo got the area which is in orange here. The Hopi were given the area in blue and also an additional area over here called the Moencopi area, which is approximately 243,000 acres. That was set aside under that bill for the Hopis also.

The Moencopi area presents a little different problem. At the time in 1882 when this big piece was set aside, this area on the righthand side was not Navajo reserve but was set aside after 1882 and, indeed, I think in 1934 for the Navajo and "and such other Indians as may already be located thereon."

You notice the difference. One is prospective on the 1882 land and the other was immediate as to those who were located there at the time the reservation was set aside.

So the Navajos in this dispute contend, "yes; it is proper for the Hopis to be in that area but only those who lived there at the time of the set-aside in 1934 or the descendants of those Hopis who lived there." They contend that it is approximately only 35,000 acres to which the Hopi are totally entitled.

Other aspects of the Steiger bill were to move the Navajo families who were to move in 5 years and the Hopis who were to move within 2 years. Joint use and control of the subsurface and compensation for moving and a number of other things were included.

The House passed the Steiger of Arizona bill, but the other body did not, so it died with the 92d Congress.

In the 93d Congress we commenced hearings again because, as you can well realize, this is a tremendously volatile problem in the area. One of the first pieces of business we undertook in the 93d Congress was to hold hearings and investigation of this matter. We went to the joint use area and talked to those residing therein. We took the legislation to the committee, and in the subcommittee markup a bill by the gentleman from Utah (Mr. OWENS) called the Owens bill, was substituted for the Steiger of Arizona bill and it carried in the subcommittee and the full committee.

The Owens bill—and the gentleman from Utah is amply qualified to explain his own bill, and I do not intend to go into it very deeply—generally simply conferred jurisdiction on the three-judge court in supplementary proceedings in Healing against Jones to do what the court said it did not have the authority to do initially, that is, to partition the joint use area as between the Hopis and the Navajos. So the Owens bill says to the court, "You partition it." It then lays down a number of criteria which most of us who have studied it feel dictate the boundaries that you see in the Steiger bill or something approximating that.

Besides the requirement of the Owens bill that the joint-use area land be divided equally, it also set aside for the Hopi the Moencopi area, and makes it contiguous to the 1882 joint-use area. It provides for moving Navajo and Hopi families; 5 years for the Navajo and 2 years for the Hopi families. It provides $28 million in moving and relocation payments to those people who are dispossessed.

It provides for accountings. It provides for the joint use of the subsurface as the Steiger bill did.

If the Members think there is a controversy in Arizona about the Navajo and Hopi bill, there is also a controversy in the House Committee on Interior and Insular Affairs. The original Owens bill carried in the subcommittee by 1 vote. The bill in the full committee came out on a tie vote, because the substitute failed to carry on a tie. And the bill before us was defeated on the floor of the House not too long ago under suspension of the rules, in which it was not possible to offer any amendments.

This is a complicated and deeply emotional issue. Both tribes consider the land to be theirs, and I think with some justification. I personally have been involved for 3 years in this dispute, and I have become convinced that if we can require them to settle the matter themselves we will be much better off, because I think they are much more apt to live by a decision which they themselves make than one which is imposed from without.

For that reason, in the subcommittee and in the full committee, I proposed a substitute which I would call a negotiation-arbitration proposal, under which both sides will negotiate and make their last best offer. Arbitrators would select one of the offers, and that would be the settlement in the event the tribes could not negotiate their own settlement.

That was defeated in the subcommittee, and failed on a tie vote in the full committee. And I will, when we get into the amending stage—and I am, as I am sure the Members can appreciate, in a somewhat delicate position on this.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MEEDS. Mr. Chairman, I yield 3 additional minutes.

Mr. Chairman, as I started to say, I will propose a substitute at the end of the consideration of the Owens bill. I think the gentleman from Utah (Mr. OWENS) should have every opportunity to completely develop his bill. I understand the gentleman has a couple of amendments to offer. At the end of that time I will propose a substitute, which is a compromise of 180 days, during which the two sides will negotiate. After which, if they cannot reach an agreement, three arbitrators, who are initially appointed by the court and who at the beginning are first mediators, then will become arbitrators, and they, within 60 days, will reach their decision. The decision will be submitted to the Attorney General for clarifying and for technical changes, if they are necessary, and then will be presented to both Houses of the Congress.

After 60 days, if neither House of the Congress disapproves of the decree of the arbitrators, then the decree of the arbitrators will become the law, and the settlement between the two tribes.

I think the basic thrust of this substitute is to get the parties to settle it themselves.

Again, emotions are very high, and if their leaders tell them, "This is what we have agreed to," I think they are much more apt to abide by it than if we impose it from without.

There are other things in the bill. It provides for obtaining more land, and for paying for that land out of royalties which they are presently receiving from coal reserves in the area. The advantaged tribe would have to pay from its share of the royalties. There is a provision for borrowing from the Federal Government, but that money must be paid back from those royalties.

The absolute aspect is what I think makes it workable, because it has that requirement that if they did not reach an agreement that a final agreement will be imposed.

I am convinced that we owe it to ourselves and to all of the parties involved to try to get them to settle it first. We owe it to ourselves to take this additional time to do that. Because of the failure of this Government for many, many years to make some very tough decisions, it is now our lot to have to make those tough decisions. Those decisions cannot now be made without serious and painful and traumatic events to these people, but time itself will merely make the seriousness and the trauma worse in the years ahead. So it is very important that we make a decision and that we make it in these proceedings.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MEEDS. Mr. Chairman, I yield myself 1 additional minute.

If it be the decision of this House that we do not vote the substitute which I will place before the body, it is my intention to support what this House does, because I think the most important thing is that we do something now and not let it continue to drag on as it has in the past.

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

Mr. MEEDS. I yield such time as he may consume to the gentleman from Florida.

Mr. HALEY. I thank the gentleman for yielding.

Mr. Chairman, I might call attention to the fact that while the gentleman from Washington states that he has been involved in this for 3 years, I believe he said, I have been involved in it 22 years, so I think I know a little bit about what the situation is.

Mr. Chairman, I want to make my position clear beyond any question or doubt. I also want to point out and to emphasize strongly that the position I am stating was adopted by the full Committee on Interior and Insular Affairs this year, and that substantially the same position was enacted by the House in the last Congress, but not in time to be passed by the other body.

There is only one major issue. That issue is whether the Hopi tribe should be forced by legislation to sell to the Navajo tribe a portion of the Hopi lands against the wishes of the Hopi Tribe.

The Hopi Tribe and the Navajo Tribe

have for many years disputed the ownership of an 1882 reservation. After all efforts to persuade the two tribes to negotiate an agreement had failed, Congress passed a law in 1958 authorizing the tribes to litigate the issue in the courts. The case was tried in a special three-judge court and affirmed by the U.S. Supreme Court.

The Court decided that the two tribes have an equal undivided interest in about 1,800,000 acres of land. This is called the joint-use area. The Navajo Tribe has defied the Court's decision, however, and has refused to allow the Hopis to make any use of the joint-use area. The Hopi Tribe owns a half interest in that land and the Court has said that the tribe has a right to use half of the land. The Navajos have by force prevented them from doing so, and are now in court under a petition for contempt of court.

The bill reported by the Interior and Insular Affairs Committee would carry out the Supreme Court's decision by partitioning the land and by adding half of it to the Hopi reservation and half of it to the Navajo reservation. This is the only fair procedure. Congress authorized the two tribes to go to court in 1958 to have their rights judicially determined. The courts did so, and made a final decision. The Navajos, however, refuse to recognize the rights of the Hopis and insist that the Hopis sell their undivided half interest to the Navajos. The Hopis are unwilling to do this, and Congress should not now force them to do so.

This is the central issue. Should Congress now, at this late date, undo what it asked the Supreme Court to decide? The bill reported by both the subcommittee on Indian affairs and by the full Committee on Interior and Insular Affairs would carry out the Court's decision. The substitute bill which the gentleman from Washington (Mr. MEEDS) offered in committee was defeated.

Substantially the same substitute bill will be offered today. It should be soundly defeated again. After all of the unnecessary language of the substitute bill is cleared away, the central provision of the substitute would remain. A board of arbitrators could undo the decision of the Supreme Court, which considered the equities in great detail, and force the Hopi Tribe to sell its half-interest in the land. This would be a travesty on justice.

This is not the place to review the equities. The courts have decided those equities, giving half of the disputed joint-use area to the Hopi Tribe and half of it to the Navajo Tribe. The rights of the two tribes are fixed. Congress should not take the Hopi land away from them and sell it to the Navajo Tribe over the strenuous objection of the Hopi Tribe.

Mr. Chairman and members of the committee, I would rather see the full committee bill fail, instead of be enacted in the form of the proposed substitute. I hope, however, that the proposed substitute will be defeated and that the committee bill will be passed. I urge my colleagues to vote against the proposed substitute. I would rather have no bill at all, than lend any support to a substitute that is so unfair to a small tribe that has, in effect, been invaded by another tribe 20 times as large. Vote against the substitute bill when it is offered, and vote for the full committee bill.

I might say, Mr. Chairman, I think this is a fair bill. I think we have no right now to tell the Hopi tribe, who love their land and want to keep it, and I think neither this Congress nor any other Congress has any right to force them to sell land that traditionally they have been on since the 1500's.

I thank the gentleman for yielding.

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

Mr. Chairman, I will not take much time on this. We have others who want to speak to the bill. I would point out that this Congress has passed many bills and appropriated large sums of money to achieve justice as between the United States of America and Indian tribes. This bill today provides an opportunity for this body to achieve justice between Indians and Indians. Earlier this afternoon we passed legislation by an overwhelming vote to help the poor and the weak to achieve an element of justice in terms of participating in our society. In the bill before us we are being asked to help a weak tribe achieve equity in protecting their property rights as against the stronger tribe. Passage of this bill will achieve that justice for a tribe which is being overwhelmed by the superior numbers of the Navajo tribe.

Mr. Chairman, this bill concerns a problem that has dragged on for nearly 100 years and badly needs a solution. Unless Congress provides that solution, there will certainly be more violence between the Hopi and Navajo Tribes.

Violence and bloodshed have already occurred, and my only interest as a member of the Indian Affairs Subcommittee is in achieving a fair and equitable arrangement that will settle the argument over this land.

The bill before us is a modified version of a bill that passed this House in 1972 as H.R. 11128. That bill died in the other body. The Senator from Arizona (Mr. GOLDWATER) testified in the House hearings in support of this bill during this session. I believe we have before us the most viable, workable, and passable bill that we can get on this thorny issue.

The gentleman from Florida and the gentleman from Washington have very ably described the bill in detail. I would only add, Mr. Chairman, that time is of the essence and we should resolve this matter promptly if justice is to be achieved for the Hopi Tribe.

The basic facts are clear. The Navajos use almost 100 percent of the disputed land even though the courts have ruled that 50 percent belongs to the Hopis.

But the Navajos, a stronger, more aggressive tribe, will not permit the Hopis to use or occupy their 50 percent. This bill if passed by Congress directs the same court that awarded 50 percent of the land to the Hopis in law to now go one step further and award 50 percent to the Hopis in fact.

Legal title without the ability to use or to occupy the land is no ownership. The Hopis obtained a court order that instructed the Navajos to grant them the use and occupancy to which they are legally entitled. That court order is difficult to implement because it does not spell out specific boundaries. This bill directs the court to establish those boundaries and it goes one step farther: It sets forth clear guidelines that the court must follow in establishing those boundaries.

The guidelines were well thought out in subcommittee and in committee. They do all that is humanly possible to avoid disruption of Navajo homes and moving large numbers of Navajo people.

The bill does not suggest that the court avoid large concentrations of Navajo people in drawing the boundary lines. It orders the court to avoid large concentrations of Navajo people.

If I have any reservation about this bill, Mr. Chairman, it would be with the fact that the bill does not spell out precisely where the displaced Navajo families should be located. However, I would point out that none of our laws on illegal occupancy contain any such provisions.

This bill recognizes that certain Navajos are illegally occupying land that belongs to the Hopis and it orders them to vacate that land. This is precisely what a court would do if any individual illegally occupied land belonging to another. In recognition of the Federal Government's unique relationship with and responsibility for Indian people, this bill does for the Navajos what no court would normally ever do for an individual in the same circumstances: It orders the Federal Government to pay not only the moving expenses but also the cost of relocating and building new homes for these people.

The fact that all mineral royalties received from the land jointly owned by the Navajos and Hopis have been divided equally between the two tribes without objection by the Navajos is a de facto recognition by the Navajos that ownership between the tribes is on a 50–50 basis and yet the Navajos are presently depriving the Hopis of their surface rights.

Mr. Chairman, far from being harsh and unhumanitarian toward the Navajos, this bill is extremely generous. It is a fair bill and a humanitarian bill, a just bill and a very necessary bill if we are to settle this intertribal matter without further violence between the tribes. I urge my colleagues to support its passage.

Mr. Chairman, at this time I yield as much time as he may consume to the distinguished gentleman from Arizona.

Mr. STEIGER of Arizona. Mr. Chairman, I will be pleased to note that we are not going to go through the entire history again, I think the gentleman from Washington did an excellent job in

describing the problems. I suspect that everybody here are the wrong people to speak to, anyway, and none of us are going to read the RECORD and I do not want to bore anybody.

I suspect the Members are as familiar as anybody in the House with this, which unfortunately is not familiar enough.

I would like to address myself to the specific proceedings as they are going to be accomplished today. The gentleman from Washington, following the provision of the Owens bill, is going to offer a substitute.

I want the Members to know that without the perseverance of the gentleman from Washington and his sincere interest we would not have gotten to the floor at all. He has handled all the pressures in lobbying as if he, indeed, were as directly involved as those of us from Arizona and the neighboring States are. His interest has been genuine. His concentration has been great. He has visited the problem areas in Arizona. He has gone way beyond his duties as chairman.

The only problem is that he is wrong in his conclusions. Otherwise, he has done a great job.

The gentleman is going to offer as a substitute a plan that he really believes will work, but that I believe will not work at all. He is going to offer an opportunity for the tribes to negotiate.

I will simply reply in this that, as the chairman of the full committee, the gentleman from Florida (Mr. HALEY) has stated so eloquently, there is no way we are going to bring off negotiations, for two very pragmatic reasons: One, the Navajos would have to give up something they now own if the true spirit of negotiation is observed. This they will not do.

The Hopis are not able, on the other hand, to accept either substitute money or land for that which the courts have decreed is theirs.

So really what the gentleman from Washington is asking us to do in a very logical and dispassionate way is to accept that which would be very palatable to the superficial observer, that is let these good people work these problems out themselves.

Mr. Chairman, if that were possible, it would have happened at least 20 years ago. The fact is that the Federal Government has not only created the situation, but it has compounded it time after time, beginning with the initial description of the land to be used by the Hopis and other Indians, as described by the gentleman from Washington. That same language led to invasion of the Navajo and the Navajo proved that he could ignore the Federal Government edict with impunity and since 1936 has done so.

The BIA with great vision and fortitude has ignored the problem. Their ignoring the problem made the Navajo believe it was all right for him to trespass on the Hopi land.

The courts when confronted with the problem met it head-on and said yes, an undivided half of this land belongs to the Hopis. They forgot to tell them which half; so the Navajo continued to invade the Hopi land.

In 1962 Congress really bit the bullet. Congress came dashing out of the hills on horseback and said, "We realize the problem and we will resolve it," and they formed the Navajo-Hopi Boundary Commission. I was a Member of that Commission. That Commission never met and certainly never solved anything; but again it was a chance for Congress to say that we did something about it.

Two years ago under the leadership of the Indian Subcommittee, Chairman HALEY produced a bill that defined the disputed land and said the Navajo had to get off the Hopi land.

The bill passed this House relatively simply. This year again, we produced another bill by the gentleman from Utah (Mr. OWENS). The bill he produced, I might tell the Members, was a demonstration of great political courage as far as I am concerned, for whatever that is worth. He did it with absolutely no opportunity for political profit. He did it at the risk of political jeopardy. He was able to get the bill out of committee in spite of the involvement of massive lobbying efforts by people who were not even involved. I think it showed his sincerity, obviously, but also his willingness to subject himself to political pressure in the name of justice.

So, the bill came before the House on suspension and was voted down, and here it is again. The problem is simply one that is not going to be resolved by negotiations, because in the bill offered by the gentleman from Washington, after the 6 months of negotiations, in which nobody will yield, there is the chance for the arbitrators to deny the Hopis that which they have won in the courts. It is the only chance the Navajos have to deny the Hopis that which they have won in court. It was upon the advice of almost everybody not to take to the tomahawk, but to settle these differences within the white man's jurisdictional rules.

Mr. Chairman, they did that, and it has gotten them nowhere. The Navajos have continually flaunted the court orders. They have consistently misrepresented the numbers of people involved. They have scoffed at court orders requiring them to move their livestock, which has caused the land to be 700 percent overgrazed. The only thing wrong with the Navajo position is that they are legally wrong. In short, it believes it is invincible.

The Members are going to be told, and the gentleman from New Mexico tells it very well—I have heard him do it under several auspices—the Members are going to be told about the horrendous deprivation which is going to be caused among the Navajos to be removed from their ancestral lands.

Mr. Chairman, I will say in advance of his comments that some of these people have lived there 60 days; some have come in during the last 2 years; some, indeed, have been there all their lives, but a great many people started moving into these lands when it became apparent that there was a chance that they were going to get some money for moving out again.

Therefore, I urge the Members not to take any figures, because there is no one from the BIA, the chairman of the Navajo nation, the chairman of the Hopi nation, who can give them. The Members will be told that there is no place to move them. That is simply not true. In the Navajo nation, in the Navajo irrigation project, there is programed new homes for 20,000 people; 20,000 new residents will find homes in the Navajo irrigation district. These people who will be required to move from the lands they are now trespassing upon can move there.

Therefore, I hope the Members will recognize the facts of the situation; recognize and heed the experience of the chairman of the full committee who has indeed lived with this problem for 22 years, as he stated, and has come to the conclusion that this is the only solution.

Above all, the Members, as the gentleman from Washington so eloquently put it, are doing something and not abandoning their responsibilities simply out of hand in some vague desire to do some good.

Mr. SMITH of New York. Mr. Chairman, will the gentleman yield?

Mr. STEIGER of Arizona. Mr. Chairman, I yield to the gentleman from New York, because I know of his long dedication to the Southwest.

Mr. SMITH of New York. Mr. Chairman, I thank the gentleman for yielding to me.

I have a question I would like to ask him about the $28½ million in the bill for the cost of moving these people out. Is it necessary, is it equitable to the Indians and to the taxpayers, with the coal royalties in that million and a half acres? Is there money there to pay these expenses of moving?

Mr. STEIGER of Arizona. Mr. Chairman, in the joint use lands, there are coal royalties which are being shared by both the tribes. There may be more coal royalties to be shared. I will give the gentleman the committee rationale and my own for the burden being placed upon the taxpayer.

As the gentleman from Washington recited, and as I touched upon, this problem exists because, if you will, of the lack of activity, which is the kindest word I can apply, on the part of the Federal Government. The only reason this problem exists is because of the failure of the Bureau of Indian Affairs to act; the failure of the Congress to act and the failure of the Federal judiciary to be specific.

In short, the entire Federal establishment has created a situation. Therefore, it is a Federal responsibility.

Mr. Chairman, I will tell the gentleman that to deny either or both of the tribes revenue from coal in the interest of salving the Federal conscience I do not believe would be fair.

Mr. SMITH of New York. If the gentleman will yield, the gentleman is saying it would not work to have the expenses paid by these Indian lands.

Mr. STEIGER of Arizona. Of course, there is always the question as to whether the royalties would be sufficient, which is obviously a valid question. Therefore, regardless of what the source of their income is, if you deprive either tribe of income to salve what is a federally caused problem, I think is a disservice.

Mr. Chairman, I thank the gentleman from New York for the question.

Mr. REGULA. Mr. Chairman, I yield 15 minutes to the gentleman from New Mexico (Mr. LUJAN).

Mr. LUJAN. Mr. Chairman, at long last we are in the final stages of passing a bill to solve the dispute between the Hopis and the Navajos. The U.S. Government has permitted this problem to grow into a monster over the past 100 years, and action by Congress is long overdue.

But now that we are about to take action, let us be very, very certain that the action we take is fair, just and equitable to all concerned.

Let us not today take any action that will result in violence, that will result in disruption, that will result in heartbreak or suffering for a single human being.

Let us today take only those actions which our children and our grandchildren, in looking back on the 93d Congress, can applaud and respect.

I remind you that the bill before us, H.R. 10337, will result in the forcible moving of some 6,000 to 8,000 Navajos from their homes. I say "forcible" moving because I am absolutely certain that it will require force to move them. The sponsors of the bill know this; the Hopis know this; the Navajos know this; we have been warned of this by everyone connected with this problem, and yet we have a bill before us that would do exactly what we have been warned not to do.

Is there one Member of this body—one single Member—who can say to me here today, "I know we can move 8,000 Navajos from their homes without violence, without bloodshed or force?"

Mr. Chairman, we know that H.R. 10337 will result in the moving of families—but what we do not know—because there are no provisions in the bill that would let us know—what we do not know are the answers to these questions:

First. How would these 8,000 people be moved? By bus, by train, by cattlecar? How do you suppose to move these people who have said they will die before they move?

Second. Where do you propose to move them? Does the bill say, we will pick them up from here and set them down there? No, it does not. I have read the bill line by line, and I have not seen one single reference to a destination for these people. Russia does better than that for the people she kicks out of their homes. She at least provides for them to be shipped to Siberia. But this bill merely says the people will be uprooted out of their homes and moved. No mention of where to.

Third. What right do we have to treat these people different from the way we would treat other Americans? Would any single Member of this body sit here quietly while we passed a bill that would move 8,000 of his constituents out of their homes to an undisclosed destination?

What gives us the right to say to these people that we are going to settle their problem in a way that we would never dream of settling it if it were between two factions of non-Indians instead of between two Indian tribes?

It is rightfully said that Congress has plenary power over Indians. Do the Members of this body wish to go down in history as Members of the Congress that exercised that awesome power by forcing 8,000 men, women and children out of their homes, off their lands, stripped them of their livelihood, gave them no destination to head for, but cynically promised them new homes when they got there?

I say "No." I say, "Never." I say this Congress will not and cannot be a party to such actions. This is the 20th century, not the days of Kit Carson and Buffalo Bill. And these are civilized, industrious, hard-working, patriotic Americans we are talking about, not a herd of animals to be shoved from pasture to pasture.

So much for H.R. 10337. Thanks to the hard work and dedication of the distinguished chairman of the Indian Affairs Committee, my good friend and colleague, the gentleman from Washington (Mr. MEEDS) we have an alternative to this terrible action. A viable alternative. A workable alternative. An alternative that recognizes the basic elements of human dignity and decency and fair dealing.

The substitute that the gentleman from Washington will offer, and which I shall support, calls for the two tribes to sit down together for 180 days and negotiate their differences to try to arrive at a solution.

Mr. Chairman, I will inform my colleagues that I strongly support the Meeds substitute and that I will offer two amendments when it is brought to the floor. Amendments that do no violence to the fairness of the bill as it is written but which strengthen that fairness and add to the impartiality of the bill.

First, I will offer an amendment to provide for one final hearing before the matter goes into arbitration.

As now written, Mr. MEEDS' substitute bill assumes that the negotiating board members will become thoroughly acquainted with the Hopi-Navajo problem during the 180 days of negotiations.

But I feel there is a possibility that there may still be some questions left unanswered, and the hearings will give the board members the opportunity to ask those questions. Each tribe will have an opportunity to summarize its case and make one last "pitch" to the board. It will give each tribe a final "say" in court, so to speak.

My second amendment would simply hold in abeyance the current court cases brought by the Hopi Tribe against the United States and against the Navajos. These cases are based on the decisions arising out of the Healing against Jones case. And yet those decisions are the very reason why we are here today trying to forge legislation to implement those decisions.

I do not think it is right or fair for two parties to these negotiations—the United States and the Navajos—to be tied up in court cases at the very time they are also trying to negotiate in good faith to settle the controversies on which the court actions are based.

So my second amendment would simply hold those actions in abeyance—stay them—pending the reaching of a settlement through the provisions of this bill.

With these two amendments, the Meeds substitute will be a workable, fair and just bill.

Mr. MEEDS. Mr. Chairman, I yield 10 minutes to the gentleman from Utah (Mr. OWENS).

Mr. OWENS. Mr. Chairman, I wish to say to the Members of the committee that I will spare this small but hearty group of Members the four-page speech I have prepared and speak to the points which have been raised, as directly as I can, specifically the points raised by the distinguished gentleman from New Mexico (Mr. LUJAN).

I will say, first of all, that this is an extremely sensitive issue involving a great deal of emotion on both sides. This is not a typical congressional act as it relates to a minority; it is not the white man against a minority. It is a minority within a minority, and it is the Congress attempting to help them solve a problem which they have debated and which they have fought over for 100 years. And as my colleague, a man who has much more knowledge, I suppose, than I do of this problem, the gentleman from Arizona (Mr. STEIGER) has set forth, the Congress has failed for 50 years to bring resolution to this problem.

Mr. Chairman, I share the hope, along with my subcommittee chairman and every Member who spoke today, that we can get some kind of a conclusion for this very serious matter out of Congress.

The main point is that these sensitivities and these issues have been heard by the courts since 1958 by a three-judge panel. This three-judge panel decided that the Hopis and the Navajos were each entitled to a one-half interest in this disputed land consisting of 1.8 million acres.

That is the point we are talking about today, and that finding was affirmed by the Supreme Court in 1963.

The Court also found in subsequent hearings, in the 10 or 11 years since, that the Navajo have kept out the Hopi. Outnumbering, as he does, the Hopi 18 or 21 to 1, the Navajo, in effect, denied the Hopi any use of this joint use territory, by sheer physical presence upon the disputed land.

What my bill proposes to do, and virtually nothing else, is to allow the holdings by the courts to be effectuated, to guarantee to the Hopi that he shall have this one-half of the land, which is his ancestral land. If the aboriginal title held, he would have all of it today, but this bill will insure to him that he will have one-half of it.

We have done several things in this bill to try to recognize the very real human problems caused by this solution. I maintain that the solution solves more human problems than it causes, but it will cause some problems which I think the gentleman from New Mexico overstated.

First of all, his statement that 6,000 or 8,000 people will be required to move is a statement off the top of his head as is the figure I will give you now, which is that there are 900 families in that area

and considerably less than 3,000 or 8,000 people who will be required to move. Nobody knows. We have Bureau of Indian Affairs estimates and Department of the Interior estimates which run anywhere from 4,000 to 8,000, but it is certainly considerably less than 8,000.

But there will probably be 800 or 900 families who will be required to move, almost all Navajo families, in the land partitioned. In the bill we provided that any families that move shall be reimbursed the fair market value of the improvements on their property, second, shall be paid moving expenses and, third, up to $30,000 to help relocate in a suitable dwelling.

In addition to that I will offer an amendment today to this bill at the appropriate time to direct the Bureau of Land Management to offer to the Navajo tribe up to 250,000 additional acres. This will solve the problem that the gentleman from New Mexico brought up, about where the Navajo might move.

In essence there is another 15 million acres of Navajo land and, as the gentleman from Arizona pointed out, there are 20,000 housing units planned. I think there is plenty of space, but if there is not, this additional land could serve as a place for those dispossessed members of the Navajo tribe to move to.

Very frankly I doubt that it will be under force of bayonet, because the incentives that we have provided in the bill will make it very worthwhile to those forced to move, in essence, to move.

The $28.5 million about which the gentleman from New York asked I think is a legitimate expenditure by a Government which has caused a hardship by its failure to act in the last 50 years, and this money will be quite instrumental in overcoming the very real human problems brought about in this solution. That money, $28.5 million, which is an optimum figure, and probably too high, is certainly a cheap expenditure by this Government in return for the problems that this Government's inactivity and indecisions have caused here.

Mr. Chairman, I urge that the committee members consider very carefully the very real human problems involved in this and the fact that the courts for 15 years have been considering those human problems. This bill, if it is passed today, does not make judgmental decisions as to rights between the Navajo and the Hopi, except to try to implement what the court said the equities are. But beyond that, it tries to take the steps necessary to provide the measures to overcome what discomfort and what problems are caused to those 700 or 800 or 900 families that will be required to move.

Mr. SMITH of New York. Mr. Chairman, will the gentleman yield?

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

Mr. SMITH of New York. Mr. Chairman, I appreciate the gentleman yielding to me.

Mr. Chairman, I would ask the gentleman from Utah (Mr. OWENS) if these two tribes, the Navajo and the Hopi, have been trying to negotiate this matter for a long period of time? Have they been talking together?

Mr. OWENS. For about 100 years, I will say to the gentleman from New York. But, more seriously than that, clearly since 1958, when the court was impaneled, yes, and prior to that, so strenuously that the Congress attempting to help toward a solution set up the three-judge panel.

Mr. SMITH of New York. They have been sitting down with each other and trying to work this out?

Mr. OWENS. Each side has its position, and those have solidified over recent years—5 to 10 years—and they have now absolutely solidified. Neither side will move.

Mr. SMITH of New York. It would seem to me that the bill proposed by the gentleman from Utah (Mr. OWENS) is what we usually do in law when there are two people who have an undivided ownership that, by law, if they cannot get together and divide it, then the court finally makes the partition and divides the property in a just and equitable way, if possible. Of course, with small pieces of property if the court cannot make that decision then it is ordered sold, and the money is divided. I do not believe that that is necessary here. But this would seem to me to be the way that these partition cases are resolved in most of our law.

Mr. OWENS. I can confirm that through my association with the gentleman from New York who is an able jurist, with whom I serve on the Committee on the Judiciary, that he is a wise and discerning judge, and I thank him for his support.

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

Mr. OWENS. I yield to the gentleman from New Mexico.

Mr. LUJAN. Mr. Chairman, I would like to comment on the question raised by our good friend, the gentleman from New York (Mr. SMITH). That may be true in many, many cases that the gentleman has been concerned with, but in the case of Indian property rights we have never determined them that way. The courts have always said that you do not move people.

In my own State, for example, as I am sure in the gentleman's State, there have been many times when the courts have recognized the aboriginal right of an Indian tribe, yet they do not say "move everyone from there."

What they say is, "We will compensate the tribe for the land that it has lost."

That is one of the options that we have under this bill, and I do not think that it is something that should be overlooked.

Traditionally we have resolved the Indian land disputes by paying the tribes the value of the land at the time it was taken.

Mr. OWENS. I will say to the gentleman from New Mexico (Mr. LUJAN) that there are times, I recognize, where this bill will cause hardship just as at the time of the filling of Lake Powell on the Upper Colorado River project about 15 years ago where there were members of the Navajo Tribe in my own State that were required to move. That movement was accomplished with relative ease, and they did not receive the very real financial assistance that these members of the Navajo Tribe will receive.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MEEDS. I yield 1 additional minute to the gentleman from Utah.

Mr. LUJAN. Mr. Chairman, if the gentleman will yield further, I think the gentleman from Utah has made the point that I was trying to make.

They were Navajos that were moved, is that correct?

Mr. OWENS. I am sorry; I did not hear the gentleman's inquiry.

Mr. LUJAN. I said that I think the gentleman from Utah has just made the point I was trying to make.

Then gentleman says that when they moved the tribes off that land they were Navajos that they moved?

Mr. OWENS. Yes.

Mr. LUJAN. That was the point I was trying to make.

Mr. OWENS. This occurred when they filled Lake Powell.

Mr. LUJAN. That is the point I was trying to make, that we treat Indian citizens differently than we do the white citizens.

Mr. OWENS. This, however, is not a case of treating white men differently than red men. This is an attempt to resolve a dispute of 100 years standing between two minority groups. We are attempting to address ourselves to the needs of a tribe of red man who are outnumbered 20 to 1 by another tribe of red man: We are saying that we will guarantee his rights as the Court says his rights are. That is what my bill pretends to do, and nothing else.

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

Mr. REGULA. Mr. Chairman, I yield 5 minutes to the gentleman from Arizona (Mr. CONLAN).

Mr. CONLAN. Mr. Chairman, most of the land involved in this dispute between the Navajo and Hopi people lies in my congressional district, and I represent the majority of Indian Americans who will be affected by this bill. I rise in opposition to H.R. 10337, the Owens-Steiger proposal.

I rise to oppose this bill because it would require the forcible relocation of about 8,500 Navajo Indians at a cost of more than $29 million to the American people. Either of two other proposals introduced during this Congress would provide a far more just and equitable solution to this 92-year-old controversy.

A bill introduced by Representative LLOYD MEEDS, the distinguished chairman of the Indian Affairs Subcommittee, and another proposal of Representative MANUEL LUJAN when he was ranking minority member of that subcommittee, would both allow the two tribes to settle this matter themselves within a designated time period.

Both the Meeds and Lujan proposals provide for the 1.8 million acres of dis-

puted joint-use land to be divided in a just and equitable manner at little ultimate cost to non-Indian taxpayers.

The Meeds proposal failed as a full Interior Committee substitute for H.R. 10337 by a 20 to 20 tie vote. The Lujan bill, also sponsored by Representative HAROLD RUNNELS and myself, would authorize the Navajo tribe to purchase back land on which Congress settled Navajo Indians. This would follow a joint determination by both tribes which of the disputed land each had a legal claim to in July 1958, when Congress last tried to settle this dispute.

Mr. Chairman, the disputed land over which Navajo and Hopi people have been at odds for a century is a rectangular tract approximately 70 miles long and 55 mills wide.

President Chester A. Arthur withdrew about 2.5 million acres from the public domain by Executive order on December 16, 1882. Under terms of that Executive order, the land was reserved "for the use and occupancy of the Hopi, and such other Indians as the Secretary of the Interior may see fit to settle thereon."

Under the authority of President Arthur's Executive order, the Interior Department allowed Navajo families, most of them sheepherders, to move into the area between 1907 to 1911. This laid the foundation for a later legal finding of "acquiescence," which gave the Navajos legal standing and rights along with the Hopis in the dispute over the land.

Congress first investigated this matter in 1920, with hearings at Keams Canyon and Polacca, Ariz. The late Senator Carl Hayden, then a Member of the House of Representatives, wanted Congress to lay out a separate reservation for the Hopis on land not already occupied by Navajos, but no legislation was passed.

It was not until 38 years later, in 1958, that Congress finally passed legislation to determine the rights and interests of the two tribes in the area set aside by President Arthur in 1882. But language giving Congress the power to distribute jointly-held land was stricken from the bill before final passage, and Federal courts later declared lack of jurisdiction to partition the joint-use area.

A 1962 U.S. district court decision in the case of *Healing* v. *Jones*, 210 F. Supp. 125, declared that Congress gave the Hopi tribe a vested property right in the disputed land through its 1958 legislation. That vested property right, the court said, could be satisfied in cash or in substitute land, rather than relocation of Navajo families already living in the disputed area.

Mr. Chairman, I believe that the Navajo and Hopi people should themselves reach a settlement of this complex matter through negotiation. H.R. 10377 does not permit this. It imposes a white man's solution on both parties to the dispute that can only be carried out through the forcible relocation of thousands of Navajo families, off land they have occupied and have legal entitlements to for many decades.

Anyone with a full knowledge of the facts and history of this dispute fully realizes the gross inequity and cruelty of this solution.

Navajo Indians did not drive anyone off this land they have inhabited for more than half a century. It was unoccupied and unused when they were permitted to settle there. Why after decades of peaceful living do some now unjustly propose to drive these Navajo families off the land, like cattle, giving Hopis a per capita share of the disputed acreage more than four times the acreage allotted to each Navajo?

I have visited and spoken with Navajo people living on this land. They are peaceful families who ask nothing more than fairness and justice in solving a dispute that long preceded them. Most of these Indian families are extremely poor, making a bare existence from the land. They have never lived anywhere else, and have nowhere else to go. I see no justice in forcibly uprooting them from the only homes they have ever known.

About 8,500 Navajos live in the inner fringes of the joint-use lands that H.R. 10337 would likely give over to the Hopi Tribe. These Navajo people say they have no intention of taking another "Long Walk" to unknown places.

I sympathize with their fears and anxieties over this so-called solution to their age-old dispute. I plead with my colleagues not to subject either Navajo or Hopi to an imprudent and carelessly devised scheme such as this, which is fraught with so much danger and will inflict untold needless suffering on already impoverished people.

Justice and equity demand that we do better for both parties involved in this matter. Therefore, at this time I urge a "no" vote on the bill before us, and a "yes" vote for the Meeds substitute.

These people live in my district, and I speak from concern for them, knowing the situation.

Mr. MEEDS. Mr. Chairman, I yield 5 minutes to the gentleman from Wyoming (Mr. RONCALIO).

Mr. RONCALIO of Wyoming. Mr. Chairman, I thank the esteemed chairman of the Committee on Indian Affairs for a few minutes to present my views on this matter which I base on an overriding equity in this very difficult human problem.

The Navajo-Hopi bill, which passed the House in the last Congress did not give to the Hopi Indians all they felt they were rightfully entitled to have, but the bill was acceptable to the Hopi Tribe.

The current bill, H.R. 10337, which was reported favorably out of the full Committee of Interior this year is a compromise bill which lifts the burden on determining an equitable partition of the joint use area from Congress and places it upon the courts to determine under a criteria which gives due consideration to the legal rights and equities of both parties.

The new substitute proposal is offered under the guise of a compromise by arbitration. A careful analysis of the measure clearly establishes that it is strictly a Navajo bill under which pro-Navajo objectives would be accomplished.

The substitute bill provides for a 180-day negotiation period. We all know in advance that the Hopi Indians will not agree to sell or in any way dispose of the one-half interest in the lands they holds as sacred, title to which has been quieted in the Hopi Tribe by the courts. With equal certainty we know that the Navajo Tribe will not agree to give up any of the Hopi lands it has now preempted. The negotiation period is simply a loss of 180 days of time.

In its present form the substitute bill could be interpreted as providing that after the 180-day waiting period, a board of arbitration would be empowered with authority to compromise the Hopi position which could force a taking of the Hopi lands against the will of the Hopi people. No one in Congress wants this result because the rights and equities of the parties have all been adjudicated and the Hopis are entitled to the one-half interest they now seek to retain. You do not compromise an adjudicated claim just because one party is dissatisfied. Will Congress bow to the threats of the Navajo tribal chairman and fail completely in the trust responsibility of the United States to protect the weaker tribe?

The provision in the bill for payment of compensation to the party receiving the lesser amount of the land is simply a device to buy out the Hopi interest because the Navajos have taken it over and refused to move. Congress does not want the Hopi Indians to sell their land. Settlement on the basis of selling the Hopi land to the Navajo Tribe could have been accomplished many years ago if the Hopi Tribe had been willing. The Government is anxious to rid itself of the trouble and would have been happy to pay the amount necessary to compensate for the Hopi interest. It is obvious as anything can be that the Navajos hope that there will be no arbitration and that in the end, the Arbitration Board will award the lands to the Navajos because they occupy it without regard to the fact that the Supreme Court of the United States has affirmed the decision which clearly gives one-half to the Hopi Tribe.

Another provision in the bill on its face appears to be Hopi in nature because it provides that the Hopi Tribe may sue for an accounting and recover sums collected by the Navajo Tribe since September 17, 1967, as trader license fees, commissions, and so forth, within the joint-use area of the Executive order reservation. It was on September 17, 1957, when the area director instructed the Navajo Tribe to preserve all such funds in a suspense account collected from the joint-use area until the rights of the two tribes in the disputed area could be determined.

The Navajo Tribe ignored this instruction and so testified at the trial of the case of Healing against Jones. This bill takes 10 years off of the period when the funds were supposed to have been held in suspension, allowing the Navajo to keep the entire amount. The substitute provision clearly contains a typographi-

cal error, reflecting its hasty and inaccurate preparation. The same provision creates a problem with respect to the interest to be awarded. Under the substitute bill at least there is an ambiguity as it appears that the 6 percent interest allowed on the recovery of this money would be upon the amount of the judgment rather than upon the amounts that were collected from the times such sums were received by the Navajo Tribe. The Navajo Tribe has used the Hopi one-half of the money during all of this time. Under the Owens bill, they would be required to pay the interest from the time they received it.

The matter of accounting for grazing fees during the period of time the Navajos have simply ousted the Hopis from the land belonging to them is omitted from the substitute bill. Obviously, it is not Congress's intent to negate such an obligation. The committee's bill contains express language as to how this matter should be handled but the substitute bill does not.

The substitute bill would further approve Navajo aggression in the 1934 reservation by using Navajo definitions to determine the Hopi interest. In the first place, the 1934 act creating the reservation said nothing about Moencopi district. It gave to the Navajo Tribe and to all Indians residing in the area described in the bill, which included all of the Hopi villages as well as Moencopi, an undetermined interest in the reservation. Since that interest has never been determined, the Navajos seek to determine it upon the basis of the compressed area into which the Hopis have been pushed strictly by force of the more powerful tribe. They completely ignore the fact that all of this area west of the Executive order reservation was conceded to be Hopi property until the Navajos invaded the same over a period of many years. The Navajos speak of ancestral homes. It is true that some Navajos invaded the territory very early. But this is an ongoing, creeping situation, taking place even today. No one can deny that there is an active building program, both in the joint use area and in the Moencopi area to fence the Hopis into a smaller area by intensifying the Navajo population around them. It is interesting to observe how quickly Navajos moving into a new area claim the same to be their ancestral home. Hopis know that areas they occupied not too long ago were completely free of Navajo population, but now so-called ancestral homes dot every accessible area.

In the 1934 reservation, the definition furnished in the substitute bill confines the consideration to the Moencopi area and the Arbitration Board is asked to determine the Hopis residing within the Moencopi area, not within the 1934 reservation as provided in the original act. In between provisions that look harmless is tucked the requirement that an Arbitration Board consider the existence of the Hopi-Navajo dwelling patterns in such area. In the legislation adopted for determination of the equities in the joint use area, the Navajo Tribe there attempted the same device because they knew they had taken the Hopi lands and if the equities could be determined upon the occupation, the Navajos were bound to win. It was not then palatable to Congress and it is not palatable now. The Hopi-Navajo dwelling patterns as a measure of interest in an area where the Hopi people have been constantly pushed by the more powerful and aggressive Navajo would put congressional approval on property rights by force.

The proposed bill further requires the Arbitration Board to consider the "necessity" of a corridor to the major portion of the Hopi Reservation, rather than determining that whatever interest the Hopi is given in the 1934 reservation should be contiguous to the reservation it now has exclusively. Arbitrators should not be considering the necessity of such a corridor. It is a known fact to everyone acquainted with the situation that as a matter of protection the Hopis need to have their land all contiguous. The experiences of the Government last year in attempting to keep the Navajo out of district six accentuates the necessity for a fenceable line between the two tribes.

The bill even provides that in the event the subsurface rights to any lands partitioned under the provisions of this act are left in joint ownership, such interest shall be administered by the Secretary. The minerals of the joint use area are not a real matter of contention between the tribes. No commission should have any authority to take any of the mineral interests from either of the two tribes in the joint use area because they own it half and half. The struggle between the tribes results from grazing livestock and from nothing else.

With respect to the reduction of livestock to meet reasonable conservation requirements, the substitute bill hinders the action being taken by the court. The Secretary is authorized to immediately commence reduction, but no date of accomplishment is included within the act. This throws the matter back into the hands of the Secretary for further procrastination. It might be noted that the Secretary and the Navajo Tribe were required under a court order to reduce livestock during a period which has expired. The Navajo Tribe and the Navajo Tribal chairman are now defending contempt proceedings for failure to accomplish the order of the court. This act would supersede the order of the court and slow reduction or perhaps indefinitely postpone it. It would be of no assistance in accomplishing the vitally needed reduction.

In short, the substitute bill fails to provide essential guarantees to both tribes. It provides no sensible solution and would join Congress in an effrontery to the rights of a peaceful, humble, and trusting Hopi people. I do not want to become a party to any such move. A last minute, ill-considered substitute bill of this type can do nothing but add insult to injury and complicate the problem we seek to solve.

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

Mr. MEEDS. Mr. Chairman, I yield 3 minutes to the gentleman from Arizona (Mr. UDALL).

Mr. UDALL. Mr. Chairman, in this Congress I have not had the privilege of serving on the Indian Affairs Subcommittee but I have been deeply involved and interested in this question. I was born in this area and my family has had long and close connections with both tribes.

There is general agreement in this debate it seems to me on a couple of points. One is that great credit really goes to all those who have been involved in bringing this to the stage it is in today. The gentleman from Washington (Mr. MEEDS), the chairman of the subcommittee, took on a thorny and difficult problem. He has been trying to "unscrew" the inscrutable for all these months. My colleague, the gentleman from Arizona (Mr. STEIGER), took on this situation where there is no political or personal profit involved and he has tried to do the right thing even though he and the gentleman from Washington (Mr. MEEDS) reached different results. The gentleman from Ohio (Mr. REGULA), the counterpart chairman for the minority, and the chairman of the full committee, the gentleman from Florida (Mr. HALEY) have wrestled with courage and initiative with this, as well as the gentleman from Wyoming (Mr. RONCALIO).

Our colleague from Utah took on a thankless task in sponsoring the proposal adopted by the committee. Each one has tried to come up with a fair and decent solution to this old and difficult problem.

The time has come for solution. It cannot fester and it cannot continue. We owe it to both of the tribes and ourselves and our country to resolve it.

I think there is general agreement here that the court decision in 1962 was basically fair, and that any solution should generally follow the thrust of that court decision.

So where is the disagreement here today? The disagreement is on the mechanics—the mechanics of a final solution. On that question our full committee divided very closely. It was almost an even division. On the one side we had the excellent solution proposed by my friend, the gentleman from Utah (Mr. OWENS), and he, as was said here earlier, has shown great courage and initiative to act as peacemaker.

I can live with his solution if that is the decision of the House, He says basically, "Let us now take the court decision and let us carry it out." That is the Owens solution and that was the solution adopted by the full committee.

The gentleman from Washington (Mr. MEEDS) in the substitute he will offer, which I will support, says that these people are going to have to live together before we impose a rigid arbitrary solution on them. Let us try to have them sit down and see, knowing they are under the gun and knowing there is going to be

a final solution in the year 1975 one way or the other, see if they can work it out.

I have honest doubts whether they can arbitrate it in the light of the long-standing and bitter differences between these tribes. But the solution of the gentleman from Washington (Mr. MEEDS) will lead to a final answer. The substitute says if arbitration does not work within 6 months and it is so certified then the arbitrator solution is final. So I intend to support the Meeds substitute when it is offered; but I intend also to support whatever solution the House offers, because we owe a solution to these tribes of this problem this year.

Mr. MEEDS. Mr. Chairman, I yield myself 2 additional minutes.

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

Mr. MEEDS. I yield to the gentleman from Louisiana.

Mr. TREEN. Mr. Chairman, I want to understand the substitute. After the arbitrators have met, what are the guidelines as to how they may make their decision? Are they empowered to effect a surface partition and, if so, what are the guidelines in making that partition? Would that be an equal division of land, equal quality, and so forth?

Mr. MEEDS. Yes. The arbitrators would be empowered to make a decision, which I am sure they will, because that is the problem. There are no guidelines saying they have to divide it. In the Owens-Steiger proposal, the court is required to divide the land in half. Under the arbitration proposal, they are not required to do this. They may well do it but they are not required to.

Mr. TREEN. If the gentleman will yield further, what is the approximate population of the two tribes in the area?

Mr. MEEDS. There are approximately 6,000 Hopis, most of them living in the white area and the green area. There are approximately between 6,000 to 9,000 Navajos, most of them living in the blue and orange area around the white area.

Mr. TREEN. Just one final question. The arbitration would be binding or appealable to the courts?

Mr. MEEDS. It would be binding and final, subject to the will of this Congress.

Mr. TREEN. Would the gentleman elucidate on that?

Mr. MEEDS. Yes. When the arbitrators reach a result, they will submit it to the Attorney General for merely technical advice and technical changes. Then it will lay before the Congress for 60 days. In the event Congress does not take affirmative action, it becomes settled.

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

Mr. MEEDS. I yield to the gentleman from New Mexico.

Mr. LUJAN. Do I understand the gentleman correctly in answer to the question of the gentleman from Louisiana that once all the procedures in the substitute, if that passes, once all the procedures have taken place, the arbitration and the concurrence of the Attorney General and the Congress does not turn it down, that that will be full and final settlement of all Hopi claims against the Navajo, not only in the 1882 area, but in the total 1934 area?

The CHAIRMAN. The time of the gentleman has expired.

Mr. MEEDS. I yield myself 1 additional minute.

Mr. Chairman, it is not the intent of this legislation to settle other than the matters involved in the joint use area. In the Moencopi area, whatever decision is made with regard to that area, would probably be with regard to making it fit the other configuration of the joint use area. Also, it would provide those Navajo families required to move with moving expenses and things like that and giving that land to the Hopis.

Mr. LUJAN. If the gentleman will yield further, let me rephrase the question in perhaps a little more simple manner.

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

Mr. MEEDS. Mr. Chairman, I yield myself 2 additional minutes.

Mr. LUJAN. Mr. Chairman, is it the intent of the gentleman to quitclaim—we will use that word, although it may not be totally correct—but quitclaim all of the disputes and the claims within the entire 1934 reservation?

Mr. MEEDS. No. It is the intent, and I think the effect would be for the Navajo to, in effect, quitclaim what the arbitrators gave to the Hopis in the Moencopi area; that is, in the 1934 area, so that there would be no further dispute of that.

Mr. STEIGER of Arizona. Mr. Chairman, will the gentleman yield?

Mr. MEEDS. Mr. Chairman, I yield to the gentleman from Arizona.

Mr. STEIGER of Arizona. Mr. Chairman, I hope the record would not reflect exactly what the gentleman said, because the purposes for both tribes upon arbitration is to quitclaim any further claims in the other areas, so that we do not create another 1882 situation.

I know that is what the gentleman meant, and I probably misheard him.

Mr. MEEDS. No, my answer was in regard to a specific question with regard to what the arbitrators would do. Obviously, and I think if it is the desire of the negotiating teams, the parties themselves can arrive at any kind of agreement they wish and quitclaim or whatever they desire to do. Hopefully, that is what would happen. That would settle these long-lasting claims.

Mr. STEIGER of Arizona. Mr. Chairman, I know the gentleman is as anxious as both the gentleman from New Mexico (Mr. LUJAN) and myself are, not to run the risk of having the 1882 situation in the 1934 area.

Mr. MEEDS. If the gentleman was asking, would the Hopis have further claims in the Moencopi area, they would not. This would settle that matter, whether it was arbitrated, negotiated, or whatever. It would settle that question.

Mr. LUJAN. Mr. Chairman, if the gentleman will yield further, then the arbitrators would also have the power, among all the options, to the extent of saying, "All right, we have got that division here and there," and gave each of them whatever they had coming to them, and this is a final settlement of all claims between the two tribes. That is an option open to the arbitrators, is that not correct?

Mr. MEEDS. Would the gentleman repeat the last part of that question?

Mr. LUJAN. That the arbitrators, as part of the final decision, could say, "This extinguishes any claims that the Navajos will have against the Hopis, or vice versa."

That is one of the options that the arbitrators would have under the substitute, is that correct?

Mr. MEEDS. I am afraid that I just could not answer that affirmatively. No, I do not know. I cannot say that.

Mr. Chairman, I yield 1 minute to the gentleman from Montana (Mr. MELCHER).

Mr. MELCHER. Mr. Chairman, I want to associate myself with the remarks made by Chairman HALEY earlier in the debate on this bill. I want to associate myself with him and the House Committee on Interior and Insular Affairs and with the 6,000 Hopi Indians who have waited a long time for justice.

It is true, as Chairman HALEY has pointed out, that the question of equity has been decided by the courts. The time for Congress to reaffirm the property rights of the Hopi Indians is before us today. There are 6,000 Hopis. The Navajo nation numbers over 120,000. I think minority groups have found often that they can find justice in the House.

Mr. Chairman, I hope that the House will support the committee bill and in favor of the Hopis today, because it is on their side where justice lies.

Mr. MEEDS. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, to further clarify what the gentleman from New Mexico was asking, was the gentleman asking if all of the rights which the Hopis got to the 1934 area be clarified and settled by this?

Mr. Chairman, the answer to that question is "Yes." If the gentleman is asking about some other rights the Hopis may be claiming against the Navajos or the Hopis, the answer is "No."

Mr. LUJAN. Mr. Chairman, if the gentleman will yield further, at the moment I am only talking about the 1934 act.

Mr. MEEDS. The 1934 act. This will all be clarified and settled.

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

The CHAIRMAN. Pursuant to the rule, the Clerk will now read the committee amendment in the nature of a substitute printed in the reported bill as an original bill, for the purpose of amendment.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all of the surface rights in and to that portion of the Hopi Indian Reservation created by the Executive order of December 16, 1882, in which the United States District Court for the District of Arizona found the Hopi and Navajo Indian Tribes to have joint, undivided, and equal interests in the case entitled "Healing against Jones" (210 Fed.

Supp. 125 (1962), affirmed 373 U.S. 758), hereinafter referred to as the joint-use area, shall be partitioned in kind as provided in this Act.

SEC. 2. The United States District Court for the District of Arizona in the supplemental proceedings in Healing against Jones is hereby authorized to partition in kind the surface of the joint-use area between the Hopi and Navajo Indian Tribes share and share alike using the following criteria in establishing the boundary line between said tribes:

(a) The Navajo portion shall be contiguous to that portion of the 1934 Navajo Indian Reservation as defined in section 9 of this Act.

(b) The Hopi portion shall be contiguous to the exclusive Hopi Indian Reservation as established by the court in Healing against Jones, hereinafter referred to as Land Management District 6, and shall adjoin that portion of the 1934 Navajo Indian Reservation as partitioned to the Hopi Tribe in section 7 of this Act.

(c) The partition shall be established so as to include the high Navajo population density within the portion partitioned to the Navajo Tribe to avoid undue social, economic, and cultural disruption insofar as reasonably practicable.

(d) The lands partitioned to the Hopi and Navajo Tribes shall be equal in acreage insofar as reasonably practicable.

(e) The lands partitioned to the Hopi and Navajo Tribes shall be equal in quality and carrying capacity insofar as reasonably practicable.

(f) The boundary line between the Hopi and Navajo Tribes as delineated pursuant to this Act shall follow terrain so as to avoid or facilitate fencing insofar as reasonably practicable.

(g) In any division of the surface rights to the 1882 joint-use area, reasonable provision shall be made for the use and right of access to identified religious shrines of either party on the portion allocated to the other party.

SEC. 3. The partition proceedings as authorized in section 2 hereof shall be assigned for hearing at the earliest possible date, shall take precedence over all other matters pending on the docket of the district court at that time and shall be expedited in every way by such court.

SEC. 4. The lands partitioned to the Navajo Tribe pursuant to section 2 hereof shall be held in trust by the United States exclusively for the Navajo Tribe and as a part of the Navajo Indian Reservation.

SEC. 5. The lands partitioned to the Hopi Tribe pursuant to section 2 hereof shall be held in trust by the United States exclusively for the Hopi Tribe and as a part of the Hopi Indian Reservation.

SEC. 6. Partition of the surface of the lands of the joint-use area shall not affect the joint ownership status of the coal, oil, gas, and all other minerals within or underlying said lands. All such coal, oil, gas, and all other minerals within or underlying said lands shall be managed jointly by the Hopi and Navajo Tribes, subject to supervision and approval by the Secretary of the Interior as otherwise required by law, and the proceeds therefrom shall be divided between the said tribes, share and share alike.

SEC. 7. Hereafter the United States shall hold in trust exclusively for the Hopi Indian Tribe and as a part of the Hopi Indian Reservation all right, title, and interest in and to the following described land which is a portion of the land described in the Act of June 14, 1934 (48 Stat. 960):

Beginning at a point on west boundary of Executive Order Reservation of 1882 where said boundary is intersected by right-of-way of United States Route 160;

thence south southwest along the centerline of said Route 160, a distance of approximately 8 miles to a point where said centerline intersects the township line between townships 32 and 33 north, range 12 east;

thence west, a distance of approximately 9 miles, to the north quarter corner of section 4, township 32 north, range 11 east;

thence south, a distance of approximately 4¾ miles following the centerlines of sections 4, 9, 16, 21, and 28 to a point where said boundary intersects the right-of-way of United States Route 160;

thence southwesterly, following the centerline of United States Route 160, a distance of approximately 11 miles, to a point where said centerline intersects the right-of-way of United States Route 89;

thence southwesterly, following the centerline of United States Route 89, a distance of approximately 11 miles, to the south boundary of section 2, township 29 north, range 9 east (unsurveyed);

thence east following the south boundaries of sections 2 and 1, township 29 north, range 9 east, sections 6, 5, 4, and so forth, township 29 north, range 10 east, and continuing along the same bearing to the northwest corner of section 12, township 29 north, range 11 east (unsurveyed);

thence south, a distance of 1 mile to the southwest corner of section 12, township 29 north, range 11 east (unsurveyed);

thence east, a distance of 1 mile to the northwest corner of section 18, township 29 north, range 12 east (unsurveyed);

thence south, a distance of 1 mile, to the southwest corner of section 18, township 29 north, range 12 east (unsurveyed);

thence east, a distance of approximately 9 miles, following the section lines, unsurveyed, on the south boundaries of sections 18, 17, 16, and so forth in township 29 north, range 12 east and continuing to a point where said section lines intersect the west boundary of Executive Order Reservation of 1882;

thence due north, along the west boundary of the Executive Order Reservation of 1882, a distance of approximately 27½ miles to the point of beginning.

SEC. 8. The Secretary of the Interior is hereby authorized to allot in severalty to individual Paiute Indians, not now members of the Navajo Indian Tribe, who are located within the area described in the said Act of June 14, 1934, and who were located within said area or are direct descendants of Paiute Indians who were located within said area on June 14, 1934, land in quantities as specified in the Act of February 8, 1887 (24 Stat. 388), as amended, and patents shall be issued to them for such lands in the manner and with the restrictions as provided in sections 1, 5, and 6 of that Act, as amended.

SEC. 9. Hereafter the United States shall hold in trust exclusively for the Navajo Indian Tribe and as a part of the Navajo Indian Reservation the lands described in the said Act of June 14, 1934, except the lands partitioned to the Hopi Tribe pursuant to section 2 hereof and the lands as described in section 7 hereof and the lands in the exclusive Hopi Indian Reservation commonly known as Land Management District 6, and further excepting those lands allotted pursuant to section 8 hereof.

SEC. 10. The Secretary of the Interior is authorized and directed to remove all Navajo Indians and their personal property, including livestock, from the lands partitioned to the Hopi Tribe pursuant to section 2 hereof and as described in section 7 of this Act. Such removal shall take place over a period of five years from the date of final partition by the court referred to in section 2 with approximately 20 per centum of the Navajo occupants to be removed each year. No further settlement of Navajo Indians on the lands partitioned to the Hopi Tribe pursuant to section 2 hereof and as described in section 7 of this Act or Land Management District 6, shall be permitted unless advance written approval of the Hopi Tribe is obtained. No Navajo Indian shall hereafter be allowed to increase the number of livestock he grazes on the areas so partitioned to the Hopi Tribe pursuant to section 2 hereof and as described in section 7 of this Act, nor shall he retain any grazing rights in those areas subsequent to his removal therefrom.

SEC. 11. The Secretary of the Interior is authorized and directed to remove all Hopi Indians and their personal property, including livestock, from the lands so partitioned to the Navajo Tribe pursuant to section 2 hereof and as described in section 9 of this Act. Such removal shall take place over a period of two years from the date of final partition by the court referred to in section 2 with approximately 50 per centum of the Hopi occupants to be removed each year. No further settlement of Hopi Indians on the lands so partitioned to the Navajo Tribe pursuant to section 2 hereof and as described in section 9 of this Act shall be permitted unless advance written approval of the Navajo Tribe is obtained. No Hopi Indian shall hereafter be allowed to increase the number of livestock he grazes on the areas so partitioned to the Navajo Tribe pursuant to section 2 hereof and as described in section 9 of this Act, nor shall he retain any grazing rights in those areas subsequent to his removal therefrom.

SEC. 12. (a) The United States shall purchase from the head of each Navajo and Hopi household who is required to relocate under the terms of this Act the habitation and other improvements owned by him on the area from which he is required to move. The purchase price shall be the fair market value of such habitation and improvements.

(b) In addition to the payments made pursuant to subsection (a), the Secretary shall:

(1) reimburse each head of a household whose family is moved pursuant to this Act for his actual reasonable moving expenses as if he were a displaced person under section 202 of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (84 Stat. 1894);

(2) pay to each head of a household whose family is moved pursuant to this Act an amount which, when added to the fair market value of the habitation and improvements purchased under subsection (a), equals the reasonable cost of a decent, safe, and sanitary replacement dwelling adequate to accommodate such displaced household: *Provided*, That the additional payment authorized by this paragraph (2) shall not exceed $15,000 for a household of three or less and not more than $20,000 for a household of four or more: *Provided further*, That the additional payment authorized by this subsection shall be made only to a displaced person who purchases and occupies such replacement dwelling not later than the end of the one-year period beginning on the date on which he receives from the Secretary final payment for the habitation and improvements purchased under subsection (a), or on the date on which he moves from such habitation whichever is the later date. Nothing in this subsection shall require a displaced person to occupy a dwelling with a higher degree of safety and sanitation than he desires.

(c) In implementing subsections (b)(1) and (b)(2) of this section, the Secretary shall establish standards consistent with those established in the implementation of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970.

(d) The Secretary is authorized to dispose of dwellings and other improvements acquired pursuant to this Act in such manner as he sees fit, including resale of such improvements to members of the tribe exercising jurisdiction over the area at prices no higher than their acquisition costs.

SEC. 13. The Navajo Tribe shall pay to the Hopi Tribe the fair rental value as determined by the Secretary of the Interior for all Navajo Indian use of the lands referred to in section 5 and described in section 7

of this Act subsequent to the date of the partition thereof.

SEC. 14. The Hopi Tribe shall pay to the Navajo Tribe the fair rental value as determined by the Secretary of the Interior for all Hopi Indian use of the lands referred to in section 4 and described in section 9 of this Act subsequent to the date of the partition thereof.

SEC. 15. Nothing herein contained shall affect the title, possession, and enjoyment of lands heretofore allotted to individual Hopi and Navajo Indians for which patents have been issued. Hopi Indians living on the Navajo Reservation shall be subject to the jurisdiction of the Navajo Tribe and Navajo Inidans living on the Hopi Reservation shall be subject to the jurisdiction of the Hopi Indian Tribe.

SEC. 16. The Navajo Indian Tribe and the Hopi Indian Tribe, acting through the chairman of their respective tribal councils, for and on behalf of said tribes, including all villages, clans, and individual members thereof, are hereby authorized to commence or defend in the United States District Court for the District of Arizona an action or actions against each other for the following purposes:

(a) For an accounting of all sums collected by said Navajo Indian Tribe since the 17th day of September 1957 as trader license fees or commissions, lease proceeds or other similar charges for the doing of business or the use of lands within the Executive Order Reservation of December 16, 1882, and judgment for one-half of all sums so collected, and not paid to the Hopi Tribe, together with interest at the rate of 6 per centum per annum compounded annually.

(b) For the determination and recovery of the fair value of the grazing and agricultural use by said Navajo Tribe and its individual members since the 28th day of September 1962 of the undivided one-half interest of the Hopi Tribe in the lands on said day decreed to said Hopi and Navajo Tribes equally and undivided as a joint-use area, together with interest at rate of 6 per centum per annum compounded annually notwithstanding the fact that said tribes are tenants in common of said lands.

(c) For the adjudication of any claims that either said Hopi or Navajo Tribe may have against the other for damages to the lands to which title was quieted as aforesaid by the United States District Court for the District of Arizona in said tribes, share and share alike, subject to the trust title of the United States, without interest, notwithstanding the fact that said tribes are tenants in common of said lands. Said claims shall, however, be limied to occurrences since the establishment of grazing districts on said lands in the year 1936, pursuant to section 6 of the Act of June 18, 1934 (48 Stat. 984).

Neither laches nor the statute of limitations shall constitute a defense to any action authorized by this Act for existing claims if commenced within two years from the effective date of this Act.

SEC. 17. The Navajo Tribe or the Hopi Tribe may institute such further original ancillary, or supplementary actions against the other tribe as may be necessary or desirable to insure the quiet and peaceful enjoyment of the reservation lands of said Hopi and Navajo Indians by said tribes and the members thereof, and to fully accomplish all objects and purposes of this Act. Such actions may be commenced in the United States District Court for the District of Arizona by either of said tribes against the other, acting through the chairman of the respective tribal councils, for and on behalf of said tribes, including all villages, clans, and individual members thereof.

SEC. 18. The United States shall not be an indispensable party to any action or actions commenced pursuant to this Act. Any judgment or judgments by the court shall not be regarded as a claim or claims against the United States.

SEC. 19. All applicable provisional and final remedies and special proceedings provided for by the Federal Rules of Civil Procedure and all other remedies and processes available for the enforcement and collection of judgments in the district courts of the United States may be used in the enforcement and collection of judgments obtained pursuant to the provisions of this Act.

SEC. 20. The Secretary of the Interior is hereby authorized and directed to survey and monument the boundaries of the Hopi Indian Reservation as defined in sections 5 and 7 of this Act.

SEC. 21. The members of the Hopi Indian Tribe shall have perpetual use of Cliff Spring as shown on USGS 7½ minute Quad named Toh Ne Zhonnie Spring, Arizona, Navajo County, dated 1968; and located 1,250 feet west and 200 feet south of the intersection of 36 degrees, 17 minutes, 30 seconds north latitude and 110 degrees, 9 minutes west longitude, as a shrine for religious ceremonial purposes, together with the right to gather branches of fir trees growing within a 2-mile radius of said spring for use in such religious ceremonies, and the further right of ingress, egress, and regress between the Hopi Reservation and said spring. The Hopi Tribe is hereby authorized to fence said spring upon the boundary line as follows:

Beginning at a point on the 36 degrees, 17 minutes, 30 seconds north latitude 500 feet west of its intersection with 110 degrees, 9 minutes west longitude, the point of beginning;

thence, north 46 degrees west, 500 feet to a point on the rim top at elevation 6,900 feet;

thence southwesterly 1,200 feet (in a straight line) following the 6,900 feet contour;

thence south 46 degrees east, 600 feet;

thence north 38 degrees east, 1,300 feet to the point of beginning, 23.8 acres more or less: *Provided*, That if and when said spring is fenced the Hopi Tribe shall pipe the water therefrom to the edge of the boundary as hereinabove described for the use of residents of the area. The natural stand of fir trees within said 2-mile radius shall be conserved for such religious purposes.

SEC. 22. Notwithstanding anything contained in this Act to the contrary, the Secretary of the Interior shall make reasonable provision for the use and right of access to identified religious shrines of the Navajo and Hopi Indians for the members of each tribe on the reservation of the other tribe.

SEC. 23. If any provision of this Act, or the application of any provisions to any person, entity or circumstance, is held invalid, the remainder of this Act shall not be affected thereby.

SEC. 24. (a) For the purpose of carrying out the provisions of section 12 of this Act, there is hereby authorized to be appropriated not to exceed $28,000,000.

(b) For the purpose of carrying out the provisions of section 20 of this Act, there is hereby authorized to be appropriated not to exceed $300,000.

Mr. MEEDS (during the reading). Mr. Chairman, I ask unanimous consent that the committee amendment in the nature of a substitute printed in the reported bill as an original bill for the purpose of amendment be considered as read, printed in the RECORD, and open to amendment at any point.

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

There was no objection.

AMENDMENT OFFERED BY MR. OWENS

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

The Clerk read as follows:

Amendment offered by Mr. OWENS: Page 19, after line 2, insert the following:

(b) The Secretary of the Interior is authorized and directed to transfer not to exceed 250,000 acres of public lands within his jurisdiction within the States of Arizona or New Mexico to the Navajo Indian Tribe: *Provided*, That the Navajo Tribe shall pay to the United States the fair market value for such lands as may be determined by the Secretary. Such lands shall, if possible, be contiguous or adjacent to the existing Navajo reservation and title shall be taken by the United States in trust for the benefit of the Navajo Tribe.

Technical Amendment: Page 18, line 10, immediately after "Sec. 10" insert "(a)".

Mr. OWENS. Mr. Chairman, this is an amendment which I discussed with other members of the committee, including the chairman of the subcommittee. It would provide up to an additional 250,000 acres of land on which those members of the Navajo Indian Tribe who are required to be moved might be allowed to settle, should the Navajo decide to buy this additional land.

Mr. Chairman, I think the amendment speaks for itself.

There are allegations, founded or unfounded, that these 800 to 900 families which will be required to be moved under this bill will have no place to go because of the way the 15 million or 16 million acres in the Navajo Reservation are already divided. If so, this 250,000 acres, I think, would solve that problem.

Mr. MEEDS. Mr. Chairman, I rise in support of the amendment.

I think it improves the bill. I think it gives us a better chance of selection, and I would just point out that authority to do what the gentleman is now hoping to be done by amendment to this bill is also contained in the matter which we hope will be substituted for the entire bill at the end of the debate.

Mr. REGULA. Mr. Chairman, I rise in support of the amendment also, and I state that the minority has no objection.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Utah (Mr. OWENS).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. OWENS

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

The Clerk read as follows:

Amendment offered by Mr. OWENS: Page 24, strike out lines 23 through 26 and insert in lieu thereof the following:

SEC. 20. Notwithstanding any provision of this Act, or any agreement or settlement reached under authority of this Act, the Secretary of the Interior is authorized and directed to immediately commence reduction of the numbers of all the livestock now being grazed upon the lands within the Joint Use Area of the 1882 Executive Order Reservation and complete such reductions to carrying capacity of such lands, as determined by the usual range capacity standards as established by the Secretary of Interior after the date of enactment of this Act. The Secretary of the Interior is directed to institute such conservation practices and methods within such area as are necessary to restore the grazing potential of such area to the maximum extent feasible. He shall, in addition, upon determination of any settlement under authority of this Act, provide for the survey, location of monuments, and

fencing of boundaries of any lands partitioned under such settlement. There is authorized to be appropriated not to exceed $10,000,000 to carry out the provision of this section.

Mr. OWENS. Mr. Chairman, this is an amendment which is aimed at solving a very pressing problem. The courts have determined that the disputed lands have been overgrazed by approximately 700 percent above their normal carrying capacity.

The court, in fact, in 1972, ordered that all livestock in the disputed lands be withdrawn in order to allow the land to rehabilitate itself.

This is an amendment which carries through with that order; it provides authority to the Secretary of the Interior to institute conservation practices and methods which will restore the grazing potential with maximum feasible speed as it relates both to the Navajo and the Hopi share of this disputed land.

The amendment provides for an authorization not to exceed $10 million.

This is the real heart of the problem, Mr. Chairman, whether the bill which is presently before the committee passes or whether the substitute by Mr. MEEDS passes, the Navajo living on this disputed land will be required to move, because the courts have ordered that all livestock be removed. There is no grass left to graze upon. The Navajo lives with his livestock. If the livestock is removed from this land, or if the cattle and sheep starve, the Navajo will move, and this move will be very painful, without the benefits of this bill's financial assistance provisions.

This provision is an attempt to give the Secretary of the Interior more power and more facility to reclaim this land so that both the Navajo and the Hopi can enjoy its full use.

Mr. MEEDS. Mr. Chairman, I rise in support of the amendment.

I think the amendment is a very valuable addition to the legislation, and I support the amendment offered by the gentleman from Utah (Mr. OWENS).

As the gentleman says, regardless of what happens with any of these bills, one of the most pressing needs in this entire area is land restoration. These lands are being overgrazed to a point as high as 700 percent in some instances. To be in the area is to recognize the absolutely terrible condition of the lands and their inability to support livestock in the traditional ways of these people.

So regardless of whether it occurs on Hopi land or Navajo land, regardless of whether it occurs in Moencopi or on district 6 land, restoration is badly needed, and I think this is a very valuable part of the gentleman's proposal.

I will also, Mr. Chairman, point out that the authority to provide for this exists also in the amendment in the nature of a substitute which I will offer.

Mr. REGULA. Mr. Chairman, I rise in support of the amendment.

I wish to state that the minority side has no objection to the gentleman's amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Utah (Mr. OWENS).

The amendment was agreed to.

AMENDMENT IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. MEEDS FOR THE COMMITTEE AMENDMENT IN THE NATURE OF A SUBSTITUTE

Mr. MEEDS. Mr. Chairman, I offer an amendment in the nature of a substitute for the committee amendment in the nature of a substitute.

The Clerk read as follows:

Amendment in the nature of a substitute offered by Mr. MEEDS for the committee amendment in the nature of a substitute:

1. Strike all after the enacting clause, and insert in lieu thereof the following:

That, (a) within thirty days after enactment of this Act, the chief judge of the United States District Court for the District of Columbia shall appoint a Navajo-Hopi Board of Arbitration (hereinafter in this Act referred to as the "Board") which shall provide for the settlement and determination of the relative rights and interests of the Navajo and Hopi Indian Tribes (hereinafter in this Act referred to as the "parties") in and to lands, including surface and subsurface right, lying within the joint use area of the Hopi Reservation established by the Executive Order of December 16, 1882, as determined in the case of *Healing* v. *Jones*, (210 F. Supp. 125, D. Ariz. 1962; aff'd U.S. 758, 1963) (hereinafter in this Act referred to as the Healing case); and the rights and interests of the Hopi Tribe or Hopi individuals in and to lands, including surface and subsurface rights, lying within the Navajo Reservation created by the Act entitled "An Act to define the exterior boundaries of the Navajo Indian Reservation in Arizona, and for other purposes," approved June 14, 1934 (48 Stat. 960). The Board shall be composed of the three members, one of which such chief judge shall designate as Chairman. No member appointed to such Board shall have any interest, direct or indirect, in the settlement of the interests and rights set out in this subsection. Such chief judge shall promptly appoint a Board member to fill any vacancy which may occur in the Board's membership.

(b) Members of the Board shall receive compensation in the daily equivalent of the rate provided for grade GS–18 of the General Schedule in section 5332 of title 5 of the United States Code, for each day they are engaged in the business of the Board, and shall be allowed travel expenses, including per diem allowance, as authorized by section 5702 of title 5 of the United States Code, in connection with their services for the Board.

(c) In carrying out its responsibilities under the provisions of this Act, the Board is authorized to—

(1) make such rules and regulations as it deems necessary, not inconsistent with this Act, and

(2) request from any department, agency, or independent instrumentality of the Federal Government any information, personnel, services, or materials it deems necessary to carry out its functions; and each such department, agency, or instrumentality is authorized to cooperate with the Board and to comply with such requests to the extent permitted by law, on a reimbursable or nonreimbursable basis.

(d) All Board members shall attend the negotiation sessions provided for in section 2(c) except in the case of illness or other extenuating circumstances. Any formal action or determination of the Board shall require the agreement of a majority of the Board members.

(e) The existence of the Board and the negotiating teams established under section 2 shall terminate when the Board has filed a final report as provided in sections 3 and 4, but in no event later than the end of the one-year period beginning on the date of enactment of this Act.

(f) The Secretary of the Interior (hereinafter in this Act referred to as the "Secretary") shall appoint a liaison representative to the Board who shall attend negotiating sessions and facilitate the provision of information and assistance requested by the Board from the Department of the Interior.

(g) There is authorized to be appropriated not to exceed $500,000 for the expenses of the Board, such amount to be available in the fiscal year in which it is appropriated and in the following fiscal year.

SEC. 2. (a) Within the twenty-day period after appointment of the Board, the Board shall, in writing, contact the tribal councils of the Hopi and Navajo Tribes requesting the appointment by each such council of a negotiating team representing each tribe. Each such team shall be composed of an odd number of members (not exceeding seven), to be certified by appropriate resolution of the respective tribal council. Notwithstanding any other provision of law, the negotiating teams, when appointed and certified, shall have full authority to bind the respective tribes with respect to any matter within the scope of this Act. Each tribal council shall promptly fill any vacancy occurring on its negotiating team.

(b) In the event either or both of the parties fail to appoint and certify a negotiating team under subsection (a) within thirty days after the Board contacts the tribal council under such subsection, the provisions of section 4(a) shall become operative.

(c) Within fifteen days after formal certification of both teams to the Board, the Board shall schedule the first sessions of negotiations at Flagstaff, Arizona. Thereafter, negotiating sessions, conducted under guidelines established by this Act, shall be scheduled at Flagstaff, Arizona, or at any other place by agreement of the Board and the negotiating teams, as long as at least one session is held biweekly.

(d) In the event that either or both negotiating teams fail to attend two consecutive sessions or, in the opinion of the Board, either fails to negotiate in good faith, or an impasse in the negotiations is reached, the provisions of section 4(a) shall become operative.

(e) In the event of a disagreement within a negotiating team, the majority of the team shall prevail and act on behalf of the team unless the resolution of the tribal council certifying the team specifically provides otherwise.

SEC. 3 (a) If, within one hundred and eighty days after the first session scheduled by the Board under section 2(c) of this Act, the parties reach agreement on the settlement of the rights and interests of the parties, such agreement shall be reduced to writing, signed by the members of the negotiating teams and the members of the Board, and notarized. The Board shall submit such agreement to the Attorney General of the United States who shall, forthwith, advise the Board only on the constitutionality and legality of any or all provisions of such agreement. The Board shall have limited discretion to modify such agreement to conform to the advice of the Attorney General and to make technical changes. The Board shall provide the negotiating teams with copies of such modified agreement for their approval and signatures as above. If the teams approve and sign the modified agreement, the Board shall transmit it, together with a report thereon, to the Speaker of the House of Representatives and to the President of the Senate. The Board shall provide copies to the Attorney General and the Secretary, each of whom shall provide a report thereon to the Interior and Insular Affairs Commit-

tees of the Senate and the House of Representatives.

(b) If, within sixty days (excluding days on which either the House of Representatives or the Senate is not in session because of an adjournment for more than three calendar days to a day certain) after submission of such agreement and report to the Congress, neither the Senate or House of Representatives passes a resolution disapproving such agreement, it shall have the force and effect of law and shall be conclusive and binding upon the Navajo and Hopi Tribes and upon all other persons as to the rights and interests in lands or interests in lands which are determined and settled by said agreement.

SEC. 4. (a) If the negotiating teams fail to reach agreement within one hundred and eighty days after the date of the first session scheduled by the Board under section 2(c), or if one or both of the parties is in default under the provisions of section 2(b) or 2(c), the Board shall, within 60 days thereafter, devise a plan of settlement which shall be most reasonable and equitable in light of the law and circumstances and consistent with the guidelines set forth in section 6 of this Act: *Provided*, That the Board, in its final determination, may weight the default of either party pursuant to section 2(b) and 2(d). The Board shall then follow the procedures set out for agreements in section 3 of this Act; *Provided*, That such plan shall not be submitted to the parties for their approval.

(b) For the purpose of facilitating a negotiated settlement pursuant to section 3 or a settlement devised pursuant to subsection (a) of this section, the Board is authorized—

(1) notwithstanding the provisions of section 2 of the Act of May 25, 1918 (40 Stat. 570; 25 U.S.C. 211), to enter into an agreement with the Secretary to purchase or otherwise acquire lands for the benefit of either party from funds authorized by this Act; from the funds of either party; or funds under any other authority of law. Such lands shall be taken in trust by the United States for the benefit of the party for whom they are purchased;

(2) to enter into an agreement with the Secretary for the development of a land restoration and reclamation program for lands lying within the joint use areas of the 1882 Executive Order Reservation;

(3) to enter into an agreement with the Secretary for the development of a program for removal and resettlement pursuant to the provisions of sections 7 and 8 of this Act;

(4) in the event the subsurface interests underlying lands within the 1882 joint use area are maintained in joint, undivided ownership, to make temporary adjustments in the division of income from such subsurface interest or to otherwise temporarily to allocate the use of the interest of either or both parties to such subsurface income; and

(5) to make provision for a limited tenure and use, and for a phased removal of members of one party from lands which may be partitioned to the other party: *Provided*, That such limited tenure and use and phased removal shall be for a period not to exceed eight years from the date of final settlement.

(c) The authorizations contained in subsection (b) hereof shall be discretionary with the Board and shall not be construed to represent any directive of the Congress.

SEC. 5. For the purpose of section 3, the parties may make any provision in such agreement which is not inconsistent with existing law. No such agreement nor any provision in it shall be deemed to be a taking by the United States of private property compensable under the fifth amendment to the Constitution of the United States.

SEC. 6. For the purposes of a settlement under section 4 of this Act, the Board and the Attorney General shall be guided by the following:

(1) The Hopi Tribe and the Navajo Tribe, under the decision of the Healing case, have a joint, undivided, and equal interest in and to all of the 1882 joint use area.

(2) Any division or partition of the joint use area which results in a less than equal share to one party shall be fully and finally compensable to such party by the other party or out of appropriations hereinafter provided or both, except that any such compensation from the appropriation provided shall not prejudice the right of the compensated party to share equitably in the remaining portion of such appropriation unless imposed as a sanction pursuant to section 2(b) or 2(d) of this Act.

(3) The rights and interests of the Hopi Tribe in and to the exclusive Hopi Reservation defined in the Healing case shall not be reduced or limited in any manner.

(4) Undue social, economic, and cultural disruption shall be avoided insofar as reasonably practicable.

(5) Subject to the provisions of paragraph (2) of this section, funds appropriated under this Act shall be expended in such manner as will be most beneficial, in terms of long-term social and economic development, to members of both Navajo and Hopi Tribes living within the exterior boundaries of the Reservation established by the Executive Order of December 16, 1882.

(6) In any division of the surface rights to the 1882 joint use area, reasonable provision shall be made for the use and right of access to identified religious shrines of either party on the portion allocated to the other party, and for the reasonable availability of and access to water, firewood, and grazing resources such as to render the surface use of both parties viable.

(7) Any claim the Hopi Tribe may have against the Navajo Tribe for an accounting of all sums collected by the Navajo Tribe since September 28, 1962, as trader license fees or commissions, lease rentals or proceeds, or other similar charges for doing business on, or the use of, lands within the Executive Order Reservation of December 16, 1882, is for a one-half share in such sums. The settlement may provide for satisfaction of such claims or for adjudication of such claims, in which case the Hopi Tribe is authorized to commence an action against the Navajo Tribe in the United States District Court for the District of Arizona with any interest on an award by such court to be at the rate of 6 per centum per annum.

(8) Pursuant to the first section of the Act of June 14, 1934 (48 Stat. 960), provision shall be made for the partition and allocation of lands and interests in lands to the Hopi Tribe or Hopi individuals in the so-called Moencopi Area of the 1934 Navajo Reservation, which such provision shall take into consideration the—

(A) number of Hopi residing within such area on June 14, 1934;

(B) number of direct descendants of such Hopis residing in such area on the effective date of this Act;

(C) existing Hopi-Navajo dwelling patterns in such area;

(D) access to and availability of firewood, water, and grazing resources;

(E) necessity of a corridor to the major portion of the Hopi Reservation; and

(F) contiguity and unity of lands partitioned to the Hopi Tribe or individuals. Any lands apportioned to the Hopi Tribe or individuals shall be considered a part of the Hopi Reservation and administered by the Hopi Tribe.

SEC. 7. Any settlement accomplished under section 3 or 4 of this Act which necessitates the resettlement of members of one party from lands apportioned to the other party shall provide for—

(1) the availability of lands for resettlement;

(2) a reasonable period of time for resettlement to avoid undue social, economic, and cultural disruption;

(3) funds for rehabilitation of individuals or family units subject to resettlement;

(4) expenses of resettlement; and

(5) purchase of nonmovable improvements of individuals subject to resettlement.

SEC. 8. For the purposes of section 7—

(1) The United States shall purchase from the head of each Navajo or Hopi household, who is required to resettle pursuant to the provisions of any settlement under section 3 or 4 of this Act, the habitation and other improvements owned by him on the area from which he is required to move. The purchase price shall be the fair market value of such habitation and improvements.

(2) In addition to payments made pursuant to paragraph (1) of this section, the Secretary shall—

(A) reimburse each head of a household, whose family is moved pursuant to any settlement under section 3 or 4 of this Act, for his actual reasonable moving expenses as if he were a displaced person under section 202 of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (84 Stat. 1894);

"(B) pay to each head of a household, whose family is moved pursuant to any settlement under section 3 or 4 of this Act, an amount which, when added to the fair market value of the habitation and improvements purchased under paragraph (1) of this section, equals the reasonable cost of a decent, safe, and sanitary replacement dwelling adequate to accommodate such displaced household: *Provided*, That the additional payment authorized by this subparagraph (B) shall not exceed $15,000 for a household of three or less and not more than $20,000 for a household of four or more: *Provided further*, That the additional payment authorized by this subparagraph shall be made only to a displaced person who purchases and occupies such replacement dwelling not later than the end of the two-year period beginning on the date on which he receives from the Secretary final payment for the habitation and improvements purchased under paragraph (1) of this section, or on which he moves from such habitation, whichever is the later date. Nothing in this paragraph shall require a displaced person to occupy a dwelling with a higher degree of safety and sanitation than he desires.

(3) In implementing paragraphs (2)(A) and (B) of this section, the Secretary shall establish standards consistent with those established in the implementation of the Uniform Relocation Assistance and Real Property Acquistion Policies Act of 1970.

(4) The Secretary is authorized to dispose of dwellings and other improvements acquired pursuant to this section in such manner as he sees fit, including resale of such improvements to members of the tribe exercising jurisdiction over the area at prices no higher than their acquisition costs. Proceeds from such sales shall be deposited in the United States Treasury as miscellaneous receipts.

SEC. 9. Any lands or interests in lands partitioned or purchased as in-lieu lands hereunder shall be taken by the United States in trust for the tribe to which such lands are partitioned or for which such lands are purchased and shall become a part of the reservation of such tribe.

SEC. 10. In the event the subsurface rights to lands partitioned under the provisions of this Act are left in joint ownership, such interests shall be administered by the Secretary on a joint-use basis with any development thereof being subject to the consent of both parties. Costs of such development shall be shared by both parties and the net income derived from such development shall be distributed by the Secretary to the parties on

the basis of any percentage formula agreed upon or set in the settlement.

SEC. 11. Notwithstanding any other provision of this Act, the Secretary is authorized to allot in severalty to individual Paiute Indians, not now members of the Navajo Indian Tribe, who are located within the area described in the Act of June 14, 1934, and who were located within said area or are direct descendants of Paiute Indians who were located within said area on the date of such Act, land in quantities as specified in the Act of February 8, 1887 (24 Stat. 388), and patents shall be issued to them for such lands in the manner and with the restrictions as provided in sections 1, 5, and 6 of that Act.

SEC. 12. Subsequent to the partition of the surface of any land by a settlement reached or determined under authority of section 3 or 4 of this Act, the Navajo Tribe shall pay to the Hopi Tribe, from the date of such partition, fair rental value as determined by the Secretary for all Navajo Indians use of lands partitioned to the Hopi Tribe and the Hopi Tribe shall pay to the Navajo Tribe, from the date of such partition, fair rental value as determined by the Secretary for all Hopi Indian use of lands partitioned to the Navajo Tribe.

SEC. 13. Either party may institute any original, ancillary, or supplementary actions against the other party as may be necessary or desirable to insure quiet and peaceful enjoyment of the reservation lands of said party and the members thereof and fully to accomplish the objects and purposes of any settlement reached under section 3 or 4 of this Act. Such actions may be commenced in the United States District Court for the District of Arizona by either of said parties against the other, acting through the Chairman of the respective tribal councils, for and on behalf of the tribes, including all villages, clans, and individual members thereof.

SEC. 14. The United States shall not be an indispensable party to any action or actions commenced under authority of this Act and any judgment or judgments shall not be regarded as a claim or claims against the United States.

SEC. 15. All applicable provisions and final remedies provided for by the Federal Rules of Civil Procedure and all other remedies and processes available for enforcement and collection of judgments in the district courts of the United States may be used in the enforcement of judgments obtained pursuant to the provisions of this Act.

SEC. 16. (a) For the purposes of carrying out the provisions of section 4(b) of this Act, there is hereby authorized to be appropriated a sum not to exceed $20,000,000. The Secretary may use such sums to make a loan or loans to either or both parties, to be used by such party or parties pursuant to an agreement of settlement reached pursuant to section 3 of this Act, or pursuant to a settlement devised under section 4 of this Act.

(b) Any loan or loans made pursuant to subsection (a) of this section shall be repaid to the United States by the party to whom the funds are loaned, and they shall not bear interest. The loan shall be repaid from the borrowing party's annual share of earnings from the subsurface rights within the 1882 joint use area, unless otherwise determined by the Secretary: *Provided*, That the minimum amount to be repaid each year shall be $500,000 for each such loan.

SEC. 17. For the purpose of carrying out the provisions of section 8 and for the purpose of any compensation which may beome payable pursuant to the provisions of section 6 of this Act, there is hereby authorized to be appropriated not to exceed $30,000,000.

2. Strike all of the title of H.R. 10337 and insert in lieu, the following:

"To provide for the mediation and arbitration of the conflicting interests of the Navajo and Hopi Indian Tribes in and to lands lying within the joint use area of the Hopi Reservation established by the Executive Order of December 16, 1882, and to lands lying within the Navajo Reservation created by the Act of June 14, 1934, and for other purposes."

Mr. MEEDS (during the reading). Mr. Chairman, I ask unanimous consent that the amendment in the nature of a substitute for the committee amendment in the nature of a substitute be considered as read, printed in the RECORD, and open to amendment at any point.

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

There was no objection.

Mr. MEEDS. Mr. Chairman, it is not my intent to take at this time the full 5 minutes, but I do think it is necessary to discuss just briefly what the substitute will do.

The court at the outset will be required to appoint three arbitrators who will serve throughout the entire period of time with both parties. After that, of course, the tribes themselves will select their own negotiators, not more than seven, an uneven number. They and the three arbitrator-negotiators appointed by the court will sit in negotiation for up to 180 days. They have all of the tools we have mentioned to arrive at some kind of an agreement.

If an agreement is achieved between the negotiating parties, that agreement will be submitted to the Attorney General for technical changes and conforming changes only and will be sent to the Congress where it will lie for 60 days, and then, if not disapproved by the Congress, it will become the final settlement.

The same process will be followed if it does not reach settlement. It will be followed by an arbitration which will take place in 180 days and, with the parties having failed to reach their agreement, the arbitrators within 60 days of that time will make the final and binding decision, which is subject again to the minor technical changes made by the Attorney General and will lie 60 days before the Congress.

We have provided all of the tools that should be necessary in this legislation, but what we have not done in the substitute is to prejudge this matter. We have not said, as the committee bill does, that the court must divide the land in half and give half to each of the parties. As I said before, that may well be what the arbitrators will do and what the negotiators themselves will do, but the fact is we are not telling the arbitrators or the negotiators that is what they have to do.

This provides money for a loan from the Federal Government for the purchase of adjoining or new lands for resettlement, and it provides that money must be repaid by the advantaged party. It provides money for moving expenses, as does the bill offered by the gentleman from Utah, and it does many other things, but the most important provision in this measure is that 180 days after they start negotiating, if they have not achieved a settlement among themselves, it is going to be achieved by the arbitrators.

We have heard today that they have been arguing about this for 100 years, and they have. We have heard that if the parties could have settled it, they would have. Under the conditions that have existed I think it is true, also, but those conditions were never that time when the Navajos had to say we either make our settlement now or it will be imposed on us. They have never been under that stricture, and this legislation will put them under that stricture. I submit that we owe them this 6 additional months that it will take to try to work this out themselves.

I cannot guarantee that they can, because no one can, but the fact of the matter is we should give them this additional time, because any settlement they agree upon stands a very good likelihood of being carried out without bloodshed, and I submit that is extremely important.

Mr. HUBER. Will the gentleman yield?

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

Mr. HUBER. There is something I am confused about. If the Supreme Court decided that the Hopi owns these lands, how can arbitrators come up with some other conclusion and say to the Supreme Court, "You are not the top dog in the country." How can they say that?

Mr. MEEDS. The Supreme Court in the case of Healing against Jones determined that the Hopi and Navajos had a joint and undivided one-half interest in the 1882 joint use area.

In the joint use area, not the entire 1882 area, but the joint use area outside the white portion there on the map and they said they did not have authority to partition. That land could be partitioned by the arbitrators rather than by the court.

Mr. LUJAN. Mr. Chairman, if the gentleman will yield, I think the difficulty is the Court did not rule that they are entitled to half the land, they said they were entitled to a one-half interest.

The CHAIRMAN. The time of the gentleman has expired.

(On request of Mr. LUJAN, and by unanimous consent, Mr. MEEDS was allowed to proceed for 2 additional minutes.)

Mr. MEEDS. I thank the gentleman for the additional time.

The gentleman from New Mexico is stating it accurately. The Court said they had a joint and undivided one-half interest, and that it is an interest in land, it is not the actual land itself. The Court could have, if we had empowered them to partition the land, the Court could have reached a decision for giving one-fourth of the land to the Hopi and three quarters to the Navajo, and required the Navajo to compensate the Hopi, as I see it.

Mr. HUBER. Mr. Chairman, if the gentleman will yield further, suppose the arbitrators decide that it is all going to go to the Navajos? If they are going to make a decision they could make that decision. Then what happens to the rights of the Hopis that the Supreme

Court has already said exist? Can the arbitrators decide in their decision that there are no rights to the Hopi Nation?

Mr. MEEDS. First of all, I do not think that would happen.

Mr. HUBER. That is not the point.

Mr. MEEDS. If they violate the constitutional rights of the Hopi, the Hopi would still have the right to go to the court.

Mr. LUJAN. If the gentleman will yield further, it could happen, and that is one of the viable alternatives under this substitute, as I understand it. It could range all the way from saying, "Get the 8,000 Navajo off of there," or, "Let the Navajo purchase the land from the Hopi." With those two extremes they can make any combination thereof. The Hopis, of course, if they were therefore to have to be compensated by the Navajo, but, by the same token, if all the land is going to the Hopi they would have to pay the Navajo for it, and there is provision in the bill as to how those interests can be taken care of.

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

Mr. STEIGER of Arizona. Mr. Chairman, I rise in hysterical opposition to the substitute offered by the gentleman from Washington (Mr. MEEDS).

Mr. Chairman, I do feel very strongly about the substitute amendment, and I also recognize that without a shadow of a doubt the gentleman from Washington (Mr. MEEDS) is convinced that this is the viable solution to the problem.

I will simply, I guess, speak from my own personal experience with both of the tribes involved, and to advise the Members of the Committee, for whatever it may be worth, that both of these tribes are absolutely convinced of the justice of their own positions. And so the 6 months that the gentleman from Washington provides in his substitute, although it may be equitable and reasonable, is, I say, absolutely meaningless. We might as well go right to the arbitration, because there is not going to be any yielding. In order for the Navajo to negotiate in the true sense of the word, they have to give up something they have. In order for the Hopi to negotiate they have to agree to take money instead of land. That has been tried and tried again. It has been tried in an organized fashion since 1962. It has been tried through structured organizations since 1964, and it just is not working.

The Navajo in effect has told the Hopi, the BIA, and the rest of the country, that that cannot work, and to pull up the ladder; that they are not about to give up anything.

So any arbitration would have to be a deviation from the Supreme Court decision. That is why the Owens bill calls for a 50–50 undivided division of the land, because that is what the Supreme Court said.

That is why there are those of us who have urged the Hopis not to take up the tomahawk, not to burn, not to kill cattle, not to mutilate sheep, those of us who have urged them to work within the judicial bounds as provided by law. And when they complied with this and complied with the law, and they won, they are now told that they cannot have it; that, in effect, our system of justice only applies to the white man, to the non-Indian.

It is a very simple matter of equity, Mr. Chairman, and I will simply tell the Members that, again understanding fully the palatability of saying: "You people work it out," they have to recognize that there are some situations that are not workable, and this is one that is going to be in the hands of some arbitrators. The arbitrators are going to have the power to dispose, as the gentleman from Michigan pointed out under cross-examination, of the rights which the Supreme Court granted the Hopis, obviously with no more background than the court itself has, and that is clearly a subversion of justice.

Yes, it is unpalatable to most people, but we are going to have to move them if justice is to be served. It is just an unpalatable to deny people the use of their own land just because they are outnumbered, and that is what we are doing.

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

Mr. STEIGER of Arizona. I yield to the gentleman from Louisiana.

Mr. TREEN. I thank the gentleman for yielding.

Would not the arbitrators, even though under the substitute offered, not necessarily be bound to divide the land fifty-fifty, but would they not have to consider the Supreme Court decision which decreed that the two tribes own the land in division? According to the law, I think in most jurisdictions that would result in a 50–50 partition in kind. Does not the gentleman think that the arbitrators would have that Supreme Court decision as a guideline?

Mr. STEIGER of Arizona. I will tell the gentleman, if that is his desire, of course, it does not say anything in the substitute about that. But I will tell the gentleman that the Owens bill is exactly that, by permitting the court to partition and take into consideration not only the Supreme Court decision but the district court decision, which in effect is the manner of implementing the Supreme Court decision. There is nothing in the language of the gentleman from Washington, no criterion, as he said very accurately, no requirement that the Supreme Court decision even be referred to by the arbitrator. It seems to me that this is a tremendous abandonment of our responsibility. We have dealt with this thing, but the chairman of the full committee lived with it for 20-some years. The chairman of the subcommittee has literally lived with it for 3 years. Even we are divided. What is going to happen?

The CHAIRMAN. The time of the gentleman has expired.

(By unanimous consent, Mr. STEIGER of Arizona was allowed to proceed for 3 additional minutes.)

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

Mr. STEIGER of Arizona. I yield to the gentleman from Louisiana.

Mr. TREEN. I thank the gentleman for yielding.

I have another question. Could the gentleman explain this? Perhaps the author of the substitute could, if the gentleman does not have the facts on the substitute. As I understand it, three arbitrators will be appointed by the court and seven additional arbitrators by the parties; is that correct? There will be 10 arbitrators. If so, how would the additional seven arbitrators be chosen?

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

Mr. STEIGER of Arizona. I yield to the gentleman from Washington.

Mr. MEEDS. I thank the gentleman for yielding.

There are only three arbitrators. Those are chosen by the court. There is an uneven number of Hopis and an uneven number of Navajos up to seven who are appointed by the tribal authorities as negotiators. They meet with the arbitrators.

Mr. TREEN. But the vote would be by the arbitrators alone, those three men? They would have the power of decision?

Mr. MEEDS. If the gentleman will yield further, not in the first stage during the 180 days. The votes will be made all by the negotiators. If a majority of the negotiators on the Navajo side want this solution and a majority of the Hopis agree to the same, then they have a bargain. The arbitrators are not involved at that point. It is only when they cannot agree that then the three arbitrators make the decision.

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

Mr. STEIGER of Arizona. I yield to the gentleman from North Carolina.

Mr. TAYLOR of North Carolina. I thank the gentleman for yielding.

If the arbitrators divide this land on any basis except 50–50, would they not be overruled by the Supreme Court of the United States?

Mr. STEIGER of Arizona. I think the gentleman is correct. That would be exactly my definition of what would happen. It would be the only possible circumvention of the Supreme Court decision, and it would be done in the name of expedience, I will tell the gentleman. It seems to me that that is not worthy of this body. Recognizing the desirability of their working it out themselves, I will tell the Members that is not going to happen. It is going to be arbitrated. We are doing that right now in the most equitable fashion in conformity to the Supreme Court decision, and after a lot of intensive discussion.

Mr. Chairman, I would like to put this perhaps in an equation that will be understood by all, even those who have not any Indians in their districts.

There have been a great many political considerations involved in this, as is very natural but I will simply advise the Members that both the Senators from the

State of Arizona have strongly endorsed the Owens bill. In fact they have introduced a similar bill and the Members have received correspondence from them on it. Senator GOLDWATER is running for reelection and the only possible result of backing the Owens bill will be to antagonize the Indians, and that is a significant body to antagonize, but from his lifetime understanding of this problem he is brought to the conclusion that this is the only just solution. I hope we will appreciate his potential sacrifice in this matter and understand this problem is very real.

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

Mr. Chairman, I would like to comment first on the point made by my colleague, the gentleman from Arizona. The fact is that the Arizona delegation is divided, even as the committee was divided on this matter. It indicates how close this situation is. The gentleman from Arizona (Mr. CONLAN) and I favor the Meeds substitute, and the gentleman from Arizona (Mr. STEIGER), and, I understand, our other colleague (Mr. RHODES), plus the two Arizona Senate colleagues, are in favor of the committee bill.

I did want to clarify the point raised by the gentleman from North Carolina a minute ago. In the first place, there is no absolute right to 50 percent of the land under the Court decision. What there is is a 50-percent right to the undivided interest in the land and that could be in fee or in money or any other division the Court wants to direct. I call attention to section 6, subsection (2), of the Meeds substitute in which it is said:

(2) Any division or partition of the joint use area which results in a less than equal share to one party shall be fully and finally compensable to such party by the other party or out of appropriations hereinafter provided or both, except that any such compensation from the appropriation provided shall not prejudice the right of the compensated party to share equitably in the remaining portion of such appropriation unless imposed as a sanction pursuant to section 2(b) or 2(d) of this Act.

So if the arbitrators decide that the fair decision is to give more land to the Navajos, then we can have the Navajos pay more money to the Hopis to make up or we can have an appropriation to take up the difference.

As I said in general debate, these are two good proposals. Each will work. The Owens suggestions are based on an immediate and perhaps a harsh application of the Court decision. The Meeds solution is one that forces the parties to go one last time to the conference table to see if they can work it out together.

There is this concern that implementing the Court decision might be construed as a taking of Navajo land in the Moencopi area, in which case the Federal Government is stuck with $10 million or more payment. There will also be additional relocation costs under the committee bill as against the Meeds substitute.

For these reasons I would urge a vote for the Meeds substitute and against the committee bill.

AMENDMENT OFFERED BY MR. LUJAN TO THE AMENDMENT IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. MEEDS FOR THE COMMITTEE AMENDMENT IN THE NATURE OF A SUBSTITUTE

Mr. LUJAN. Mr. Chairman, I offer an amendment to the amendment in the nature of a substitute offered by the gentleman from Washington (Mr. MEEDS) for the committee amendment in the nature of a substitute.

The Clerk read as follows:

Amendment offered by Mr. LUJAN to the amendment in the nature of a substitute offered by Mr. MEEDS for the committee amendment in the nature of a substitute.

In section 4. (a), after the first appearance of the word "shall", strike the comma and the words "within 60 days thereafter", and insert the following: "within fifteen days hold a hearing. At such hearing the parties shall present such evidence as shall be relevant and material to aid the Board in devising a plan of settlement. The Board shall have the power to administer oaths or affirmations and examine witnesses and receive evidence. Such hearing to conclude within fifteen days from its commencement. The Board shall, within 60 days after the close of the hearings,"

Mr. LUJAN. Mr. Chairman, the Meed substitute now calls for 180 days of hearings and negotiations. After that, the Board would come up with its own recommendations, within 60 days. What I am trying to do here is in between these two periods, the 180 days while the negotiations are going on and the final 60 days when the decision is being made, is to insert an extra 15 days in there so that each tribe can come before the Board and have its final say-so in court, so to speak.

It is not an extensive amount of time. It will add, of course, a total of 30 days probably at the maximum. I think that this time can very well be used by both tribes to sum up their case and present some legal arguments that might be necessary. That is the intent of the amendment to the substitute.

Mr. MEEDS. Mr. Chairman, I rise in reluctant opposition to the amendment. I shall not take the full 5 minutes.

I oppose this because I do not think it is necessary. The provision for 180 days of negotiations is ample for the arbitrators to acquaint themselves with the facts. In the event they should have to invoke the sanctions and begin the arbitration sooner than 180 days upon default of one of the parties, they still have 60 days before they have to reach that arbitration settlement. I think that is ample time and ample authority under the bill to have hearings and call witnesses, to obtain all the information that they will need to reach any kind of agreement.

So I reluctantly oppose the amendment.

Mr. STEIGER of Arizona. Mr. Chairman, I rise in opposition to the amendment to the substitute. I just point out that one of my major objections to the substitute of the gentleman from Washington is the delay in the inevitable final point, which is arbitration.

I understand the purpose of the request of the gentleman from New Mexico for 15 days, but it is just prolonging the inevitable, which is arbitration; so I would suggest it does nothing to add to the main bill or the substitute. Therefore, I oppose it.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New Mexico (Mr. LUJAN) to the amendment in the nature of a substitute offered by the gentleman from Washington (Mr. MEEDS) for the committee amendment in the nature of a substitute.

The amendment to the amendment in the nature of a substitute for the committee amendment in the nature of a substitute was rejected.

AMENDMENT OFFERED BY MR. LUJAN TO THE AMENDMENT IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. MEEDS FOR THE COMMITTEE AMENDMENT IN THE NATURE OF A SUBSTITUTE

Mr. LUJAN. Mr. Chairman, I offer an amendment to the amendment in the nature of a substitute offered by Mr. MEEDS for the committee amendment in the nature of a substitute.

The Clerk read as follows:

Amendment offered by Mr. LUJAN to the amendment in the nature of a substitute offered by Mr. MEEDS for the committee amendment in the nature of a substitute: Section 13, after the last word of that section, "thereof.", strike the period and insert the following: "; *Provided, however*, That the action now pending in the United States District Court for the District of Arizona, No. 579 PCT, among the parties and the United States of America, and the appeals therefrom and any further proceedings therein shall be and the same are hereby, stayed until the approval of the settlement as set forth in Sections 3 and 4 of this Act."

Mr. LUJAN. Mr. Chairman, in bringing together two quarreling parties for negotiations, we should strive to bring them to the table with clean hands and with no threats or pressures on either party. There are today pending in the Arizona District Court certain actions brought by the Hopi against the Navajo Nation and the United States. These actions arise from the Healing against Jones decision and seek to force Navajo compliance and United States compliance with the provisions of that decision; yet the reason this legislation is needed is that the provisions of that decision are impossible to meet, even though the Secretary of the Interior has been working with the Navajos to try to meet them.

This amendment would stay all such actions until the settlement provided for in this act has been reached. At that time, of course, the settlement in itself mute and negate all these court actions.

Further, it is clear that the Hopi Tribe is attempting through these court actions to achieve through livestock reduction what it has been unable to achieve through congressional legislation.

The removal of some six to eight thousand Navajo people from their homes simply by removing from them their herds, which are their only means of livelihood; for this to continue during negotiations would drastically lessen the chances for peaceful settlement between the tribes.

I may point out one other thing, that any time that a leader would go out to negotiate on behalf of his people, it will be impossible to have his people follow-

ing him, as he needs them because he might be in jail because of some contempt of court citation.

Therefore, I think that it is necessary, Mr. Chairman, that all of these court actions be put off to one side until such time as this matter is completely cleared.

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

Mr. Chairman, while I said that I was in reluctant opposition to the last amendment, I must say that I am vehemently opposed to this amendment. I think we have absolutely no business in going back and attempting to undo what the Court has done under those supplementary proceedings of Healing versus Jones. That would be the effect of the gentleman's amendment.

Mr. STEIGER of Arizona. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, this, I am sorry to report to the committee and Chair, is what I consider not in the spirit in which we have been conducting these proceedings up until now. The effect of this amendment would be to quash the rulings in Healing versus Jones, as the gentleman from Washington properly reports. It would perhaps be exactly what the Navajo had in mind.

It would quash the four court orders, including the contempt order which the Navajos are now in contempt of court for not removing the livestock on which they have overgrazed these lands by 70 percent.

So, Mr. Chairman, I will tell the committee that this is not only interference in separation of powers, but an abrogation of justice, and it is bad.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New Mexico (Mr. LUJAN) to the amendment in the nature of a substitute offered by the gentleman from Washington (Mr. MEEDS) for the committee amendment in the nature of a substitute.

The amendment to the amendment in the nature of a substitute for the committee amendment in the nature of a substitute was rejected.

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

Mr. Chairman, I hesitate to take the further time of the Committee, but before we vote on the substitute amendment offered by the gentleman from Washington (Mr. MEEDS), I think it should be pointed out that this is a $500,000 waste, and pure delay. But more than that, it is an attempt to do away with the decision which the district court and then the Supreme Court spent 5 years deciding in Healing versus Jones.

Mr. Chairman, we know that the feet of both sides in this dispute are set in cement. We will not get them any closer together than they are. The Hopis will not give up their land for money. The Navajos cannot do anything else other than try to get some of that land, and to pay for it.

So, in essence, the arbitrators will be forced to decide anew, what is a fair midway point between those two positions of the Hopis and the Navajos—the arbitrators will be starting where the three judge panel was in 1958. The courts spent 5 years determining the equities in this case and it would be a mistake to allow the arbitrators to redecide those issues.

The Hopis are entitled to this land. They have lived there since the 1500's. They do not want money. They want what the Supreme Court says their rights are, which is to own half of that land and to control it.

Mr. Chairman, it would be folly indeed for Congress to dictate that a three-man arbitration panel should be set up to override what a three-man district court and the Supreme Court have decided are the rights of these two parties. Therefore, I appeal to the Members of the Committee: Do not overrule the Supreme Court in a matter where you do not understand the sensitivities and the equities.

Mr. Chairman, let us uphold the Supreme Court. Let us leave this matter in the hands of the courts by defeating the Meeds amendment.

The CHAIRMAN. The question is on the amendment in the nature of a substitute offered by the gentleman from Washington (Mr. MEEDS) for the committee amendment in the nature of a substitute.

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

RECORDED VOTE

Mr. OWENS. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 129, noes 199, not voting 105, as follows:

[Roll No. 252]

AYES—129

Adams	Ford	Moakley
Addabbo	Fraser	Moorhead, Calif.
Alexander	Frey	Moorhead, Pa.
Anderson, Calif.	Froehlich	Morgan
Annunzio	Gaydos	Natcher
Armstrong	Ginn	Nedzi
Badillo	Gonzalez	Obey
Barrett	Grasso	O'Brien
Bell	Gray	O'Hara
Bergland	Grover	Patten
Bingham	Gude	Perkins
Brademas	Hamilton	Peyser
Brasco	Hanley	Pritchard
Brinkley	Hechler, W. Va.	Railsback
Brotzman	Heckler, Mass.	Randall
Brown, Ohio	Heinz	Rarick
Burke, Fla.	Hicks	Rees
Burke, Mass.	Hillis	Reuss
Butler	Hogan	Riegle
Byron	Hungate	Rinaldo
Carney, Ohio	Johnson, Calif.	Roe
Carter	Jones, Okla.	Rose
Chisholm	Kastenmeier	Rosenthal
Clay	Kazen	Roush
Collins, Ill.	Kemp	Roybal
Conlan	Koch	Runnels
Conte	Lagomarsino	St Germain
Corman	Landgrebe	Sarbanes
Coughlin	Leggett	Schroeder
Cronin	Lehman	Seiberling
Davis, S.C.	Lent	Spence
Davis, Wis.	Long, La.	Stokes
Dellenback	Long, Md.	Stratton
Dellums	Lujan	Tiernan
Denholm	McClory	Traxler
Diggs	McCormack	Udall
Dingell	Macdonald	Vander Veen
Donohue	Madden	Wampler
Dulski	Maraziti	Williams
Erlenborn	Mathis, Ga.	Wolff
Flood	Mayne	Wright
Flowers	Meeds	Yatron
Flynt	Metcalfe	
	Mink	

NOES—199

Abdnor	Gunter	Roberts
Abzug	Guyer	Robinson, Va.
Anderson, Ill.	Haley	Robison, N.Y.
Andrews, N.C.	Hammer-schmidt	Rodino
Archer	Hanna	Rogers
Ashbrook	Hanrahan	Roncalio, Wyo.
Ashley	Harrington	Rousselot
Bafalis	Harsha	Roy
Baker	Hastings	Ruppe
Bauman	Henderson	Ruth
Bennett	Holt	Sandman
Biaggi	Holtzman	Sarasin
Boland	Horton	Scherle
Bowen	Huber	Schneebeli
Bray	Hudnut	Sebelius
Breaux	Hunt	Shipley
Breckinridge	Ichord	Shoup
Brown, Calif.	Jarman	Shriver
Brown, Mich.	Johnson, Pa.	Shuster
Broyhill, Va.	Jones, N.C.	Sisk
Burgener	Jones, Tenn.	Skubitz
Burke, Calif.	Jordan	Slack
Burlison, Mo.	Kluczynski	Smith, N.Y.
Casey, Tex.	Landrum	Snyder
Cederberg	Latta	Stanton, J. William
Clancy	Lott	Stark
Clausen, Don H.	Luken	Steed
Clawson, Del	McCollister	Steele
Cleveland	McEwen	Steiger, Ariz.
Cochran	McFall	Steiger, Wis.
Cohen	McKay	Stephens
Collins, Tex.	McKinney	Stuckey
Cotter	Madigan	Studds
Daniel, Robert W., Jr.	Mahon	Sullivan
Daniels, Dominick V.	Mallary	Symms
Danielson	Mann	Talcott
Davis, Ga.	Martin, N.C.	Taylor, Mo.
Delaney	Mathias, Calif.	Taylor, N.C.
Dennis	Matsunaga	Thone
Dent	Mazzoli	Thornton
Dorn	Melcher	Towell, Nev.
Downing	Mezvinsky	Treen
Drinan	Milford	Ullman
Duncan	Miller	Vanik
du Pont	Mills	Vigorito
Eckhardt	Minish	Waggonner
Edwards, Ala.	Mitchell, N.Y.	Walsh
Edwards, Calif.	Mizell	Ware
Eilberg	Mollohan	Whalen
Esch	Mosher	White
Eshleman	Moss	Whitehurst
Evans, Colo.	Murphy, Ill.	Whitten
Fascell	Myers	Widnall
Fish	Nelsen	Wiggins
Fisher	Nichols	Wilson, Bob
Forsythe	Owens	Wilson, Charles H., Calif.
Frelinghuysen	Parris	Winn
Frenzel	Patman	Wyatt
Fulton	Pepper	Wylie
Gettys	Pike	Yates
Gilman	Poage	Yatron
Goodling	Powell, Ohio	Young, Alaska
Green, Pa.	Preyer	Young, Fla.
Griffiths	Price, Ill.	Young, Tex.
Gross	Price, Tex.	Zablocki
Gubser	Quillen	Zion
	Regula	
	Rhodes	

NOT VOTING—105

Andrews, N. Dak.	Devine	McCloskey
Arends	Dickinson	McDade
Aspin	Evins, Tenn.	McSpadden
Beard	Findley	Martin, Nebr.
Bevill	Foley	Michel
Biester	Fountain	Minshall, Ohio
Blackburn	Fuqua	Mitchell, Md.
Blatnik	Giaimo	Montgomery
Boggs	Gibbons	Murphy, N.Y.
Bolling	Goldwater	Murtha
Brooks	Green, Oreg.	Nix
Broomfield	Hansen, Idaho	O'Neill
Broyhill, N.C.	Hansen, Wash.	Passman
Buchanan	Hawkins	Pettis
Burleson, Tex.	Hays	Pickle
Burton	Hébert	Podell
Camp	Helstoski	Quie
Carey, N.Y.	Hinshaw	Rangel
Chamberlain	Holifield	Reid
Chappell	Hosmer	Roncallo, N.Y.
Clark	Howard	Rooney, N.Y.
Collier	Hutchinson	Rooney, Pa.
Conable	Johnson, Colo.	Rostenkowski
Conyers	Jones, Ala.	Ryan
Crane	Karth	Satterfield
Culver	Ketchum	Sikes
Daniel, Dan	King	Smith, Iowa
de la Garza	Kuykendall	Staggers
Derwinski	Kyros	Stanton, James V.
	Litton	

Steelman	Van Deerlin	Wydler
Stubblefield	Vander Jagt	Wyman
Symington	Veysey	Young, Ga.
Teague	Waldie	Young, Ill.
Thompson, N.J.	Wilson,	Young, S.C.
Thomson, Wis.	Charles, Tex.	Zwach

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

The result of the vote was announced as above recorded.

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

Mr. Chairman, I am not going to take the full 5 minutes. I simply want to point out to the Members of the House that, now that the amendment in the nature of a substitute has been defeated, we will be voting on exactly the same bill that this House turned down not more than a month ago.

The CHAIRMAN. If there are no further amendments to be offered, the question is on the committee amendment in the nature of a substitute, as amended.

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

Mr. LUJAN. Mr. Chairman, I demand a recorded vote.

A recorded vote was refused.

So the committee amendment in the nature of a substitute, as amended, was agreed to.

Accordingly the Committee rose; and the Speaker pro tempore (Mr. McFALL) having resumed the chair, Mr. WHITE, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 10337) to authorize the partition of the surface rights in the joint use area of the 1882 Executive Order Hopi Reservation and the surface and subsurface rights in the 1934 Navajo Reservation between the Hopi and Navajo Tribes, to provide for allotments to certain Paiute Indians, and for other purposes, pursuant to House Resolution 1095, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the committee amendent in the nature of a substitute adopted in the Committee of the Whole? If not, the question is on the amendment.

The amendment was agreed to.

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

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

The SPEAKER pro tempore. The question is on the passage of the bill.

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

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 290, nays 38, not voting 105, as follows:

[Roll No. 253]

YEAS—290

Abdnor	Gray	Pickle
Abzug	Green, Pa.	Pike
Adams	Griffiths	Poage
Addabbo	Gross	Powell, Ohio
Alexander	Gubser	Preyer
Andrews, N.C.	Gunter	Price, Ill.
Annunzio	Guyer	Price, Tex.
Ashley	Haley	Pritchard
Badillo	Hamilton	Railsback
Bafalis	Hammer-schmidt	Randall
Baker	Hanley	Rarick
Bauman	Hanrahan	Rees
Bell	Harrington	Regula
Bennett	Harsha	Reuss
Bergland	Hastings	Rhodes
Bingham	Hechler, W. Va.	Riegle
Boland	Heckler, Mass.	Rinaldo
Bowen	Heinz	Roberts
Brademas	Henderson	Robison, N.Y.
Brasco	Hicks	Rodino
Bray	Hogan	Roe
Breaux	Holtzman	Rogers
Breckinridge	Horton	Roncalio, Wyo.
Brinkley	Huber	Rose
Brotzman	Hudnut	Rosenthal
Brown, Calif.	Hungate	Roush
Brown, Mich.	Hunt	Rousselot
Brown, Ohio	Ichord	Roy
Broyhill, Va.	Jarman	Ruppe
Burgener	Johnson, Calif.	Ruth
Burke, Calif.	Johnson, Pa.	St Germain
Burke, Fla.	Jones, Ala.	Sandman
Burke, Mass.	Jones, N.C.	Sarasin
Burlison, Mo.	Jones, Okla.	Sarbanes
Byron	Jones, Tenn.	Satterfield
Carney, Ohio	Jordan	Scherle
Casey, Tex.	Kastenmeier	Schneebeli
Cederberg	Kazen	Schroeder
Chappell	Kemp	Sebelius
Chisholm	Kluczynski	Seiberling
Clancy	Koch	Shipley
Clausen, Don H.	Landrum	Shriver
Clawson, Del	Latta	Shuster
Clay	Leggett	Sisk
Cleveland	Lehman	Skubitz
Cochran	Long, La.	Slack
Cohen	Long, Md.	Smith, N.Y.
Collins, Ill.	Luken	Snyder
Collins, Tex.	McClory	Stanton, J. William
Conte	McCollister	Stark
Corman	McCormack	Steed
Cotter	McFall	Steele
Coughlin	McKay	Steiger, Ariz.
Cronin	McKinney	Steiger, Wis.
Daniels, Dominick V.	Macdonald	Stephens
Danielson	Madden	Stokes
Davis, Ga.	Madigan	Stuckey
Davis, Wis.	Mahon	Studds
Delaney	Mallary	Sullivan
Dellenback	Mann	Symms
Dellums	Martin, N.C.	Talcott
Denholm	Mathias, Calif.	Taylor, Mo.
Dennis	Matsunaga	Taylor, N.C.
Dent	Mayne	Thone
Diggs	Mazzoli	Thornton
Donohue	Meeds	Tiernan
Dorn	Melcher	Towell, Nev.
Downing	Metcalfe	Traxler
Drinan	Mezvinsky	Treen
Dulski	Milford	Udall
Duncan	Miller	Ullman
du Pont	Mills	Vander Veen
Eckhardt	Minish	Vanik
Edwards, Ala.	Mink	Vigorito
Edwards, Calif.	Mizell	Waggonner
Eilberg	Moakley	Walsh
Erlenborn	Mollohan	Ware
Esch	Moorhead, Calif.	Whalen
Eshleman	Moorhead, Pa.	White
Evans, Colo.	Morgan	Whitehurst
Fascell	Mosher	Widnall
Fish	Moss	Wiggins
Fisher	Murphy, Ill.	Williams
Flowers	Myers	Wilson, Bob
Ford	Natcher	Winn
Forsythe	Nedzi	Wolff
Fraser	Nelsen	Wright
Frelinghuysen	Nichols	Wyatt
Frenzel	Obey	Wylie
Frey	O'Brien	Yates
Fulton	O'Hara	Yatron
Gaydos	Owens	Young, Alaska
Gettys	Parris	Young, Fla.
Gilman	Patten	Young, Tex.
Gonzalez	Pepper	Zablocki
Goodling	Perkins	Zion
Grasso	Peyser	

NAYS—38

Anderson, Calif.	Flood	Maraziti
Anderson, Ill.	Flynt	Mathis, Ga.
Archer	Froehlich	Mitchell, N.Y.
Armstrong	Ginn	Patman
Ashbrook	Grover	Quillen
Barrett	Gude	Robinson, Va.
Butler	Hillis	Roybal
Carter	Holt	Runnels
Conlan	Lagomarsino	Shoup
Daniel, Robert W., Jr.	Landgrebe	Spence
Davis, S.C.	Lent	Stratton
Dingell	Lott	Wampler
	Lujan	
	McEwen	

NOT VOTING—105

Andrews, N. Dak.	Glaimo	Podell
Arends	Gibbons	Quie
Aspin	Goldwater	Rangel
Beard	Green, Oreg.	Reid
Bevill	Hanna	Roncallo, N.Y.
Biaggi	Hansen, Idaho	Rooney, N.Y.
Biester	Hansen, Wash.	Rooney, Pa.
Blackburn	Hawkins	Rostenkowski
Blatnik	Hays	Ryan
Boggs	Hébert	Sikes
Bolling	Helstoski	Smith, Iowa
Brooks	Hinshaw	Staggers
Broomfield	Holifield	Stanton, James V.
Broyhill, N.C.	Hosmer	Steelman
Buchanan	Howard	Stubblefield
Burleson, Tex.	Hutchinson	Symington
Burton	Johnson, Colo.	Teague
Camp	Karth	Thompson, N.J.
Carey, N.Y.	Ketchum	Thomson, Wis.
Chamberlain	King	Van Deerlin
Clark	Kuykendall	Vander Jagt
Collier	Kyros	Veysey
Conable	Litton	Waldie
Conyers	McCloskey	Whitten
Crane	McDade	Wilson, Charles H., Calif.
Culver	McSpadden	
Daniel, Dan	Martin, Nebr.	Wilson, Charles, Tex.
de la Garza	Michel	Wydler
Derwinski	Minshall, Ohio	Wyman
Devine	Mitchell, Md.	Young, Ga.
Dickinson	Montgomery	Young, Ill.
Evins, Tenn.	Murphy, N.Y.	Young, S.C.
Findley	Murtha	Zwach
Foley	Nix	
Fountain	O'Neill	
Fuqua	Passman	
	Pettis	

So the bill was passed.

The Clerk announced the followed pairs:

On this vote:

Mr. Thompson of New Jersey for, with Mr. McSpadden against.

Until further notice:

Mr. Rooney of New York with Mr. Aspin.

Mr. Rostenkowski with Mr. Burleson of Texas.

Mr. Rooney of Pennsylvania with Mr. Culver.

Mr. Howard with Mr. Dan Daniel.

Mr. Brooks with Mr. Gibbons.

Mr. Karth with Mrs. Green of Oregon.

Mr. Stubblefield with Mrs. Hansen of Washington.

Mr. O'Neill with Mr. Litton.

Mr. Murphy of New York with Mr. McCloskey.

Mr. Podell with Mr. Martin of Nebraska.

Mr. Sikes with Mr. Kuykendall.

Mr. Burton with Mr. Hutchinson.

Mr. Helstoski with Mr. King.

Mr. Reid with Mr. Hosmer.

Mr. Passman with Mr. Andrews of North Dakota.

Mr. de la Garza with Mr. Camp.

Mr. Smith of Iowa with Mr. Broyhill of North Carolina.

Mr. Bevill with Mr. Derwinski.

Mr. Foley with Mr. Arends.

Mr. Ryan with Mr. Hansen of Idaho.

Mr. Hays with Mr. Biester.

Mr. Hébert with Mr. Devine.

Mr. Biaggi with Mr. Beard.

Mr. Carey with Mr. Hinshaw.

Mr. Clark with Mr. Conyers.

Mr. Charles H. Wilson of California with Mr. Collier.

Mr. Teague with Mr. Blackburn.

Mr. Staggers with Mr. Dickinson.
Mr. Rangel with Mr. Hanna.
Mr. Giaimo with Mr. Conable.
Mr. Fuqua with Mr. Broomfield.
Mr. Holifield with Mr. Crane.
Mr. Kyros with Mr. Findley.
Mr. Mitchell of Maryland with Mr. Blatnik.
Mrs. Boggs with Mr. Goldwater.
Mr. Evins of Tennessee with Mr. Buchanan.
Mr. Nix with Mr. Van Deerlin.
Mr. Fountain with Mr. McDade.
Mr. Hawkins with Mr. James V. Stanton.
Mr. Symington with Mr. Michel.
Mr. Waldie with Mr. Young of Georgia.
Mr. Whitten with Mr. Minshall of Ohio.
Mr. Murtha with Mr. Pettis.
Mr. Montgomery with Mr. Quie.
Mr. Roncallo of New York with Mr. Steelman.
Mr. Thomson of Wisconsin with Mr. Vander Jagt.
Mr. Charles Wilson of Texas with Mr. Wydler.
Mr. Wyman with Mr. Young of Illinois.
Mr. Young of South Carolina with Mr. Zwach.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. MEEDS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill just passed.

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

There was no objection.

IGNORANCE OF ECONOMIC LAW IS NO EXCUSE

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

Mr. JARMAN. Mr. Speaker, I do not know whether there ever can be a situation where ignorance is bliss. But just as ignorance of the law is no excuse for an unlawful act, ignorance of economics is no excuse for politically expedient but unwise economic policy. In the context of the Nation's serious energy problems, the economic ignorance of our times can be a disastrous handicap in our efforts to meet our compelling energy needs. Indeed, much of the futile grappling with this crisis that has gone on to date in this House and in the other body has reflected either widespread economic ignorance or dangerous political expediency.

The nature and consequences of this ignorance, as it relates to the petroleum shortage, is brillantly analyzed in a Special Petroleum Report recently issued by the Chase Manhattan Bank.

This report points out that economic illiteracy has gone so far in this country that in the minds of many Americans "profit is a dirty word."

It goes on to explain that even people who have some understanding of the need for profits can be quite limited in their comprehension of the subject. Often these people do not realize that as needs for goods and services grow, there must be a corresponding expansion of profits.

The bank letter proceeds to apply these observations to the petroleum situation. The letter notes that there is a widespread belief that oil companies are guilty of profiteering and that this belief has led to proposals to punish the companies. It then goes on to state:

Considering the widespread failure to understand the true function of profits in the free enterprise system, the attitude of the public is not surprising. But the American people are entitled to a much greater insight on the part of their elected and appointed representatives in government. Unless they fully understand the Nation's chosen economic system and unless they ascertain all the facts before they act, thest officials run the risk of setting in motion forces that are likely to prove highly detrimental in the longer run.

I share this concern about ill-advised and ill-considered action, and it is from this concern that I urge a close reading of the remainder of this bank letter. I am inserting the entire newsletter in the RECORD in the hope that my colleagues will give it the open-minded study that it merits.

The analysis of the petroleum industry profit picture in this newsletter can do much to dispel the economic confusion that could lead to harmful legislation.

The newsletter gives some of the unpublicized reasons for the surge of oil company profits during 1973. It discusses such little considered factors as the effect of dollar devaluation, of the need to maintain larger inventories, and of soaring tanker rates on oil company profits. It discusses the sharp increase in direct taxes experienced worldwide by the companies last year—a substantially greater increase than the widely proclaimed rise in their profits.

The bank letter then goes on to relate the profits of oil companies to the investment required for the United States to achieve a greater degree of self-sufficiency in petroleum.

Revealing statistics and detailed explanations are given on all these points and much more. Whether or not one agrees with the arguments made in this newsletter, I believe that a knowledge of this particular analysis must be considered essential for any intelligent discussion of the petroleum profit question.

I am convinced that the points brought out in this newsletter can move the debate over petroleum industry legislation to higher ground. This is the kind of ground on which we should stand in deliberating questions of such extreme importance to Americans of the present and of future generations.

"Ignorance of the law" is no excuse, we have been told over and over again. Neither should ignorance of basic economics be an excuse for mistakes that could be made in misinformed and misguided legislation applying to the petroleum industry. There is even less of an excuse for such mistakes now when a single detailed newsletter has provided such an array of essential economic information bearing directly on the issues now under consideration.

Mr. Speaker, at this point in the RECORD, I will include the Chase Manhattan Bank special petroleum report followed by a summary of some of the highlights of that report:

[From the Energy Economics Division of the Chase Manhattan Bank, New York, N.Y., April 1974]

THE PROFIT SITUATION: A SPECIAL PETROLEUM REPORT

PROFITS AND THE ORDINARY MAN

Ask any man what he would need first if he wanted to get into the petroleum business. He would be virtually certain to say money. He would know he could not start the business without money. And he would also know he would need more money to keep the business going and still more to make it grow.

Ask him where he would get the money. And he would be likely to say that he would have to provide most of it himself from his accumulated earnings. He would probably know he could borrow some—but only if he could prove to the lender his ability to repay the loan out of future profits.

Because he obviously must depend upon them so much, ask him to define profits. Again, he would be likely to respond correctly. He would know that, of the money he took in from the sale of petroleum, only the amount remaining after paying all the costs of doing business, including taxes, would represent his profit. He would be likely to understand that he could expand his business only if his profits were large enough. And he would also recognize that his business would fail if his profits were too small.

Despite the fact that most people readily understand their own needs for an adequate income, whether it be salary or profits, many fail to recognize the equal needs of others. Indeed, the extent of the failure to understand the vital importance of the role played by profits in the free enterprise system is appalling. Because that lack of understanding is now so great, it constitutes a significant threat to the continued existence of the economic system that has served the people of the United States so well in the past.

THE FREE ENTERPRISE SYSTEM

The American economy has been called the eighth wonder of the world because it is based on a historically revolutionary idea: that a society can function, prosper and grow on the basis of free economic choices by individuals. The market place—not government planning—regulates the economy. The desire for private gain and fulfillment, not decree or coercion, is the motivating force. It is a system that has brought to the American people the highest standard of living anywhere on earth. It has worked well because for the most part it has been permitted to function with a minimum of intervention by government. Yet, despite the demonstrated merits of the system, disturbing changes are being introduced. With increasing frequency governmental intervention is being substituted for the free choice of individuals in the market place.

ECONOMIC ILLITERACY

If asked, a vast majority of the people of this nation would doubtless say they believed in the free enterprise system. But how many really understand how it functions? Only a small proportion of all high school and college graduates have ever taken a course that explains the free enterprise system in a meaningful fashion. Former Secretary of Commerce Luther Hodges once said, "If ignorance paid dividends, most Americans could make a fortune out of what they don't know about economics."

Among the most disturbing effects of economic illiteracy is the widespread misunderstanding of the role profit plays in the free enterprise system. In the minds of far too many, unfortunately, profit is a dirty word. There is the strong tendency to think of

profits as funds left over from the operations of a business—money to be utilized for any unrelated purpose. Profits, therefore, are regarded as something a business does not really need, or at least something that can be reduced without serious consequences. Many, though they endorse the free enterprise system, nevertheless reject profits. Apparently, their lack of knowledge of economics leaves them unprepared to understand that the American economy cannot function without capital—and there can be no capital without profits. Indeed, there is the shocking evidence that some are not even able to distinguish between gross revenue and profits.

* * * * *

THE FACTORS

It is important to recognize at the outset that the group of companies does business throughout the entire non-Communist world and that the operating conditions in 1973 outside the United States were vastly different than within. The growth of demand for petroleum was strong in the United States—but it was much stronger in the rest of the world. Market needs in the United States increased by nearly a million barrels per day and elsewhere they rose by more than two million a day. Gains of that magnitude, of course, could alone produce a substantial increase in earnings without any change in the price of petroleum.

But, for several reasons—mostly abnormal—there were price increases also. A gradually evolving shortage of petroleum has been apparent for many years. For the most part that development has been regarded with complacency in the United States. In most of the rest of the world, however, the degree of awareness has been much greater. And mounting apprehension about the scarcity of supply caused prices to advance in many of the world's markets during 1973.

Largely because of governmental restraints on the generation of capital over the past two decades, it has not been possible to increase the production of petroleum in the United States in recent years. And all of the expansion of market needs, therefore, has had to be satisfied with imported oil. That means the United States has recently started to compete much more aggressively with other importing nations for available foreign supplies. And that competition in 1973 gave rise to even greater concern within other nations about the adequacy of their oil supply. They reacted by increasing their stockpiles of oil and bidding up prices further in the process.

Governments of several major oil producing nations were also responsible for higher oil prices in 1973. To varying degrees and in several stages they enlarged their ownership of the petroleum operations within their borders and in the process dictated very large increases in the price of crude oil. Under the terms of the varied and complicated formulas that establish the relationship of the governments and the operating petroleum companies, most of the benefits of the price changes went to the governments, but some accrued to the companies too.

During 1973, governments of some of the oil producing countries made threats to cut off the flow of oil. Such warnings, of course, contributed to the apprehension within the importing nations about the continuity of their oil supply. And, as a consequence, the governments of the importing nations compelled petroleum companies to maintain exceptionally large inventories. As the price of oil progressively rose in the world's major markets in response to both the forces of supply and demand and the unilateral actions of government, the value of inventories increased too. And that development was naturally reflected in the gross revenue of the petroleum companies involved.

Early in 1973 the dollar was devalued. And, in the process of the necessary conversion from various other currencies, dollars were automatically increased on the books of many petroleum companies. Thus, an action of the United States Government contributed directly and significantly to the growth of earnings of those companies.

The strong worldwide growth in the demand for petroleum in 1973 caused tanker rates to soar to record highs after being at subnormal levels the year before. Consequently, the transportation operations of many of the petroleum companies became substantially more profitable than they had been.

After being in the doldrums for several years the petrochemical operations of the petroleum companies staged a strong recovery in 1973. And the earnings from those operations, therefore, were significantly better than in the previous year. The impetus for the recovery was provided by both a strong demand for chemical products and a shortage of supply.

* * * * *

WHY PROFITS INCREASED SO MUCH

In 1972, more than half of the group's overall profits—53 percent—were earned in the United States. But, in 1973, the proportion dropped to only 37 percent. For the most part, that major shift reflected the impact of the various abnormal forces operating in 1973.

Devaluation of the dollar had the single greatest effect. Indeed, nearly one-fourth of the worldwide increase in profits can be attributed to devaluation alone. About one-sixth of the profit gain was brought about by the increase in the value of inventories following the progressive firming of petroleum prices in most of the world's market throughout the year. As explained earlier, the price changes were the result of both economic and political forces. Historically, the profitability of both the petrochemical and tanker operations of the companies has ranged from extremely poor to extremely good. It is unusual, however, for both operations to stage a strong recovery in the same year, as was the case in 1973. Because these activities did recover at the same time, they also contributed substantially to the expansion of the group's profits.

Four of the thirty companies in the group are European rather than American organizations. Their earnings have fluctuated widely in recent years and in 1972 they were severely depressed. Because of the unusual developments in 1973, the earnings of these four companies were much improved and that recovery alone accounted for more than one-third of the profit gain for the entire 30 company group.

The growth of demand for oil continued unabated in 1973. Worldwide needs were 3.2 million barrels per day larger than in the year before. And, with that much additional oil moving to market at price levels that averaged higher than in the previous year, a substantial increase in profits was a perfectly normal consequence.

When considered superficially, a 71 percent increase in profits appears excessive. But, an analysis that is limited solely to the change for a single year is not only foolish and grossly misleading but can also be dishonest. If petroleum companies are to serve the expanding needs of consumers, they must make long range investment plans. And those plans must necessarily be based upon the average growth of profits over a long period of time—not just the increase in a single year. For the past five years, including 1973, the group of companies achieved an average annual growth in earnings of 12.0 percent. For the past ten years, the annual growth has averaged 9.9 percent. In both cases, the average increase fell far short of the growth required to provide the capital funds needed to keep pace with the expansion of petroleum demand.

Within the United States alone the longer term growth of profits has been even less favorable. Although the group's earnings in 1973 were 19.1 percent higher than in the year before, they were only 11.3 percent higher than five years earlier. And the average annual growth for the past five years has been only 2.2 percent. Over the past ten years the average growth has amounted to no more than 6.2 percent. Clearly, the United States cannot possibly achieve the higher degree of petroleum self-sufficiency it so urgently needs if profits continue to grow at such slow rates. Not nearly enough capital can be generated internally nor will capital from outside sources be attracted. There are many opportunities for investment in the United States that are much more attractive.

* * * * *

ABOUT THOSE TAXES

As noted earlier, the group's taxes increased more in 1973 than its profits—both in the United States and in the rest of the world. Indeed, taxes have increased more than profits for many years. The following table illustrates the degree of increase over the past five years:

[Dollar amounts in millions]

			Change from 1968	
	1973	1968	Amount	Percent
Profits	$11,722	$6,664	+$5,058	+75.9
Direct taxes	20,845	7,276	+13,569	+186.5

Clearly, governments are benefiting far more from the operations of the companies than the companies themselves. In the United States alone, total direct taxes rose by 33.1 percent in 1973 compared with the 19.1 percent gain in profits. Income taxes were up 72.9 percent. Over the past five years direct taxes in the United States increased by 1,343 million dollars or 65.2 percent compared with the profit gain of 441 million dollars or 11.3 percent. Income taxes alone increased by 804 million dollars or 97.2 percent during that period.

In addition to the direct taxes they pay, the companies transfer to governments an enormous amount of money in the form of excise taxes. In 1973 the excise taxes amounted to 26.4 billion dollars—10.1 billion in the United States and 16.3 billion in the rest of the world. The total taxes taken in by governments as a result of the group's operations in 1973 amounted to 47.2 billion dollars—13.5 billion in the United States and 33.7 billion in the rest of the world. Of the total taxes paid, the major portion went to the governments of the petroleum importing nations. Indeed, the tax receipts of government of the United States alone exceeded those of all the major producing countries together. Compared with the year before, the tax revenue of governments increased by 9.4 billion dollars. Over the past five years governments took in 172.7 billion dollars in taxes. The profits of the companies over the same period amounted to 39.2 billion dollars. By any test, governments have fared exceedingly well.

It should be readily apparent that the more money governments take from the companies in the form of taxes the less there is available for capital investment. When governments increase taxes they reduce profits and thereby create an immediate need for the companies to offset the loss by raising petroleum prices in an effort to restore their profits. But, if governments apply price controls or otherwise limit profits, the companies cannot offset the loss of capital funds caused by the tax increase and they are then forced

to curtail their capital investment. Obviously, the companies cannot invest money they do not have.

THEY SPEND MORE THAN THEY EARN

Historically, there has always been a very close relationship between capital expenditures and profits. As one of the charts in this report clearly reveals, capital expenditures rise and fall with net income. Also indicated is the fact that the group's capital expenditures are much larger than its profits. The following table compares the actual amount of profits and capital expenditures over the past five years:

[Dollar amounts in millions]

	Profits	Capital expenditures	Expenditures over profits	
			Amount	Percent
United States	$18,883	$34,102	+15,219	+80.6
Rest of world	20,308	30,000	+9,692	+47.7
Worldwide	39,191	64,102	+24,911	+63.6

As the table reveals, the companies invested nearly two-thirds more money in the past five years than they generated in profits. And in the United States they spent nearly twice as much as they earned. In fact, well over half of their worldwide investment was made in the United States even though their profits were larger in the rest of the world. The companies were able to invest more than they earned only because they could obtain part of the money they needed through the mechanism of capital recovery and another part by borrowing.

THE IMPORTANCE OF PETROLEUM

The satisfaction of virtually all needs for goods and services throughout the world depends upon the use of energy. Without a sufficient supply of energy, the developed nations of the world cannot maintain their existing standard of living and the less developed nations will not be able to achieve the economic and social gains they so urgently need. The liquid form of oil makes it by far the most versatile of all energy sources. Our studies reveal that the world will depend upon oil alone to satisfy well over half of its energy needs between 1970 and 1985. The world's requirements for petroleum in that time will be nearly three times greater than in the preceding fifteen years. Even if the demand for oil stopped growing, the consumption would still be almost twice as large as in the preceding fifteen years.

All of the existing proved reserves of oil throughout the entire non-Communist world are not now sufficient to satisfy the worldwide needs between 1970 and 1985. If those needs are to be satisfied and a realistic level of underground inventories maintained, the petroleum industry will have to find twice as much oil between 1970 and 1985 as it discovered in the preceding fifteen years. The estimated cost of finding that much oil and providing all the additional facilities required to satisfy the world's expanding markets plus the other essential financial needs of a viable business operation will amount to well over a trillion dollars. That is about four times the amount of money the industry utilized in the preceding fifteen years. In the United States alone, the petroleum industry's financial needs will exceed half a trillion dollars.

Raising that much money will represent an enormous task. Part of it can be borrowed but at least three-fourths will have to be generated internally from profits and capital recovery. Nearly half must be obtained from profits alone and, profits will have to grow much faster than in the past. The rate of return on invested capital will need to range between 15 and 20 percent.

THE ROLE OF GOVERNMENT

But, if obstacles are raised by governments, and the petroleum industry is therefore prevented from generating all the capital funds it needs, it will be unable to serve the world's markets—a progressively worsening shortage of petroleum will surely evolve. The United States is now faced with a shortage of all forms of energy and the blame for that condition must be laid almost entirely at the doorstep of government. For nearly four decades, government has broken economic laws repeatedly and has compiled an appalling record of interference with the normal operations of the free enterprise system. Yet, against that background, many representatives of government are currently exhibiting an incredible determination to take further actions that are certain to prove highly detrimental to the nation.

The temper of the times is dangerous. And government should be acting with utmost care. It ought to be making a thorough, well-reasoned, and open-minded assessment of all the abnormal forces at work in 1973. In addition, it should be conducting an equally honest examination of its own role in bringing about the energy shortage. Good government demands nothing less. But we are not witnessing actions of that nature. Instead, there appears to be an impulsive rush to take punitive actions—actions apparently motivated primarily by the growth of petroleum company profits in 1973. There are few signs of a truly meaningful effort to seek the facts. Hearings abound. But the politically charged, theatrical atmosphere of the typical Congressional hearing does not provide an opportunity for the effective development of factual and relevant information. Sincere and earnest efforts to gain information can be accommodated far better with other methods.

Among the punitive actions proposed are limitations on both capital recovery and profits. Government appears unmindful of the serious consequences of restricting the petroleum industry's ability to generate capital funds. Apparently, there is little understanding that a worsening shortage of petroleum would be the inevitable outcome. Nor does it seem to be understood that the nation's economy would surely suffer as a result of the petroleum shortfall and that tax receipts would then decline, leaving government less able to carry on its legitimate functions.

The sequence of events in prospect are cause for much alarm. And, if government acts to set them in motion, the nation will be faced with a prolonged period of hardship. That is not to say, however, that the ultimate result would be doom. As the problems worsen, the seeds of correction will begin to grow. Consumers will not tolerate shortages of petroleum, or other forms of energy, indefinitely. They will insist that their needs be satisfied. At the present time, they are angry at the petroleum companies, as well as the electric and gas utilities because of shortages and rising prices. And the punitive actions being considered by government appear to manifest in part a desire to cater to the public attitude for reasons of political expediency. But the punitive actions will not solve the problems—they will only make them worse. And, when conditions do not improve, consumers will seek a new villain. By then, the only one available, of course, will be government.

By resorting to their most potent weapon—their votes—consumers can bring about change; they can set in motion powerful forces of correction. In response to their needs and demands, men and women with a more positive attitude toward the free enterprise system and the needs for capital can be attracted to government service. And, in time, the United States can stage a gradual recovery and again achieve a high degree of self-sufficiency relative to the supply of petroleum and other forms of energy. The nation does not lack basic energy resources to be developed—all that is required is sufficient capital funds and freedom to act.

But the time required to attain that goal will be long and painful. Favorable results could be achieved sooner if only government would recognize immediately the urgent need to work constructively with all the energy industries for the over-all good of the nation rather than continuing in an adversary posture.

Mr. Speaker, I will next include the summary of the Chase Manhattan report to which I previously referred:

"THE PROFIT SITUATION" A SUMMARY OF POINTS FROM THE CHASE MANHATTAN SPECIAL PETROLEUM REPORT—APRIL 1974

1. THE FREE ENTERPRISE SYSTEM

The American economy has been called the eighth wonder of the world. It is a system that has brought the American people the world's highest standard of living. The American economy cannot function without capital—and there can be no capital without profits.

2. PROFITS

No meaningful conclusion can be drawn from a measurement of profits (1) for only a limited time or (2) by the amount of increase over the preceding period. Government policy makers must understand the Nation's economic system and they must ascertain all the facts before they act. If they do not, those officials run the risk of setting highly detrimental forces in motion. Our economic and social well-being is so completely dependent upon an adequate supply of petroleum, the Nation can no longer tolerate political blunders that jeopardize that supply.

3. FACTORS INFLUENCING 1973 PROFIT GROWTH

The 30 petroleum companies included in the Chase group experienced a strong growth in demand for petroleum. Foreign demand growth exceeded domestic demand growth by 2 to 1. Largely because of governmental restraints on capital generation, U.S. production of petroleum in recent years has not increased. The expansion of domestic market needs had to be satisfied with imported oil. Foreign industrialized nations increased their imports and bid up world oil prices. The major oil producing nations caused price increases with substantially most of the benefits from the increases accruing to the foreign producing governments. Threats to cut off international oil movements prompted importing countries to maintain exceptionally large inventories. The value of these inventories increased as the world price of oil increased. Government-imposed dollar devaluation created profit increases on the books of the companies. Larger international petrolemum movements increased tanker earnings. Petrochemical operations recovered from a depressed earnings period.

4. WHERE THE MONEY CAME FROM AND WENT

In 1973 the gross operating revenues of the Chase group companies increased 17 percent in the U.S. and 35 percent in the rest of the world. More than 85 percent of the Chase group's profit growth occurred outside the United States. In 1972, 53 percent of the group's profits were earned in the U.S. but in 1973 the U.S. proportion had dropped to 37 percent. Income taxes have been the fastest growing cost of doing business for the petroleum companies. In 1973 the income tax payment amounted to $14.8 billion—$4.5 billion higher than in 1972. Other direct taxes totaled $6 billion in 1973. Of the 1973 operating revenues, 75 percent went to pay operating costs, 16 percent went for taxes, and the remaining 9 percent represented profits.

5. TAX BURDEN

The Chase group's taxes increased more in 1973 than its profits. Total direct taxes in the U.S. increased by 33 percent compared with the 19 percent gain in profits. Over the past five years, U.S. direct taxes increased by 65 percent compared with a profit increase of 11 percent. Over the past five years, the tax burden of the group amounted to $173 billion compared to profits of $39 billion. Including excise taxes, the total taxes taken in by governments in 1973 from the group's operations amounted to $47 billion—U.S. $13 billion and elsewhere $34 billion—an increase of $9 billion over 1972. It must be recognized that the more governments take in taxes, the less there is available for capital investment.

6. CAPITAL SPENDING

The Chase group's 1973 capital spending was far larger than its level of profits—the group invested nearly two-thirds more than they generated in profits. In the U.S. the companies invested nearly twice what they earned. Well over half worldwide investment was made in the U.S. even though their profits were larger in the rest of the world.

7. THE IMPORTANCE OF PETROLEUM

The world will depend upon oil to meet over half its energy needs between 1970 and 1985 and the requirements will be three times greater than in the preceding 15-year period. Existing proved reserves are not sufficient to satisfy worldwide demand in the current 15-year period. Twice as much oil will need to be discovered in the current 15 years as was found in the previous 15-year period, and the finding and related costs will be four times higher. These capital requirements will exceed $1 trillion worldwide and more than $500 billion in the U.S.

8. ROLE OF GOVERNMENT

The United States is faced with a shortage of all forms of energy. Blame for that condition rests primarily with governmental policy. The temper of the times is dangerous. There appears to be an impulsive rush to take punitive action. Among the punitive actions proposed are limitations on both capital recovery and profits—a worsening shortage of petroleum would be the inevitable outcome. All aspects of the Nation's economy would suffer from the petroleum shortfall. A prolonged period of hardship would ensue. The Nation does not lack basic energy resources to be developed. All that is required is sufficient capital funds and freedom to act.

Mr. Speaker, the foregoing analysis by the Chase Manhattan Bank of the petroleum industry's profit record makes it abundantly clear that the profitability of this vital industry has not been excessive. America's economic preeminence and the job opportunities of our citizens are directly dependent on the availability of secure supplies of energy resources. Vast capital expenditures will be required to provide these energy supplies. The Congress should not take adverse legislation action against the industry on which we must depend to meet the major part of the Nation's energy fuels requirements in the years ahead. For these reasons, we should not approve the Oil and Gas Energy Tax Act of 1974, H.R. 14462, as it was reported from the Committee on Ways and Means, and we surely should not approve procedures that would permit amendments to enlarge the punitive and discriminatory character of that legislation.

ALTERNATIVES TO POULTRY INDEMNITY BILL

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

Mr. EVANS of Colorado. Mr. Speaker, today I have introduced a bill to provide for a study to be conducted by the Secretary of Agriculture to determine the feasibility of implementing a Federal insurance program to cover commodities not now insured under the Federal crop insurance program.

I offer this bill as an alternative to the poultry indemnity bill recently passed by the Senate and similar bills which deal on a 1-by-1 basis with the substantial business losses periodically incurred by the commodity producers.

I urge any Member who feels as I do that something needs to be done to protect these producers from losses, such as those suffered by the poultry growers of Mississippi—but who also feels that outright indemnity sets a bad precedent—to lend their support to my bill.

Following is the text of the bill plus some background material on various indemnity programs considered over the years.

The table entitled "Residue Problems Since 1969" does not include the current Mississippi incident, nor a poultry contamination incident in the Carolinas last fall.

The material follows:

RESIDUE PROBLEMS AND ESTIMATED COSTS SINCE 1969

Residue	Area	Year	Species	Estimated cost
1. Heptachlor	Arkansas	1969	Turkey	4,000,000
2. Dieldrin	Missouri	1969	Cattle	50,000
3. Dieldrin	New York	1970	Light Fowl	500,000
4. PCB [1]	do	1971	do	1,000,000
5. PCB	Southeastern United States (14 States).	1971	Poultry	2,500,000
6. PCB	Maine	1972	Broilers and heavy fowl.	3,000,000
7. PCB	Minnesota	1972	Turkeys	336,000
8. Dieldrin	Maine	1972	Heavy fowl	150,000
9. Dieldrin	Missouri	1972	Turkey	78,000
10. Dieldrin	California	1972	do	90,000
11. PCB	do	1971	do	50,000
12. Chlordane	North Carolina	1973	Turkey, broilers, and fowl.	2,000,000
13. Dieldrin	do	1973	Turkey	88,000
14. Dieldrin	Louisiana	1973	Light fowl	20,000
15. Dieldrin	Oregon	1969	Cattle	2,500,000
16. Dieldrin	Mississippi	1971	Light fowl	50,000
17. Dieldrin	Georgia	1971	Chickens	2,500
18. Dieldrin	North Carolina	1971	Swine	10,000
19. Mercury	New Mexico	1970	do	63,000
20. Hexachlorobenzene.	California	1973	Lambs	25,000
21. PCB	Missouri	1973	Turkey	567,000
22. Hexachlorobenzene.	Louisiana	1973	Cattle	400,000

[1] Polychlorinated biphenyls.

There are many more small isolated incidents involving small independent operations or producers associated with integrated operations which had problems and had to destroy their birds or products.

The gross rough estimate would be about $20,000,000 since 1969. This would not include all the side ramifications of lost egg production, etc., related to income for the producers.

INDEMNITY PAYMENTS TO DAIRY FARMERS

In 1964, several incidents occurred in which dairy farmers were directed to dump their milk because it contained residues of pesticides, principally heptachlor and dieldrin. Both were then in widespread use to control the alfalfa weevil. Later, the Department cancelled the registrations of both pesticides because it was found that even if the Department's recommendations for use were followed, excessive residue levels would result.

During Senate consideration of the Economic Opportunity Act of 1964, an amendment was added to the bill to authorize the Secretary of Agriculture to make indemnity payments, at a fair market value, to farmers who were directed to remove their milk from the market because of the residues.

Arguments in favor of the amendment were based on the cranberry indemnity precedent, and the farmers' reliance on the Department's approval of the chemicals for use.

In 1970, Congress brought manufacturers of dairy products under the program's coverage.

Out of the original appropriation of $8.8 million for the 18-month period from January 1964 to June 1965, only $349,933 was actually spent on indemnity payments. (See table, for subsequent years.)

The text of 7 U.S.C. 450j follows:

"The Secretary of Agriculture is authorized to make indemnity payments, at a fair market value, to dairy farmers who have been directed since January 1, 1964, to remove their milk and manufacturers of dairy products who have been directed since November 30, 1970, to remove their dairy products, from commercial markets because it contained residues of chemicals registered and approved for use by the Federal Government at the time of such use. Any indemnity payment to any farmer shall continue until he has been reinstated and is again allowed to dispose of his milk on commercial markets."

INDEMNITY PAYMENTS TO DAIRY FARMERS AND MANUFACTURERS

	Dairy farmers	Dairy manufacturers
1965	$381,000	
1966	203,000	
1967	400,000	
1968	231,000	
1969	109,000	
1970	200,000	
1971		$16,000
1972	37,000	
1973	33,000	95,000
Total	1,594,000	111,000

BEEKEEPER INDEMNITIES

As part of the farm bill of 1970, Congress enacted legislation establishing a program of indemnification of beekeepers who suffered losses of honey bees as the result of pesticide spraying near the land on which their hives were located.

The program has been extended several times, and is still in effect.

The substantive provisions of 7 U.S.C. 135b nt. are:

"(a) The Secretary of Agriculture is authorized to make indemnity payments to beekeepers who through no fault of their own have suffered losses of honey bees after January 1, 1967, as a result of utilization of economic poisons near or adjacent to the property on which the beehives of such beekeepers were located.

"(b) The amount of the indemnity payment in the case of any beekeeper shall be determined on the basis of the net loss sustained by such beekeeper as a result of the loss of his honey bees.

"(c) Indemnity payments shall be made only in cases in which the loss occurred as a result of the use of economic poisons which had been registered and approved for use by the Federal Government."

Payments made to beekeepers under this program were $4,669,000 in fiscal year 1972, and $6,208,000 in fiscal 1973.

CRANBERRY INDEMNITIES

On November 9, 1959, the Secretary of HEW announced that the FDA had found traces of aminotriazole, a cancer-causing weed-killer, in certain lots of cranberries, and warned the public not to buy cranberries until they were proven free of contamination. Although a relatively small portion of the 1959 cranberry crop was affected, sales fell drastically.

In March of 1960, the White House announced that USDA would offer to make indemnity payments to cranberry growers who through no fault of their own sustained lossess on berries harvested in 1959. The Department of HEW promised to undertake a program of testing and certification. No payments were to be made to the few growers who had improperly used aminotriazole.

The purpose of the indemnity program was to reestablish public demand for, and confidence in, cranberries and cranberry products. The Department paid a total of $8.5 million to 12 claimants, representing some 1,215 growers. In addition, the Department designated certain States as areas where the Farmers Home Administration could make emergency loans to eligible growers.

Funds for the indemnity program were made available under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c), which appropriates funds each fiscal year in an amount equal to 30 percent of the gross receipts from duties collected under the customs laws during the preceding year. Under section 32, these funds are to be used for the following purposes:

"(a) To encourage the exportation of agricultural commodities and products by payment of benefits or indemnities in connection with exportation . . .

"(b) To encourage domestic consumption of agricultural commodities by payment of benefits or indemnities for diversion from the normal channels of trade . . .

"(c) To reestablish farmers' purchasing power by payments in connection with the normal production for domestic consumption."

CONTAMINATED HAY INDEMNITIES

Early in 1968, the milk produced by a substantial number of dairy farmers in Montana was removed from the market because of residues of chlordane. The source of the contamination was found to be alfalfa hay which had been treated with chlordane in the spring of 1967 to control the alfalfa weevil. It was believed that the chemical was applied in accordance with recommendations available to the producers and spray operators.

Some producers were able to sell the contaminated hay for $12 to $15 a ton, but had to buy clean hay at $22 to $27.

Bills were introduced in the House and Senate to authorize indemnity payments to these farmers for the fair market value of hay removed from the commercial market, destroyed, or put to use other than animal feed. No payments were to be made to any farmer who had not complied with directions on the label of the chemical.

In December of 1969, the House Agriculture Committee held a hearing at which a USDA witness testified against the bill, saying that while the Department had authority to require adequate directions on pesticide labels, USDA could not be responsible for all the actions of producers, formulators, distributors, or users of pesticides. The Department's report on the bill pointed out that when hay is found to be contaminated, it is usually the result of failure to use a pesticide product according to the directions on the label.

The report also said that in about 40 States, applicators of pesticides in both aerial and ground spray operations were required to have insurance or a surety bond, and that it was possible that State laws might provide a means for compensation to farmers for losses resulting from hay contamination.

After the hearing was held, no further action was taken in either the House or Senate.

The 30 milk producers involved applied for indemnity payments under the existing dairy indemnity program, and received payments totaling about $52,000.

H.R. 15040

A bill to direct the Secretary of Agriculture to investigate and study the feasibility of a Federal insurance program covering livestock and other similar agricultural entities not covered under the Federal Crop Insurance Act, and to report to the Congress the results of such investigation and study

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the Secretary of Agriculture is directed to investigate and study the feasibility of a Federal insurance program covering—

(1) cattle, sheep, swine, horses, mules, goats, bees, poultry, and other similar agricultural entities; and

(2) any agricultural commodity, including milk, eggs, and honey, which is not covered presently by the Federal Crop Insurance Act.

(b) As a part of such investigation and study, such Secretary shall deal with the following issues:

(1) the availability of actuarial data with regard to the agricultural entities and commodities described in subsection (a);

(2) the question of whether the Federal Government should act to insure owners of such entities and commodities or to reinsure private insurers of such owners, or both;

(3) the time period needed to implement such a program;

(4) the need, if any, for an experimental program prior to the authorization of a large-scale program;

(5) the approximate cost of such a program for those farmers and ranchers who participate in it;

(6) the approximate cost to the Federal Government of instituting and maintaining such a program;

(7) the demand of farmers and ranchers for such insurance;

(8) the feasibility of the Federal Crop Insurance Corporation administering such a program;

(9) the extent of any loss which should be covered by insurance under such program;

(10) the conditions under which insurance should not be offered under such program;

(11) the time period needed for such a program to become financially self-supporting;

(12) the degree to which such program should be patterned after the program authorized by the Federal Crop Insurance Act; and

(13) any other issue deemed relevant by such Secretary.

SEC. 2. The Secretary of Agriculture shall prepare and, not later than 180 days after the date of the enactment of this Act, transmit to the Congress a written report containing a detailed statement of his findings and conclusions with respect to the study and investigation made under the first section of this Act together with his recommendations for legislation concerning the program described in such section.

HOW DO WE EXPLAIN A 6-PERCENT LOAN TO RUSSIA?

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

Mr. DAVIS of Georgia. Mr. Speaker, I rise today because I am greatly concerned over the decision of the Export-Import Bank to lend $180 billion to the Soviet Union for construction of a fertilizer complex in Russia. On the same day the loan agreement was announced, newspapers in my home State were telling Georgia farmers how badly the U.S. Department of Agriculture had misjudged the supply of fertilizer available this year in our country. It is estimated that the fertilizer shortage may cost some farmers 25 percent of their crop, forcing many into bankruptcy.

The American taxpayer, beset with high interest rates when trying to pay on a home or run a business, does not understand the low 6-percent loan to Russia. I have just returned to Washington after spending several days in my Seventh District of Georgia. Many constituents were asking questions, and rightly so, which were difficult to answer. Farmers wanted to know why this administration is not more concerned about their needs than the needs of the Communists.

The American taxpayers certainly have not forgotten that a few short months ago the Agriculture Department approved a wheat sale to the Soviet Union which cost millions of dollars of Federal subsidies. They were not happy about this sorry deal.

What has happened now? Instead of officials making efforts to regain the confidence lost because of that wheat trade fiasco, we learned that the Export-Import Bank has approved a multimillion-dollar loan of tax money at about half the interest rate the taxpayer himself can secure.

The loan decision comes at a time when the American farmers are pleading for enough fertilizer to save their own crops and are getting little attention from Mr. Butz and his other bureaucrats in the Agriculture Department.

I realize fully that the Congress has no voice in the day-to-day operation of the Export-Import Bank; however, we are

asked to renew the Bank's charter every 4 years. I intend to study carefully this whole question before the bank charter comes before us later this year.

The premise on which the Export-Import Bank was founded has had my support during my 14 years in the Congress. By making loans available to other countries under the conditions that the money be spent for American goods, we can improve our balance of trade. And every American can understand that we must export goods in order to offset purchasing abroad many raw materials in short supply in our own country.

It is in the concept of the Export-Import Bank that I raise the question today. My concern is whether those in control of the Bank have a full grasp of the present mood of the American taxpayer. This Government continues to lose the confidence of its people. Credibility is at a low ebb. It is a grave problem, and one that should be considered by everyone in public life, from the President at the White House to the lowest paid Government employee.

I have a simple point to make, Mr. Speaker. To my mind, the confidence of the American people in their Government is far more important than what little benefits we might gain from this untimely and unwise loan. My constituents of the Seventh District of Georgia are firmly opposed to such loans—citizens from all across the country share their strong feelings—and the Export-Import Bank should be made to listen to the wishes of the citizens it serves.

REGINA COELI SCHOOL RECEIVES FREEDOM SHRINE

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

Mr. REGULA. Mr. Speaker, last month I was privileged to attend the dedication of the "Freedom Shrine" collection at the Regina Coeli School in Alliance, Ohio.

The Freedom Shrine is a unique exhibit of 28 authentic reproductions of historical American documents spanning the 325 years from the Mayflower Compact to the World War II instrument of surrender in the Pacific.

In accepting this exhibit, the students of the fifth grade, room 7, led by Sister Josephine, gave a presentation of their own creation which convinced me the future of this great country will be secure in the hands of these fine young boys and girls.

It is with pleasure that I insert here in the RECORD the text of the presentation of the fifth grade class for all to read:

THE ART OF AMERICA

America is a unique way of life symbolic of the creative arts.

America provides the brushes, oils, pigments, and the canvas on which we can paint our life as we want it to be. We choose our own colors, our own form, design and pattern.

America is any tune we want to play with fife and drum, fiddle or horn to establish the beat and rhythm of the upward march to high goals.

America is a book in which we set down our life by the way we live it. We are the principal character. We live our own biography. We are free to be hero or villain, great or mediocre.

America is a stage and the role we play in the drama of life is up to us.

America is a sports arena, and the rules are written so everyone has a chance to win.

America is an engineering achievement, a bridge over which we can cross the chasm of despair.

America is an architecture with which we can build the tower of our dreams.

Song: *John Henry*

America is a sculptor's hammer and chisel with which we can fashion ourselves into the man we aim to become.

Song: *Hammer Man*

America is an art of living through which we can reach higher, think bigger, grow greater and live deeper than anywhere else on earth.

America is a place where I can be grateful for the precious gift of life with its limitless possibilities—to glory in the power of human beings to rise to great heights and to outdo themselves in miraculous works.

America is a place where I am free to understand the goodness of God which can be known only through human goodness; that when I express the highest and best, I express God.

America affords me the time to give of myself, my talents, abilities, devotions, convictions that I may contribute to the onward march of man.

Walking exercises the emotions. It gives us a chance to observe and enjoy the beauty of our American scenery. It opens our eyes to beauty. See the homes, the trees, the gardens. See the shining faces of little children. Hear singing birds and the laughter of happy people.

In America we learn that the world will not end when we fail or make an error; that there is always another day and another chance.

In America we are free to loaf, to slow down to look at a flower, to chat with a friend, to pat a dog, to read a few lines from a book.

America gives us the freedom to be creative—to paint, sing, carve, write, build, according to our heart's desire.

America is a place where love penetrates the mysteries of life. "Anything," said George Washington Carver, "will give up its secrets if we love it enough."

In America we are free to stand up and be counted for the things that count.

In America we are given words that are symbols of man's finest qualities; words such as valiant—radiant—triumphant—vibrant—heroic—these are words to live by.

American simplicity uses little words. It practices the wisdom of Lincoln, who said, "Make it so simple a child will understand; then no one will misunderstand."

America is a place of progress. The Wright brothers, airborne for only ten seconds and one hundred feet on the first flight, and now man in orbit around the earth. Smoke signals, tapping of a telegraph key, voice over a wire, radio, television and Telstar in the heavens. Candles, oil lamps, Franklin flying his kite into a thunder cloud, and Edison illuminating the world with the first electric light.

America, 'tis of thee we sing your praises—you who have given us freedom to worship our God in a sweet land of liberty.

TRIBUTE TO JOSEF CARDINAL MINDSZENTY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. HORTON) is recognized for 60 minutes.

Mr. HORTON. Mr. Speaker, I have arranged for this special order today so that my colleagues can join in paying tribute to Josef Cardinal Mindszenty on the occasion of his visit to the United States.

Cardinal Mindszenty visited Washington last week and many of us had the pleasure of meeting this remarkable man. His stay in our country will last for several more weeks and will include visits to some 20 States.

Cardinal Mindszenty's commitment to individual freedom, to his faith, and to his country has inspired all peoples of the world. He never gave in to tyranny. In fact, there was no sacrifice too great for him in the quest for human dignity. One need only look back on his life to sense the greatness of this man.

The Cardinal was an active opponent of the fascist movement in Hungary which took root as Hitler's power grew in Germany. When the Nazis took over Hungary in late 1944, the Cardinal was seized, charged with treason, and kept captive until 2 months after Soviet troops captured Budapest. But Mindszenty was unbending in his resistance to Communist domination as well and in less than 4 years, the Cardinal was sentenced to life imprisonment for "antistate activities".

Cardinal Mindszenty found freedom in his beloved Hungary only once more, and then only for a few days. In the fall of 1956, Hungarian Freedom Fighters released him from jail and restored him to his office of Primate of Hungary in Budapest. But as Soviet tanks rumbled through the streets of Budapest and overwhelmed the capital, Cardinal Mindszenty was given asylum in the American Embassy. He remained there until September of 1971 when, at the age of 79, he departed to Vienna. There he lives as a symbol of compassion and the virtue of constancy.

Mr. Speaker, I would like to touch upon one issue which is close to the heart of Cardinal Mindszenty and to many of us here in the Congress. I speak of the Holy Crown of St. Stephen which was entrusted to the safekeeping of the United States in 1945.

A recent Washington Post editorial, though titled "A Cold War Relic," accurately described the Crown of St. Stephen as "the most precious historical relic of Hungary and its foremost symbol of national legitimacy." Yet the editorial went on to say:

It is shameful that the United States did not return the crown years ago.

I take strong exception to this viewpoint. I see a lack of constancy when this respected newspaper, which has been in the forefront of calls for new morality in government, would toss morality aside and urge the return of the crown to its "rightful home" as a "magnanimous gesture."

Many of my colleagues and I have joined the gentleman from Maryland (Mr. HOGAN) in sponsoring a resolution urging that the Holy Crown of St. Stephen remain in the safekeeping of the U.S. Government until Hungary once again functions as a constitutional gov-

ernment established by the Hungarian people through free choice.

A return of the crown might appear to some as politically expedient, but it would say little for our principles or our adherence to a sacred trust. I regret that the Washington Post reduced the holy crown to a cold war relic and did so shortly before Cardinal Mindszenty honored us with his presence in our Nation's Capital.

Mr. Speaker, the words and actions of our Government and of those of us in the Congress are watched closely by the world, and particularly by people who are still struggling for their freedom. I ask my colleagues to reflect upon the words of Cardinal Mindszenty himself when he paid his visit to Congress last week:

REMARKS OF HIS EMINENCE JOSEF CARDINAL MINDSZENTY BEFORE MEMBERS OF THE U.S. CONGRESS

Ladies and Gentlemen, I express my appreciation and thanks with deeply felt emotion for your efforts extended throughout the long years of the recent past on behalf of our most unfortunate and most orphaned Hungary.

For many actions of the great powers in Europe concerning Hungary we cannot be thankful. But it gives us great joy and consolation that there were and are concerned lawmakers in the United States Senate and House of Representatives who opposed oppression and raised their objecting voice in defense of the interests of a free Hungary. In 1944—as the result of the invasion of Hungary by the Russian Army—a new order was forced on our unhappy country. Then many of our politicians hoped that the miserable situation in which Hungary was at that time would turn to the better after the Peace Treaty was signed. It was assumed that as the result of that act the enemy must withdraw from our land. In 1947 Stalin made a move in the centers of power well known to us. He argued that he signed the Peace Treaty but he would maintain his troops in Hungary in order to assure the safety of the supply lines to his "glorious" army, occupying Austria. Stalin's friends at the helm of the world at that time were quick to agree and—in spite of the prohibiting articles of the signed treaty—permitted the maintenance of an overwhelming occupation force in Hungary to support the Red Army in Austria. Stalin's friends could have suggested to him to withdraw from Austria and as a result all articles of the peace treaty with Hungary could have been put in force. But this is not what happened. It did not even happen 8 years later when the Russians withdrew from Austria.

The Russian divisions are still in Hungary. Bolshevism supported by them can maintain itself by murdering the Hungarian souls and by suppressing human rights. If this bolshevism and its representatives, the Russians would be expelled from Hungary by its comrades in power, the fight which is waged on behalf of the interests of our Hungary in such an admirable manner by the Senators and Representatives of the United States Congress would not be necessary. If the Russian occupation forces would be ordered out of Hungary, the integrity of the Peace Treaty would be preserved, Hungary's enslavement and dependence would come to an end, the Church would not be persecuted as she is today, the spirit of the Declaration of Human Rights signed by all members of the United Nations would not be corrupted and I would not be compelled to remind you today of this situation. These are not said to subtract from the merits of the senators and representatives. On the contrary, these considerations gave them courage and a sense of truth to raise their voice on behalf of Hungary. For that I now express the thankful appreciation of the nation and the church!

ADDRESS BY HIS EMINENCE JOSEF CARDINAL MINDSZENTY AT A PRAYER BREAKFAST AT THE STATLER HILTON HOTEL, WASHINGTON, D.C.

Ladies and Gentlemen: For the second day there is a Hungarian World in the Capital of the United States. It is for the second day that we are expressing our thanks for the good that has been given to us, for the courageous fight that has been waged on behalf of us for so long by the senators and congressmen sympathetic to the true interest of Hungary and her People.

We do thank them for the second day but we feel we cannot express our emotions, our gratitude well enough.

I came not to be praised. Someone, who spent long years in a prison cell and others in painful and selfimposed solitude, looks at praise with somewhat different attitude than those who enjoyed freedom throughout their whole life. But the honor that your presence means to me is highly valued and I am thankful for each human heart touched by my being here.

In 1910 Hungary had an esteemed guest. Theodore Roosevelt, the former President of the United States came to our country. He was returning a visit by Count Albert Apponyi, his good friend. Apponyi suggested to the former President that he make an appearance in the Hungarian Parliament which was in session at that time and by doing so demonstrate that his visit is not only to Albert Apponyi, but to the Hungarian Nation as well. Roosevelt agreed with pleasure and traveled to Budapest. He did not only appear before the Hungarian Parliament but delivered a short address to the assembled representatives. I read the text of this address many times. It is well preserved in my memory. I remember each word of it. "I take upon this opportunity to express my thanks to the Hungarian Nation for her valiant fights, waged with sword in hand, through nearly 1000 years in defense of European civilization." said Roosevelt. "This nation had no other fate in the past but to guard against every attack from the East aimed at the heart of western civilization, and at the very being of Christendom. Hungary defended not only herself, but the West. Not only the West represented by Europe, but in her womb America as well. I am saying this because I know your history. I would not consider myself well educated if I would not know the Hungarian People. I express my thanks again! I ask you gentlemen, representatives of the Hungarian People, to tell your constituents in every district of Hungary, that America is thankful to the Hungarian Nation." These are the words of Theodore Roosevelt.

Ten years later another President, who came from the other Party, did not see the history of Hungary at this light. He was followed by someone from the family of the thankful American, who—judging from the facts—also interpreted Hungarian history in a different way.

But the Congress of the United States has demonstrated over and over again that it understands Hungarian history. The Senate did not ratify the Treaty of Trianon, which in 1920 intended to murder the Hungarian Nation. The United States Senate did not ratify it! Since then a long line of senators and representatives stood up for the interests of the Magyars, speaking with similar voice and reflecting the identical spirit demonstrated by Theodore Roosevelt in the Hungarian Parliament.

We appreciate the fact that in this fight and in our defense they follow the historical traditions of America closely associated with Theodore Roosevelt. I express my grateful thanks to the senators and representatives for their efforts in bringing to light the injustices of the Peace Treaties of the first and second World Wars. I thank them for everything that they did in the United States Congress for the Hungarian Nation by trying to assure the implementation of human rights in Hungary.

They were consistent! Almost all nations of the World signed the Declaration of Human Rights made by the United Nations. Most do not observe the content of this noble document. It seems that nations have easily ignored their obligation to guarantee the human rights to all of their citizens. They are incredulous in living up to their duty assumed by the fixing of their signature on this Declaration.

These are statements, these are signatures which cannot be reneged. Especially they cannot be forsaken by those who placed their signatures and made the statements!

The senators and representatives fought for the Holy Crown of St. Stephen also. The Crown represents to us the one thousand year old Hungarian Constitution, the one thousand year old nationhood of our Hungary. The Holy Crown cannot be the subject of trade, ever.

We are grateful for the efforts of the American lawmakers on behalf of this Crown of St. Stephen. We thank them now, but we would not be truthful to ourselves if at the same time we would not plead for the continuation of their support.

I am aware of the fact that the United States Congress closely followed my ordeal. the fate of a humble individual. I do not think it is appropriate for me to recount the details. I know what happened. I thank those who initiated the actions and I express my gratitude to the whole of Congress which acted unanimously.

I know that there were many in the United States who prayed for me. I felt the strength of these prayers and they comforted me.

Occasionally I saw by beloved Mother in prison. At one occasion I asked her: Mother, does anybody pray for me there, outside? She answered: My son, very many people pray for you! The knowledge of this eased the pain of my soul. I am grateful, I am grateful!

Right then, right after the words of my Mother I started to repay the concerned favor extended to me by so many. I started to pray for those who pray for me. I want to continue to pray for them until my death and I am hopeful, I can continue to do so in Eternity also.

I am thankful for everything that has been done for my Hungarian Nation and beside her for my humble person.

I am deeply touched by the great number of senators and representatives who attended the reception yesterday. We had a good meeting of minds. I am joyful that the opportunity presented itself for the expression of the sincere thankfulness of the Hungarian Nation, of the Hungarian Church. After so much receiving there must be some giving! I am glad that we were able to erase our debt. We certainly cannot repay all that was done for us fully, but we are grateful.

I observe with humble satisfaction that here in the Capital, on a weekday, so many distinguished people came to this prayer breakfast. This happened because there are so many who respect and understand that small, broken nation, Hungary. Thank you, we will never forget!

Mr. ROUSSELOT. Mr. Speaker, today I rise to pay tribute to a man who has dedicated his life to the cause of freedom.

Rare is a man who is truly a symbol of an epoch in history. Rarer still is a man who fits this description not due to myth, but because of an undying and unselfish personal dedication and love for the cause of freedom. Such a man is Cardinal Mindszenty.

Cardinal Mindszenty has earned the respect and admiration of all freedom loving people. He has not taken the easy route. Throughout his life, during years spent in Nazi and Communist jails, and during years of separation from his beloved Hungarian people, he has been a living symbol of freedom to millions of people in the Soviet-dominated countries of Europe. Although he has been robed with high spiritual office, he has never lost the common touch which has meant hope to so many oppressed people.

It is my hope that we in the Congress will continue to support the great ideals of Cardinal Mindszenty.

Mr. KEMP. Mr. Speaker, I commend the gentleman from New York, my friend and colleague, Mr. HORTON, for taking this special order today to afford Members an opportunity to pay special tribute to the heroic life and service of Josef Cardinal Mindszenty, primate of Hungary and champion of freedom.

I had the moving experience of meeting personally with the Cardinal last week, receiving the Mindszenty Freedom Medal, and of conveying to him my determination to remain firm in opposition to the Nazi and Communist tyrannies he has so gallantly opposed.

I will always treasure that meeting and the Mindszenty Freedom Medal presented to me by the Cardinal in behalf of those who have in the past and those others who aspire in the future to freedom wherever they live behind the Iron Curtain.

Cardinal Mindszenty is truly a man of God and of God's word.

Buttressed by inspired principle and enduring faith, the Cardinal rallied his fellow Christians behind the banner of freedom—first, against the sinister spectacle of Nazi Germany, and then against the awesome power of the subsequent Hungarian Communist State.

For a third of his adult life—23 years—the Cardinal was either imprisoned by the Nazis and Communists or was in asylum in the American Embassy in Budapest.

Yet, the Cardinal never waivered in his fortitude.

He remained as head of the church in Hungary throughout these attempts to suppress or destroy it and its teachings, and, in so doing, he became the symbol around which Hungarians—and freedom-loving men and women everywhere—rallied.

His refusal to give in inspired them to stand firm too.

There were those times when the Cardinal stood virtually alone in national leadership—not because loneliness was his choice, but because a strict adherence to principle and faith remained through all those brutal years his first passion.

The Cardinal gave to the world a real meaning to the command of Joshua:

Be strong and of a good courage; be not afraid, neither be thou dismayed: for the Lord thy God is with thee whithersoever thou goest.

He is a living martyr to the Christian faith.

Cardinal Mindszenty serves as an inspiration to all men who admire courage.

His life has given new meaning to the word, "hero."

He well deserves that accolade in this century, just as St. Thomas More's life exemplified the real meaning of the word hero in the 15th century.

We should all aspire to live in this example.

Mr. HUBER. Mr. Speaker, Cardinal Mindszenty recently honored the United States with a visit and we were all most appreciative that he could include Washington, D.C., on his itinerary. However, it was also ironic that, coinciding with his visit, was the arrival of a delegation of so-called parliamentarians from the U.S.S.R. led by Boris N. Ponomarev. Ponomarev is one of the leading theoreticians of the Communist Party of the U.S.S.R., and it is the atheistic Marxian philosophy he expounds, which has caused the Cardinal and the people of Hungary so much suffering. One only needs to recall that the Cardinal spent 8 years in prison under the Communists and 15 years in the American Embassy in Budapest in asylum.

Cardinal Mindszenty, more than anyone else, became the symbol of faith and hope for freedom of the Hungarian people, when they rose against their Communist oppressors in 1956. Hungarian soldiers knelt weeping in the rubble of the streets of Budapest as he drove by returning to his residence from prison. The Cardinal stands now as an example to the whole Free World. One could only wish that our Government and church leaders were likewise as steadfast in holding to and propagating the cause of freedom. In this connection, I think the following editorial from the Richmond Times-Dispatch of September 30, 1971, sums up the role of the Cardinal very well and I include it at this point for all to read.

MINDSZENTY'S EXAMPLE

How will the story of Josef Cardinal Mindszenty be remembered?

Fifteen years ago, when the cardinal found asylum in the United States embassy in Budapest as Soviet tanks rumbled in to smash the Hungarian revolution, the answer to this question seemed certain enough.

Cardinal Mindszenty would be remembered as a God-loving man and patriot who courageously opposed the tyranny of atheistic communism. He would be a hero, perhaps a martyr. Here was a man who endured torture, a kangaroo-court conviction in 1949, and a bestial imprisonment at the hands of the Communists during which he was near death. Yet, upon gaining a sanctuary which afforded him ample opportunity to gain safe passage to another country, the cardinal tenaciously refused to leave his beloved homeland, where he was spiritual leader of seven million Roman Catholics. He remained a symbol of undying opposition to the ruthless Soviet subjugation of Eastern Europe.

Today, having finally bowed to the insistent pleas of Pope Paul VI, the ailing 79-year-old cardinal is in Rome, terming his reluctant acceptance of exile from Hungary "perhaps the heaviest cross of my life." The circumstance under which he ended his monastic existence in the American embassy suggests the free world no longer thinks of the churchman in quite such heroic terms. While the Pope's humanitarian concern for the cardinal's welfare can be assumed, news reports also tell that the Hungarian Primate's continuing presence in Budapest was regarded as an "embarrassment" to diplomats of the Vatican and the United States who are eager to improve relations with the Communist-controlled nations. In an age of cheery talk of detente, Cardinal Mindszenty suddenly is seen by many as a Cold War relic, an anachronism.

The more's the shame, because even though the rhetoric of politicians and pundits has changed, the basic incompatibility of totalitarian communism and religious freedom within individual nations has not. Free men will ignore Cardinal Mindszenty's example at the risk of their freedom.

Mr. HUNT. Mr. Speaker, one of the world's most distinguished churchmen, Josef Cardinal Mindszenty, honored our Nation's Capital last week by his visit.

This courageous opponent of Communist oppression has become one of the most revered spokesmen for the cause of freedom. Through his enforced exile in the American Embassy in Bucharest, he has become a symbol of freedom to men of all faiths everywhere, particularly in America.

The cardinal, now 82 years of age, was arrested on charges of treason and other offenses by the Hungarian Government in December 1948, and spent the next 22 years in jail and then in refuge in the American mission. Since 1971 he has lived in Vienna.

After years of suffering at the hands of the Communist regime, Cardinal Mindszenty was removed as Roman Catholic primate of Hungary last February amid Vatican efforts to improve relations with Communist governments. Apparently bitter and disappointed, Cardinal Mindszenty faced this final crowning blow with the same strength and deep faith in God which consoled him during his long imprisonment.

Over the years, Cardinal Mindszenty's steadfastness of faith and loyalty have been not only an example to the Catholics of the United States, but to all who treasure the message of Christ and the right of freedom.

His faith and courage will live in the hearts of the world's people for years to come and make us wonder if détente can, or ever will, become reality.

If peace and freedom do become a reality, this man, Josef Cardinal Mindszenty, who suffered so much for so many, will be largely responsible. May he live the rest of his years in peace and tranquility. Our prayers, and the prayers of the world go with him.

Mr. MINISH. Mr. Speaker, I would like to add my voice today to those of my colleagues in hearty welcome and in warm tribute to Josef Cardinal Mindszenty, a symbol of courage in a world torn apart by strife.

Taken prisoner by the Communists in Hungary in 1948, Cardinal Mindszenty remained a prisoner and an exile in his homeland for 26 years, resisting all attempts to persuade him to accept concepts alien to a mind and spirit rooted so firmly in love of God and of country.

It is a type of strength that, to some, appears archaic. But it is timeless and enduring. In resisting the lure of détente and coexistence, Mindszenty embraced the fire of loyalty that, in other times and other places, has welded peoples together.

I am happy Cardinal Mindszenty is visiting the United States once again. In September of 1973, when Mindszenty was here, he was rightfully hailed as "a symbol of courage, of integrity, and of hope."

These are virtues that appear in short supply in these troubled times. We as a nation, we as a world, need the indomitable strength of a Mindszenty to achieve peace within ourselves and peace among ourselves.

This man is a living tribute of concern for the human condition. I pray that my fellow colleagues and myself will continue to champion the cause of freedom in word and in deed, for all countries whose inhabitants are still enslaved.

Only then can our freedom have significant meaning.

Mr. ADDABBO. Mr. Speaker, I rise to join my colleagues in this tribute to Josef Cardinal Mindszenty who visited Washington last week and who will be visiting more than 20 States during the next few weeks. It was a great privilege for me to have had the opportunity of meeting Cardinal Mindszenty last week and to have received his blessing. It was a moment I shall always cherish and remember.

This special tribute is appropriately being held in a chamber which symbolizes the spirit of democracy for the United States and the free world. Cardinal Mindszenty is also a living legend and a sign of hope for those who believe in freedom. His career is filled with examples of action designed to preserve or obtain freedom for the oppressed. His resistance to fascism and communism, his anti-Nazi actions during World War II, his imprisonment and subsequent 15-year period of asylum in the American Legation prior to his move to Vienna are all recorded in the pages of history for future generations to know and admire.

Cardinal Mindszenty is truly a living legend to freedom at a time when we all need to be reminded of the precious nature of liberty. He is an inspiration to those who understand the dangers of taking our liberty for granted.

Mr. Speaker, the Hungarian Freedom Fighters who freed Cardinal Mindszenty from jail more than 18 years ago gave a gift to the entire free world and hope to those who live in captive nations. Our tribute to Cardinal Mindszenty today is an important part of that hope and I am proud to be a part of this occasion.

Mr. STRATTON. Mr. Speaker, I am proud to join today in honoring Josef Cardinal Mindszenty who is now on his first official visit to the United States after spending 15 years in asylum in the American Embassy in Budapest. This renowned elder statesman of the Roman Catholic Church is a bonafide folk hero to Hungarians the world over and has been a symbol of defiance to millions of people behind the Iron Curtain since his imprisonment by the Russians in 1948.

The controversy surrounding Cardinal Mindszenty's removal as Roman Catholic primate of Hungary last February amid Vatican efforts to improve relations with Communist governments has certainly not diminished his stature in the eyes of freedom-loving peoples the world over. His visits to a number of American cities in the last few weeks, including Washington, have demonstrated that he still commands the adulation and love of millions who have been inspired by his resolute resistance to the powers of tyranny and godlessness which submerged Hungary into the depths of communism in 1956.

Cardinal Mindszenty was named primate of Hungary on October 2, 1945, and was confirmed as cardinal a few months later. He refused to buckle under to the dictates of the growing Communist presence in Eastern Europe and Hungary following World War II, and many who turned out to see him here in Washington a week ago recall seeing the prelate on the streets of Budapest leading religious processions before they fled their home country.

The cardinal's influence became so onerous to the Communists that he was arrested on charges of treason and other offenses by the Hungarian Government in December 1948, and spent the next 22 years in jail and then in refuge in the American mission in Budapest. Since 1971 he has lived in Vienna.

Cardinal Mindszenty's sacrifices for the cause of freedom have been more than extraordinary and I am privileged to have this opportunity to praise his valiant efforts. Few people in this century have symbolized so much to so many people entrapped in Communist countries; he is truly a living legend and I join in welcoming the cardinal to the United States, just as warmly as we welcomed him into American arms in Budapest in 1956, and just as we welcomed the brave Hungarian Freedom Fighters to America, including my home city of Schenectady, in 1956 and 1957 after their brave but futile fight against oppression. Ishten Hogot. Ishten al mega Magyar.

Mr. LANDGREBE. Mr. Speaker, I proudly rise today to speak in honor of a great, courageous man, Josef Cardinal Mindszenty.

For more than half of his hallowed 82 years, this man has suffered assorted degradations, tortures, and exile. Here is a man who has espoused a fervent love of freedom, a deep love of basic human rights, and a love of his motherland. Throughout his life he has been denied all of these.

Since the time of his ordination, then Josef Pehm bucked the existing system. As early as 1919, he denounced the red terror and was subsequently jailed. When the Nazis began to envelop Hungary, he refused to comply. This man of spiritual steel defied a Nazi edict and changed his German name of Pehm to the very Hungarian name, Mindszenty. As if this was not enough, he harbored Jews and other Nazi "undesirables."

This vociferous little man could not be silenced. In 1948, on the day after Christmas, Josef Cardinal Mindszenty, Primate of Hungary and Archbishop of Esztergom, was arrested on a trumped-up charge. For 7 years, he suffered until the Hungarian revolution released him in 1956.

As the Soviet tanks rolled through the streets of Hungary to suppress the revolutionary Freedom Fighters, the Cardinal was again forced into a lonely, degrading captivity. This time he remained in exile in the American legation for 15 years. Even at the legation, ironically located on Freedom Square, he was under a constant surveillance by the secret police, the AVO.

I ask you, Mr. Speaker, why am I, a Representative from Indiana, speaking in praise of an old, Hungarian, religious personage?

The answer is clear to me. The very presence of Josef Cardinal Mindszenty in the world today bespeaks of a very active, a very hot "cold war." At a time when the "free nations" negotiate to build bridges of détente, the Communists show forth their true colors again and again. They simply will not bend, and yet we speak of talks and "summit meetings."

Are men like Josef Cardinal Mindszenty and Alexander Solzhenitsyn and their sufferings not enough? Can we not open our eyes? Or will we heed when it is too late?

Mr. RONCALLO of New York. Mr. Speaker, I rise to join my colleagues in tribute to Josef Cardinal Mindszenty on the occasion of his visit to the United States.

I have always looked to His Eminence as a beacon of light shining through the Iron Curtain and symbolizing the quest for freedom and resistance to tyranny throughout the world. During World War II, he played a significant part in Hungarian resistance to Nazi oppression. At the end of that war, his efforts in behalf of his country as well as his inherent moral leadership were recognized by his elevation to the position of Prince Primate of Hungary. There were other battles still to be fought however, and Cardinal Mindszenty did not fall into the trap of exchanging Nazi tyranny for the equally insidious Communist ideology which lies at the other end of the political spectrum. Instead, the good Cardinal resisted once again and for his patriotism spent 8 years in a Communist jail.

For a few brief days in 1956, the spark of freedom glowed again in Hungary and Cardinal Mindszenty was freed by his fellow countrymen. It is with good cause that these valiant heroes of the Hungarian Revolution of 1956 are known throughout the world as Freedom Fighters.

Hungary's freedom and that of Cardinal Mindszenty was tragically short-lived as the iron fist of the Kremlin crushed the revolution and brought the Iron Curtain crashing down once again.

Cardinal Mindszenty sought and received asylum in the American Legation in Budapest. For more than 15 years, he lived within the confines of that small compound shining as a brilliant light of patriotism and serving as an ever-present thorn in the side of the Hungarian Communist Regime. No greater devotion to country or ethical value could exceed the sacrifice of this one great man. Cardinal Mindszenty comes to the United States from a well-deserved retirement in Vienna. I understand he plans to spend several weeks in our country, visiting more than 20 States. He brings in himself a living example of the value of both liberty and patriotism.

Both of these great moral forces must be fostered and reaffirmed here if the United States is ever to reach its full potential.

Rather than honor Cardinal Mindszenty by these brief remarks today, it is we who are honored by his visit. I wish him a pleasant stay among us, but rather than wish him a safe journey back to Vienna, I wish that someday he might be able to return to a Hungary free to chart her own course among the Nations of the world.

Mr. HOGAN. Mr. Speaker, I wish to commend our colleague from New York (Mr. HORTON) for taking this opportunity to pay special tribute to one of the great freedom fighters of our time: Josef Cardinal Mindszenty.

At the time of the Hungarian revolt against Russian rule in 1956, freedom fighters liberated Cardinal Mindszenty from the captivity to which he had been sentenced 7 years earlier—in 1949—by the Communist regime on charges of treason. His reaction to his trial and subsequent imprisonment won him the admiration of all people who love freedom.

The tragic events of 1956 are well known—the brutal Soviet intervention, the presence of Russian tanks in the streets of Budapest, and the dramatic escape of the cardinal to the safety of the American mission. For some 16 years he remained a voluntary prisoner of the mission, unable to venture forth, unwilling to surrender his freedom. Then, 2 years ago, he was permitted to leave for Vienna.

Though today he is able to move freely throughout the non-Communist world, his heart's love and loyalty remain in Hungary with the people he has served with such courage and whose liberty he has so valiantly championed.

Few men have endured so much for their convictions. Cardinal Mindszenty has returned to our shores to offer to Americans and Hungarian-Americans and all others who love freedom an exemplary manifestation of personal conviction. His name will be remembered long after all those who have tried through the years to bring him to his knees have disappeared from the earth and are forgotten.

I was pleased to participate in a reception for the cardinal on Capitol Hill recently. He spoke in strong support of a resolution which I have introduced which expresses the sense of Congress that the Holy Crown of St. Stephen be kept in the U.S. possession until Hungary is returned the freedom and liberty which they so cherish. In 1945, the Holy Crown was entrusted to the U.S. Government for safekeeping until such time as Hungary became free once again to function as a constitutional government established through free choice. The Holy Crown is a national treasure of immense historical and symbolic significance to Hungarians, and American-Hungarians, who believe that governmental power is inherent in the Holy Crown itself.

The cardinal addressed the Congressmen and Senators at the reception and expressed thanks for their suport over the years. I was privileged to be asked to respond to the cardinal's remarks on behalf of the Members of Congress. I said it was an honor to be in the presence of such a great man who has been an inspiration to all who love freedom throughout the world. He has demonstrated the courage to sacrifice his own freedom for principle to call attention to his countrymen whose freedom was usurped.

The life and character of Cardinal Mindszenty, to whom the world pays tribute, are a living witness to the indomitable spirit of Hungary, a spirit which can inspire the hearts of men and women everywhere. All of us in the United States who are fortunate enough to live in freedom owe Cardinal Mindszenty our continued gratitude for his uncompromising stand against Communist oppression. We owe it to the people of Hungary who have entrusted our Government with the Holy Crown of St. Stephen to keep it in our country until a government freely elected by the people of Hungary again rules that beleaguered nation.

I ask that the homily delivered on May 21 at St. Matthew's Cathedral in honor of Cardinal Mindszenty be inserted in the RECORD at this point.

JOSEF CARDINAL MINDSZENTY—HEROIC INTEGRITY

"I am the good shepherd." (Jn. 10: 11)

This morning there was a prayer breakfast in honor of His Eminence Joseph Cardinal Mindszenty. Now it's our privilege to join this heroic prince of the Church in offering the Holy Sacrifice of the Mass.

I deem it an extraordinary honor to deliver the homily on this happy occasion. It marks the beginning of the Cardinal's two-month tour of the United States, where there are more than 900,000 of his countrymen. In fact it is the initial stage of His Eminence's world-wide apostolate.

We are not alone in paying tribute to this indomitable defender of God, Church and country. Just two weeks ago, Monsignor Giovanni Cheli, Permanent Observer of the Holy See at the United Nations, in New York, spoke in its church center; Monsignor Cheli paid high praise to the character and steadfastness in faith of Cardinal Mindszenty, who for nearly three decades was the Primate of Hungary.

We rejoice that we can join in a similar tribute today to this noble man of God.

We might also recall how this zealous and Christ-like shepherd was no less a patriot and champion of man—his rights and dignity.

He recognized and was affronted by Communism. He saw clearly what it was and is—a monstrous Juggernaut to crush Christianity and the Church, to blot out belief in God and in man's spiritual nature and destiny, in effect to obliterate inalienable human rights and individual worth.

He likewise recognized and was affronted by the political and economic pretensions of the Third German Reich. As he without compromise condemned Communism so he challenged Nazi might and totalitarianism, its political and economic tyranny, its absurd racial purism and brutal programs.

His unequivocal stand against both Communism and Nazism brought down the wrath of both upon him.

As far back as 1919, he experienced and resisted the short-lived Communist regime of Bela Kun. His defiance sent him to jail.

Then came the Nazis, whom he recognized for what they were, and did what he could, at great personal peril, to soften their atrocities, to relieve the distress of his people and to harbor in his own home Jewish fugitives from Nazi destruction.

When others, of German ancestry changed their Hungarian names into German, he did the reverse. He gave up his family name of Pehm and adopted the name of the Hungarian village where he was born.

Meanwhile, in all this turmoil, the young Mindszenty had moved from teacher to parish priest, to bishop and finally to be Archbishop of Esztergom and Prince-Primate of Hungary. In 1946, with Archbishop Spellman, he was made Cardinal by Pius XII.

Bad as these years were they were but prelude to a worse future.

With the Nazis' defeat Hungary succumbed to Communism. Not for a minute did the Cardinal misjudge it or underestimate it—as others had done—as just another social or economic theory, just another political experiment that might be dealt with on Christ's principle of rendering unto Caesar the things that are Caesar's. He saw it as the death-knell of the Church and the demise of Hungary's heroic and hard-won position as the eastern bastion of Christianity.

The Cardinal was well aware of what he might do—of what others had done and were doing. Nor was he blind to his desperate situation or its possible choices. He could lead his people down the road of compromise.

He could acquiesce to conciliatory measures that amounted to collaboration. Or he could choose stiff, sacrifical, undisguised and unconditional opposition.

For the Cardinal the choices were purely academic. Absolute evil had to be met with absolute opposition. As head of God's Church in Hungary as well as a figure of national leadership, he could imagine no other course. Standing alone, solitary in what he later called "a small and orphaned country", the Prince-Primate of Hungary faced Communism's mighty arsenal.

For it he paid dearly.

He paid with the grief he knew he was causing his devoted and beloved mother.

He paid for it with the loss of practically everything he could call his own—including in quick order his freedom and personal autonomy.

In 1948, on the second day of Christmas, Cardinal Mindszenty was arrested, flung into jail, beaten, tortured, drugged and brain washed until he was no longer his own man. The caricature of justice ended in his condemnation to life imprisonment. This was February of 1949.

A year before, New Year's Day 1948, he'd foreseen his future. Here is what he wrote—

". . . I look calmly on the artificially whipped up storm. Seething waters are no novelty in my post, held not through parties but by the grace of the Holy See. History rings many a change. Of my predecessors, two fell in action; two were robbed of all their possessions; one was imprisoned; another assassinated; the greatest, exiled. Yet, of those who came before me, none was so bare of means as I. Such a vicious snare of lies—a hundred times refuted, but stubbornly spread anew—never was organized against my seventy-eight predecessors.

"I stand for God, Church, and Country in my historic responsibility for the world's most orphaned nation. Beside the anguish of my people, my own fate matters not.

"I don't accuse my accusers. If, from time to time, conditions force me to speak out and state the facts, it is my nation's plight and the call of truth that prompts me. I pray for a world of justice and love; also for those who, in the Master's words *know not what they do*. With all my heart I forgive them." (". . . the World's Most Orphaned Nation," p 81.)

In that spirit Cardinal Mindszenty began

his imprisonment for life. It turned out to be eight years of inhuman confinement, deprivation and physical and mental suffering. At least twice he was close to death.

No wonder his joy, in 1956, when the Hungarian Freedom Fighters led him triumphant from jail. Yet consider how temperate his statement—broadcast November 3: "With the fallen regime unmasked, an accounting is due at all levels before free, impartial courts. Vengeance we eschew.

"As for the tasks ahead, let me note our basic frame of reference. We now can enjoy a state ruled by law, a classless society that spurs democratic achievement while curbing capital where necessary for the common good.

"As head of the Catholic Church, I declare—like the Bishops of Hungary in 1945—our intent to aid healthful progress in every way.

"Meanwhile we justly await prompt action on freedom to teach religion, on restoration of the Church's institutions and press. What can be done today, let no man put off till tomorrow.

"Seeking the good of all, let us trust, as ever, in Divine Providence." (". . . the World's Most Orphaned Nation," p. 107.)

Only a few days later the freedom revolt collapsed. "The World's Most Orphaned Nation" fell, crushed by foreign engines of war. And Pius XII spoke for the lovers of freedom the world over—"Human rights and a budding national life have been trampled; a still bleeding people are once more enslaved." (Papal Message, No. 5, 1956.)

The Cardinal bowed to friends' insistence and sought asylum in the legation of the United States. In gratitude he wrote President Eisenhower (Nov. 8, 1956)—"A castaway in the wrack of the Hungarian fight for freedom, through your generosity I have found haven as guest of the American legation, a refugee in my own land. Your country's hospitality has save me from sure death."

From 1956 to 1971, Cardinal Mindszenty lived in the legation, an unbowed, indomitable, controversial figure, who longed for one thing only: to fulfill as he saw it his role as Defensor Ecclesiae et Patriae—without fear and most surely without compromise.

Most truly also it can be said of him that he gave his all and sought nothing for himself. God, Church and Country, they were the three guiding lights, indeed are the three guiding lights of his life, all converging into a single path—his pursuit of his responsibilities while he was Prince-Primate of Hungary.

When, in 1971, the Holy Father indicated his wishes, the Cardinal consented to leave Hungary, and became an exile. He accepted the Holy See's judgment then just as he had when called to be Archbishop of Esztergom.

Now in his 82nd year and by God's grace still vigorous, he has not relinquished his apostolate to his countrymen throughout the world; nor has he in the least lost his sense of responsibility as a Hungarian deeply in love with his country as he is with God's Church.

This is the man spared to us by divine Providence with whom we are joined in this Sacrifice.

May it bring down God's blessing on his country and upon all of us, as we offer it in gratitude, that almighty God has given the world such an example of integrity, patriotism and Christian love.

Mr. WON PAT. Mr. Speaker, I rise to take this occasion to join with my colleagues in the House to pay tribute to a truly brilliant and dedicated man, Josef Cardinal Mindszenty

Cardinal Mindszenty has come to symbolize the quest for freedom of all people throughout the world. A brave and staunch anti-Nazi during World War II, Cardinal Mindszenty rose to the office of Prince Primate of his beloved Hungary following the war, only to fall victim to yet another dictatorship, communism. As a result of his unrelenting fight against the godless forces of communism, Cardinal Mindszenty was imprisoned for 8 years, despite the outcry of a shocked and outraged peoples in the free world.

I know that many of us can remember the welcome news in 1956 when Hungarian freedom fighters released the cardinal. His freedom was to serve as a lasting memorial to those brave forces who overthrew the mantle of oppression. Such was not to be the case, however. With the savage and treasonable attack of Budapest by Soviet tanks, the rebellion was soon crushed and Cardinal Mindszenty found sanctuary in the American Legation.

Today, after over 25 years of opposition to two dictatorships Cardinal Mindszenty finally found the peace and rest he so richly deserves.

On behalf of my fellow Guamanians and on behalf of those on Guam who embrace the Catholic faith, myself included, I extend a warm greeting to Josef Cardinal Mindszenty during his stay in the United States. His untarnished record of patriotism and his love of freedom will continue to serve as a beacon to all future generations.

Thank you, Mr. Speaker.

Mrs. HOLT. Mr. Speaker, I would like to commend my colleague from New York (Mr. HORTON) for providing me with this opportunity to recognize one of the great figures in the Christian world.

His Excellency, Josef Cardinal Mindszenty has been a symbol of hope and courage not only to Hungarians but to all people who long for freedom and human dignity. To those of us in the free world, he has been representative of the dedication and devotion to the cause of liberty so courageously espoused by those who must continue to live under the Communist yoke. His persistence and determination in the face of overwhelming adversity through 8 long years of prison life and continued exile from his beloved homeland, will be long remembered. His faith and strength will serve as a shining example to all men everywhere that what one man can do, a world united in the cause of human liberty can surely accomplish.

It is a great honor to have Cardinal Mindszenty as our guest in the United States, and I know that his presence will prove an inspiration to every freedom-loving American.

Mr. RARICK. Mr. Speaker, it is a privilege for me to participate in this special order honoring Josef Cardinal Mindszenty.

Cardinal Mindszenty is a living symbol of the struggle of the peoples of the captive nations against the oppression of the Communist masters of the Soviet Union. His very life has been a struggle for freedom and individual liberty.

Cardinal Mindszenty was active in Hungary's anti-Nazi resistance and actively opposed the Communist takeover of his country. In 1949 the Communist rulers of his country sentenced him to life imprisonment for treason.

Freed for 5 days during the 1956 uprising, by the Hungarian Freedom Fighters, which the Russians crushed with tanks, the cardinal escaped and took refuge in the U.S. Embassy in Budapest. Mindszenty remained there, held a virtual prisoner by the Communists, for 15 years. Ironically, his apartment overlooked Hungary's Szabadsag—Freedom—Square. The Cardinal's personal pride and resolution, his refusal to accept humiliating terms for his release, have proven inspirational sources of strength for freedom-loving people the world over.

I could go on, Mr. Speaker, about this man and what his struggles against oppression have meant to the cause of freedom and decency in the world. I would close only by saying that it was an honor for me to meet the Cardinal personally during his visit here and it is a privilege for me to join with our colleagues in honoring him today.

We must remember him and his struggle to preserve his church and the freedom of his people. His life shines as an example of why we must make every effort to keep the Holy Crown of St. Stephen safe in the Western World until such time as the people of Hungry are truly free from their Communist oppressors.

Mr. FUQUA. Mr. Speaker, the name of Josef Cardinal Mindszenty will live as long as men love freedom.

This revered prince of the Catholic Church has lived a life under oppression from fascism and dictatorial communism. His courage and devotion to duty have impressed men in all lands and of all faiths.

Just recently I had an opportunity to meet the Cardinal on his visit to Washington. It is my understanding that this gentle man, whose resolve is that of steel, will visit more than 20 States during his visit to the United States.

I am certain that he will appreciate the outpouring of esteem and regard which he will receive in the United States.

It has often been said that freedom is not free. The life and work of this great and good man are living proof of that statement.

The Cardinal is the living symbol of the never-ending quest for freedom by his oppressed countrymen in Hungary. Because of his opposition to the fascism, he was named Prince Primate of Hungary after World War II.

Instead of being able to work for the betterment of his beloved land and its people, history thrust him into the fray against the dictatorial rule of the Communists. He spent 8 years in prison as a political prisoner and suffered cruelly in mind and spirit for his never-ending devotion to freedom.

The short-lived freedom of Hungary by its Freedom Fighters saw him released in 1956, only to see Russian tanks crush citizens armed with rocks and spirit. He sought asylum in the American legation where he lived for 15 years under U.S. protection, a symbol of all who yearn to be free.

Now he resides in Rome, having served his country and his fellow man far and above the call of duty.

I take great personal pride in paying tribute to so great and good a man in the Congress of these United States.

Mrs. HECKLER of Massachusetts. Mr. Speaker, it is with great warmth and admiration that I welcome to the city of Washington Josef Cardinal Mindszenty whose heroic story is well known to most Americans regardless of their religious beliefs.

We remember Cardinal Mindszenty as the spiritual leader of 7 million Hungarian Catholics who was active in Hungary's anti-Nazi resistance. He also opposed the Communist takeover of his country and in 1949 was sentenced to life imprisonment for treason. Freed for 5 days during the 1966 uprising so brutally crushed by Russian tanks, Cardinal Mindszenty took refuge in the American Embassy in Budapest.

For 15 years he lived in self-exile in the American legation while a Hungarian secret police car waited outside the embassy for each day of those 15 years to seize him if he appeared.

His many years in self-exile served as the symbol of his resistance to Communism and as a reminder that Hungarian Catholics still do not enjoy the freedom to preach and teach guaranteed by the Hungarian constitution.

Cardinal Mindszenty left Hungary in 1971 to establish residence in Vienna. Since his departure from Hungary he has traveled in Canada and in the United States, visiting various cities. This week he will be in Washington meeting with Government officials and Members of Congress, before visiting more than 20 States within the next few weeks.

The undisputed courage of Cardinal Mindszenty deserves our deepest praise and recognition. His great courage has enabled him to withstand many perils and remain a symbol of Christian resistance to totalitarianism.

Mr. MAZZOLI. Mr. Speaker, from his early anti-Nazi efforts, through his arrest by the Communist regime in Budapest and his long years of imprisonment and asylum in Hungary, Josef Cardinal Mindszenty maintained a faithful dedication to his God and his country. As an unfailing foe of those who would deny freedom to their fellow man, the Cardinal has become a living symbol of liberty and an inspiration to those whose lives are given in the cause of freedom.

I would like to add my voice to those of our colleagues in paying tribue to this brave and good man who has truly "fought the good fight." I wish him all happiness and good health for the future.

Mr. CONTE. Mr. Speaker, I am grateful to my distinguished colleague, Mr. HORTON, for obtaining this special order so that Members may pay tribute to His Eminence Josef Cardinal Mindszenty.

I was tremendously honored and deeply moved to meet Cardinal Mindszenty on his recent, brief visit to this city. His great presence and continued vitality were felt by all who saw him. His leonine head and expressive, remarkably unlined, face belied his 82 years. But, as words do not do him justice, neither can they describe my feelings on being able to exchange words with this man who has been a symbol of resistance to oppression for more than half a century.

Like most of my fellow countrymen, I have never known the terror of a foreign takeover of my homeland, or the humiliation of a public trial before a kangaroo court, or the longing to walk once again, freely, on the ground made sacred by the blood of fallen comrades, and thus, cannot begin to understand the emotional and physical toll the years have taken from this man. But, like all of my countrymen, I must and do admire and revere this man, who has withstood so much and triumphed.

There cannot be many who do not know the history of Cardinal Mindszenty's struggle, beginning in 1919 with his incarceration for openly criticizing the Communist regime in Hungary, continuing with his imprisonment by Hitler for his bitter denunciation of Nazi persecution of the Jews, until 1948 when he was tried, sentenced, and jailed on trumped up charges by the Communist occupation government in Budapest.

With the short-lived Hungarian uprising in 1956, Cardinal Mindszenty was freed, only to be confined once again, to the American Embassy in Budapest.

Today at the age of 82, Cardinal Mindszenty lives as an example of great courage, great faith, and great humanity. That example inspires the people of Hungary today and all men of charity and conscience everywhere. I know it has inspired me.

GENERAL LEAVE

Mrs. HOLT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the subject of the special order of the gentleman from New York (Mr. HORTON) and to include therein extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Maryland?

There was no objection.

THE LOBBYING CAMPAIGN AGAINST THE AUDIT BILL BY THE BANKER-BUSINESS FRIENDS OF DR. ARTHUR BURNS

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

Mr. PATMAN. Mr. Speaker, tomorrow—Thursday—the House will have an opportunity to cast a vote for open government and for the people's right to know what is happening with the people's business and money.

H.R. 10265 extends to the Federal Reserve System the same type of audit by the General Accounting Office as is now carried out in all of the other major agencies of the Federal Government. Normally, such a bill carrying forth the public's right to know and the Congress' responsibility to require accountability of all Federal agencies would be passed routinely.

But the American people and this House should be aware that the huge lobbying networks of the big business and the big banking community—the principal apologists for the Federal Reserve—are not about to allow "routine" consideration of this legislation. As many Members on this floor well know, the banks and the business community have launched—at the Federal Reserve's behest—a campaign to maintain the secrecy at the Federal Reserve.

Despite all the efforts to cloud the issue, H.R. 10265 remains a very simple bill—a bill that would require the Federal Reserve System to submit to audits by the GAO like any other Government agency.

But the people who want to go along with the lobbying campaign of the banks and the big business community will fill this Chamber with all sorts of outlandish and dire warnings about what a full-scale audit would do to the Federal Reserve's vast empire.

But, my colleagues, nothing will happen as a result of H.R. 10265 but a lifting of the iron curtain of secrecy from the operations of another Government agency. And in this day and age, this can only be beneficial to the public and the public's confidence in its Government.

So that the people and the Members may know why the weakening amendments will be coming forth, it is important to review some of the lobbying campaigns which have been underway against H.R. 10265.

Much of this campaign has been directed by Dr. Arthur Burns, Chairman of the Federal Reserve Board, who cannot stand the thought of independent auditors actually getting through the front door of his Agency. For a while I thought that Dr. Burns was going to wear out several pairs of shoes making the rounds of various Members' offices. But this activity became more discreet after I called public attention to the fact that Dr. Burns seemed to be spending more time lobbying against legislation—specifically H.R. 10265—than he was on carrying out his monetary and regulatory duties for which he is being paid monthly—by the taxpayers. But Dr. Burns is wise to the ways of modern day lobbying. And he has enlisted the muscle of the big business and the big banking communities to help him.

In fact, I have been furnished a copy of internal memorandums and telegrams showing that the Federal Reserve Chairman has contacted the big banks of New York who in turn have been tied into some of the big business lobbying groups.

These memorandums and telegrams are designed to generate opposition in the House to the bill reported from the House Banking Committee and to gain support for the Ashley-Stanton amendment. This material is just part of a concerted behind-the-scenes campaign which is underway to weaken the audit bill and to allow the Federal Reserve to continue to go unchecked by the General Accounting Office.

First, Mr. Speaker, I want to place in the RECORD a copy of a memorandum involving a call from John Lee, of the New

York Clearing House—the organization of the big New York City banks. This internal memorandum which was furnished me details calls from Gabriel Hauge, of Manufacturers Hanover Trust Co. of New York, to block the committee-reported bill. And more importantly this memorandum shows that the Hauge call was in turn generated by a call from Dr. Arthur Burns, Chairman of the Federal Reserve. The internal memorandum follows:

MEMORANDUM

Mr. John Lee of the New York Clearing House called: Had a call from Gabriel Hauge of Manufacturers Hanover Trust. Mr. Hauge had a call from Arthur Burns, Chairman of Fed. Mr. Burns asked Mr. Hauge if he could muster some support in New York to help the Fed repeal a bill sponsored by Mr. Patman that would require full GAO audits of the Federal Reserve System. More specifically, Mr. Burns called to our attention that there is an amendment to Mr. Patman's bill known as the Ashley-Stanton amendment. This amendment is acceptable to the Fed and the Fed would like us to assist in any way we can to get the New York delegation to the House to vote for the Ashley-Stanton amendment.

This memorandum came to my attention in connection with other material which shows that the big banks have in turn enlisted the big business community in this effort and particularly the Business Roundtable, composed of some of the biggest of the big business corporations in America. The play appears to go from Burns to Hauge to John Lee of the Clearing House to the Business Roundtable.

The Business Roundtable is no ordinary group. It is "The Elite" of the business community. This quote carried in the National Journal of April 27 illustrates this fact:

It is easy to assume that they speak for business. In fact, they speak only for big business.

Following the internal memorandum which I have just placed in the RECORD were a series of telegrams with notations on them indicating that they were to be sent to a number of key Members of Congress. The telegrams attached to this internal memorandum were signed by John D. Harper, chairman of the Business Roundtable, and chairman of the board, Aluminum Co. of America.

Mr. Speaker, I place in the RECORD copies of these telegrams:

GORDON T. WALLACE,
Irving Trust Co.,
New York, N.Y.:

The work of the Federal Reserve System is of great importance to the monetary and economic policies of the Nation and, of course, to American business. Traditionally, it has been insulated from short run political and economic pressures. Now an attempt is being made to change this.

On 9/13/73 Representative Wright Patman introduced a bill, H.R. 10265, which was referred to the House Banking and Currency Committee of which he is chairman. It was reported with amendments on 10/12/73 over the vigorous protests of some members of both parties.

The bill proposes that the General Accounting Office, an Agency of Congress audit the activities of the Federal Reserve System including reviews of the results of the System's programs and activities as well as the extent to which its objectives are being achieved.

The arguments against this proposal are well spelled out in the dissents to the Banking Committee report No. 93-585 which, along with a copy of H.R. 10265, is being mailed to you today.

The dissents tell the story. Coupling the needed extension of $5 billion of Treasury borrowing power which expires 12/31/73 with the Patman audit proposals creates an unusual legislative situation from the standpoint of any veto.

I am writing to a number of Representatives expressing my views regarding this unwarranted effort to curtail the independent judgment of the board. A copy of my letter and the list of Representatives to whom I am writing are enclosed with this mailgram.

It is important that businessmen be heard on this issue. The timing of any views expressed is urgent because the matter is expected to be considered by the Rules Committee on Tuesday, 10/23 and by the full House on 10/24.

It may be that members of the Banking Committee who dissented will offer amendments limiting the auditing scope of the Patman bill. This would be helpful.

JOHN D. HARPER,
Chairman,
The Business Roundtable.

Following Mr. Harper's signature, the mailgram listed 30 Members of the House—both Republicans and Democrats—and it appears that the telegram was either sent to these Members or that they were to be contacted. I have, however, deleted these names from the material I am now inserting in the RECORD:

JOHN HARPER'S VIEWS RE H.R. 10265

DEAR MR. ———: The Patman-sponsored bill (H.R. 10265) to provide for an audit of the Federal Reserve Board and its banks and branches, including monetary policy decisions, should be opposed as seriously interfering with the work of the Board and eroding its independence. By their very nature the activities for which the Federal Reserve has responsibility are highly skilled and of such a confidential nature that an audit type of exposure would be seriously counterproductive. This applies especially to policy discussions and transactions which are hardly a subject for auditing even though the results may be criticized.

In the business community the work of the Federal Reserve Board is considered to be ably conducted. A detailed examination of its activities by the Comptroller General, probably with outside accountants and economists, would consume time of Board personnel which should be devoted to the Board's work. It would undoubtedly involve a platform for expressing opinions and second-guessing with respect to Board policies and would generally interfere with the work of the Board. Currently the Board's positions are publicly detailed. We note the many visits to Capitol Hill by the Chairman and other Board members to make reports. The Federal Reserve System's current actions are broadly carried in the press, its policy decisions are made public within three months and minutes of deliberations are made public after five years.

The bill is an unwarranted effort to curtail the independence of the Board by subjecting it to further congressional and executive political pressures and restraints. It should be defeated.

In addition, I have seen other memoranda indicating further mailings to the members of the Business Roundtable from its Washington office. This is just part of a nationwide campaign and I am sure that many Members in the House have received telegrams, letters, and telephone calls from bankers and businessmen—from the friends of Arthur Burns.

Mr. Speaker, I think it is important that the House know the true nature of this Business Roundtable which has entered the campaign against the audit bill.

It has come to my attention from reliable sourcest hat Dr. Burns has personally contacted a bank lobbying organization to enlist its aid in the campaign. He has traveled down to the Business Council meetings and has urged the business leaders—in addition to those mentioned in connection with the Business Roundtable—to join the efforts. The work is and has been extensive. We have even had a former Member of Congress—who was a leading banker—appear on the floor of the House of Representatives to lobby Members against the audit bill. The White House even moved into the campaign at one point and put pressure on other departments to fight the bill. And let me add that other members of the Board of Governors—in addition to Dr. Burns—have been active in the lobbying.

Mr. Speaker, I sincerely question the propriety of a Federal agency and a Federal employee like Dr. Burns engaging in blatant lobbying efforts. I particularly question it when these lobbying efforts are designed to enlist the very banks which the Federal Reserve and its Chairman are supposed to be regulating.

Mr. Speaker, these activities engaged in by a supersecret agency are just more reasons why the General Accounting Office should be authorized to make full-scale audits of the entire Federal Reserve System. These lobbying activities clearly point up the danger of allowing any agency to be regarded as sacrosanct—outside of the law—and outside of the normal review processes of the Congress.

Of course it is not just Dr. Burns and the Federal Reserve Board in Washington who are moving against the bill as reported by the committee. Other powerful people in the Federal Reserve System are also invoking their offices to eliminate the bill or weaken it.

For example, I have a copy of a telegram sent to a Member of the House from A. W. Clausen, who wears two hats—president of the Bank of America—the Nation's largest—and director of the Federal Reserve Bank of San Francisco.

In the body of the telegram opposing the legislation, Mr. Clausen says he is taking the action "as a director of the Federal Reserve Bank of San Francisco." But just so no one misses the magnitude of his power, he then signs the letter as president of the Bank of America.

Once again, Mr. Speaker, this quick and easy interchange of positions between the Federal Reserve System and the giant of giants in the banking industry points up the need for a full-scale audit. Mr. Speaker, I place in the RECORD a copy of this telegram from Mr. Clausen—the many hatted officials:

WASHINGTON, D.C.

I have been informed that a bill providing for an audit of the Federal Reserve System

by the General Accounting Office (H.R. 10265) will be brought to the floor of the House of Representatives this week. As a director of the Federal Reserve Bank of San Francisco, I have considered this proposal and urge that you oppose it for the following reasons:

Forty years ago the Congress decided to remove the Federal Reserve System from surveillance by the General Accounting Office in order to provide for independence of judgment on the part of the Board of Governors in carrying out the responsibilities delegated to the board by the Congress. The present structure, with regional initiative by the reserve banks and central oversight by the Board of Governors, has served the country well through the years.

It is important to retain a balance of public and private elements in the system. The contributions derived from the private sector experience of the Reserve bank directors are essential to this balance.

Members of the Boards of the Reserve banks bring an intimate knowledge of developments in the economy to bear on the decisions. A post-audit by the Comptroller General of the United States might well impair the independence of their contribution.

The Federal Reserve Board's operation is already thoroughly audited by an independent certified public accountant and the results are reported to Congress.

I urge you to speak and to vote against passage of H.R. 10265 the establishment and implementation of a sound monetary policy can best be accomplished by an independent agency which is relatively free from the ebb and flow of public opinion.

Sincerely,

A. W. CLAUSEN,
President, Bank of America N.T. & S.A.

Mr. Speaker, other contacts have come to the attention of my office and the Banking and Currency Committee. These include contacts from some big corporations which I suspect have been pushed into action by the Federal Reserve's campaign. I know of no other reason why some of these large corporations would have been engaged in this kind of campaign and I sincerely question whether the stockholders and the directors of these companies are aware that their funds are being used to block audits of Government agencies.

Mr. Speaker, I suppose that no Government bureaucracy—no Cabinet official, no agency head—wants to be audited, and the Federal Reserve is no different in this respect. But its frenzy—and its near panic—is different and it only emphasizes just how long a full-scale audit is overdue.

Mr. Speaker, one of the reasons for this massive lobbying campaign and the nervousness at the Federal Reserve involves the manner in which its far-flung operations are financed. The Federal Reserve is nervous about the huge portfolio of $80 billion of Government bonds—paid-up bonds—which are in the portfolio of the Federal Open Market Committee in the New York Federal Reserve Bank.

This is $80 billion in Government bonds that have peen paid for fully and which should be retired and subtracted from the national debt. Instead, the Federal Reserve continues to draw interest on these bonds from the U.S. Treasury—between $4 billion and $5 billion annually—and this gives them a huge slush fund to use as they please wherever they please.

This $80 billion portfolio all by itself is sufficient reason for the Congress to demand an audit as well as an audit of all the other functions of the wide-ranging Federal Reserve System.

THE NATIONAL PROTECTION ACT OF 1974

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia (Mr. BLACKBURN) is recognized for 5 minutes.

Mr. BLACKBURN. Mr. Speaker, I rise to introduce the National Protection Act of 1974. Its purpose is threefold:

First, reassert congressional responsibility in the area of foreign trade;

Second, protect American labor and industry from unfair competition from Communist nonfree and slave labor; and

Third, insure that the security of the United States is not endangered by transfer of U.S. technology and equipment to Communist countries.

With regard to the first purpose—"Reassert congressional responsibility in the area of foreign trade."

It seems to have been forgotten that it is the Congress that is charged with the responsibility of regulating foreign commerce. It might be well that we quote from article 1, section 8 of the U.S. Constitution that reads as follows:

> The Congress shall have the power . . . to regulate commerce with foreign nations, and among the several states.

The language of the above section of the Constitution is clear and needs no lengthy discussion. It is recognized by most students of government of late that the Congress has delegated far more of its responsibilities to the executive branch than should have been delegated. Because of such delegations of authority Congress is now impotent in many areas of national life and finds itself reduced to the role of a mere monitor of executive action with the authority to complain but with little effective role.

The administration of the Export Control Act has been delegated, with slight interference from Congress, to the Secretary of Commerce. He is required to consult with representatives of industry, under existing law, before deciding if transfer of American goods or technology is in the best interest of American industry. He is also required to consult with the Secretary of Defense to determine if transfer of such technology to Communist bloc countries represents a threat to American security. Unfortunately, industry leaders are motivated by desire for profits for their companies and the Secretary of Commerce is motivated by a strong desire to improve our balance-of-trade and balance-of-payments posture in the world. I do not condemn such motivations but I would suggest that such motivations are sometimes allowed to override good judgment when balanced against the security interests of our country.

It is not enough for me, or any Member of Congress to cry about poor judgment in the executive branch of Government. We have a constitutional responsibility, as pointed out above, to exercise our own judgment. It is this responsibility that I am seeking to reassert through the provisions of the National Protection Act of 1974.

I have called for the establishment of a committee of representatives from key congressional committees to consult with the Secretary of Commerce before final determination of those items that may be exported to Communist bloc countries without endangering Western markets or Western security.

In this manner, if errors in the regulation of foreign commerce are made then the errors can be traced to the body having the first responsibility of regulating such commerce—the Congress of the United States.

II. "To protect American labor and industry from unfair competition from Communist nonfree and slave labor."

The only reason why, today, the Soviet Union cannot compete with us is its continued lack of technological expertise and know-how. Given this, combined with Soviet forced labor, we could not compete in the world marketplace. We could not do so, not only because the Soviet government would own and control its production, but it would continue to own and control its labor force.

I do not use the term, "slave labor," symbolically; nor do I use it loosely or unadvisedly. Quite the contrary.

We have abundant documentation that the Soviet system of labor is, in fact, a ruthless system of totally controlled forced labor. It constitutes three major components: slave labor, political prisoner labor, and the low-paid, tightly regulated main labor force.

Like every other force in the Soviet Union, this labor force is forever responsive to the will, whim and caprice of the Communist Party and its subject Soviet Government.

We should never delude ourselves into believing for a moment that Soviet workers are at all free to seek their own economic level. The Communist Party, via its subject Soviet Government, decides that level, and assigns the work force in accordance therewith.

The Soviet worker has no freedom of choice of occupation or place of employment. He has no right to organize into a free and independent union. He has no representation for grievances. He has no right to strike. He has no one to plead his case with the employer. He is, pure and simple, first and last, the servant of the all-powerful state. And that state owns everything, including the worker.

The Soviet leaders pretend to provide workers with some voice in their destiny by allowing them to join a "union" which is itself an instrument of the Communist Party and the state. Thus, the union leadership's allegiance is to the party and the state, not to the worker.

III. "Insure that the security of the United States is not endangered by transfer of U.S. technology and equipment to Communist countries":

Some experts on international trade and on the Soviet system who recently testified before the House Subcommittee on International Trade issued some poignant warnings. They warned of the dangerous manner in which U.S. tech-

nology, scientific know-how, and production expertise now flows to the Soviet Union under the deadly misnomer, "peaceful trade."

Avraham Shifrin, former Soviet functionary with great knowledge of the Soviet systems of research, development, production, and slave labor, told the International Trade Subcommittee of a current Soviet boast:

> We no longer have serious need of espionage against the United States because U.S. trade and export policies are so lax we get everything we want anyway.

Many of my colleagues can remember the tragedy of December 7, 1941. The memory of tons of scrap iron sold to Japan being returned in the form of bombs is not easily erased.

Yet, today, we are not exporting simple scrap iron to the Soviet Union. We are exporting the world's most sophisticated computer technology. We are exporting machines for manufacture of miniature precision ball bearings. We have designed and are building the largest truck factory in the world in the Soviet Union. We are exporting merchant marine vessels to them.

The ball bearings are essential to production of Soviet missile systems. Their export already has advanced the development of the MIRV by from 2 to 4 years. The trucks and the vessels can be used to transport material for war as well as for peace. And the Soviet Union certainly has a greater record for waging war than for waging peace.

In sum, Mr. Speaker, the purpose of the National Protection Act of 1974 is remedy: remedy in reassertion of congressional responsibility to regulate foreign trade; remedy of the unfair competition between properly paid and organized American workers and those in the Soviet forced labor system who work as political prisoners or outright slaves, and remedy of the U.S. buildup of the Soviet war machine.

Lately, we have heard much about the need for Congress to reassert its constitutionally assigned responsibility vis-a-vis the executive branch.

Here, Mr. Speaker, is a golden opportunity for Congress to do so in the critical interest of our national protection.

THE TRUTH WILL OUT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. GROVER) is recognized for 5 minutes.

Mr. GROVER. Mr. Speaker, the audacious conduct of certain Justice Department officials in the case of our colleague, Hon. ANGELO RONCALLO, is further analyzed in an accurate and objective investigative story by Joel Kramer in the May 27, 1974, edition of Newsday.

I am pleased to submit this story for the interest of my colleagues, so many of whom have expressed shock, chagrin, and amazement at this outrageous abuse of due process:

THE RONCALLO CASE—A QUESTION OF TIMING

(By Joel Kramer)

The U.S. attorney's office in Brooklyn appears to have moved with unusual haste in obtaining its indictment against Angelo Roncallo in February, citing what was reportedly an "inflexible timetable." The office then scrambled on several fronts to gain time and to try to strengthen its case against the congressman after the indictment.

Roncallo said after he was acquitted that he had been the victim of "unjust persecution." Like the indictment charging him with conspiracy and extortion, that is merely an accusation. But based on a reading of the trial transcript and other court papers and conversations with sources close to the government and with person associated with the defense, it appears clear that the indictment was something of a rush job. And there is a question—raised by many court observers and at least one juror—of whether the government ever had sufficient evidence for the indictment.

The prosecutors who worked on the case refused to comment on their handling of it.

Here is what Newsday has learned from studying the case and talking to many of those involved in it:

After obtaining the indictment Feb. 21 against Roncallo and two Oyster Bay Town public works officials, acting U.S. attorney Edward Boyd asked both the FBI and the Internal Revenue Service to lend investigative help to the U.S. attorney's office, according to two federal sources in Brooklyn. The FBI refused the request; the IRS lent two investigators to the prosecutor's office for one month, one of the sources said, but it could not be learned what they accomplished. Both sources described such requests for help after an indictment is obtained as unusual, and both felt that the request to the IRS was, in effect, a request to "bail out" the U.S. attorney's office.

The head of the criminal division in the U.S. attorney's office in Brooklyn, Thomas Puccio, opposed obtaining the indictment at that time because he did not feel the government had enough evidence, according to a source close to the prosecutor's office.

When Jules Ritholz, who had just been hired the day before to be Roncallo's attorney, sought to delay the indictments for even as little as two days, he was told first by an assistant U.S. attorney in Brooklyn and then by a high-level Justice Department official in Washington that "the schedule" would not permit such a delay.

"Although I argued that neither the statute of limitations nor expiring grand jury term required that he deprive me of a few days in which to familiarize myself with the case, he [Assistant U.S. Attorney Peter Schlam] remained adamant in his refusal to extend the time over the weekend," Ritholz said in an affidavit filed in U.S. District Court.

It could not be learned what schedule the government was adhering to. But the prosecution was the responsibility of Boyd, whose tenure as acting U.S. attorney ended Friday when he was replaced by David Trager, a Brooklyn Law School professor. Boyd took over the post Dec. 4, after the suicide of U.S. Attorney Robert Morse, and his chance of getting the job on a permanent basis was virtually wiped out later that month when Joseph Margiotta, Nassau GOP leader, refused to endorse him. Republican leaders in Nassau and Suffolk—a number of whom, including Margiotta, are under investigation by Boyd's office—have accused Boyd of conducting a vendetta because Margiotta did not support him.

Persons less hostile to Boyd have suggested another political explanation for Boyd's apparent haste. Boyd must have known that his days in office were numbered and may have feared that if his replacement was the choice of one or more county Republican leaders in the Eastern District (Brooklyn, Queens, Staten Island, Nassau and Suffolk), the new U.S. attorney would quash the sensitive political investigations that Boyd's office was pursuing.

When Roncallo appeared before the federal grand jury Feb. 7, he said, he assumed he would be asked about allegations that Margiotta and Nassau District Attorney Cahn had tampered with a Nassau County grand jury. He said he was not asked about that at all.

He was asked instead a wide range of "innocuous" political questions, he said, including a few about a $1,000 check he accepted in 1970 from engineer William F. Cosulich, who had a large contract at the time with Oyster Bay Town, of which Roncallo was Republican leader. The check was made out to Roncallo and endorsed by him to the Oyster Bay Republican Committee.

Six days after his grand jury appearance, Roncallo said, he received a telephone call asking him to meet the next day, Feb. 14, with Assistant U.S. Attorneys Peter Schlam and Robert Katzberg. That time, he took along his law partner, Leonard Weber. According to Roncallo and Weber, Schlam said that the congressman would be indicted on charges of extorting the $1,000 check unless he decided within five days to "deliver programed testimony" against Cahn or Margiotta. Weber said he got a one-day extension, to Wednesday, Feb. 20.

On Tuesday, Feb. 19, Roncallo retained Ritholz as his attorney, and Ritholz began the effort he described in the affidavit to gain a brief delay. Schlam "said that he had a timetable to meet and it was inflexible," according to Ritholz' notes of his meeting with the prosecutor.

The key government witnesses against Roncallo, including Cosulich, had met several times with the prosecutors, dating back to December, according to later testimony. They were not called before the grand jury until Feb. 15 the day after the prosecutors allegedly told Roncallo he was going to be indicted.

The case that the government eventually presented for trial in Westbury was not good enough to convince a single juror to vote guilty at any point during the more than two hours of deliberations although four jurors were undecided at the outset, several jurors said afterward.

In comparison to the trial testimony, the evidence that was presented to the grand jury made out an even weaker case for extortion in several respects. (The prosecution is not expected to prove the case before a grand jury, just that there is enough evidence to warrant a trial.)

The most important difference between evidence presented before the grand jury and the trial was the account of Henry Ostrowski, a Cosulich employee, of a meeting in the Nautilus Diner in early September, 1970. Ostrowski testified at the trial that he had been called out of a sickbed with a fever and had gone to the diner, where he met public works officials Frank Antetomaso (a codefendant of Roncallo) and Frank Corallo (at one time a codefendant). They told him, he said, to "tell Bill Cosulich he has another chance to make a contribution, one more chance to make a contribution."

Ostrowski testified that he told Cosulich about the meeting a few days later. Cosulich testified that he then called Roncallo and arranged the meeting at which the $1,000 check was handed over. That meeting was crucial for the government, which had to establish the "wrongful use of fear of financial and economic injury" in order to prove the extortion charge.

However, neither Ostrowski nor Cosulich mentioned the meeting when they testified before the grand jury Feb. 15. Both of them explained at the trial that they had not remembered the meeting at the Nautilus Diner until after Feb. 15. Antetomaso denied that the meeting ever took place.

After the indictment was obtained, the

shoe shifted feet. The defense sought an immediate trial, saying that it was ready to begin three weeks after the indictment—an almost unheard of request by a defendant, who is usually the party seeking delay.

Sources close to the Roncallo defense said that the move began as a political tactic—Roncallo wanted a speedy disposition so that he could run again for Congress—but that Ritholz soon realized that it was a good legal strategy, too, since he felt that the government was trying to build a case after the indictment.

Schlam had told Judge Edward R. Neaher on March 1 that the government was "ready," but 10 days later, he said he could not proceed March 18, the trial date the judge had set at the defense's request. Never in his experience as an assistant U.S. attorney, Schlam told the judge, has he "been called upon to proceed with a trial and especially in a case like this, within two weeks of the day of arraignment."

Neaher replied, "To me, it sounds like a change of position because I fixed the trial date largely on the understanding that the government was ready." However, he reluctantly granted the government a delay and the trial date eventually set was April 29.

Neaher declined to be interviewed last week saying that he still has to preside over two related trials—those of former Oyster Bay public works commissioner Gerard Trotta on a charge of extorting contributions from Cosulich in 1972, and of Oyster Bay Superviser John W. Burke, on a charge of perjury.

However, the transcript of the trial, especially the conferences in chambers, indicates that the judge grew increasingly irritated with the government's tactics, especially in the last few days before the trial got under way.

Citing "new evidence" that it said, had just become available two days earlier, the government requested on Friday, April 26, that Roncallo be severed from the trial and that his codefendants, Antetomaso and Corallo, be tried first. The implication was that the government felt it had a stronger case against Antetomaso and Corallo and that if it convicted them, it could then try to persuade one or both of them to testify against Roncallo in exchange for leniency. The judge rejected the motion.

A few days later, Schlam moved to drop the charges against Corallo in order to compel him to testify. That, too, appeared to be a last-minute effort by the government to strengthen its case against Roncallo.

Neaher granted the motion, but said: "You had the evidence against these defendants to justify this indictment or the indictment never should have been handed down. Now, what I'm saying is this: I don't want anyone to get the impression here that this court is lending its aid to a practice of obtaining indictments and then getting the proof later . . ."

Subsequently, the judge's language grew even stronger. The prosecution had nearly completed its case when the judge was informed by Puccio that Schlam, the government's trial lawyer, had apparently been drugged and was unable to continue. On Friday, May 10, when Puccio requested an adjournment until Monday so that he could familiarize himself with the case and take Schlam's place, Neaher responded:

"Now, I am being very candid with you. I feel this case has been terribly mishandled by the U.S. attorney's office . . . Now it's got to stop. This case is either a case or it isn't a case."

The jurors eventually decided it wasn't much of a case. Thomas Ielpi, 41, a Brooklyn telephone repairman, was one of the eight jurors who voted for acquittal right away. "I was waiting and waiting for them to show me something. Anything. But they didn't. I would have to say that some of us were wondering why they were even indicted."

MORE FUNDS FOR OPEN SPACE PRESERVATION AND OUTDOOR RECREATION ACROSS AMERICA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. STEELMAN) is recognized for 5 minutes.

Mr. STEELMAN. Mr. Speaker, on May 23, I introduced a bill, H.R. 14999, designed to amend the Land and Water Conservation Fund Act of 1965, so as to authorize significantly increased funding for outdoor recreation programs across the country.

The Land and Water Conservation Fund Act is a product of the Congress, enacted almost a decade ago. It has since constituted the basic Federal source for the funding of Federal, State, and local outdoor recreation oriented land acquisition programs, and State and local development programs for outdoor recreation across our land.

With a current annual fund ceiling of $300,000,000, it is all too apparent that the demands for funds greatly exceed the supply. The backlog cost of authorized, but as yet unacquired, Federal outdoor recreation lands alone, reaches to nearly $2 billion. In addition, hundreds of millions of more dollars will be required in the immediate future to purchase proposed new Federal outdoor recreation lands. The backlog of proposed development on Federal recreation lands runs into the billions, though this aspect has never been funded from the Land and Water Conservation Fund.

The greatest part of the fund, however, goes to the States for use in State and local open space preservation and outdoor recreation projects. The demands for increased outdoor recreation space and facilities here is even greater than that supported by the Federal side of the fund, and projected needs here run into the billions.

Mr. Speaker, as a result of the increasing conflicts of competing uses bearing down ever more strongly on our finite land base, we are all aware of the rapid escalation which occurs in the price of land. Moreover, and perhaps more important over the long run, is the need to preserve certain lands for outdoor recreation use before other competing uses take over the land and permanently preempt that alternative forever.

Mr. Speaker, currently, the bulk of the financing of the Land and Water Conservation Fund is drawn from revenues received from sales on the Outer Continental Shelf. It has been projected that revenues from this source will move into the billions of dollars annually. It would seem only logical, as these public resources are withdrawn and converted into dollars, that a portion of those dollars be reconverted into some other form of direct public benefit. What could be more appropriate, and what could benefit more people more permanently, than the further conversion of Outer Continental Shelf revenues over to tangible public resources in the form of parks, preserves and related outdoor recreation resources—resources that can endure, and be used and enjoyed forever.

Mr. Speaker, my bill would increase the current annual ceiling of the Land and Water Conservation Fund by greater than threefold. It further provides, over a short period of seven years, for a greater percentage of matching Federal funding to the State side of the Fund, as an added incentive for the States to make even stronger efforts to generate matching dollars from State and local sources, and thus significantly increase the total funding for State and local projects. The current law provides for a dollar match of State money for each dollar of Federal money. Even with this match ratio, some States have difficulty generating sufficient State funds to match the available Federal share. My bill would change the match ratio, for a period of 7 years, to a 70 Federal/30 State match for land-acquisition dollars and a 60 Federal/40 State match for development dollars, after which time the match would revert to 50 Federal/50 State for both activities.

Mr. Speaker, an overall funding increase of the magnitude advanced in my bill is an absolute must if we are sincere and serious, and honest with ourselves over the prospects for saving much more of America's fast disappearing open space. At the rate we are now going, we are plainly too late with too little. Waiting until later to move aggressively on this matter is foolhardly, as not only will the land be greatly more expensive, but much of it will no longer exist at all; cost will then not be a relevant consideration. Moreover, the availability of more dollars now to buy park and recreation lands rapidly, once the areas are authorized, would be of great benefit to the landowners whose lands are to be purchased. Owners can then be promptly paid for their lands, without having to wait years for the money to come through as is so frequently the case now. It is very unfair for landowners to have their lands included in new park boundaries, without funds coming along promptly to pay for them.

We owe it to ourselves, and certainly to the future generations yet to come who have no voice, to move forcefully and aggressively now to secure and preserve more of what little remains of our precious natural outdoor heritage. I hope that many of my colleagues will join and support this most worthy cause of significantly increasing the size of the Land and Water Conservation Fund. I know that sympathy is already strongly here now. I can think of few efforts on the part of the Congress which would result in such lasting benefit to so many. But we must act without further delay.

A COLOSSAL CONSTITUTIONAL BLUNDER

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Wisconsin (Mr. FROEHLICH) is recognized for 5 minutes.

Mr. FROEHLICH. Mr. Speaker, I am gravely concerned that the Committee on the Judiciary is about to make a colossal constitutional blunder that this Nation will regret for many years to come.

Yesterday, in the Democratic and Republican caucuses of the Judiciary Com-

mittee, the major points of a new letter to President Nixon were circulated among the members. One of the points that will probably be asserted in this letter is that the Committee on the Judiciary is not subject to any judicial review in its impeachment investigation. This position is extremely dangerous. It means that the committee claims absolute and unreviewable authority to demand evidence from the President (or any other executive or judicial branch officer) in an impeachment inquiry. It also means that the committee will not, under any circumstances, resort to the courts to enforce its subpenas or other demands for evidence. Any effort to enforce these demands will come through contempt citations and possible impeachment for noncompliance.

In recent weeks there has been much criticism of President Nixon's suggestion that the Judiciary Committee was sending a U-haul trailer down to the White House to cart off Presidential documents. This suggestion was widely and properly criticized as a gross exaggeration. It should be noted now, however, that the Committee on the Judiciary claims the unreviewable power to subpena every document in the White House as long as the subpenas emanate from the impeachment inquiry. This would require a fleet of trailers.

In claiming that the courts have no jurisdiction to review its demands upon the President, the committee is saying that the President has no enforceable right to privacy, no enforceable attorney-client privilege, no enforceable executive privilege, and no enforceable privilege against self-incrimination.

In effect, the committee claims the right to subpena Mr. St. Clair or Mr. Buzhardt or any other attorney who has ever served the President in the Watergate matter, to testify on everything the President may have confided to them in private conversations, and then to deny any assertion of attorney-client privilege.

The committee claims the right to subpena Mrs. Nixon to testify about what she may have discussed with her husband on any occasion that the committee deems relevant, and then to deny any assertion of the husband-wife privilege.

The committee claims the right to subpena every letter, every diary, every note, every scrap of paper upon which the President of the United States ever typed or penned or scribbled a personal thought, in order to determine whether this material contains incriminating evidence.

These sweeping claims represent a frontal assault upon our legal system and the Constitution of the United States. If we were in different circumstances, the proponents of these claims would be relentlessly condemned in all the great journals of public opinion in this land. Now, however, there is only silence.

It is true that the committee has not yet acted and may never act to implement all its claimed authority. But the point to remember is that the committee claims the right to act in its sole discretion without restraint and without review—and the only check or limit upon its authority is its own self-restraint. Historically, self-restraint has proven to be an unreliable safeguard of political and human rights. And self-restraint will not preserve the integrity and independence of our separate branches of Government.

I do not understand why committee members are opposed to an effort to enforce the committee's subpenas in the courts. If the committee is correct in its demands, then its position will be greatly strengthened by a favorable judgment from the courts. If the committee is not correct, then by definition it is not entitled to have the evidence it has demanded. A refusal to test our position in the court permits the almost inescapable inference that the committee believes its present position is weak and may not be sustained.

Our position is not weak; but we ought to be willing to test our demands before a neutral authority. The committee's inquiry must not become a runaway investigation, recognizing no restraints and no barriers in the legal system. If that were to happen, it could dismantle our Government and prove to be the greatest tragedy to flow from the Watergate disaster.

FIGHTING INFLATION; OUR MOST IMPORTANT GOAL

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Maryland (Mr. BAUMAN) is recognized for 15 minutes.

Mr. BAUMAN. Mr. Speaker, I have introduced several measures this week designed to deal in a meaningful way with the universal problem of inflation. The problem, as we are all well aware, is completely out of control. Inflation rates of 10 and 15 percent on an annual basis have not been uncommon in recent months. The life savings of millions of citizens, particularly older citizens, are being steadily reduced in value, causing considerable hardship. Most of us must struggle to make ends meet each week, with prices at the supermarket, the gas station, the hardware store, the clothing store, and countless other places, going sky high. And while some enjoy cost-of-living pay increases under their labor contracts, many more have no such insurance that their income will keep pace with the rapid rise in inflation, much less offer any prospect of getting a little ahead.

In short, the problem of inflation touches nearly every part of our everyday lives, and has become the principal concern of the overwhelming majority of the American people. A poll which I took in Maryland's First District earlier this year, while the energy crisis was at its worst, while Watergate revelations were coming fast and heavy, and while everyone faced the prospect of filing another income tax return, still showed inflation to be the subject of overriding concern to my district, far outdistancing fuel shortages, Watergate, or taxes. Obviously, the roots of concern over inflation extend deep into the fabric of everyday life in the country today, and it is up to us to do something about it or explain why we have failed.

The Congress has already tried a few ill-fated attempts at dealing with rapidly rising prices. Our 2½-year experiment with wage and price controls began with great ballyhoo, and ended without a whimper. Too late, after massive economic distortions had wracked the Nation's economy, did the Congress finally admit that economic controls do not work; that they cause more problems than they solve; and that they attack only the symptom, and not the cause of inflation. Prophetically, President Nixon himself had foretold the grim harvest which controls would bring, just a year before he ordered those controls implemented. Back in June of 1970, the President said:

> Controls and rationing may seem like an easy way out, but they are really an easy way in—to more trouble, to the explosion that follows when you try to clamp a lid on a rising head of steam without turning down the fire under the pot. Wage and price controls only postpone a day of reckoning.

That, of course, is precisely what happened. The day of reckoning is now at hand, and we are seeing prices jump skyward after having been held down artificially for so long. What is worse, neither the Congress nor the President ever bothered to "turn down the fire under the pot" while we pretended, via controls, to hold down inflation. The fire still rages: The Federal budget continues to soar, Federal budget deficits, and the national debt, climb steadily upward at rates undreamt of just 5 or 6 years ago, and the monetary policies of the Federal Reserve Board continue to exert irresistible inflationary pressures on the Nation's economy.

We know full well that these are the big three causes of inflation: Excessively higher Federal budgets, Federal budget deficits, and imprudent monetary policy. Yet to date, we have made no attempt to deal with these root causes of inflation. It is a difficult decision to make, to be sure. Because inflation has gotten so far out of hand, applying the necessary fiscal and monetary restraints to bring it under control once again carries with it the risk of substantially higher unemployment, and even an economic recession. But there is simply no question that these restraints must be applied to solve the problem. There is no other way. There is no easy solution, no painless way out. I do believe, however, that the means exist to hold the undesirable side effects of dealing with inflation to an absolute minimum.

Thus, I am offering two bills. One attacks one principal cause of inflation: escalating Federal budgets, and the horrendously large budget deficits and national debt to which we have become so accustomed. The other bill will relieve every American from the unfair "hidden tax" imposed upon them by the Federal Government during a time of high inflation, and will encourage adoption of a system which will enable us to apply the restraints necessary to cut inflation without causing a recession.

The first bill proposes a Constitutional amendment which would remove forever

the irresistible temptation for Congress to spend more than it takes in. This amendment would require a balanced Federal budget each year, and would also mandate the eventual repayment of the entire national debt. The interest on this debt, soon to climb over the $500 billion mark, is more than $27 billion this year, one of the largest single items in the Federal budget.

This concept is a simple one, and is nothing more than commonsense. Just as every family in America must avoid spending more than it takes in, so should the Government keep its financial house in order, and give the public the sort of fiscal responsibility it has a right to expect from its elected representatives. But most importantly, this step will remove one of the major causes of the country's rapid inflation. The Federal budget makes up more than 20 percent of the Nation's gross national product. Therefore, the size of that budget, and the percentage of it which represents spending, unsupported by tax revenues, exerts a significant influence on the economy as a whole.

Requiring a balanced budget will have two effects. First, it will eliminate deficits completely, and eventually eliminate the enormous sums we must spend on debt service. The savings effected by this action, together with the removal of heavy inflationary pressure exerted by the deficit spending, will go a long way toward relieving inflation. Second, it will have a significant restraining effect on Congress propensity to spend. Today, the Congress blithely spends billions of dollars with little concern over where it is coming from. If Federal expenditures exceed income, so what? We just use red ink instead of black. No need to worry about raising taxes to cover those expenditures. But with an amendment requiring a balanced budget, suddenly Congress must give very real attention to where the money is going to come from to support additional expenditures. Since the most painful, and most politically treacherous thing a legislator can do is vote to raise taxes, the incentive to hold down spending, and therefore taxes, will be powerful indeed.

The other measure I am offering this week is one which I have cosponsored with a number of other Members, and its purpose is to implement the "indexing" plan designed by the noted University of Chicago economist, Milton Friedman. Very simply, the bill would tie Federal tax rates, interest rates on Government securities, and related items to the rate of inflation. Again, as with the other bill, this measure will have several beneficial effects.

First, it will take away from the Federal Government a grossly unfair advantage which it has as a result of the graduated tax system. Uncle Sam is the only one in the entire country who benefits from inflation. The reason is simple. As inflation goes up, so do wages, in an effort to try and keep up with the diminishing buying power of the dollar. But while we make more dollars in salary, our real income stays the same, because of inflation. Now because our dollar income has gone up, we wind up in a higher tax bracket. Therefore, the Federal Government gets to take a higher percentage of our income, in spite of the fact that our real income has not gone up at all. This amounts to an automatic tax increase which goes into effect without Congress having to lift a finger. The indexing bill would correct this inequity.

Suppose, for example, that a person's salary went up 10 percent in 1 year, and inflation went up 10 percent in the same year. Under the present system, his real income would decline, because he would be taxed at a higher rate. But if we adopt the indexing plan, his tax rate would remain exactly the same. Conversely, if a person's income stayed the same for a year, but inflation went up, the rate at which he will be taxed would go down, since, because of inflation, his real income has declined. It should be completely obvious that indexing our tax structure is only fair. The people of the United States should not be penalized by the Federal Government for inflation which the Government caused in the first place.

Second, indexing will help allow the Nation's economy to withstand the fiscal and monetary restraint necessary to complete the battle on inflation without the unacceptable side effects of high unemployment and recession. The reasons for this are a little more complex, and it will depend upon the spread of "indexing" practices to the private sector. But this is already happening to a significant extent, with wage escalators tied to the cost of living being written into more and more labor contracts every day, and similar clauses being written into purchasing contracts and similar financial agreements. Reduced to essentials, indexing will enable the economy to move with inflation as a whole, and not as things now stand, with a labor settlement over here causing a price hike over there, and an irregular succession of economic ripples throughout the economy, making it move in fits and starts.

Indexing really is a method of coping with contemporary economic realities which we could afford to ignore when they were small, but we can ignore now only at our peril. Indexing will enable us to cope with the reality of steep inflation while we go about doing the things that are necessary to reduce or eliminate that inflation.

Mr. Speaker, these bills, taken together, represent an anti-inflation package which will relieve the economic suffering we all face to one degree or another. It will take some courage to implement this package, but, as I said earlier, there is no other way. I urge the House to give these measures serious, and early, consideration.

SUGAR ACT AMENDMENTS BILL OF 1974

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan (Mr. DIGGS) is recognized for 5 minutes.

Mr. DIGGS. Mr. Speaker, I would like to insert the following statement, which I submitted for the record of the House Rules Committee, for the thoughtful consideration of my colleagues:

STATEMENT OF HON. CHARLES C. DIGGS, JR., CHAIRMAN, HOUSE SUBCOMMITTEE ON AFRICA

Mr. Chairman, I appreciate and welcome the opportunity to appear before this committee today. The Sugar Act Amendments Bill of 1974 (H.R. 14747) is to be given a rule by this committee. This bill grants a sugar quota to South Africa, the only nation in the world in which racial discrimination is a matter of law. This bill provides unnecessary economic support for South Africa.

I would like to request that this committee give H.R. 14747 an open rule. Should the committee decide on a limited rule, I would urge that there be an opportunity for floor consideration of an amendment to eliminate the South African sugar quota.

This amendment would be similar to H.R. 14913,[1] which I introduced on May 21, 1974, to terminate the South African subsidy.

I would like to outline to the committee some of the reasons why I feel a halt to South Africa's quota assignment is necessary.

As a developed nation, South Africa is an exception to the countries participating in the sugar program. Both the U.S. Agency for International Development (AID) and the United Nations Food and Agriculture Organization (FAO) classify South Africa as a developed nation. One of the traditional emphases of our sugar program has been to provide some assistance within the framework of trading relations with underdeveloped nations. South Africa's low per capita gross national product (GNP) of $954 as contrasted with its GNP of $22 billion annually reflects the systematic discrimination against the majority African community.

Whites, who form about 18 percent of the population, control 69 percent of the purchasing power. Private consumption expenditure in South Africa is 73.7 percent for whites and 19.1 percent for Africans. A greater percentage of white households in South Africa own luxury and semi-luxury items than do households in Europe. There is virtually no white unemployment while black unemployment nationally averages about 30 percent.

Sugar sales to the United States are relatively insignificant to South Africa economically. Despite a subsidy of over $33 million[2] between 1962 and 1973 which South Africa has received as a result of sugar sales to the United States, only a very small proportion of South Africa's sugar comes to the United States. In 1973, only 74,535 tons[3] out of 1,094,697 tons came to the United States. This represented about 5 percent of South Africa's sugar exports. The bulk (95 percent) of South Africa's sugar is sold under international agreements.

More than adequate sources of sugar exist in other countries which would provide alternatives to the approximately 62,000 tons allocated to South Africa under the new sugar bill. In Africa alone the two countries of Mauritius and Swaziland could absorb the South African quota assignment. They have been dependable suppliers in the past and their performance capacity as well as their productive capacity is growing. Mauritius produced over 800,000 tons of sugar in 1973 of which 45,000 tons came to the U.S. It asked for a quota increase of 70,000 tons this year and has received an increase of only about 10,000 tons. According to the U.S. Department of Agriculture, however, over 260,000 metric

[1] This is the same bill which was introduced by Senator Edward Kennedy on March 21, 1974, in the Senate.

[2] This $33 million is the difference between the U.S. price (generally higher) and the world market price for sugar.

[3] "Tons" refers to short tons: 2,000 lbs.= 1 short ton.

tons[4] of Mauritius' sugar are sold on the world market and are not bound by international agreements.

Swaziland produced nearly 200,000 tons of sugar in 1973 of which only about 31,000 tons were shipped to the U.S. It asked for an increase of 15,000 tons and actually received a reduction of about 2,000 tons. However, in 1972, it also sold more than half the sugar it produced (103,018 out of total exports of 189,378 metric tons) on the world market.

An additional reason for termination of South Africa's quota is that, in South Africa, Africans share only minimally in benefits to South Africa's sugar industry provided by the U.S. quota. One of the revised criteria for quotas set by the House Agriculture Committee suggests that the extent to which benefits in the industry are shared by sugar farmers and workers is a factor to be considered.

The overwhelming majority of sugar workers are African. In 1973 they numbered 126,000 Africans, 4,750 Indians, and 520 whites. Field workers make only $2.64 per day, which is less than the $124 per month poverty datum line (PDL) computed by the University of Port Elizabeth. The PDL, it should be noted, is calculated for a family of four and represents only what it costs to keep from starving.

In only two of the 20 mills in South Africa is it possible for there to be any black ownership participation. These two mills refined about 9 percent of the sugar output in 1973.

Of the approximately 8,000 independent growers, about 4,400 are Africans who work plots of up to ten acres only. This African-owned land totals about 32,000 acres having a value of about $276,000. White growers, who number about 2,000, own 520,877 acres, and in 1971/72 had a crop valued at over $96 million.

Of 85,000 acres of land slated to be developed by 1975, about 19,000 acres will be in African hands, 6,000 acres in Indian and colored hands, but the bulk of 60,000 acres will be in white hands.

Furthermore, South Africa discriminates against U.S. citizens. Black Americans as a rule are not permitted to visit South Africa. The criteria is race. Those few who are allowed are often placed in special categories such as "honorary white" or restricted in their movements.

Just this March, Black USIS official Mr. Richard Saunders and his wife Emily were refused service at a nightclub in a Durban hotel.

In 1971 when I visited South Africa the government reneged on an agreement which would have allowed me to visit Southwest Africa. Mr. Mewa Rambogin, husband of Ghandi's granddaughter, who played a key role in arranging a visit by me to the grounds of a sugar estate in South Africa in 1971, was placed under limited house arrest for five years shortly after my visit. I feel certain that his assistance to me was an important factor in his banning.

In summary, I think that there are clearly valid reasons for terminating the South African sugar quota. The U.S. quota is demonstrably insignificant to South Africa in economic terms, and affords only minimum benefits to the African community. The U.S. has alternative sources of supply from Africa or from sugar producing countries around the world.

Additionally, in terms of U.S. foreign policy interests in Africa, the United States cannot afford to ignore Africa's concern with U.S. support of white minority rule in southern Africa. The appearance of unnecessary support damages and threatens to permanently destroy positive and progressive U.S. relations with Africa. A sugar quota for South Africa is utterly contrary to the national interests of the United States.

[4] 2,204.6 lbs. = 1 metric ton.

NEW ENGLAND RATE CRISIS—UNFAIR BURDEN

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Rhode Island (Mr. ST GERMAIN) is recognized for 5 minutes.

Mr. ST GERMAIN. Mr. Speaker, as a direct result of energy shortages, New Englanders have been called upon to shoulder a disproportionate share of burdensome price increases for fuel.

The New England Regional Commission, comprised of the Governors of the six New England States, recently met and considered possible solutions to this problem. The commission passed several resolutions designed to meet the situation head-on.

So that my colleagues may have the benefit of the commission's views, I include the resolutions in the RECORD:

NEW ENGLAND REGIONAL COMMISSION—RESOLUTION NO. 86

A Resolution of the State Members of the New England Regional Commission Concerning Support of the Dickey-Lincoln School Hydro-Electric Project

Whereas, the New England Regional Commission has determined that the provision of an adequate supply of low-priced energy is essential to the economic development of the Region; and

Whereas, the New England Region will, despite energy conservation efforts, require additional electricity generating capacity in the future; and

Whereas, the development of hydro-electric capacity in the Region will reduce the Region's heavy dependence on petroleum products; and

Whereas, the proposed Dickey-Lincoln School Project will provide approximately 1.2 billion kilowatt hours of electricity per year to the New England Region; and

Whereas, the United States Army Corps of Engineers has stated that the electricity from the Dickey-Lincoln School Project will be more cost effective than comparable generating facilities dependent on other sources of energy; and

Whereas, the timely completion of the Dickey-Lincoln School Project depends in part on the provision of funds to the United States Army Corps of Engineers by the Congress to complete project design and preparation of an environmental impact statement; and

Whereas, questions have been raised concerning the environmental effects of the project;

Now therefore be it resolved by the State Members of the New England Regional Commission that

Section 1. They urge immediate Congressional action on funds for preconstruction planning related to the Dickey-Lincoln School Project.

Section 2. They urge the United States Army Corps of Engineers, immediately upon Congressional approval of preconstruction planning funds for FY 1975, to take steps to reschedule the completion of preconstruction planning for the project to the earliest possible date.

Section 3. They call upon the Department of State to resume treaty negotiations with Canada as soon as Congress appropriates funds for preconstruction planning for the Dickey-Lincoln School Project.

Section 4. That upon appropriation of funds by Congress, the New England Regional Commission staff shall determine the immediate availability of funding sources for preconstruction planning in order to accelerate the planning process. If supplemental funds will facilitate expeditious resumption of preconstruction planning, the New England Regional Commission will consider at its meeting on June 14–15, 1974, the provision of Commission funds to the United States Army Corps of Engineers for such resumption.

Section 5. That the Commission staff shall study the economic and environmental evaluations performed on the project as part of the Commission's ongoing efforts in electric facility siting research. In carrying out such activity, the Commission staff shall make appropriate arrangements for consultation with regional agencies, federal agencies and interested groups giving due consideration to public participation.

Section 6. That copies of this Resolution be transmitted to the Secretary of the Interior, the New England Congressional Delegation, the Chairman of the Federal Power Commission, the Commanding General, United States Army Corps of Engineers, within seven days of its adoption.

Section 7. Effective Date. This Resolution is effective immediately.

NEW ENGLAND REGIONAL COMMISSION—RESOLUTION NO. 87

A Resolution of the State Members of the New England Regional Commission Concerning Electricity Rates in New England

Whereas the New England Regional Commission has determined that the provision of an adequate supply of reasonably priced electrical energy is essential to the economic development of the region; and

Whereas, recent increases in the price of electricity have caused economic disruption and deep public concern; and

Whereas, the electric utilities in New England are structured on a regional basis for the distribution of electricity throughout the region; and

Whereas, recent increases in electricity rates have adversely impacted the citizens of New England and the regional economy;

Now therefore be it resolved by the State Members of the New England Regional Commission

Section 1. That the importation of less expensive electricity into the region from domestic and Canadian sources should receive priority attention of the region's utilities, the Federal Power Commission, the Federal Energy Office, the Department of State and the State Public Utilities Commissions.

Section 2. That the development of alternatives such as hydroelectric, nuclear and coal fired facilities should likewise receive the priority attention of these organizations as ways to reduce present price inequities caused by the high level of the region's dependence on expensive oil fired electric facilities.

Section 3. That the Federal Energy Office promptly take steps to increase the production of lower priced domestic residual fuel oil and allocate a fair proportion of this product to the region at an equitable price as required by law.

Section 4. That the New England utilities work with state public utility commissions in order to reduce costs wherever possible.

Section 5. That the staff of the Commission promptly evaluate the electric rate problem and prepare additional recommendations for the establishment of equitable price levels for the region's domestic, commercial, business and industrial consumers.

Section 6. Direct that this Resolution be transmitted to the following: the President, the Secretary of State, the New England Congressional Delegation, the Federal Power Commission, the Federal Energy Office, the National Governors' Conference and NEPOOL.

Section 7. Effective Date. This resolution is effective immediately.

NEW ENGLAND REGIONAL COMMISSION—RESOLUTION NO. 88

A Resolution of the State Members of the New England Regional Commission Concerning the Reduction of the Price of Petroleum Products in New England

Whereas, the New England Regional Commission has determined that an adequate supply of low-priced petroleum products is essential to the economic development of the Region because it depends upon petroleum fuels for 90% of its total energy supply as compared to the National average of 44%; and

Whereas, current Federal regulations on the control of petroleum prices result in New England receiving a much larger proportion of higher priced petroleum than other regions of the Nation with a consequent strong negative force on the Region's economy; and

Whereas, New England has achieved a higher rate of fuel conservation than the National average; and

Whereas, a higher National achievement rate of petroleum fuel conservation could assist in the reduction of New England's dependence on higher priced foreign petroleum;

Now therefore be it resolved by the State Members of the New England Regional Commission that

Section 1. The State Members adopt the policy that the equalization of the petroleum prices across the Nation is essential for the continued development of the New England economy in accordance with the Emergency Petroleum Allocation Act of 1973 (P.L. 93-159).

Section 2. The State Members call upon all regions of the Nation to improve the achievements of their petroleum fuel conservation programs.

Section 3. The State Members urge the Federal Energy Office to administer the Mandatory Fuel Allocation Program so that petroleum fuel allocations are based on price as well as quantity as required by the Emergency Petroleum Allocation Act and further that the Federal Energy Office take the necessary steps to increase the domestic production of residual fuel oil and insure that New England receives its fair share of the increase in such production.

Section 4. The State Members call upon the Secretary of Defense to make available excess Defense Department fuel shortage facilities which are enumerated in a Commission report in order to increase the Region's capacity to store lower priced petroleum products as they become available.

Section 5. The New England Congressional Delegation, the Federal Government, and the public utilities and industry of New England continue to work with the New England States to reduce New England's present heavy dependence on expensive petroleum products in a manner consistent with the protection of environmental quality and public safety.

Section 6. That copies of this Resolution be transmitted to the President, the Secretary of Defense, the New England Congressional Delegation, the Administrator of the Federal Energy Office, the Appalachian Regional Commission, all other Title V Commissions and the National Governors' Conference.

Section 7. Effective Date. This Resolution is effective immediately.

NEW ENGLAND REGIONAL COMMISSION—RESOLUTION NO. 91

A Resolution Concerning Energy Price Equalization

Whereas, in considering issues relating to the price and availability of energy to New England consumers, the Governors of the New England States have determined that a severe price inequality exists between this region and other regions of the country; and

Whereas, such a price inequality is directly contributing to the economic problems of the region by reducing its competitive position in the national economy and by requiring consumers to devote a disproportionate share of their income to paying energy costs; and

Whereas, the New England Regional Commission is actively involved in the development of a regional energy program designed to identify problem areas and develop joint policy among the New England States;

Now therefore be it resolved by the New England Regional Commission that

Section 1. Due to the gravity of the situation, the Federal Energy Office is requested to provide, within a period of thirty days, to the New England Regional Commission and the New England Congressional Delegation a determination of the extent and nature of the energy price differential suffered by the New England region to identify the causes of that differential and to make recommendations for appropriate remedial action.

Section 2. The staff of the Commission is instructed to work closely with the Federal Energy Office in preparing an analysis of the price differential situation and to provide, within thirty days, recommendations for equalizing the price of energy to the region.

Section 3. The New England Congressional Delegation is asked to support the request for an evaluation by the Federal Energy Office and to work with the Commission in preparing a remedial program including, as appropriate, corrective legislation.

Section 4. The Commission directs that this Resolution be transmitted to the following: the President, the New England Congressional Delegation, the Federal Power Commission, the Federal Energy Office, and the National Governors' Conference.

Section 5. Effective Date. This Resolution is effective immediately.

THE 56TH ANNIVERSARY OF ARMENIAN INDEPENDENCE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. ANNUNZIO) is recognized for 5 minutes.

Mr. ANNUNZIO. Mr. Speaker, yesterday marked the 56th anniversary of Armenian independence. Americans of Armenian descent throughout the United States and their compatriots all over the world paused, just as we did in the House of Representatives yesterday, to mark this important milestone in Armenian history.

I was honored to join in this commemoration, and in behalf of my constituents from the 11th Congressional District of Illinois, many of whom are of Armenian descent, to welcome Archbishop Karekin Sarkissian, Vicar of the Armenian Apostolic Church of America, who delivered the invocation on May 28.

Archbishop Sarkissian, who assumed his post in 1973, formerly served as prelate of the Julfa-Isfahm Diocese in Iran. He has established a distinguished reputation as a theologian, administrator, author, scholar, and teacher, and has held numerous positions of great responsibility within the Armenian Church as well as in worldwide ecumenical movements. He has served as a member of the Central and Executive Committees of the World Council of Churches, as chairman of the Theological Association of the Middle East, and has participated in a large number of major international church conferences.

The Armenian Church has been instrumental in holding the Armenian people together and in preserving their national idenity despite centuries of invasion by more powerful neighboring countries.

After hundreds of years of foreign domination, the courageous Armenians, although small in number and limited in resources, threw off the yoke of their oppressors and declared their independence on May 28, 1918. Tragically, however, this precious freedom was short-lived, for the newborn Armenian Republic was brutally partitioned less than 2 years later by Russia and Turkey.

Today, historic Armenian lands are in the hands of Turkey and Communist Russia, and the independence of Armenia remains an unresolved question.

The valiant Armenians have struggled unceasingly and have died willingly to preserve their nation and their Christianity, and to keep alive the hope for a free and independent Armenia. Their struggle shall continue relentlessly until the territorial integrity of Armenia is restored and Armenia achieves its ultimate destiny as a free nation in the consortium of independent world governments.

Mr. Speaker, I want to thank Archbishop Sarkissian for being with us and for delivering the invocation yesterday. I also want to say that the sad fate and memory of those who died in the cause of Armenian freedom are very much alive today, and it is fitting that we pay tribute today to their blessed memory as the struggle continues for Armenian independence.

GAO PROVIDES INFORMATION ON WHEAT BOARD CONCEPT

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, on January 29, during the period of concern over $1 a loaf bread price, I asked the GAO a series of questions about the true level of U.S. wheat reserves as well as possible ideas for improving the reporting and pricing of wheat and flour reserves in the United States. Specifically, among other questions, I asked for a review of the Canadian Wheat Board program, a description of how it worked, what its costs were, and whether there would be merit in applying some of the Wheat Board concepts to the United States. I have just received that portion of the GAO response relating to the Canadian Wheat Board. I would like to enter the GAO comments in the RECORD at this point.

I am hopeful that this discussion and the attached bibliography will help provide useful information for the debate in the United States of ways and means of improving our wheat supply and wheat export policies so that the American consumer may receive maximum benefits. These comments are in no way a state-

ment of approval or criticism of the program adopted by our good neighbors to the North. It is simply a study in comparative governmental organizations.

It is obvious that the United States would not want to adopt all of the subsidy supports and other functions of the Canadian Wheat Board. However, the GAO report does point out that—

(1) The Canadians have "readily available information" on their wheat situation whereas "problems persist over the accuracy reliability, and timeliness of the data generated" by the new USDA reporting system.

(2) "The Canadian Government has recently taken steps to stabilize the cost of bread and cereal-based foods in Canada by establishing a two-price system that insulates the domestic wheat price from the uncertainties of the export market" whereas "The United States has no wheat reserve policy or price stabilizing program to insure adequate domestic supplies at stable prices to U.S. consumers."

(3) U.S. policies are "intended to insure a certain level of return for farmers rather than to stabilize prices to consumers [as in Canada.]"

(4) The GAO feels that the Canadian system may discourage producer initiative and incentive and has the potential of being inflexible because of bureaucracy and political pressures. The Canadian system has positive advantages of—

(a) stabilizing domestic prices at a level lower than export prices;

(b) eliminating market fluctuation and speculation;

(c) facilitating long-term, large-scale, trade arrangements with domestic and foreign buyers, and is "particularly advantageous in dealing with State trading countries" like Russia (where the United States has failed so badly)

Mr. Speaker, there are many interesting aspects to the Canadian Wheat Board program. Primarily, the Canadians seem to give first preference and top concern to their own consumers. It is time that Secretary Butz and the Department of Agriculture realized that their duty lies in helping the American consumer rather than the agribusiness corporations.

The portions of GAO report B–176943 of May 23, 1974, relating to "Features of Canadian Export Regulation" follow:

COMPTROLLER GENERAL
OF THE UNITED STATES,
Washington, D.C., May 23, 1974.

B–176943.
Hon. CHARLES A. VANIK,
House of Representatives.

DEAR MR. VANIK: Your January 29, 1974, letter requested information on the Canadian system of regulating wheat stocks and the role of domestic international sales corporations (DISCs) in exporting agricultural products. Other information you requested will be addressed in separate correspondence. In discussions between our staffs, it was agreed that the limited information thus far developed would constitute our response.

FEATURES OF CANADIAN EXPORT REGULATION

You expressed the view that perhaps some of the operating features of the Canadian system could be adopted by the United States to better manage its wheat stocks. Essentially, you asked whether the Canadian system provided stable supplies at stable prices to the consumer.

COMPARISON OF SYSTEMS

The Canadians manage their wheat supplies through Government policies and with a quasi-governmental trading organization known as the Canadian Wheat Board. The Board is responsible for many aspects of wheat handling, including—

Development of markets and export sales;

Delivery in domestic and export markets; and

Prices, and their stability, that the producers receive for wheat.

Because the Board handles the marketing functions and has access to other Government agencies involved in establishing grain policies, it has readily available information on such diverse activities as production, storage at the elevators, shipments in transit, inventory at the ports, export sales, and sales commitments. As discussed later, the Canadian Government has recently taken steps to stabilize the cost of bread and cereal-based foods in Canada by establishing a two-price system that insulates the domestic wheat price from the uncertainties of the export market. However, the increasing costs of labor and of ingredients other than wheat recently caused the price of bread to increase 2 to 3 cents a loaf.

Wheat in the United States is managed by private producers and exporters using a free-market approach. Inherent in such a system is the problem of obtaining from private exporters adequate and current information which bears on the domestic availability and which is necessary to determine the effects of foreign and domestic demand on wheat prices and related products. The Department of Agriculture in October 1973 instituted new reporting requirements on export commitments, to obtain a more complete and timely picture of the wheat supply and demand situation; but problems persist over the accuracy, reliability, and timeliness of the data generated.

The United States has no wheat reserve policy or price stabilizing program to insure adequate domestic supplies at stable prices to U.S. consumers.

SUBSIDIES AND COSTS

In September 1973 the Canadian Government announced new minimum price guarantees and maximum prices to be paid to producers for wheat going into domestic food use, in lieu of payments to producers on an acreage basis. The policy guarantees producers a minimum in Canadian dollars (C)[1] of C $3.25 a bushel, less transportation and handling costs, for the next 7 years for wheat used for domestic food. Maximum prices to be paid to producers are set at C $5 a bushel for wheat for bread and C $7.50 for durum wheat.

The objective of the new two-price program is to prevent further domestic price increases of bread and other cereal-based foods. Payments made under the program by the Canadian Government are a subsidy to the Canadian consumer. The Government pays the Canadian Wheat Board and the Board, in turn, pays the farmer the difference, if any, between the export price, up to C $5.00 a bushel, and the C $3.25 paid by the millers.

The Wheat Board estimates the annual cost of the new price program to the Canadian Federal Treasury will be in excess of C $100 million, compared with C $64 million to C $66 million for the past 2 years under the previous program. The Canadians domestically consume, for food purposes, about 87 million bushels of wheat and export about 500 million bushels.

In contrast, the United States consumes about 530 million bushels and exports about 1 billion bushels of wheat. Using the Canadian estimates, the cost to the U.S. Government for a similar two-price system would be in excess of $600 million.

[1] Late in March 1974 one Canadian dollar was equivalent to about $1.03 in U.S. dollars.

Canadian producers will continue to be paid actual world market prices, less the cost of the operation of the Canadian Wheat Board, for most of their output, which is exported.

As of early March 1974, smaller quantities of Canadian grain have been transported to the elevators and ports this crop year than in the same period last year, because of a railcar shortage, railway labor problems, and smaller amounts of wheat marketed by farmers.

Grain moves at subsidized rates to export points from scattered elevators, many of which have a low handling capacity in comparison to those in the United States. Railcars are allocated to move grain at unusually low Government rail rates established in 1925, which remain in effect. The Government subsidizes feeder lines which tie into the main rail lines for shipping grain to the ports. These subsidy payments reduce the railroads' losses but not to the extent that hopper cars are willingly allocated to move grain. The rail subsidies represent a benefit to the producers because the costs have not been offset against their returns. To ease the grain transportation problem, the Government purchased 2,000 giant hopper cars in the past year.

With respect to U.S. subsidies, the Department of Agriculture maintains a program of *domestic* price supports with guaranteed or "target" prices to wheat producers. These support payments are intended to insure a certain level of return for farmers rather than to stabilize prices to consumers. Payments under the price-support program depend on market prices which currently exceed the price-support level; therefore, no subsidies are necessary at the present time.

Export subsidy payments were formerly made by Agriculture to exporters to make up the differences between higher domestic wheat prices and lower world market prices. The payments generally resulted in sales at lower prices to foreign buyers than to domestic purchasers. Because of changed market conditions, the subsidies were eliminated in September 1972. In addition, when the United States had wheat which was surplus to its needs, Agriculture paid the storage costs for its wheat inventories.

SUPPLY AND PRICES OF CANADIAN WHEAT

Enclosures I and II show that over the years Canadian wheat supplies have been ample for domestic consumption and for export. Prices for cereals and bakery products increased gradually through 1972 but in 1973 rose sharply. As shown in the following chart, the Canadian consumer price index for cereal and bakery products (with 1967 as the base year of 100) has risen from 83.7 in 1960 to 122.6 in 1973, a 38.9 percent increase.

Enclosure III provides U.S. consumer price indexes for these products over the same period. The enclosure and the following chart show that the U.S. index for the group (with 1967 as the base year of 100) has risen from 87.1 in 1960 to 127.7 in 1973, a 40.6-percent increase.

CANADIAN WHEAT BOARD AND EXPORT CONTROL

You pointed out that the export regulation features of the Canadian system might help the United States avoid some of the pitfalls of recent years and asked about the feasibility of establishing a national export licensing and control agency. On the basis of discussions with Canadian and U.S. officials and the written material obtained on the subject, we are presenting below some of the pros and cons of such a proposal.

These should not be considered as all encompassing or as favoring such a proposal.

Pros

1. Controls and coordinates production, delivery (transport and storage), and marketing.

2. Regulates the flow of supplies to domestic and export markets according to demands and stabilizes domestic prices at a level lower than export prices (two-price system).

3. Controls and sets export prices and generally promotes optimal and equal returns per unit of sale to producers from all sales through markets and price differentiation (two-price system).

4. Eliminates market fluctuation and speculation.

5. Facilitates long-term, large-scale, trade arrangements with domestic and foreign buyers, particularly advantageous in dealing with State trading countries (for example China, Russia, and Eastern Europe).

6. Facilitates orderly product research and development and market promotion and development.

Cons

1. May discourage individual producers' initiative to produce quantities for export markets because of ability to obtain only an average price or sell only a certain quantity.

2. Prevents direct contracting by individual producers to insure aggressive marketing.

3. Provides little incentive for competitive and efficient merchandising and promotion with fixed pricing structure imposed on industry.

4. Permits possible misinterpretation of world supply and demand situation and pricing which could severely injure the industry.

5. Produces a potential for inflexibility and inertia because of bureaucracy and political pressures.

A bibliography of reference material is included as enclosure IV.

ENCLOSURE I.—CANADIAN CONSUMER PRICE INDEXES OF CEREAL AND BAKERY PRODUCTS FOR 1960–73

[1967=100]

Year	All-purpose white flour	Corn flakes	Plain white bread	Total
1960	74.0	82.2	81.8	83.7
1961	75.9	82.6	83.5	85.2
1962	83.1	87.3	85.9	87.1
1963	86.9	88.7	90.2	91.2
1964	91.9	91.2	94.7	95.5
1965	92.6	95.2	94.8	96.0
1966	96.7	96.5	99.7	98.6
1967	100.0	100.0	100.0	100.0
1968	101.4	100.2	102.9	102.2
1969	102.0	103.1	103.3	103.5
1970	101.4	104.1	104.8	105.7
1971	99.7	106.1	108.9	108.1
1972	102.4	109.5	113.0	111.8
1973	114.3	(1)	127.0	122.6

[1] Not available at time of review.

Source: Statistics Canada—converted by GAO to a base year of 1967.

ENCLOSURE II.—CANADIAN WHEAT SUPPLIES AND DISPOSITION, CROP YEARS 1960–61 TO 1972–73

[In thousands of bushels]

Crop year	Supplies				Disposition			
	Inward carryover Aug. 1 [1]				Domestic disappearance [2]			
	Farm	Commercial	Production [1]	Total supplies	Farm	Commercial	Exports wheat and flour	Balance, total outward carryover, July 31 [1]
1960–61	143,700	455,888	518,379	1,117,967	92,078	64,299	353,249	608,341
1961–62	170,950	437,391	283,394	891,735	83,431	59,224	358,022	391,058
1962–63	59,170	331,888	565,585	956,643	82,619	55,410	331,367	487,247
1963–64	64,700	422,547	723,500	1,210,747	91,046	65,713	594,548	459,440
1964–65	120,640	338,800	600,726	1,060,166	80,607	66,941	399,594	513,024
1965–66	109,100	403,924	649,412	1,162,436	84,985	72,423	584,906	420,122
1966–67	100,000	320,122	827,338	1,247,460	84,093	71,309	515,307	576,751
1967–68	205,000	371,751	592,920	1,169,671	98,908	69,243	336,010	665,510
1968–69	236,000	429,510	649,844	1,315,354	83,964	73,724	305,838	851,828
1969–70	372,200	479,628	684,276	1,536,104	92,660	88,256	346,498	1,008,690
1970–71	542,700	465,990	331,519	1,340,209	76,474	84,368	435,213	744,154
1971–72 [3]	404,820	339,334	529,552	1,273,706	93,439	86,715	503,890	589,662
1972–73 [3]	317,500	272,162	533,288	1,122,950			576,594	366,060
1973–74 [3]			628,738	994,798				

[1] Statistics Canada.

[2] A residual item. Farm disappearance is computed by adding inward farm carryover and production and deducting therefrom marketings and outward farm carryover. Commercial disappearance is computed by adding inward commercial carryover and marketings and deducting therefrom outward commercial carryover and exports.

[3] Subject to revision.

Source: The Canadian Wheat Board.

ENCLOSURE III.—U.S. CONSUMER PRICE INDEXES OF CEREAL AND BAKERY PRODUCTS FOR 1960 TO 1973

[1967=100]

Year	Flour	Corn flakes	White bread	Whole wheat bread	Total
1960	88.4	81.4	85.2	----------	87.1
1961	89.4	83.5	87.8	----------	88.9
1962	90.9	86.4	89.1	----------	90.8
1963	91.0	89.4	91.0	----------	92.1
1964	93.3	91.6	91.5	88.1	92.5
1965	95.7	92.3	92.6	90.7	93.8
1966	97.9	94.6	98.3	96.7	97.7
1967	100.0	100.0	100.0	100.0	100.0
1968	98.3	99.9	100.5	101.1	100.4
1969	97.5	100.3	103.5	105.7	103.3
1970	99.0	103.2	109.1	111.4	108.9
1971	101.0	107.3	112.3	117.5	113.9
1972	100.4	100.6	113.0	120.1	114.7
1973	127.1	104.4	126.7	132.3	127.7

Source: Bureau of Labor Statistics, Department of Labor

[Enclosure IV]

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SHEPAUG RIVER ACT

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Connecticut (Mrs. GRASSO) is recognized for 5 minutes.

Mrs. GRASSO. Mr. Speaker, Litchfield County in northwest Connecticut contains some of the loveliest scenery in New England. Its rolling hills and flowing rivers are balm to the spirit and pleasure to the eye.

Today, I am introducing legislation to protect one of our treasured rivers for the future enjoyment of our people.

Specifically, my bill, identical to legislation introduced in the Senate, would add the Shepaug River to the list of rivers to be studied for possible inclusion in the wild and scenic rivers system.

The legislation introduced today is a triumph for citizen participation in the legislative process. It is an expression of sentiment by the people—heard loud and clear. It represents as well the results of cooperative action between citizens and Government and units of government at local and Federal levels.

The long months of discussion provided an invaluable dialog and the consensus that I believe is essential to action in this area. Local autonomy has been honored and any obstacles to approval have been removed by this demonstration of democracy in action.

Of the towns along the Shepaug, the citizens of Roxbury, in true New England tradition, came together in a town meeting and voted 116 to 7 in support of the proposal. The first selectman of the town of Washington by letter requested introduction of this measure. The Board of Selectmen of the town of Bridgewater, "anxious to retain the beauty" of the river, asked also for similar action. The Board of Selectmen of neighboring Woodbury adopted a resolution of support, noting that the Shepaug "provides our whole area with precious opportunities for the enjoyment of natural beau-

ties." Scores of private citizens who live along the river and revel in the pleasures of the landscape have endorsed this legislation.

Under the provisions of the Wild and Scenic Rivers Act of 1968, the national system of rivers under protection includes rivers which possess such outstanding attributes that they should be "preserved in free-flowing condition—and their immediate environments shall be protected for the benefit and enjoyment of present and future generations."

Passage of this bill would allow the Departments of the Interior and Agriculture to study the Shepaug and determine whether or not it should be included in the system. Having marveled at the Shepaug's beauty on many occasions, I have no doubt that the Shepaug would meet the criteria needed for inclusion in the system that would gain it protection from the construction of encroachments such as power dams.

Since entering the Congress, I have consistently supported proposals to protect the environment and to designate certain portions of this country as wildlife refuges, wilderness areas, or reserves. Unfortunately, very few of these places are located in the Northeast. However, as our section of the Nation becomes more and more urbanized, tranquil areas of quiet beauty become more scarce—just when we need them most.

It is my view that the Shepaug would be a natural and justifiable addition to the wild and scenic rivers system. Flowing south from Cornwall and Goshen, the Shepaug enters the Housatonic River at Bridgewater. Its peaceful waters and verdant banks remain relatively untouched and offer a wealth of scenic beauty and natural wonder in an area of exceptional charm. The thousands of people who canoe in its waters and hike along its banks must have the opportunity to enjoy the Shepaug in the years to come.

This will be possible if we take appropriate action now. Otherwise, future generations may never know the serenity which we have the opportunity to protect.

I, therefore, urge prompt and favorable action on the Shepaug River Act.

THE IMPEACHMENT INQUIRY OF THE COMMITTEE ON THE JUDICIARY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Mr. SEIBERLING) is recognized for 5 minutes.

Mr. SEIBERLING. Mr. Speaker, as a member of the Committee on the Judiciary, I feel that there are some questions that the gentleman from Wisconsin (Mr. FROEHLICH), has just raised which must be answered. I had thought that the gentleman left the Chamber, but I see he is still here.

Certainly I do not as one member of the committee, take the position that there are no restraints on the power of the Committee on the Judiciary in an impeachment investigation. Obviously its powers are circumscribed by the Constitution, and by the rules of this House.

The Constitution requires that due process of law be observed, except in those cases where the Constitution itself makes express or implicit exceptions to constitutional restrictions, as it does, to some extent, under the impeachment clause.

For example, the double jeopardy provision of the Constitution is expressly rendered inoperative in impeachment cases by the very language of the impeachment clause. And the powers of the committee to obtain information pertinent to an impeachment investigation of the Chief Executive are an explicit exception to the principle of separation of powers.

Mr. Speaker, I think that the gentleman from Wisconsin made a rather strong overstatement of a point of view here which I do not think is asserted by the committee and which certainly is not asserted by this Member.

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

Mr. SEIBERLING. I yield to the distinguished gentleman from Utah, who is also a member of the Committee on the Judiciary.

Mr. OWENS. Mr. Speaker, I thank the gentleman from Ohio for yielding.

As a member of the Committee on the Judiciary, I would not like to sit in the Chamber today and leave unanswered the challenge made by the gentleman from Wisconsin (Mr. FROEHLICH).

I wish first to associate myself with the very learned comments of my colleague, the gentleman from Ohio (Mr. SEIBERLING). I wish also to point how very, very carefully the Committee on the Judiciary has proceeded with its three subpenas which we have served upon the President and how we have set forth the reasons behind our subpenas, the reasons why we want and why we need the items which have been demanded under our subpena, although I will state that I do not think we are compelled to set forth those reasons.

Mr. Speaker, I believe the committee has acted extremely responsibly in that area. We certainly have been conscious of the circumscription that the Constitution imposes upon us in proceeding to assemble the evidence for this impeachment inquiry.

What has been so disappointing, I think, to me, as a member of the Committee on the Judiciary, is the fact that we are in effect being "stonewalled" in what can only be described as a public relations ploy by the White House, in that they say they have given us all of the evidence we need.

The President said in Oklahoma 2 weeks ago, "I have given the House Judiciary Committee all of the evidence." On the other hand they press us for a prompt decision.

But the committee will not sacrifice fair, complete, and thorough examination of these issues—a complete inquiry—in favor of expediency, which is, I think, what the White House is trying to press us on. We will continue to seek the evidence.

I think the committee understands very fully what its obligations are in this matter. By the same token, it understands what its rights are. So I submit to the House and to our colleagues that the committee will act very responsively but resolutely to bring the inquiry to a close after we have gotten all of the evidence we need to make an intelligent decision.

Mr. SEIBERLING. I certainly agree, and I would like to add that it is significant, it seems to me, that on the last subpena that the committee issued, only one member of the committee voted against that subpena. That member did so, he said, not because he did not agree that the evidence was relevant and necessary but simply because he felt we lacked a practical means to enforce the subpena. That member, the gentleman from Michigan (Mr. HUTCHINSON), himself has said that there is no Executive privilege before an impeachment investigation of the President. I believe his precise words were, "Executive privilege falls."

Mr. MARAZITI. Will the gentleman yield?

Mr. SEIBERLING. I yield to the distinguished gentleman from New Jersey.

Mr. MARAZITI. Can the gentleman point out where in the Constitution there is a provision that Executive privilege or other rights fall in the face of an impeachment?

Mr. SEIBERLING. The Constitution makes no mention of Executive privilege. This is a doctrine developed only in the last 40 years by Presidents, with the aid of the courts, out of the obvious necessity for the President normally to hold some things in confidence in order to carry out the functions of his office. But it is not set forth in the Constitution.

Mr. MARAZITI. But it is a doctrine; is it not?

Mr. SEIBERLING. It is not a doctrine that the Constitution sets forth. Moreover, distinguished scholars such as Raoul Berger of Harvard Law School, have said repeatedly that the impeachment clause is, of necessity, an exception to the separation of powers, and must, therefore, also be an exception to the doctrine of Executive privilege.

Mr. MARAZITI. But it is true, is it not, that there is no specific exception—and I recognize and I know the gentleman from Ohio recognizes that the Constitution does contain a provision that the House shall have the sole power of impeachment.

Mr. SEIBERLING. That is correct.

Mr. MARAZITI. That is very clear. It means only that the House can do it if it is going to be done, but it does not say how. I submit to you no constitutional rights or doctrines are suspended, because the Constitution provides that the House do it.

Mr. SEIBERLING. I assume that the gentleman agrees that the doctrine of double jeopardy is suspended by the impeachment clause because it so states. It says a person who is impeached may be thereafter prosecuted for a violation of the criminal laws of the United States. If it did not say that, a subsequent prosecution for the same offense covered by an impeachment would otherwise be a violation of the double jeopardy prohibition in the Bill of Rights.

Mr. MARAZITI. I concur with the po-

sition of the gentleman from Ohio in that respect, because the Constitution so states, but it does not state any other doctrine.

Mr. SEIBERLING. I agree no other specific provision of the Constitution is expressly suspended by the impeachment clause, but the impeachment power is an inherent exception to the separation of powers principle. Since the impeachment power was chosen by the Founding Fathers as a check on the Executive, it necessarily endows the Congress with the power to obtain whatever evidence is necessary in order to make the power of impeachment effective. There is an ample demonstration of this not only in the Constitutional Convention and the notes of the Founding Fathers, but in the historic origin of impeachment, which was a device developed by the Parliament of England in order to impose a check on the power of the king.

That was the system that was adopted by the Founding Fathers, and the only basic change they made was that under the Constitution no criminal penalty results from impeachment. The sole penalty is removal from office and disqualification for future emoluments of office.

Mr. MARAZITI. I concur in that. But I have heard the statement made that when impeachment is involved no other powers are subject to it. I do not find that in the Constitution.

Mr. SEIBERLING. The gentleman will not find the doctrine of Executive privilege in the Constitution, either. But anyway, the committee is not asserting a sweeping dragnet power. We are asserting only the right to obtain documents which are clearly deemed relevant by every single member of the committee, including the gentleman from New Jersey, who voted for the subpena because, I am sure, the gentleman felt, as we all did, that the evidence requested was clearly relevant and necessary.

Mr. MARAZITI. I voted for the subpena, yes, and I will continue to vote for the subpenas, but I agree with the gentleman from Wisconsin (Mr. FROEHLICH) that in the final analysis the executive department and the legislative department are subject to interpretations of the Constitution, and the laws, by the third body.

Mr. SEIBERLING. I do not think there is any basic disagreement. That was why I challenged the statement made by the gentleman from Wisconsin (Mr. FROEHLICH) in the first place, because I do not understand that any of our committee believes that we have power without any restraint. We are restrained by the Constitution, the Bill of Rights, and the Rules of this House.

PROTECTING SUMMER JOBS FOR YOUNG PEOPLE

(Mr. MEEDS asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. MEEDS. Mr. Speaker, I am today introducing legislation to amend the Fair Labor Standards Act to permit the summer employment of young people in agriculture in situations where these summer jobs have been traditional and in situations where it is not injurious to their health.

In Public Law 93-259, the Congress forbade the employment of children in agriculture if they are under 12 years of age. Exceptions were made only to the extent that younger children can work on farms owned by their parents and on farms not covered by the Fair Labor Standards Act.

It was the clear and altogether proper intent of Congress to forbid harmful employment conditions for children in agriculture. Child exploitation in agriculture has been America's "Harvest of Shame" for too long. One aspect that has always concerned me was the fact that children of migrant workers might not receive adequate schooling.

Yet in Washington and Oregon and, I am told, in Michigan, we have a traditional, historic pattern of child labor during the summer when school is out. My own parents at one time had a small strawberry patch in Washington State, and the younger children were willing and able to harvest the berries.

Berry picking by children has been going on in the Pacific Northwest for generations. It is something that the youngsters want to do, and their parents approve of this work. It provides young people with an opportunity to earn money for school needs in the fall, and it is certainly not injurious to their health. In Skagit and Whatcom counties in my area, up to 35 to 45 percent of the berry pickers are under 12, most of them in the age 10 to 11 category.

The bill I am introducing today is carefully drafted to permit employment of children in agriculture but only if certain conditions are met. First and foremost, the children must commute daily from their places of residence. Second, the employment must not be deleterious to the child's health. Third, the child can be employed only outside of school hours. Fourth, he must work in an operation that has traditionally paid youngsters on a piece rate basis. Fifth, the young person cannot be employed longer than 13 weeks a year. The Secretary of Labor must follow these conditions in order to permit employment.

In other words, Mr. Speaker, we want to protect children from hazardous farm work, while offering them the same opportunities in piece rate agriculture that they have enjoyed for years. I think this is a modest bill and one that will be acceptable.

I insert hereafter a copy of the bill.

H.R. 15050

A bill to authorize a limited waiver of the child labor provisions of the Fair Labor Standards Act of 1938 with respect to certain agricultural hand harvest laborers

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) an employer may apply to the Secretary of Labor for a waiver of the application of section 12 of the Fair Standards Act of 1938 to the employment of an individual, who is less than 12 years of age, as a hand harvest laborer in an agricultural operation which has been, and is customarily and generally recognized as being, paid on a piece rate basis in the region in which such individual would be employed. The Secretary may grant such a waiver only if he finds that the application of such section—

(1) would cause severe economic disruption in the industry of the employer applying for the waiver, and

(2) the employment of the individual to whom the waiver would apply would not be deleterious to his health or well-being.

(b) Any waiver granted by the Secretary under subsection (a) shall require that—

(1) the individual employed under such waiver be employed outside of school hours for the school district where he is living while so employed,

(2) such individual while so employed commute daily from his permanent residence to the farm on which he is so employed, and

(3) such individual be employed (A) for not more than thirteen weeks under such waiver and (B) in accordance with such other terms and conditions as the Secretary shall prescribe for such individual's protection.

TRUMAN ON CONFIDENTIALITY

(Mr. DEVINE asked and was given this point in the RECORD and to include extraneous matter.)

Mr. DEVINE. Mr. Speaker, an excerpt from Margaret Truman's book entitled "Harry S. Truman" is most interesting as it relates to President Nixon's efforts to protect the confidentality of the Office of the Presidency. This appears on page 613 of Margaret's analysis of her father.

"Dad took his papers with him from the White House as have all Presidents since George Washington. The papers he regarded as confidential—only a small fraction of which have been used in this book—fill several dozen filing cabinets. Then there are the public papers, some 3,500,000 documents, which fill several thousand cabinets and boxes. Archivists working with these have already published eight thick volumes, each almost a thousand pages long.

Lately, some historians have criticized Dad because he has refused to open his confidential files. But Dad is not acting out of selfish motives. From the day he left office he was conscious that he still had heavy responsibilities as an ex-President. During his White House years a President gets advice from hundreds of people. He wants it to be good advice. He wants men to say exactly what they think, to tell exactly what they know about a situation or a subject. A President can only get this kind of honesty if the man who is giving the advice knows that what he says is absolutely confidential, and will not be published for a reasonable number of years after the President leaves the White House."

MASSACRE OF THE CHILDREN OF ISRAEL

(Mr. DEVINE asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. DEVINE. Mr. Speaker, on Sunday, June 19, 1974 on the steps of the Jewish Center in Columbus, Ohio, a rally was conducted against the atrocities, massacre, and murders of the children at Ma'alot.

Several hundred dedicated sympathizers heard an outstanding address by J. Maynard Kaplan, Chairman of the Community Relations Committee of the Columbus Jewish Federation. All persons across America should have the benefit of his remarks and keen analysis.

The remarks follow:

REMARKS OF J. MAYNARD KAPLAN

This was a sorry week for mankind.

For the massacre of the children at Maalot, in Israel, by a gang of murderers—and that is what they were—reveals the moral condition of the world at its lowest ebb. At no time in the history of mankind since it emerged from the lawless savagery of the dark ages has such bestiality been practiced and countenanced by men and nations.

For it *is* countenanced . . . it *is* condoned . . . it is even encouraged.

Regrettably, ever since warfare left the open fields and overran the more populous areas, we have become accustomed and enured to violence and death for civilians, accidentally killed or injured during the course of attacks upon legitimate targets. Untold thousands of innocents have thus been killed and wounded in Europe and Africa, in Korea, Viet Nam, Laos, Cambodia and the Middle East.

But never . . . never with the silent acquiescence of the international community, have innocent civilian children been made the open and deliberate direct target for butchery as they were at Maalot.

It is time to call a halt to the barbarism of those whose conduct places them beyond the pale of humanity. If this mindless savagery is allowed to continue unchecked and undeterred, it will become a menace not only to the people of Israel but to peace-loving peoples all over the world.

Let me recall to you that the strife in the Middle East took a new and ominous turn when, for the first time, civilians became the targets of the explosive booby traps introduced by the Arabs . . . and still used by them. The international community acquiesced in silence while letter bombs and explosive toys and fountain pens caused extensive loss of life and limb; and it remained silent when supermarkets, bus stations, schools, school buses and hospitals were destroyed or damaged with a high toll of dead and maimed.

The world paid dearly for that silent acquiescence when these terrible devices were exported into Ireland, England, the European continent and North America.

The international community was again silent when the Arabs introduced the hijacking and terrorizing of civilian aircraft . . . the burning, sacking and holding hostage of the planes and their innocent passengers. Not only did the world again remain silent, but wherever these murderers were caught (outside of Israel) they were treated with deference and released . . . into the custody of Arab governments!

Do you realize that *not one* of these murderers has ever been punished by *anyone . . . anywhere?* Including those who assassinated American and other diplomats in the Sudan, even though the world was solemnly promised by Saudi Arabia, Sudan and other Arab governments that the captured criminals would be tried and punished! Unhappily, it is these same Arab governments on whose word Israel will be forced to rely in any peace agreement.

The international community has maintained a servile and contemptible silence on terror in the air as each nation, because of its own selfish interests or fear of blackmail backs away from any international agreement that could finally put an end to this blot on civilization.

And again, the world paid for this silence. The hijacking terror was exported all over the world with particular virulence right here in the United States.

And now, on May 15, 1974, the degradation of humankind was fully exposed when the Arabs made their sole and exclusive purpose the deliberate, cold-blooded slaughter of a school group of 90 children without even the pretext of legitmacy, so inhumane and uncivilized an assault as to have been called in the United States Senate "an affront to human decency and standards of civilized conduct between nations."

But once again, the international community, except for a few sporadic comments, has remained silent and taken no action. And for that silence, the World may again pay heavily unless it quickly awakens.

Are we so blind that we cannot see the capture and slaughter of children can also be exported? Into Europe, Africa, Asia and on our own continent as well? Do we not already have enough lunatic fringe fragment groups in this country . . . some with the same Maoist training as the Arab guerillas . . . who might be tempted, if these tactics are allowed to flourish unabated, to seize and kill white children in San Francisco or black children in the rural South?

There is only one course that the civilized community can take: and that is to stop and condemn such activity NOW; and to punish all those who are responsible for such outrages. And that includes not only the terrorists and their leaders, but also the Arab governments, Lebanon, Syria, Saudi Arabia, Libya, Iraq and Egypt who have aided, encouraged, financed, armed and harbored these criminals.

The criminal responsibility of all these governments is openly spread on the record for all to see. They do not deny it . . . they have praised these attacks and urge further gangster murders.

The day after the earlier Kiryat Shemona massacre on April 11, the Arabs indicated their target had been the children in the school, but since they found none there because of Passover, they indiscriminantly shot and killed 18 civilians. Then they announced pridefully, they would be back for further attacks of the same kind. Maalot was the result. And now we are promised more.

There can be no peace for the Middle East, no peace for the world, and no freedom from terror anywhere until these manufacturers of terror are forced to stop by the international community.

And yet, despite the flagrant guilt of the terrorists and those governments which feign innocence, but without whose help the terrorists could not succeed, the prime responsibility for the atrocity at Maalot lies elsewhere.

Is there a world conscience? Is there an awareness? Do we understand what is happening when a child of 12 is slaughtered? A 12-year-old who has never, in his whole life, known a single day of peace?

What response do we hear? . . . Silence. And the few who do make comment from their official positions simply reveal the sheer inadequacy of words to describe this bestial horror; but they also betray absolute blindness to reality . . . to the reality that firm and immediate steps must be taken to assure that this barbarism will not continue.

But the one voice that should have been heard, and which could have effectively dealt with this barbarity long ago, was not heard.

And I refer to the United Nations.

This august body, conceived in this country, and housed in this country, and financed largely by this country with your tax money, has demonstrated time and time again that it is no longer an instrument for peace, but rather an instrument for the encouragement of aggression and murder.

No council which permits power bloc alignment for the continuing dominance of one group over others, no matter who they are, can possibly be an instrument for peace.

Do we not know that the expediencies of hatred which today imperil the children of Israel can one day turn against European children, African children, American children?

I do not now dwell on the extreme one-sidedness of the United Nations which corrupts and violates its charter; or the fact that Israel, a member state, is effectively barred from sitting on the Security Council and other privileges; or that it has virtually no voice; or that it cannot obtain a fair hearing even when it is clearly the aggrieved party (and even when the UN's own observers positively establish the guilt of the Arabs); or that Israel is unable to obtain even minimal relief from terrorism and aggression; or that it is completely cut off from any defensive option except to strike back at the criminal aggressors (just as has been done many times in the past by other nations of the world including the United States); nor do I need mention that time and time again the Israelis have been condemned for striking back to defend themselves; but never once, never once, have the Arabs been condemned for any act of aggression, for any attack, for any atrocity.

One listens incredulously to the sanctimonious cries of the Arabs for each new round of condemnation; and one recalls the biting irony in the words of Voltaire:

Quand on l'attaque, l'animal méchant se défende. (When it is attacked, the naughty creature defends itself.)

The unmitigated gall of the Israelis! They raise their arms to defend themselves! Condemn! Condemn!

No, I do not dwell on any of these perversions of justice. I am only talking about children. Murdered children.

We would not be mourning the dead children of Maalot today if the United Nations had long ago taken the necessary steps to end terrorism: by applying sanctions against those nations which are guilty of or accessory to terrorism in all its hideous forms.

But instead, the United Nations has deliberately turned its back on international law and justice and has breached its trust.

Instead of condemning such horrible crimes as Kiryat Shemona, the Security Council passed a resolution condemning Israel for seeking to destroy the guerrilla nests, but without even mentioning the mass murder which necessitated it.

The silence of the international community, as well as the surrender to previous terrorist demands by various governments, and the failure of the UN to adopt sanctions has only encouraged Arab governments and terrorist organizations to continue their murderous actions.

The resulting sad chronicle of terrorist attacks, assassinations and atrocities over the past five years is already far too long and a bleak monument to evil and injustice. The moral of this repulsive history can be stated in three words: Uncondemned, unpunished, unending.

And it is bitter mockery that the United Nations, which spends billions of dollars to feed children and to educate children, cannot even initiate a resolution to protect the lives of children.

It is time to be aroused. It is time to call upon the international community to awaken—to speak out—and to work for measures which will, once and for all, remove the frightening shadow of terrorism and lawlessness which darkens our world.

It is time to call upon our representatives in government to do all in their power to bring about these results; results which will not only promote the peace and stability of the world, but which will once again reaffirm the standing of the United States throughout the world as the champion of international justice and freedom.

And it is we, all of us, whom all these people represent, it is we who must not remain silent. We must make our voices heard in protest. The world cannot be made better if its peoples are silent.

I don't think the murdered children of Maalot would want us to mourn them. Those brave kids who spent so much of their short lives in a world of bomb shelters and barbed wire, and who never knew peace, would probably prefer that we use this opportunity to reawaken the conscience of the world; to the end that their brothers and sisters in Israel,

as well as children all over the world, might be assured the sanctity of life and the peace, of which they had only heard and dreamed. May they now, at last, rest in peace.

But for us there can be no rest—

Not until the world community comes to its senses and rediscovers its conscience;

Not until the nations abandon the expediences of self interest and hatred;

Not until they cast off the shackles of blackmail and deal freely with the truth;

Not until the principles of international law and justice have been restored, and a just and lasting peace has descended upon Israel and all the world; and

Only then, and not until then, can it truly be said that the children of Maalot did not die in vain.

SOME ARE FOR NIXON

(Mr. DEVINE asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. DEVINE. Mr. Speaker, last week in the Columbus, Ohio, Dispatch, three separate letters to the editor were published from different, and unrelated sources, commenting on the problems of the President.

The mass-media of the eastern liberal establishment does not normally record both points of view and it is refreshing to see how this is handled in the heartland of middle America, as follows:

COMPARISON PICTURE PAINTS NIXON TALL

To the Editor:

To whom is Richard M. Nixon being compared? The perfect man or other American presidents?

I submit that he should be compared to other presidents (although there is a certain similarity between the hate-filled "Impeach! Resign" crowd and the "Release unto us Barabbas" crowd of 2,000 years ago).

The only two presidents since 1912 whose private political conversations would have caused less "moral revulsions" than Mr. Nixon's are Woodrow Wilson and Herbert Hoover and they were both rejected by the electorate in historic landslides.

Franklin D. Roosevelt was a charmer. Mr. Nixon never has been. FDR was also a devious politician without peer. He took us off the gold standard, made it illegal for Americans to own gold, took us into World War II and at the end, ill, lost the peace at Yalta. Joseph Stalin made a fool of him.

Then we had Harry S Truman and my mind boggles at a contemplation of the profane expletives, s.o.b.'s, and vindictiveness of "give 'em h---, Harry"—protege of the stinky, corrupt Pendergast gang.

He took us into Korea where 50,000 American men died in our first "no-win" war with privileged sanctuaries for the enemy (I would consider this an impeachable offense).

Then came Dwight D. Eisenhower.

I doubt that Ike's tapes would have been any higher in moral quality than Mr. Nixon's. Ike was profane and he was far more vindictive than his grin indicated.

And then we had Camelot (John F. Kennedy).

Charm prevailed and the most beautiful, inspirational political speeches of the century were written by Ted Sorenson.

Reality was far different from the dream propagated by the television newscasters.

Reality was that the three years under Mr. Kennedy were disastrous. We entered Vietnam—like Korea under Truman, another "no-win" war with enemy sanctuaries.

Mr. Kennedy encouraged the overthrow of the Diems, chickened-out at the Bay of Pigs and was outsmarted by Nikita Khrushchev in the missile crisis.

Mr. Kennedy appointed his brother attorney general. And there was no outcry by the news media at such an unprecedented step. The media were too occupied predicting the end of the Vietnam War if the Diems were only replaced by a popular government.

And Attorney General Robert Kennedy called out the FBI to "get something" on Roger Blough on April 16, 1962.

I am titillated by the thoughts of the combination of dirty politics and sex that President Kennedy's tapes would have revealed. Camelot, indeed!

And then came Lyndon B. Johnson. I would love to hear a recording of LBJ's conversations with Sen. Sam Ervin when they planned the Bobbie Baker coverup.

Senator Ervin is called folk hero. He is anathema to me, because I consider him a really great hypocrite. He covered up for LBJ in the Baker affair and now he is Bible-quoting and sanctimonious.

Mr. Nixon brought half a million men home from—not into—an inherited war in Vietnam.

All presidents have had "enemies' lists" and "dirty tricks". No trick—to me—was ever dirtier than the portrayal on television in 1964 of Sen. Barry Goldwater as a man who would cause death by poisoning of a darling, blonde, curly-haired little girl. The news media never protested that.

The fact is that the television news media, as a whole, dislikes Mr. Nixon and is grossly unfair.

I listen each week to Washington Week in Review. There are five men on the panel. All five excoriate Mr. Nixon. This is repugnant to me.

The bias of the television newscasters was certainly obvious when they reviewed Sen. Ted Kennedy's Chappaquiddick speech. They commiserated with the ill-starred Kennedy and the most damning thing they could say about Teddy was that his speech reminded them of Mr. Nixon's Checkers speech of 1952. They managed to criticize Mr. Nixon when the subject was Chappaquiddick. That really requires bias.

Compared with other presidents since 1912, Mr. Nixon stands mighty tall, in my opinion. I'm sick of the hypocrisy and the clamor about morality and so forth. A number of congressmen have been involved in scandals, themselves.

Watergate is nothing compared to many scandals of the past.

MILDRED CRAWFORD MURPHY.
MT. GILEAD, OHIO.

ACCOUNT DISTORTED, SAYS NIXON BACKER

To the Editor:

It is extremely unfortunate for a nation as great and strong as ours that a few people with the powerful assistance of a news media, so bent on printing the evil that will sell newspapers or attract viewers, can turn decent people against a man the vast majority of whom elected overwhelmingly to lead them.

For far too long, the minds of Americans have been forced to focus upon Watergate. Almost all of the energy of Congress has been expended on this one matter.

With the skilled manipulation of the news media, the American people have been relentlessly bombarded with every conceivable innuendo, half-truth and insinuation until the facts are so distorted that only the ideas of a few vicious opponents of "American ideals with justice for all" are accepted by minds too weary to understand and see the truth.

It is one thing to slant the reporting of activities of a few so as to generalize. It is one thing to publicize only the delinquency of a few and leave the honest to suffer for the action of their peers. This can be corrected with understanding.

The vicious attack upon a man who has served his country well and who won the respect of a vast majority of the voting public just 18 months ago may well shake the foundation of the world.

Already the elected vice president of the U.S. (Spiro Agnew) has been tried and convicted without the benefits of judge, jury or evidence, and forced to resign. The same tactics that were used on him are now being used against President Nixon.

How long can this nation survive when a few people so skillfully twist the truth into their own opinions and force these ideas upon others? Who is immune from this calloused power of the press?

It is time for all Americans to reassess the facts put before them and revitalize their own power of reason. Now, more than ever before, all Americans must search their souls and review the essence of our greatness.

We need to move forward toward a better nation and a better world. It is time to tell our elected officials that we are tired of feet-dragging. Now is the time to work together for the good of all mankind.

Corruption will reap its reward regardless of its source. The truth will win out as long as it is permitted to be heard for what it is and not twisted and distorted into what some men want it to be.

America must be strong now more than ever before. It needs a man who, in spite of attack, still works toward a peaceful world and a vibrant and strong America.

America has chosen its leader and he should be permitted to lead.

If America does not lead, it will surely be led.

DAVID W. & PENNY MACHENSEN.
REYNOLDSBURG.

RECEIVING A FAIR TRIAL NOT THOUGHT POSSIBLE

To the Editor:

What has happened to the sense of honor and justice historically attributed to the American people?

A person who is indicted for murder is guaranteed a presumption of innocence. We are careful not to allow pre-trial publicity. Above all, we do not allow a jury to discuss the case at all prior to its verdict.

How, then, can the President receive a fair trial? Several of his accusers, who are also his jurors, have already announced their verdict in advance of the trial.

It is bad enough that he is expected to furnish the evidence to convict himself. It is worse that many of his jurors are political enemies dedicated to his downfall even prior to his election.

But to not even afford him the safeguards offered to convicted criminals is an indictment of our system that will cause a much greater future problem than the one they are attempting to cure.

T. W. MITCHELL.
JACKSON, OHIO.

MARTINS FERRY TO HONOR MAYOR JOHN LASLO

(Mr. HAYS asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. HAYS. Mr. Speaker, on Sunday, June 2, the city of Martins Ferry is holding a reception to honor Mayor John Laslo for 25 years of public service in various capacities, specifically as councilman and mayor but, generally, as a civic leader. Mayor Laslo has spearheaded a drive to revitalize his community and has been the focal point of a great renaissance in that very old city in Ohio which many people say was the first settlement in Ohio; there is an unresolved dispute between Martins Ferry and Marietta and certainly one or the other of them was the first settle-

ment. In any event, Mayor Laslo has been the driving force behind the rehabilitation of this fine city which, because of his efforts, had the first model cities program in America; is one of the first cities in eastern Ohio with a housing for the elderly program. He has inaugurated a recreation program for the young people in the summer, and literally dozens of other projects which it would take too much space to mention.

Mr. Speaker, I have been a friend of Mayor Laslo through all of his years of public service and have been proud to be his friend and I want to join the literally thousands of his friends in eastern Ohio commemorating this 25th year of his service in congratulating him on the tremendous achievements of the past 25 years.

THE LAND USE PLANNING ACT: THE RIGHTS OF PROPERTY OWNERS, THE TAKING ISSUE AND COMPENSATION

(Mr. SEIBERLING asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. SEIBERLING. Mr. Speaker, no doctrine is more widely invoked in connection with land use regulation than is the restriction on Government action by the fifth and 14th amendments to the Constitution. The fifth amendment, which applies to action by the Federal Government states:

. . . nor shall private property be taken for public use, without just compensation.

The 14th amendment, adopted in 1868, applies to actions by State governments by prohibiting deprivation of "life, liberty, or property without due process of law." The interpretation of this amendment in property rights cases has been traditionally a matter of State courts. The U.S. Supreme Court has ruled on this issue in a very limited number of instances during the last century.

The enforcement of both amendments involving land and the use of land applies in two instances:

First. When any level of government exercises an inherent power known as eminent domain. In this case, the land in question is either acquired in whole or in part by the government seeking to exercise the eminent domain authority. Just compensation must be paid to the owner.

Second. When regulation of land use, principally by State and local governments, is found to be of such an extent that it constitutes a "taking" of the property, the law requires compensation for the value of the property "taken." Most of the court rulings on this issue exist at the State level because it is the State government which exercises land use regulation authority either directly or through delegation to local governments.

The fifth amendment finds its roots in English legal traditions. At the time it was adopted, the framers were interested in protecting property owners against an actual physical taking of land by the Government. The English law permitted extensive regulation of the use of land and such regulations were adopted by the American colonies. Some colonial regulations required shade trees in Pennsylvania, fences in rural areas, and brick or stone buildings in Boston. Although the constitutions of the 13 original States required that property not be taken without due process of law, 11 did not require compensation. Some State courts required compensation by virtue of constitutional provisions of common law. For a time, however, there were those which did not, and no legal right to compensation was required even though there was an actual State takeover of the property.

Before the adoption of the 14th amendment the Supreme Court found no Federal constitutional prohibition against a State's taking of property without compensation. With the adoption of that amendment, the States were required to follow the due process of law when taking property but it was not until the end of the 19th century in C.B. & Q. Railway against Chicago that the court held that the due process requirement included the right to compensation for a taking.

Shortly after the Civil War, however, the Supreme Court held that an impairment of the use of property which significantly reduced its value could violate the "takings" clause even though not a taking for public use. A varied pattern in the case law appeared and the Court was unable to develop a consistent policy between finding that some regulations of land constituted a taking requiring compensation and others did not. The concluding case in this pattern was Pennsylvania Coal Co. against Mahon, which considered a Pennsylvania law forbidding coal mining which would cause surface subsidence below housing, streets or public buildings.

Despite the purpose of the legislation, the Court held that the Constitution mandated compensation of the coal companies, and since the law did not provide for payment, it was invalidated. The Court considered the economic burden placed on the landowner and held that if the regulation went too far in imposing a burden, compensation for a diminution in value was required. Writing for the Court, Justice Oliver Wendell Holmes concluded:

The general rule at least is, that while property may be regulated to a certain extent, if regulation goes too far it will be recognized as a taking.

The exercise of the zoning power was held valid by the Supreme Court in Ambler Realty Co. against Village of Euclid. The compensation issue was not discussed. In Nectow against Cambridge, the Court invalidated the zoning of land for residential use when the owner had a contract to sell his land for industrial use. The Court found that the loss in value to the owner outweighed the value to the community. Other cases, however, found that the same test could be used to support zoning regulations.

Read in conjunction with other cases, State courts have interpreted the Pennsylvania Coal case to establish a balancing test, with the courts weighing the importance of the public interest to protect the health, safety, and welfare of the community, against the economic loss to the property owner. However, the many cases which have appeared this century, establish no clear pattern. Some invalidate regulations which result in little diminution of value, while others approve laws appearing to have a more profound impact.

In recent years, States have usually applied the balancing test. In some States, regulations against the filling of wetlands, even though developer investments were substantial, have been upheld to protect the resource against potential over development and destruction. In other States, restrictions permitting only limited water-related uses and prohibiting filling or destruction have been overturned.

Some State courts have upheld historic preservation statutes recognizing the cultural and aesthetic benefit to the community. Others, in invalidating such statutes, find that the benefits of property arise from its use and anything which deprives an owner of that use, deprives all that is valuable in owning it. Many such cases rise and fall on the ability of the challenging party to demonstrate that a loss in value has occurred in fact.

The State of Michigan has upheld the authority of a town to guide development in order to minimize its burdens on public facilities including the schools, so long as it demonstrates a reasonable relationship between existing conditions and the public welfare. On the other hand, the Pennsylvania Supreme Court has held that zoning may be used to plan the future, but not to avoid increased burdens brought by growth. Some cases have demonstrated that the burden is on the landowner to show that the land use regulation does not enhance the public health, welfare, or safety and does not constitute a valid exercise of the police power.

The Land Use Planning Act now pending before the House does not alter the development of the law on the taking issue. This is clear since the proposed act assists the States to exercise their own inherent constitutional authority. It in no way authorizes the Federal Government to regulate non-Federal lands nor to judge the validity or desirability of State or local regulations. To insure this fact, H.R. 10294 explicitly provides that nothing in the act shall be construed to enhance or diminish the rights of owners of property as guaranteed by the Constitution.

The land use bill would leave the determination of the taking and compensation question to the States. It would provide the resources necessary to determine the capability of the land to absorb development, determine which lands are most appropriate for development, and the policies for implementing these conclusions of fact.

The Land Use Planning Act would preserve the State's role for determining when compensation is necessary. There are several reasons why this is so:

First. The authority to regulate land rests with the States and local governments, and should remain there;

Second. Pursuant to this authority, State courts have developed the most expertise in dealing with this issue;

Third. State courts have applied the requirements of the takings clause in light of their understanding of the fac-

tual circumstances in each situation and they are best able to do so since they are most knowledgeable about the State and its values;

Fourth. The Federal Government is least competent to establish standards for compensation or once established, to enforce them because of past tradition and the varying circumstances between States and regions.

The bill does not attempt to articulate a standard for determining when a taking has taken place and compensation required. None of the hearings addressed this issue. Committee consideration of the taking question was brief and the enactment of a standard was rejected. Whether compensation for land use regulation is necessary should be decided by States since they, not the Federal Government, will implement the land use legislation.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows to:

Mr. PETTIS (at the request of Mr. RHODES), on May 28 through June 7, on account of official business.

Mr. ADAMS, for May 31 through June 3, on account of official business.

Mr. ANDREWS of North Dakota (at the request of Mr. RHODES), for May 30, 1974, on account of official business.

Mr. FOUNTAIN (at the request of Mr. O'NEILL), from 5 o'clock today, May 29, on account of official business.

Mr. MCSPADDEN (at the request of Mr. O'NEILL), for the week of May 28, on account of illness of his mother.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mrs. HOLT) to revise and extend their remarks and include extraneous matter:)

Mr. BLACKBURN, for 5 minutes, today.

Mr. GROVER, for 5 minutes, today.

Mr. STEELMAN, for 5 minutes, today.

Mr. FROEHLICH, for 5 minutes, today.

Mr. RONCALLO of New York, for 20 minutes, on May 30.

Mr. BAUMAN, for 15 minutes, today.

(The following Members (at the request of Mr. STARK) to revise and extend their remarks and include extraneous matter:)

Mr. DIGGS, for 5 minutes, today.

Mr. ST GERMAIN, for 5 minutes, today.

Mr. ANNUNZIO, for 5 minutes, today.

Mr. VANIK, for 5 minutes, today.

Mr. ADDABBO, for 10 minutes, today.

Mrs. GRASSO, for 5 minutes, today.

Mr. SEIBERLING, at his own request, to address the House today for 5 minutes.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. MATSUNAGA, and to include extraneous material, immediately prior to the adoption of the Mink amendment in the Committee of the Whole today.

(The following Members (at the request of Mrs. HOLT) and to include extraneous material:)

Mr. STEELMAN.

Mr. HANRAHAN.

Mr. RONCALLO of New York in two instances.

Mr. KEMP in six instances.

Mr. ASHBROOK in five instances.

Mr. BRAY in three instances.

Mr. WYMAN in two instances

Mr. HOSMER in two instances.

Mr. SNYDER in three instances.

Mr. CHAMBERLAIN.

Mr. HUNT.

Mr. DERWINSKI in two instances.

Mrs. HOLT.

Mr. COLLINS of Texas in four instances.

Mr. TALCOTT in two instances.

Mr. FROEHLICH.

Mr. BROWN of Ohio.

Mr. SPENCE.

Mr. HOGAN.

Mr. MALLARY in two instances.

Mr. REGULA.

Mr. ESCH.

Mr. FRENZEL.

Mr. PRICE of Texas.

(The following Members (at the request of Mr. STARK) and to revise and extend their remarks:)

Mrs. SCHROEDER in 10 instances.

Mr. DRINAN in five instances.

Mr. WON PAT in three instances.

Mr. ANNUNZIO in five instances.

Mr. ANDREWS of North Carolina in 10 instances.

Mr. ROONEY of New York in two instances.

Mr. WOLFF in five instances.

Mr. VANIK in two instances.

Mr. ADDABBO.

Mr. LEHMAN in 10 instances.

Mr. DOMINICK V. DANIELS in three instances.

Mr. OBEY in six instances.

Mr. MINISH.

Mr. FRASER in five instances.

Mr. THOMPSON of New Jersey in 10 instances.

Mr. VANDER VEEN.

Mr. YATRON.

Mr. PODELL.

Mr. UDALL in five instances.

Mr. GETTYS.

Mr. MAZZOLI.

Mr. HARRINGTON in four instances.

Mr. DORN in three instances.

Mr. CLARK.

Mrs. MINK in two instances.

Mrs. CHISHOLM.

Mr. FORD in three instances.

Mr. NICHOLS.

Mr. EDWARDS of California.

Mr. ANDERSON of California in five instances.

Mr. OWENS in five instances.

Mr. STARK in 10 instances.

SENATE BILLS AND A CONCURRENT RESOLUTION REFERRED

Bills and a concurrent resolution of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 521. An act to declare that certain land of the United States is held by the United States in trust for the Cheyenne-Arapaho Tribes of Oklahoma; to the Committee on Interior and Insular Affairs.

S. 605. An act to amend the act of June 30, 1944, an act "To provide for the establishment of the Harpers Ferry National Monument," and for other purposes; to the Committee on Interior and Insular Affairs.

S. 2137. An act to amend the act of October 15, 1966 (80 Stat. 953, 20 U.S.C. 65a), relating to the National Museum of the Smithsonian Institution, so as to authorize additional appropriations to the Smithsonian Institution for carrying out the purposes of said act; to the Committee on House Administration.

S. 2439. An act to amend the Wild and Scenic Rivers Act of 1968 by designating a segment of the New River as a potential component of the national wild and scenic rivers system; to the Committee on Interior and Insular Affairs.

S. 3007. An act to authorize appropriations for the Indian Claims Commission for fiscal year 1975; to the Committee on Interior and Insular Affairs.

S. 3358. An act to authorize the conveyance of certain lands to the United States in trust for the Absentee Shawnee Tribe of Indians of Oklahoma; to the Committee on Interior and Insular Affairs.

S. 3359. An act to authorize the conveyance of certain lands to the United States in trust for the Citizen Band of Potawatomi Indians of Oklahoma; to the Committee on Interior and Insular Affairs.

S. Con. Res. 86. Concurrent resolution authorizing the printing of additional copies of the hearings and final report of the Senate Select Committee on Presidential Campaign Activities; to the Committee on House Administration.

ENROLLED BILLS SIGNED

Mr. HAYS, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 1817. An act to provide for the striking of national medals to honor the late J. Edgar Hoover; and

H.R. 12670. An act to amend section 301 of title 37, United States Code, relating to incentive pay, to attract and retain volunteers for aviation crew member duties, and for other purposes.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

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; and

S. 3398. An act to amend title 38, United States Code, to increase the rates of vocational rehabilitation, educational assistance, and special training allowances paid to eligible veterans and other persons; to make improvements in the educational assistance programs; and for other purposes.

BILL PRESENTED TO THE PRESIDENT

Mr. HAYS, from the Committee on House Administration, reported that that committee did on May 28, 1974, present to the President, for his approval, a bill of the House of the following title:

H.R. 10972. An act to delay for 6 months the taking effect of certain measures to provide additional funds for certain wildlife restoration projects.

ADJOURNMENT

Mr. STARK. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; whereupon (at 7 o'clock and 31 minutes p.m.), the House adjourned until tomorrow, Thursday, May 30, 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:

2379. A letter from the Assistant Secretary of Defense (Comptroller), transmitting a report of transfers of amounts appropriated to the Department of Defense, pursuant to section 735 of the Department of Defense Appropriation Act, 1974; to the Committee on Appropriations.

2380. A letter from the Secretary of the Treasury, transmitting a report on the operations of the Exchange Stabilization Fund for fiscal year 1973, pursuant to 31 U.S.C. 822a; to the Committee on Banking and Currency.

2381. A letter from the Director of Federal Affairs, National Railroad Passenger Corporation, transmitting the financial report of the Corporation for the month of February 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.

2382. A letter from the General Manager, Atomic Energy Commission, transmitting a report of the nonprofit educational institutions and other nonprofit organizations in which title to equipment was vested by the Atomic Energy Commission, pursuant to section 3 of Public Law 85–934; to the Committee on Science and Astronautics.

2383. A letter from the Chairman, Atomic Energy Commission, transmitting a draft of proposed legislation to amend the Atomic Energy Act of 1954, as amended, to extend the compulsory patent licensing authority; to the Joint Committee on Atomic Energy.

RECEIVED FROM THE COMPTROLLER GENERAL

2384. A letter from the Comptroller General of the United States, transmitting a report on congressional objectives of Federal loans and scholarships to health professions students not being met; to the Committee on Government Operations.

2385. A letter from the Acting Comptroller General of the United States, transmitting a list of reports issued or released by the General Accounting Office during the month of April 1974, pursuant to 31 U.S.C. 1174; to the Committee on Government Operations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MILLS of Arkansas: Committee on Ways and Means. H.R. 14833. A bill to extend the Renegotiation Act of 1951 for 18 months (Rept. No. 93–1065). Referred to the Committee of the Whole House on the State of the Union.

Mr. PATMAN: Committee on Banking and Currency. H.R. 13839. A bill to authorize appropriations for carrying out the provisions of the International Economic Policy Act of 1972, as amended; with amendment (Rept. No. 93–1066). Referred to the Committee of the Whole House on the State of the Union.

Mr. LONG of Louisiana: Committee on Rules. House Resolution 1151. Resolution for the consideration of H.R. 13678. A bill to amend the National Labor Relations Act to extend its coverage and protection to employees of nonprofit hospitals, and for other purposes. (Rept. No. 93–1067). Referred to the House Calendar.

Mr. MATSUNAGA: Committee on Rules. House Resolution 1152. Resolution for the consideration of H.R. 14747. A bill to amend the Sugar Act of 1948, as amended. (Rept. No. 93–1068). Referred to the House Calendar.

Mr. BRADEMAS: Committee on House Administration. S. 3373. An act relating to the sale and distribution of the CONGRESSIONAL RECORD (Rept. No. 93–1069). Referred to the Committee of the Whole House on the State of the Union.

Mr. MAHON: Committee of conference. Conference report on H.R. 14013 (Rept. No. 93–1070). Ordered to be printed.

Mr. PATMAN: Committee on Banking and Currency. House Resolution 774. Resolution declaring the sense of the House with respect to a prohibition of extension of credit by the Export-Import Bank of the United States. Reported adversely. (Rept. No. 93–1071).

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ASPIN (for himself, and Mr. WHITE):

H.R. 15032. A bill to amend title 13, United States Code, to eliminate the granting of preference on the basis of political affiliation or recommendation by any political organization in the hiring of temporary or part-time employees to carry out censuses, surveys, or other work of the Bureau of the Census; to the Committee on Post Office and Civil Service.

By Mr. BLACKBURN:

H.R. 15033. A bill to amend the Export Administration Act of 1969 to prevent the exportation and reexportation of American products, including technology, capital equipment, scientific accomplishments, and agricultural commodities to nonmarket economies and unfriendly nations, and to prevent exportation of such products by American subsidiaries operating abroad to nonmarket economies and unfriendly nations; to the Committee on Banking and Currency.

By Mr. BURKE of Massachusetts (for himself, Mr. HANLEY, Mr. HORTON, Mr. PRITCHARD, and Mr. SARASIN):

H.R. 15034. A bill to amend the Social Security Act and the Internal Revenue Code of 1954 to provide for Federal participation in the costs of the social security program, with a substantial increase in the contribution and benefit base and with appropriate reductions in social security taxes to reflect the Federal Government's participation in such costs; to the Committee on Ways and Means.

By Mr. BYRON (for himself, and Mrs. HOLT):

H.R. 15035. A bill to prevent the estate tax law from operating to encourage or to require the destruction of open lands and historic places, by amending the Internal Revenue Code of 1954 to provide that real property which is farmland, woodland, or open land and forms part of an estate may be valued, for estate tax purposes, at its value as farmland, woodland, or open land (rather than at its fair market value), and to provide that real property which is listed on the National Register of Historic Places may be valued, for estate tax purposes, at its value for its existing use, and to provide for the revocation of such lower evaluation and recapture of unpaid taxes with interest in appropriate circumstances; to the Committee on Ways and Means.

By Mr. CHAPPELL:

H.R. 15036. A bill to provide for the development of aquaculture in the United States, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. DELLENBACK:

H.R. 15037. A bill to amend title II of the Social Security Act to increase the amount of outside earnings which (subject to further increases under the automatic adjustment provisions) is permitted each year without any deductions from benefits thereunder, and to revise the method for determining such amount; to the Committee on Ways and Means.

By Mr. DERWINSKI:

H.R. 15038. A bill to amend the Internal Revenue Code of 1954 to provide a basic $5,000 exemption from income tax, in the case of an individual or a married couple, for amounts received as annuities, pensions, or other retirement benefits; to the Committee on Ways and Means.

By Mr. DINGELL (for himself, and Mr. GROVER):

H.R. 15039. A bill to amend the Fishermen's Protective Act of 1967 in order to strengthen the import restrictions which may be imposed to deter foreign countries from conducting fishing operations which adversely affect international fishery conservation programs; to the Committee on Merchant Marine and Fisheries.

By Mr. EVANS of Colorado:

H.R. 15040. A bill to direct the Secretary of Agriculture to investigate and study the feasibility of a Federal insurance program covering livestock and other similar agricultural entities not covered under the Federal Crop Insurance Act, and to report to the Congress the results of such investigation and study; to the Committee on Agriculture.

By Mr. FULTON (for himself, Mr. BROYHILL of Virginia, Mr. BAUMAN, and Mr. RUNNELS):

H.R. 15041. A bill to amend the Social Security Act to provide for medical, hospital, and dental care through a system of voluntary health insurance including protection against the catastrophic expenses of illness, financed in whole for low-income groups through issuance of certificates, and in part for all other persons through allowance of tax credits; and to provide effective utilization of available financial resources, health manpower, and facilities; to the Committee on Ways and Means.

By Mrs. GRASSO:

H.R. 15042. A bill: Shepaug River Act; to the Committee on Interior and Insular Affairs.

By Mr. HANLEY:

H.R. 15043. 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. HANRAHAN:

H.R. 15044. A bill to amend title II of the Social Security Act to increase to $7,500 the amount of outside earnings which (subject to further increases under the automatic adjustment provisions) is permitted each year without any deductions from benefits thereunder; to the Committee on Ways and Means.

By Mr. HARSHA:

H.R. 15045. A bill to amend the Internal Revenue Code of 1954 and certain other provisions of law to provide for automatic cost-of-living adjustments in the income tax rates, the amount of the standard, personal exemption, and depreciation deductions, and the rate of interest payable on certain obligations of the United States; to the Committee on Ways and Means.

By Mr. HAYS:

H.R. 15046. A bill to authorize appropriations for the U.S. Information Agency, and for other purposes; to the Committee on Foreign Affairs.

By Mr. KOCH (for himself and Ms. HOLTZMAN):

H.R. 15047. A bill to amend title 38 of the United States Code in order to provide veterans' educational assistance and home loan benefits to individuals who fulfill their obligation to perform alternative civilian service under the selective service laws; to the Committee on Veterans' Affairs.

By Mr. LUJAN:

H.R. 15048. A bill to amend part B of title XI of the Social Security Act to provide a more effective administration of Professional Standards Review of health care services, to expand the Professional Standards Review Organization activity to include review of services performed by or in federally operated health care institutions, and to protect the confidentiality of medical records; to the Committee on Ways and Means.

By Mr. LUKEN:

H.R. 15049. A bill to amend the Internal Revenue Code of 1954 to provide that certain interest forfeited by reason of premature cancellation of certain savings deposits shall not be included in gross income, and for other purposes; to the Committee on Ways and Means.

By Mr. MEEDS (for himself and Mr. HICKS):

H.R. 15050. A bill to authorize a limited waiver of the child labor provisions of the Fair Labor Standards Act of 1938 with respect to certain agricultural hand harvest laborers; to the Committee on Education and Labor.

By Mr. PATTEN:

H.R. 15051. A bill to amend title VIII of the Public Health Service Act to revise and extend the programs of assistance under that title for nurse training; to the Committee on Interstate and Foreign Commerce.

By Mr. ROE (for himself, and Mr. ASPIN):

H.R. 15052. A bill to amend the Public Health Service Act to provide assistance for programs for the diagnosis, prevention, and treatment of, and research in, Huntington's disease; to the Committee on Interstate and Foreign Commerce.

By Mr. ROE (for himself, and Mr. BRINKLEY):

H.R. 15053. A bill to amend the Public Health Service Act to provide assistance for programs for the diagnosis, prevention, and treatment of, and research in, Huntington's disease; to the Committee on Interstate and Foreign Commerce.

By Mr. SANDMAN:

H.R. 15054. A bill to authorize recomputation at age 60 of the retired pay of members and former members of the uniformed services whose retired pay is computed on the basis of pay scales in effect prior to January 1, 1972, and for other purposes; to the Committee on Armed Services.

By Mr. SISK (for himself, Mr. BELL, Mr. EDWARDS of California, Mr. GOLDWATER, Mr. HANNA, Mr. HAWKINS, Mr. KETCHUM, Mr. LAGOMARSINO, Mr. MCCORMACK, Mr. MATHIAS of California, Mr. PETTIS, Mr. STEIGER of Arizona, Mr. CHARLES H. WILSON of California, and Mr. BURGENER):

H.R. 15055. A bill to amend section 1(12) of the Interstate Commerce Act to provide that railroads shall not discriminate against the movement of interchange of railroad refrigerator cars not owned by a railroad, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. SISK (for himself, Mr. BROWN of California, Mr. DEL CLAWSON, Mr. CORMAN, Mr. DELLUMS, Mrs. GREEN of Oregon, Mr. GUBSER, Mr. HOLLIFIELD, Mr. HOSMER, Mr. MCFALL, Mr. MOSS, Mr. REES, Mr. RYAN, Mr. STARK, Mr. ULLMAN, and Mr. VEYSEY):

H.R. 15056. A bill to amend section 1(12) of the Interstate Commerce Act to provide that railroads shall not discriminate against the movement or interchange of railroad refrigerator cars not owned by a railroad, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. STEELE (for himself, Mr. ANDERSON of California, Mr. CRONIN, Mr. GILMAN, Mrs. HOLT, Mr. KEMP, Mr. LAGOMARSINO, Mr. LENT, Mr. MCKINNEY, Mr. ROGERS, Mr. SARASIN, Mr. SIKES, Mr. TIERNAN, and Mr. WHITEHURST):

H.R. 15057. A bill to provide additional financial assistance for educational, biological, technological, and other research programs pertaining to U.S. fisheries; to the Committee on Merchant Marine and Fisheries.

H.R. 15058. A bill to provide additional financial assistance for educational, biological, technological, and other research programs pertaining to the U.S. fisheries; to the Committee on Merchant Marine and Fisheries.

By Mr. STEPHENS:

H.R. 15059. A bill to amend the National Housing Act to provide a statutory basis for the continuing administration by Federal Housing Administration of the standard risk programs under such act; to the Committee on Banking and Currency.

H.R. 15060. A bill to establish the Monocacy National Battlefield Park; to the Committee on Interior and Insular Affairs.

By Mr. STEPHENS (for himself and Mr. DORN):

H.R. 15061. A bill to designate the Veterans' Administration hospital to be constructed at Augusta, Ga., as the Gen. George C. Marshall Memorial Veterans' Hospital; to the Committee on Veterans' Affairs.

By Mr. ULLMAN (for himself, Mr. YATRON, Mr. COHEN, Mr. CONLAN, Ms. HOLTZMAN, Mr. LUKEN, Mr. MATSUNAGA, Mr. MIZELL, Mr. YOUNG of Illinois, and Mr. ZABLOCKI):

H.R. 15062. 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. VANIK:

H.R. 15063. A bill to amend the Internal Revenue Code of 1954 to eliminate tax shelter farm losses by limiting deduction attributable to farming; to the Committee on Ways and Means.

By Mr. CHARLES H. WILSON of California:

H.R. 15064. A bill to amend title 39, United States Code, to revise the organizational structure of the U.S. Postal Service, and for other purposes: to the Committee on Post Office and Civil Service.

By Mr. WHITE (for himself, Mr. BOLAND, Mr. MOLLOHAN, Mr. COHEN, Mr. HANNA, Mr. PREYER, Mr. DUNCAN, Mr. PODELL, Mr. MANN, Mr. STARK, Mrs. BOGGS, Mr. LONG of Maryland, Mr. FISHER, Ms. SCHROEDER, Mr. FRENZEL, Mr. HICKS, Mrs. COLLINS of Illinois, Mr. RIEGLE, Mrs. CHISHOLM, and Mr. DRINAN):

H.R. 15065. A bill to amend title 10 of the United States Code in order to permit the partial attachment of retired or retainer pay to satisfy judicially decreed child support contributions; to the Committee on Armed Services.

By Mr. WOLFF (for himself, Mr. ADDABBO, Mr. BADILLO, Mr. BRINKLEY, Mrs. CHISHOLM, Mrs. COLLINS of Illinois, Mr. COLLINS of Texas, Mr. CONTE, Mr. DERWINSKI, Mr. EDWARDS of California, Mr. KEMP, Mr. LEHMAN, Mr. LUKEN, Mr. MURTHA, Mr. PODELL, Mr. ROE, Mr. WON PAT, and Mr. YATRON):

H.R. 15066. A bill to amend the Internal Revenue Code of 1954 to exclude from gross income the interest on deposits in certain savings institutions; to the Committee on Ways and Means.

By Mr. WYMAN:

H.R. 15067. A bill to prevent reductions in pay for any officer of employee who would be adversely affected as a result of implementing Executive Order 11777; to the Committee on Post Office and Civil Service.

By Mr. ZWACH:

H.R. 15068. A bill to amend part B of title XI of the Social Security Act to provide a more effective administration of Professional Standards Review of health care services, to expand the Professional Standards Review Organization activity to include review of services performed by or in federally operated health care institutions, and to protect the confidentiality of medical records; to the Committee on Ways and Means.

By Mr. ASHBROOK:

H.R. 15069. A bill to amend the Internal Revenue Code of 1954 to provide a limited exclusion of capital gains realized by taxpayers other than corporations on securities; to the Committee on Ways and Means.

By Mr. CLEVELAND (for himself and Mrs. SCHROEDER):

H.R. 15070. A bill to amend title 23 of the United States Code to authorize a grant program for research and development of alternative fuels for motor vehicles; to the Committee on Public Works.

By Ms. COLLINS of Illinois:

H.R. 15071. A bill to protect purchasers and prospective purchasers of condominium housing units, and residents of multifamily structures being converted to condominium units, by providing for the establishment of national minimum standards for condominiums (to be administered by a newly created Assistant Secretary in the Department of Housing and Urban Development), to encourage the States to establish similar standards, and for other purposes; to the Committee on Banking and Currency.

By Mr. DELLUMS (for himself, Ms. ABZUG, Mr. BADILLO, Mr. BROWN of California, Mrs. Burke of California, Mrs. COLLINS of Illinois, Mr. CONTE, Mr. CONYERS, Mr. DERWINSKI, Mr. DIGGS, Ms. HOLTZMAN, Mr. LONG of Maryland, Mr. MANN, Mr. MURTHA, Mr. PATTEN, Mr. PODELL, Mr. RIEGLE, Mr. STARK, Mr. STOKES, Mr. TIERNAN and Mr. EDWARDS of California):

H.R. 15072. A bill to amend the Budget and Accounting Act of 1921 to provide for investigations and expenditure analyses of the use of public funds; to the Committee on Government Operations.

By Mr. DELLUMS (for himself, Mr. BOLAND, Mr. CLAY, Mrs. COLLINS of Illinois, Mr. CORMAN, Ms. HOLTZMAN, Mr. MOAKLEY, Mr. PODELL, and Mr. SEIBERLING):

H.R. 15073. A bill to amend the administrative procedure provisions of title 5 of the United States Code to make the rulemaking provisions applicable to matters relating to public property, loans, grants, benefits, and contracts; to provide for payment of expenses incurred in connection with proceedings before agencies; to provide for waiver of sovereign immunity; to provide for the enforcement of standards in grant programs, and for other purposes; to the Committee on the Judiciary.

By Mr. DIGGS (for himself, Mr. FRASER, Mr. REES, Mr. ADAMS, Mr. FAUNTROY, Mr. MAZZOLI, and Mr. STARK):

H.R. 15074. A bill to regulate certain political campaign finance practices in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

By Mr. GROVER:

H.R. 15075. A bill to amend part B of title XI of the Social Security Act to provide a more effective administration of Professional Standards Review of health care services, to expand the Professional Standards Review Organization activity to include review of services performed by or in federally operated health care institutions, and to protect the confidentiality of medical records; to the Committee on Ways and Means.

By Ms. HOLTZMAN (for herself, Mr. BADILLO, Mrs. COLLINS of Illinois, Mr. DELLUMS, Mr. DRINAN, Mr. DULSKI, Mr. EDWARDS of California, Mr. EILBERG, Mr. ESCH, Mr. HECHLER of West Virginia, Mr. HUDNUT, Mr. KEMP, Mr. LEHMAN, Mr. LONG of Maryland, Mr. MATSUNAGA, Mr. PODELL, Mr. PRITCHARD, Mr. RODINO, Mr. ROE, Mrs. SCHROEDER, Mr. STARK, Mr. TIERNAN, Mr. CHARLES H. WILSON of California, and Mr. WON PAT):

H.R. 15076. A bill to amend section 214 of the Internal Revenue Code of 1954 to provide a deduction for dependent care expenses for married taxpayers who are employed part time, or who are students, and for other purposes; to the Committee on Ways and Means.

By Mr. McKINNEY (for himself, Mr. RONCALLO of New York, Mr. MALLARY, and Mr. WOLFF):

H.R. 15077. A bill to amend title XVIII of the Social Security Act to authorize payment under the supplementary medical insurance program for regular physical examinations; to the Committee on Ways and Means.

By Mr. MURPHY of New York (for himself, and Mr. BINGHAM):

H.R. 15078. A bill to amend the Federal Property and Administrative Services Act of 1949, as amended, to provide for the assignment of surplus real property to executive agencies for disposal, and for other purposes; to the Committee on Government Operations.

By Mr. PRICE of Texas:

H.R. 15079. A bill to amend the Consolidated Farm and Rural Development Act to establish a loan insurance program for cattlemen; to the Committee on Agriculture.

H.R. 15080. A bill to amend title 38 of the United States Code in order to provide service pension to certain veterans of World War I and pension to the widows of such veterans; to the Committee on Veterans' Affairs.

By Mr. STUDDS (for himself, Mr. BOLAND, Mr. BURKE of Massachusetts, Mr. CONTE, Mr. DONOHUE, Mr. DRINAN, Mr. HARRINGTON, Mr. MOAKLEY, and Mrs. HECKLER of Massachusetts):

H.R. 15081. A bill to establish the Nantucket Sound Islands Trust in the Commonwealth of Massachusetts, to declare certain national policies essential to the preservation and conservation of the lands and waters in the trust area, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. BAUMAN:

H.J. Res. 1032. Joint resolution proposing an amendment to the Constitution of the United States to provide that appropriations made by the United States shall not exceed its revenues, except in time of war or national emergency; and to provide for the systematic paying back of the national debt; to the Committee on the Judiciary.

By Mrs. GREEN of Oregon (for herself, Mr. DELLENBACK, Mr. ULLMAN and Mr. WYATT):

H.J. Res. 1033. Joint resolution to waive the requirements of section 13(c)(1)(A) of the Fair Labor Standards Act of 1938 relating to child labor in agriculture under certain circumstances, and for other purposes; to the Committee on Education and Labor.

By Mr. RAILSBACK:

H.J. Res. 1034. Joint resolution to designate the third week of September of each year as "National Medical Assistants' Week"; to the Committee on the Judiciary.

By Mr. RUNNELS (for himself, and Mr. LUJAN):

H.J. Res. 1035. Joint resolution recognizing the Gila National Forest in New Mexico as the birthplace of the wilderness concept and the 50th anniversary of wilderness preservation to be celebrated throughout 1974; to the Committee on the Judiciary.

By Mr. BROOMFIELD:

H. Con. Res. 505. Concurrent resolution designating April 24 of each year as a National Day of Reminder of Man's Inhumanity to Man; to the Committee on the Judiciary.

By Mr. TIERNAN (for himself, Mrs. BOGGS, Mr. CLEVELAND, Mrs. COLLINS of Illinois, Mr. CONYERS, Mr. DAVIS of South Carolina, Mr. EILBERG, Mr. FLYNT, Mr. FROEHLICH, Mr. GUDE, Mr. GUNTER, Mr. HAMMERSCHMIDT, Mr. HECHLER of West Virginia, Mr. HELSTOSKI, Mr. HORTON, Mr. HUNGATE, Mr. LONG of Maryland, Mr. LUJAN, Mr. MALLARY, Mr. MELCHER, Mr. MOSHER, Mr. MURPHY of New York, Mr. MURTHA, Mrs. SCHROEDER, and Mr. WHITEHURST):

H. Con. Res. 506. Concurrent resolution to request the Internal Revenue Service to reevaluate the present tax deduction for the business use of automobiles; to the Committee on Ways and Means.

By Mr. CRANE:

H. Res. 1153. Resolution requiring the administration of an oath to each Member of the House prior to the consideration of any resolution of impeachment; to the Committee on Rules.

By Mr. DENNIS (for himself, Mr. RAILSBACK, Mr. FISH, Mr. SMITH of New York, and Mr. FROEHLICH):

H. Res. 1154. Resolution authorizing the Committee on the Judiciary to file brief as amicus curiae reproduction of Presidential documents in case of *United States* v. *Mitchell* No. CR 74-110 U.S. District Court for the District of Columbia; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 rule XXII,

439. Mr. STUDDS presented a petition of the city council of New Bedford, Mass., relative to legislation to extend U.S. fisheries jurisdiction from the present 12-mile limit to 200 miles from our shores, which was referred to the Committee on Merchant Marine and Fisheries.

EXTENSIONS OF REMARKS

THOUSANDS JAM DEPOT

HON. BILL NICHOLS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 29, 1974

Mr. NICHOLS. Mr. Speaker, this past Saturday, May 18, Anniston Army Depot opened its doors to the people of Anniston and Calhoun County, Ala., and invited all to come to the depot to celebrate Armed Services Day, 1974.

It was my honor and privilege to attend this open house at the Anniston Army Depot as it was for Senator JAMES ALLEN of Alabama and more than 30,000 Alabamians who walked through the depot's gates during the day. This is the largest attendance ever for Armed Services Day in Anniston with the previous high being in 1966.

This day of celebration was a time for the personnel of the depot and servicemen from Ft. McClellan to demonstrate to the people of the area equipment, facilities, and ability. Judging from the favorable response the demonstrations were a great success.

But the day was also a success for many local groups around Anniston. Many nonprofit groups such as band booster clubs, boy and girls scouts and others were allowed to set up concession stands around the base and the gross total sales amounted to more than $4,000.

I believe that the sheer size of the crowd in attendance demonstrates the support the people of Anniston and Calhoun County have for their military installations of Fort McClellan and the Anniston Army Depot. In part this is due to the outstanding job that Col. Richard L. Bergquist is doing in letting the people see first-hand the operations of his post.

Because of the outstanding work done at both posts, the relationship between the civilians and the military in the Anniston area is second to none. Events such as the Armed Services Day just bear this fact out.

I would like to enclose for the RECORD an article which appeared in that fine Alabama newspaper, the Anniston Star, which further explains the activities of the day.

ARMED FORCES DAY: THOUSANDS JAM DEPOT

Members of the U.S. Army parachute team, The Golden Knights, demonstrated jumps they have performed the world over at the annual Armed Forces Day Saturday at Anniston Army Depot.

Ten members of the 53-man team performed for a crewd of thousands. Exiting the plane at an altitude of 13,500 feet, the parachutists performed such stunts as passing a baton and making figure eights with pink smoke that came from a device attached to their ankles.

After the demonstration, the batons used were awarded to U.S. Senator James Allen and U.S. Rep. Bill Nichols.

Also included in the day's events was a demonstration of the trained sentry dogs. Trainers showed how dogs attack and how they are trained to overcome obstacles when in pursuit.

The 14th Army Band and Oxford and Walter Wellborr High School Bands performed. Displays included the Farley L. Berman small weapons collection, the Lance missile system and aviation display.

Children were treated to tank, jeep and train rides and got their first parachute jump from a tower.

David L. Stanley of Anniston was presented the meritorious civilian service award for his assistance to the Department of the Army in solving the world-wide logistics support problem.