

the use of a natural resource by the oil-producing nations as a tool of foreign policy. Food and farm products are a resource of America. They must be allocated to meet our domestic needs and serve our best interests abroad.

This concept was cogently set forth in an article by Mr. Herbert Wilf, which appeared in the Philadelphia Inquirer on April 22, 1974. The article merits the reading by all and I include it at this point in the RECORD:

USE OF AGRICULTURE AS A TOOL, NOT A GIFT  
(By Herbert Wilf)

The response to Arab economic imperialism, encouraged by the Soviet Union, should be simple, direct, effective. We have the means and ability. The following steps can be taken immediately:

Establish a Farm Product Export Board. Have the export customer submit his request for intended purchases.

Have the board establish each customer's allotment, based on our total amount for export.

According to economist Elliot Janeway, who coined the term "agri-power," America is the world's granary, and our ability to produce forces foreign governments to come to us.

The Arab bloc nations will buy over \$600-million worth of food from the United States this year. We could have affected the Arab oil boycott by using our agri-power against their petro-power.

The U.S. Department of Agriculture figures for the last half of 1973 show a 300 percent increase in food exports to the Arab countries over the same period in 1972.

Egypt, Syria, Jordan, Saudi Arabia, and Iraq are the countries that participated in the war against Israel. It is interesting to note that they took double their normal monthly supply in September, just prior to their surprise attack on Yom Kippur.

Control of food in time of shortage is a political club. Russia, which was faced with a famine in 1972, purchased our wheat at a ridiculous price, partially paid for by the American taxpayer through government subsidies.

The USSR will have wheat for underdeveloped nations while we run short. Is this possible? You bet it is.

Russia has sold grain to Italy, and more recently to India, to avert famine. In October, the United States cancelled a \$3 billion debt which India owed us. Russia then sold two million tons of grain to India for cash.

We can and must control the available reserves of wheat in this country. We can control and must allocate food consistent with our needs and self-interests abroad.

Our complete lack of export controls and insatiable world demand has created a dangerous situation.

At this stage we can wait for the crisis due this summer, and then react to the emergency with a shoot-from-the-hip program. Or, we can act now while we have time to think.

The administration has taken the position that all exports are helping our balance of payments. This is not true, because there are no controls and we are paying higher prices at home.

A good program for the balance of payments would include the following:

All grain exports would have a 20 percent excise tax. This will be a double-tiered system which will not affect our domestic economy.

Special arrangements must be made for those countries that require relief assistance.

It is the job of the U.N., not America, to provide relief. We should sell our food to the U.N.; they will distribute it to the needy countries. Members of the U.N. can then return to America the dollars that otherwise would be used against us in international money markets.

The present administration does not want a Farm Product Export Board, because it would place all information out in the open. They feel that the grain companies operated best in competitive secrecy. Too many of our problems today are a direct result of that government secrecy.

Our current policy relating to exports is codified by the Export Administration Act of 1969. As interpreted by this administration, all three of the following criteria must be met before any export control system can be imposed: scarcity of supply, abnormal foreign demand, and domestic inflationary demand.

In view of the fact that all three of these criteria presently exist, there is no reason why the President should not establish the Farm Product Export Board now.

BLACK JUDGES IMPROVE QUALITY OF JUSTICE

HON. CHARLES B. RANGEL  
OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 1974

Mr. RANGEL. Mr. Speaker, recently WWRL, a New York City radio station aired an editorial on the increase in the number of black judges and of their impact on the quality of justice.

I would like to share that editorial with my colleagues, for it makes the important point that every area of our national life can be strengthened if we permit full participation by all of our people and allow the best of our Nation to serve us regardless of race, sex, or economic station.

The article follows:

BLACKS ON THE BENCH

There are now some 325 black judges sitting in various courts across the nation. Just 10 years ago there were about 70. Many critics have viewed with alarm this minority intrusion into what used to be the majority's world.

But WWRL believes that the results indicate that any changes have been all to the good. It's true that most black jurists come from humble origins. Because of this, they understand the problems of both the black and the poor. Many are inclined to be lenient with a first offender. And no longer is the testimony of a policeman regarded as something not to be challenged. This approach has rubbed off on many white colleagues. As result, the judicial atmosphere is not the same as it used to be. Today's disadvantaged defendant has a better chance at justice.

Black judges, on the other hand, hold no brief with violence. They often are tougher in such cases than their white counterparts.

This indicates to us, as we've said in the past, that the broader the talent pool the better the end result in any given field. That's why we keep reminding young blacks that the future does indeed belong to those who prepare for it.

## HOUSE OF REPRESENTATIVES—Wednesday, June 19, 1974

The House met at 11 o'clock a.m. The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

*May your strength last as long as you live.*—Deuteronomy 33: 25.

Almighty God, our Father, whose love never falters, whose light never fails, and whose life never fades, we bow our heads in this moment of meditation to open our hearts to Thy grace, our minds to Thy truth, and our spirits to Thy wisdom.

To our human strength add Thou Thy divine power; to our human love, Thy divine grace; and to our human wisdom, Thy divine truth that all that is right and good may come to new life in us and in our country.

As we pray do Thou forgive what we have been, help us to amend our ways, and by Thy spirit direct what we shall be; that Thou mayest come into the full glory of Thy creation in us and in all men. 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 agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 14354) entitled "An act to amend the National School Lunch Act, to authorize the use of certain funds to purchase agricultural commodities for distribution to schools, and for other purposes."

The message also announced that the

Senate agrees to the amendment of the House to a bill of the Senate of the following title:

S. 1585. An act to prevent the unauthorized manufacture and use of the character "Woody Owl," and for other purposes.

The message also announced that the Senate disagrees to the amendments of the House to the bill (S. 3458) entitled "An act to amend the Agriculture and Consumer Protection Act of 1973, the Food Stamp Act of 1964, and for other purposes," agrees to a conference requested by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. TALMADGE, Mr. McGOVERN, Mr. ALLEN, Mr. HUMPHREY, Mr. YOUNG, Mr. DOLE, and Mr. BELLMON to be the conferees on the part of the Senate.

The message also announced that the Senate disagrees to the amendments of the House to the bill (S. 3007) entitled "An act to authorize appropriations for the Indian Claims Commission for fiscal

year 1975," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. JACKSON, Mr. METCALF, Mr. ABOUREZK, Mr. BARTLETT, and Mr. McCCLURE to be the conferees on the part of the Senate.

The message also announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested.

S. 2201. An act to provide for the settlement of damage claims arising out of certain actions by the United States in opening certain spillways to avoid flooding populated areas.

**PERMISSION TO FILE CONFERENCE REPORT ON H.R. 14434, SPECIAL ENERGY RESEARCH AND DEVELOPMENT APPROPRIATION ACT, 1975**

Mr. WHITTEN. Mr. Speaker, I ask unanimous consent that the managers may have until midnight tonight to file a conference report on H.R. 14434, making appropriations for energy research and development activities of certain departments, independent executive agencies, bureaus, offices, and commissions for the fiscal year ending June 30, 1975, and for other purposes.

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

There was no objection.

**CONFERENCE REPORT (H. REPT. NO. 93-1123)**

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 14434) "making appropriations for energy research and development activities of certain departments, independent executive agencies, bureaus, offices, and commissions for the fiscal year ending June 30, 1975, 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 9 and 20.

That the House recede from its disagreement to the amendments of the Senate numbered 2, 3, 4, 6, 8, 10, 11, 12, 13, 14, 16, 18, 19, 21, and 22, and agree to the same.

Amendment numbered 5: That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$142,298,000"; 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 "\$261,278,000"; and the Senate agree to the same.

Amendment numbered 15: That the House recede from its disagreement to the amendment of the Senate numbered 15, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "\$453,970,000"; and the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 1 and 17.

GEORGE H. MAHON,  
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JOE L. EVINS,  
EDWARD P. BOLAND,  
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HIRAM L. FONG,  
MARK O. HATFIELD,  
TED STEVENS,  
CHARLES MCC. MATHIAS, Jr.,  
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. 14434) making appropriations for energy research and development activities of certain departments, independent executive agencies, bureaus, offices, and commissions for the fiscal year ending June 30, 1975, 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:

**CHAPTER I**  
*Environmental Protection Agency*  
Energy Research and Development

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 Senate amendment, which provides language allowing the Environmental Protection Agency to hire passenger motor vehicles and to hire, operate, and maintain aircraft, in connection with their energy research and development activities. Similar authority is available to the agency in connection with their other activities.

**CHAPTER II**  
*National Aeronautics and Space Administration*

Amendment No. 2: Appropriates \$4,435,000 for research and development as proposed by the Senate instead of \$8,935,000 as proposed by the House. The legislative authorization for the \$4,500,000 proposed by the House to initiate solar demonstration projects is still pending, and there is no budget estimate for this amount.

Amendment No. 3: Deletes contingency language proposed by the House.

**CHAPTER III**  
*Department of the Interior*  
Geological Survey

Amendment No. 4: Provides for the acquisition of one new aircraft as proposed by the Senate.

In a recent budget amendment from the Administration there was a proposal to reprogram approximately \$855,000 provided in this bill for geothermal investigations to be used for management of geothermal leases. The managers on the part of the House and Senate are in agreement that no such reprogramming shall take place until such time as the actual funding requirements are known and the Department of the Interior submits for approval a formal reprogramming request to the House and Senate Committees on Appropriations.

**Bureau of Mines**

Amendment No. 5: Appropriates \$142,298,000 for mines and minerals instead of \$144,-

308,000 as proposed by the House and \$137,-298,000 as proposed by the Senate. The net decrease below the amount proposed by the House includes an addition of \$3,000,000 for the Hydrane high-BTU gasification project at Morgantown, West Virginia; and reductions of \$4,000,000 for research on stimulation of petroleum and gas production; \$1,-000,000 for research on tar sand and heavy oil production; and \$10,000 for GSA space costs.

Amendment No. 6: Provides that \$103,500,-000 shall remain available until expended as proposed by the Senate instead of \$100,500,-000 as proposed by the House.

**Office of Coal Research**

Amendment No. 7: Appropriates \$261,278,-000 for salaries and expenses instead of \$283,400,000 as proposed by the House and \$258,378,000 as proposed by the Senate. The net decrease below the amount proposed by the House includes an addition of \$5,000,000 for MHD (magnetohydrodynamics) to initiate design and planning work on an engineering test facility and to provide for additional research on MHD techniques and applications at the Montana College of Mineral Science and Technology and other units of the Montana University System; and reductions of \$27,100,000 for "pioneer plant" projects; and \$22,000 for GSA space costs.

Amendment No. 8: Provides \$6,541,000 for administration and supervision as proposed by the Senate instead of \$6,563,000 as proposed by the House.

**Fuel Allocation, Oil and Gas Programs**

Amendment No. 9: Deletes language providing \$2,000 for official reception and representation expenses as proposed by the Senate.

Amendment No. 10: Appropriates \$69,-590,000 for salaries and expenses as proposed by the Senate instead of \$59,700,000 as proposed by the House.

The managers on the part of the House and Senate are in agreement that funds provided under this heading for reimbursements to the States shall only be used for validated costs incurred by the States and local governments for specific activities authorized by the Federal Energy Administration Act. The FEA is directed to keep the House and Senate Committees on Appropriations fully informed on the criteria and guidelines used in the distribution of these funds.

Amendment No. 11: Provides language authorizing \$10,000,000 for reimbursement to State and local public agencies as authorized by Public Law 93-275, section 7(d), as proposed by the Senate.

**Office of the Secretary**

Amendment No. 12: Appropriates \$26,-875,000 for energy conservation and analysis as proposed by the Senate instead of \$27,-400,000 as proposed by the House.

**CHAPTER IV**  
*Atomic Energy Commission*  
Operating Expenses

Amendment No. 13: Appropriates \$1,032,-690,000 as proposed by the Senate instead of \$1,043,790,000 as proposed by the House.

Amendment No. 14: Adds language which provides that no funds shall be used for the field testing of nuclear explosives in the recovery of oil and gas, as proposed by the Senate.

The conferees are concerned about the shortage of natural gas. While a ban on nuclear explosives for the stimulation of natural gas in FY 1975 is included in the bill, the conferees feel that this technology is a potentially viable method of producing significant new amounts of energy for the United States. For example, a recent Federal Power Commission staff study included estimates that the amount of natural gas recoverable in the Rocky Mountain Region by fracturing techniques, including nuclear, may be as high as 300 trillion cubic feet.

*Plant and Capital Equipment*

Amendment No. 15: Appropriates \$453,970,000 instead of \$463,970,000 as proposed by the House and \$433,970,000 as proposed by the Senate. The Committee of Conference is agreed that of the \$20,000,000 added above the Senate bill, \$17,000,000 is applied to the process equipment modification—gaseous diffusion plants project, and \$3,000,000 is applied to the cascade uprating program—gaseous diffusion plants.

*Department of the Interior—Office of the Secretary**Underground and Other Electric Power Transmission Research*

Amendment No. 16: Appropriates \$8,498,000 as proposed by the Senate instead of \$8,500,000 as proposed by the House.

**CHAPTER V***Department of Commerce  
National Oceanic and Atmospheric Administration*

Amendment No. 17: 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 \$6,630,000 for "Operations, Research, and Facilities" instead of \$19,157,000 for "Surveys, Investigations, and Research" 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 agreed that the funds provided are for reactivation and equipment costs associated with the *Discoverer*, the *Surveyor* and the *Miller Freeman* and for the cost of operating and manning these three vessels for a period of not to exceed 63 days each at sea in Fiscal Year 1975, for the purpose of conducting surveys, investigations and research connected with the environmental effects of offshore energy-related activities. The conferees further agree that costs for such other operations in FY 1975 which are not associated with offshore energy activities shall be reviewed in the normal procedure for FY 1975 appropriations.

The conferees agree further that all government agencies shall give preference to the use of government owned and operated vessels in contracting for work in connection with offshore energy activities.

Amendments No. 18 and 19: Change chapter numbers.

*Federal Energy Office*

Amendment No. 20: Appropriates \$19,000,000 for "Salaries and Expenses", as proposed by the House instead of \$18,000,000 as proposed by the Senate.

**TITLE II***General provisions*

Amendment No. 21: Changes title heading.

Amendment No. 22: Provides language, as proposed by the Senate, limiting the payment to the Administrator of the General Services Administration to not in excess of 90 per centum of the standard level user charge for space and services.

*Conference total—with comparisons*

The total new budget (obligational) authority for the fiscal year 1975 recommended by the Committee of Conference, with comparisons to the budget estimate total, and the House and Senate bills follows:

Budget estimate	\$2,203,728,000
House bill	2,269,828,000
Senate bill	2,219,716,000
Conference agreement	2,236,089,000
Conference agreement compared with:	
Budget estimate	+32,361,000
House bill	-33,739,000
Senate bill	+16,373,000

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*Managers on the Part of the Senate.*

**NUCLEAR PLANTS FOR EGYPT**

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

Mr. OBEY. Mr. Speaker, we should not be too anxious to criticize President Nixon's offer to provide Egypt with a nuclear generating plant.

I am not exactly overjoyed with the idea of nuclear plants in the Middle East. But the administration argues that the real question is not whether the Egyptians will obtain nuclear plants, but the conditions under which they will obtain them—under the guidance of the Soviet Union or the United States. There is something to be said for that point of view.

That is why I think the proposal deserves an open-minded but complete review by the Congress. We must have assurances that any agreement contains adequate safeguards to prevent nuclear materials from being diverted to non-peaceful purposes, the kinds of safeguards which the Canadians evidently did not have when they constructed a nuclear powerplant in India.

With such safeguards included in the agreement with Egypt, however, the administration proposal may well make long-term good sense.

**NEED FOR EXTENDING VETERANS' EDUCATIONAL BENEFITS**

(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, on May 28, the House passed a bill extending veterans' educational benefits for an additional 30 days. On that occasion, I reluctantly gave up my fight to pass a bill I introduced which would have extended these benefits for 2 years. I did so only after this body received explicit assurances that the House and Senate would complete all necessary action on pending veterans legislation by the end of June.

I come to you today alarmed over the lack of progress in adhering to the terms

of this agreement. We find ourselves a mere 11 days from June 30 and no closer than we were on May 28 to having this legislation passed. The Senate has just today scheduled their bill for consideration. Despite the lofty assurances made on this floor, our veterans find themselves perched once again on the brink of disaster.

We are faced with the unlikely prospect of having the Senate pass their bill, having a conference committee complete final action, and then having both Houses ratify the final report—in only 11 days.

Must we once again make excuses to the hundreds of thousands of veterans who see the date of June 30 looming ominously close—a day on which many of them will be forced to prematurely terminate their educations and be forced to turn either to an uncertain labor market or public assistance.

Whatever they do, one fact will emerge. It was due to the inaction and insensitivity of this Congress that they were deprived of the education that would have led to the decent job and future they were expecting.

I, for one, will not tolerate the Congress turning its back on the brave men who risked their lives in defense of this Nation. Therefore, barring any spectacular progress, I will seek passage of my bill which will allow our veterans to continue their educations for 2 more uninterrupted years. I hope many of you will join me in this effort to show the veterans of today that the Congress really is concerned with their welfare.

**STATEMENT OF REPRESENTATIVE BARBER B. CONABLE OF NEW YORK CONCERNING ECONOMIC LEADERSHIP**

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

Mr. CONABLE. Mr. Speaker, like other Americans, I want to welcome the President back from what appears to have been a very successful mission for peace in the Middle East. Like other Americans, I am proud of the role the United States has played there and am grateful that it has turned out so well. We have come to accept a pattern of success in foreign affairs to the point where we are almost taking it for granted.

The same cannot be said about our economic policies. We are far from taking success for granted there; we are confused and troubled. I want to urge the President to address economic policy on the same priority level that he has given to foreign policy during recent months. As with foreign policy, Congress finds it difficult to speak with one voice about economic policy. For instance, some congressional leaders recently have been urging the return of wage and price controls, major tax cuts, and major revision of business incentives. In fact, there appear to be many versions of the appropriate economic policy within the Administration itself. We are reassured that the President has appointed a first-class economic coordinator in Mr. Rush, but already he is involved in a somewhat silly

confrontation with the Joint Economic Committee as to procedural matters.

Mr. Speaker, at a time like this we cannot afford inattention and confusion in economic policy any more than we can afford confrontation in the diplomatic and military sphere. I want to express the real hope that the President will address the inflation issue, of so great concern to the American people, with great vigor. The kind of leadership possible only by the Presidency is needed to restore the confidence eroded by the sense of drift and defeatism which are major contributing factors to a deeply troubled economy, an increasingly disturbed consuming public and a gravely concerned business community.

#### CALL OF THE HOUSE

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

The SPEAKER. Evidently a quorum is not present.

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

A call of the House was ordered.

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

[Roll No. 303]

Ashley	Fuqua	Reuss
Badillo	Gray	Riegle
Blatnik	Hansen, Wash.	Rooney, N.Y.
Brasco	Hastings	Rose
Bray	Hébert	Ruppe
Buchanan	Hollifield	Shuster
Burke, Calif.	Hosmer	Smith, Iowa
Carey, N.Y.	Howard	Smith, N.Y.
Chisholm	Ichord	Steele
Clark	Jones, N.C.	Stratton
Daniels,	Macdonald	Stubblefield
Dominick V.	Matsunaga	Thompson, N.J.
Davis, Ga.	Mayne	Tierman
Dellums	Mosher	Udall
Diggs	Moss	Vander Jagt
Dingell	Murphy, N.Y.	Widnall
Dorn	O'Hara	Wilson
Eckhardt	Podell	Charles H., Calif.
Fountain	Powell, Ohio	Young, Alaska
Fraser	Rees	Young, S.C.
Frey	Reid	

The SPEAKER. On this rollcall 373 Members have recorded their presence by electronic device, a quorum.

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

#### EXTENDED PHASING OF POSTAL RATE ADJUSTMENTS

Mr. DELANEY. Mr. Speaker, by direction of the Committee on Rules I call up House Resolution 1170 and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 1170

*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 (S. 411) to amend title 39, United States Code, with respect to certain rates of postage, 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 Post Office and Civil Service, 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.

The SPEAKER. The gentleman from New York (Mr. DELANEY) is recognized for 1 hour.

Mr. DELANEY. Mr. Speaker, House Resolution 1170 provides for an open rule with 1 hour of general debate on S. 411, a bill to amend title 39, United States Code, with respect to certain rates of postage.

The primary purpose of S. 411 is to provide a measure of relief from rising postal rates for regular rate, nonprofit, and other preferred rate publications mailed under second class and controlled circulation rates of postage; nonprofit third class rate material; and for books, films, sound recordings, educational materials and other mail matter under special fourth class rates of postage. This would be accomplished by extending the "phasing-in" period for profit mailers from 5 to 8 years and extending the "phasing-in" period for nonprofit mailers from 10 to 16 years.

The total cost of S. 411 through the end of the proposed phasing period will be approximately \$753.7 million. The phasing period ends in 1988.

Mr. Speaker, I urge the adoption of House Resolution 1170 in order that we may discuss and debate S. 411.

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

Mr. Speaker, as previously explained, House Resolution 1170 provides for the consideration of S. 411, extended phasing of postal rate adjustment bill, under an open rule with 1 hour of general debate.

The primary purpose of S. 411 is to extend the phasing in periods for certain second, third, and fourth class mailers to reach the point where they pay the full cost of delivering their mail.

The Postal Reorganization Act of 1970 provided for phasing increases in postal rates resulting under the act. The period was 5 years for profit-oriented mailers and 10 years for nonprofit mailers. The difference between the full and the phased rate, revenue foregone, was to be appropriated by Congress each year until the phasing periods were completed.

This bill extends the phasing in period for profit oriented mailers from 5 to 8 years and extends the phasing in period for nonprofit mailers from 10 to 16 years. The bill provides that no rate of postage currently in effect would be reduced. Finally the bill provides that appropriation requests of the Postal Service are required to be submitted to the Congress by the President without revision, though the President may make recommendations.

The committee report contains a letter from OMB stating strong opposition to the bill. OMB notes that existing phase in periods are already costing \$1,600,000,000 and this bill would add an additional \$753,700,000 to that cost through the end of the proposed phasing period in 1988.

Minority views were filed by Members

GROSS and BAFALIS opposing this bill. They object to taxpayers subsidizing publishers in even larger amounts when excessive Government spending is a prime cause of inflation. They note that the full Committee on Post Office and Civil Service considered this bill for only 22 minutes before reporting it out. They conclude that "S. 411 is special-interest legislation in its worst form. It is a blatant, unjustified, unwarranted, and totally unconscionable raid on the Federal Treasury."

Mr. Speaker, the resolution does provide an open rule with no waivers or exceptions and I recommend its adoption.

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

Mr. DEL CLAWSON. I yield to the gentleman from Tennessee.

Mr. QUILLEN. Mr. Speaker, I rise in support of the rule and S. 411, which would provide a measure of relief to newspapers and magazines, as well as nonprofit materials and books, now suffering from rising postal rates.

Under the present law, increases in the phasing periods authorized for postal rate increases of second class regular rate matter—magazines and news papers—special fourth class matter—books and records—and controlled circulation publications is 5 years. S. 411 would extend this to 8 years.

Increases in the phasing periods authorized for nonprofit mail matter is now 10 years. S. 411 would increase it to 16 years.

This measure does not set rates for the publications I have mentioned, but it simply phases the rates in over a longer period of time, as I indicated.

Since May of 1971, second-class regular postal rates have been increased by 74 percent; by 1976 it is estimated they will increase by at least 217 percent. Although prices in general are going up, no publishing cost is increasing annually by as large a percentage as postal rates.

These enormous increases in postal rates are endangering the reading public. The costs are so large that many publications simply will not be able to absorb them, and there is a real danger that several newspapers and periodicals will be forced out of business because of higher postage cost. Also, the activities of thousands of nonprofit organizations and educational institutions could be seriously curtailed if this measure is not enacted.

I am particularly concerned with the provision providing for additional phasing for special rate fourth-class mail, which embraces books and other educational materials.

From 1958 until 1958, books were the only materials in this special category. In 1958 Congress added other categories of educational materials upon the recommendation of the Post Office Department. Included are books, 16 millimeter or narrower film strips, which are not sent to commercial theaters, printed music, printed objective test materials and accessories thereto, used by or on behalf of educational institutions, sound recordings, playscripts and manuscripts for books, periodicals and music, printed educational reference charts and loose-

leaf pages and binders therefor, consisting of medical information for distribution to doctors, hospitals, medical schools and medical students.

It should be borne in mind that as a legal and practical matter no significant amount of advertising can be carried in anything shipped under special rate fourth-class.

It should also be borne in mind that the special rate fourth class is available, not only to libraries and educational institutions, but to the general public. Any citizen can send a book to a friend or ship parts of his personal library to a college library as a gift at the same rate as the shipment of books to bookstores, libraries, and other individual consumers.

Libraries and individuals pay the postage on book shipments received by mail, and libraries receive more than half their incoming volume of books by special rate fourth-class mail. In some instances, especially for school and public libraries in rural areas, upward of 90 percent of new volumes come through the mail.

The more libraries must spend for postage, the less they have to spend on materials. Congress first gave recognition to the need for the flow of educational, cultural, and scientific materials through the mails in the form of books in 1942. The growth in consumption of books, per capita, in the United States to the highest level in the world is not unrelated to this far-sighted policy.

In 1973 the Postal Rate Commission recommended a 70-percent increase in postal rates for books. This is 6 to 8 times greater than the average yearly increase voted by the Congress over the period from 1940 to 1970. Rate increases of this magnitude are bound to have an adverse impact on the distribution and consumption of books and other educational materials.

As we all know, schools and libraries are already under great financial pressure, and since over 50 percent of book shipments through the mails are to schools, libraries, and college stores, the impact on these institutions is bound to be severe.

The purchase of materials by academic and public libraries consists, overwhelmingly, of books, with a much smaller amount spent for magazines, journals, and newspapers. A survey, conducted by the R. R. Bowker Co. for the year 1968, shows that university and college libraries spent 73 percent of their funds for books and 19.9 percent for periodicals, while public libraries spent 86.1 percent of their funds for books, and 7 percent for periodicals.

Freedom of information is one of the top priorities in our country and, historically, the postal rates for these classes of mail have been kept low to encourage the free flow of ideas. The data contained in these magazines, newspapers, books, and so forth, is crucial to our educational and cultural interest.

It is a small cost that we pay by virtue of this legislation to insure the concept that is basic to our democracy that all of our people have free and easy

access to books and other printed materials and to insure that we maintain the free flow of printed words throughout our Nation.

Mr. DELANEY. 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. HANLEY. 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 Senate bill (S. 411) to amend title 39, United States Code, with respect to certain rates of postage, and for other purposes.

The SPEAKER. The question is on the motion offered by the gentleman from New York (Mr. HANLEY).

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 Senate bill (S. 411) with Mr. ADDABBO 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 New York (Mr. HANLEY) will be recognized for 30 minutes, and the gentleman from Iowa (Mr. GROSS) will be recognized for 30 minutes.

The Chair now recognizes the gentleman from New York (Mr. HANLEY).

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

Mr. Chairman, today we are debating a bill of great importance to the American people. By passage of S. 411, Congress will reaffirm the principle that one of the most important functions of the mail is to provide a channel through which the public can receive printed news, opinion, and charitable solicitations and publications at reasonable cost.

The bill passed the Senate by an overwhelming vote of 71 to 11. The Postal Service Subcommittee approved the measure by an 8-to-0 vote, and the full committee ordered the bill reported by a vote of 23 to 2.

S. 411 is an uncomplicated bill which makes no basic changes in the postal rate policy written into the Postal Reorganization Act of 1970.

In the Postal Reorganization Act of 1970, we provided that nonprofit mailers in certain categories be given a total of 10 years to absorb increased rates promulgated under its new ratemaking provisions. Commercial mailers of second, third, and fourth class special rate material were given 5 years. S. 411 would increase these periods to 16 and 8 years respectively, excluding advertising matter sent under the regular third class bulk rate.

Experience has shown that the size of subsequent increases was severely underestimated and the ability of the mailers to adjust rapidly to the increases was severely overestimated. Thus we are faced today with a crisis in the publishing industry and among nonprofit organizations which, no matter how you look

at it, will be detrimental to the American public.

At best, the extremely heavy postal rate increases already placed into effect or proposed will accelerate a trend toward a diminution in the quality of magazines and newspapers and the creation of publications aimed at narrowly focused, high income markets.

At worst, they will mean that many commercial and nonprofit publications will severely curtail their activities or go out of business altogether. And nonprofit organizations, libraries, and educational institutions will have more of their income diverted away from the purposes for which they were created.

From any of these perspectives, the American public is the loser because of the inexorable reduction of the availability of a broad range of news, opinions, and charitable activities using the written word which forms the foundation of an enlightened public opinion.

And make no mistake about it, the increases have been staggering. When we add Postal Service proposals now pending before the Postal Rate Commission to rate schedules approved in 1972, rates will have gone up since 1971 for some of the categories of mail affected by this bill as follows:

For commercial magazines and newspapers, the rates will rise by an average of 217 percent. For many, the increases will be much larger.

For nonprofit publications, the average increase will be 574 percent. Some nonprofit magazines have testified that their rates will soar by at least 800 percent by the time the full rate is achieved.

For small commercial and nonprofit publications mailing within the county of their publication, rates will rise by an average of 334 percent.

Nonprofit bulk mail will rise by about 36 percent, the special book rate by 150 percent and the library rate by 180 to 200 percent.

Much of the discussion concerning this legislation has centered around the ability of those affected to absorb the increase without great dislocation. Generally, opponents have cited only a few publishing giants which have resources far beyond their publishing activities.

Even these figures are misleading. The minority report points to the profits of the three largest publishers, yet two of these three are conglomerates which engage in many profitable activities other than publishing. Time, Inc., for example, reports that less than half of its income comes from its publishing ventures.

And, these three companies, while accounting for 13 percent of second class regular rate volume, will generate only 5 percent of the additional cost of S. 411.

And the minority report totally ignores the countless magazines which operate on a perilous profit margin. The editor of *Southern Living* and *Progressive Farmer* has stated that rate increases will wipe out half of his profit, severely limiting his ability to put out magazines of broad appeal.

Last year, the *New Republic* lost \$30,000. The single phased increase scheduled in July will double that loss. The

publisher of a well-known literary and cultural magazine informed us last year that the increased rates would equal his total profit, and this of course did not include the new increases which have since been proposed. Reflecting the plight of many small magazines, Progressive magazine has never shown a profit and relies on donations to remain alive. Without the assistance S. 411 provides, many magazines and newspapers will be placed in mortal financial danger.

And when we look at the industry as a whole, the picture is anything but bright. A Price-Waterhouse study of a representative sample of consumer magazines shows that after tax profits in 1972 were only 2.65 percent. On an industrywide basis in 1972, postal costs amounted to 9 percent of revenue. And this was before the most severe increases took effect. The impact will begin to be felt most heavily with the next phased increases scheduled for July 6, 1974.

Magazines and newspapers have difficulty in matching increased postal costs with increases in advertising and subscription revenues. Competition for the advertising dollar with other forms of media is particularly intense, and long-term magazine subscriptions prevent dramatic increases in this form of revenue except over relatively long periods of time. In addition, many other devices which would be used to cut postal costs have already been instituted by magazines and newspapers.

Many have already reduced the size and quality of their publications, began printing on lighter paper, and the like. In other words, the industry has already made severe adjustments—including the discontinuance of some publications—in attempting to cope with the postal rate increases. There is a limit to what they can absorb without extension of phasing, and extensive testimony has convinced the committee that the limit has been reached.

However, it must be emphasized that phasing for commercial magazines and newspapers account for less than half of the modest cost of S. 411. Nonprofit mailers will be significantly aided by S. 411, and, as should be clear to all, these institutions are even less able to absorb heavy postal rate increases without a serious decline in the services which they offer.

As a representative of the American Legion Auxiliary bluntly stated during our hearings:

The postal rate increases will not allow our publications to survive.

Similar comments have been received from representatives of Catholic, Protestant, and Jewish press organizations, AFL-CIO and other labor unions, veterans groups such as the American Legion, Disabled American Veterans, and VFW, the American Library Association, and many other nonprofit groups. All of the organizations which I named are supporting S. 411.

Last year, the rule was defeated on another bill, H.R. 8929, which dealt with the same subject matter as S. 411.

H.R. 8929 was a far more complex and expensive bill than S. 411. H.R. 8929 ex-

tended phasing for commercial publications by 4 years in biennial increments. It provided permanent subsidies for nonprofit and smaller commercial publications, and changed the size and weight limitations for parcels mailed from first-class post offices.

In contrast, S. 411 merely extends the phasing periods as I have described above.

The cost of H.R. 8929 through 1980 was estimated at \$865.5 million and the permanent subsidies would have cost \$84.4 million every year thereafter. The proposed rates now pending before the Postal Rate Commission would have raised that cost to about \$1.15 billion through 1980 and at least \$100 million every year thereafter.

On the other hand, S. 411 will cost a total of \$753.5 million through 1988 and nothing thereafter. And this cost includes the rate proposals currently pending before the Postal Rate Commission.

Finally, S. 411 contains a provision requiring that Postal Service appropriations requests be sent to Congress without revision by the President. The President may, however, transmit his own recommendations.

This language merely clarifies our intent when we passed the Postal Reorganization Act in 1970 which specifically exempted the Postal Service from Federal budget laws. It would simply prevent OMB from altering the appropriations requests by the Postal Service to cover the costs of the congressionally mandated phasing for certain classes of mail.

In summary, S. 411 is a bill designed to benefit the American public by supporting our historic policy of providing, through the mails, a relatively inexpensive means by which the public at large can receive the printed word. The bill breaks no new ground, but merely extends the phasing periods already provided by law.

I strongly urge its passage.

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

Mr. Chairman, I am opposed to the enactment of S. 411. The bill is a blatant unjustified, unwarranted, and totally unconscionable raid on the Federal Treasury. It is special-interest legislation in its worst form.

At the outset, I want to emphasize that this bill is identical in purpose to H.R. 8929 which the House refused to consider last year on July 23 by defeating the rule.

Both bills would grant additional large subsidies to magazines, newspapers, books, and records by requiring the taxpayers to pick up their postal costs. The bills differ only in their approach to bilking the taxpayers.

H.R. 8929 was more complicated—and would have cost the taxpayers \$865 million. S. 411 is less complicated—it simply extends the phasing-in periods an additional 3 years for profit publications and 6 years for nonprofit publications—and will cost \$753 million.

Also, S. 411 represents a "compromise" only in that the divergent views of the various lobbyists with respect to H.R. 8929 have now been resolved, and they

are all in solid agreement in the same trough with the more simple dip into the Treasury as provided in S. 411.

I would also urge that you not be misled by arguments that this particular bill is needed—under the guise of promoting education and culture—to help financially depressed small publishers. The facts are that this bill will subsidize all publishers.

The facts also are that those whose hearts are bleeding here today for the small publisher could very well have made an exception in this bill for that category of publisher.

In fact, the big beneficiaries of the increased subsidies are the big publishers. For example, the combination of just three publications—the Reader's Digest, Time, and the Wall Street Journal—will get 25 percent of the additional subsidy that is being proposed for so-called regular-rate publications. If, indeed, the true intent of legislation of this nature were to help small publishers, a bill could have been drafted very easily that would have applied only to publications with limited circulation or to those containing little or no advertising.

In any event, the basic decision that faces us today, in my opinion, is whether or not we are going to vote for a bill which will require the taxpayers to pick up an additional \$753 million share of publishers' postal costs—and whether we are going to take this action in view of the following facts:

First, all the evidence available conclusively shows that the publishing industry today is in good, financial condition and that future prospects for this industry are brighter than for most other segments of the economy. There is simply no evidence that rate increases so far have had any serious adverse financial effect on this industry.

Second, postage costs for publishers are already being heavily subsidized by the taxpayers as provided in the Postal Reorganization Act. The publishers are not required to make any substantial contribution to institutional costs. And, by reason of the 5- and 10-year-phasing periods already in the law, the taxpayers—under present postal rates—are picking up \$1.6 billion of the postal costs the publishers should now be paying.

In 2 weeks, perhaps next week, the House will be considering the appropriation bill for the Postal Service. Included in this bill will be the revenue-foregone subsidy for fiscal year 1975 in an amount of \$571 million. Of this amount—for this 1 fiscal year alone—\$325 million will be the specific subsidy Congress will be giving to mailers of second-class publications, books, and records under existing law.

Third, we are in the midst of the worst inflation in our Nation's history. A time such as this, when every economist in the country is calling for reduced Federal spending is no time for Congress to be enacting legislation which will commit the Federal Treasury to additional unbudgeted and uncalled for spending in an amount of \$753 million.

Mr. Chairman, the minority views on this bill, which are available to each

of the Members, document in detail the major arguments in opposition to this legislation.

However, in my opinion, the overriding, simple issue, is whether we should vote for legislation which will give the *Wall Street Journal* a total subsidy of \$38.7 million over the next 6 years—when it is already getting a taxpayers' subsidy of \$23.3 million—and when its financial report for 1973 shows a profit of \$23.3 million, up 17 percent from 1972.

Or, using another example, should we increase *Time's* existing subsidy of \$17.9 million to \$29.7 million—when it showed a profit last year of \$49.9 million, an increase of 30 percent over 1972, and when its first quarter earnings for 1974 were up 22 percent over the first quarter of 1973?

Are we going to give the *Reader's Digest*—which now enjoys a tax subsidy of \$19.4 million—an additional \$12.5 million, for a total of \$32 million—in view of the fact that it is one of the most profitable privately owned corporations in America? Its May 1973 edition alone carried \$8.1 million in advertising—a world record for a single issue of any periodical.

Remember this, I would say to the Members of the House, that it was these publications and many others that contributed a slush fund to the Citizens Committee for Postal Reform which backed the Postal Reform Act. The Postal Reorganization Act—provided that the Postal Rate Commission from then on out would fix postal rates. It was these and other publishers who contributed between \$300,000 and \$400,000 to a slush fund to put over the Postal Reorganization Act that is now in effect, and which they now refuse to live with in the matter of rate effectiveness.

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

Mr. GROSS. I will yield briefly to the gentleman from Michigan.

Mr. FORD. Mr. Chairman, the gentleman from Iowa deserves to be complimented, because he has been more constant and consistent than any other Member of the House in his opposition to the creation of the Postal Corporation. I have on previous occasions apologized publicly to the gentleman because I did not follow his lead and vote against the Postal Corporation. That is why I find myself quite amazed that the gentleman would oppose this bill, and defend the irresponsible methods of the Postal Rate Commission in the way they have increased the rates on educational and cultural materials going through the mail.

Mr. GROSS. Mr. Chairman, I cannot conceive of how any Member of Congress can vote for the massive, unjustified postal rate subsidies contained in this bill under these conditions, particularly at a time when we are losing a desperate battle against inflation; at a time when the average taxpayer is hard pressed just to make ends meet; and at a time when his own costs of doing business with the Postal Service have risen—this individual citizen—have risen 66 2/3 percent in 3 years—which costs, incidentally, no one seems interested in subsidizing.

Mr. Chairman, the massive, unjusti-

fied additional subsidy contained in this bill is reason enough for its defeat. However, there is another provision in the bill which is equally onerous and which also justifies its rejection.

I refer to section 3 of the bill which has the effect of restricting the President's presentation of the Postal Service budget. The language in this section requires the President to ask Congress for the subsidy and specifically prevents him from making any revision in the amounts to be included in his budget. This is an unprecedented subversion of the budget and the Accounting Act. It is a brash attempt to make sure that the subsidies flow unrestricted into the coffers of the magazine, newspaper, and book publishers, contrary to any sound fiscal management. This is fiscal irresponsibility in a refined degree and certainly is an additional compelling reason for rejecting this bill.

Mr. Chairman, yesterday evening, only about 18 hours ago, the House by an overwhelming vote of 401 to 6 gave its final approval to a so-called Budget Control Act. It is designed, we were told, to restore fiscal sanity and responsibility in the Federal Government through the exercise of discipline and restraint on the part of the legislative and the executive branches, discipline and restraints on profligate spending which is fueling inflation and driving the Nation toward insolvency.

In voting for that measure yesterday, did 401 Members of the House vote to bring the budget and spending under control, or did they merely vote for legislation on the basis of which they could campaign for reelection? To those who voted for the Budget Control Act I say that here and now, with S. 411, is their opportunity to demonstrate that they meant what they said by their vote. Here is their opportunity to stop a \$753 million raid on the Federal Treasury.

Mr. Chairman, this is bad legislation, and I urge that it be defeated.

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

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

Mr. HANLEY. I thank the gentleman for yielding.

I do want to point out that the Postal Service is exempt from the Budget Reform Act by virtue of a law of 1970, and reiteration just yesterday in a letter from the Office of Management and Budget, which I quote:

It is our view that the Budget Reform Act as recently reported out of conference does not cover the Postal Service.

Mr. GROSS. Let me remind the gentleman that I only referred to the Budget Control Act on the basis that those who voted for it yesterday must have accepted the arguments that were made that restraints and disciplines upon the drains on the Federal Treasury were the issue, and that those drains must be stopped because of their inflationary pressures.

This is the only reference that I have made here today to the Budget Control Act, and it was certainly implied in the votes of those who approved it that they were interested in the most expeditious

action that could be taken to put these restraints into effect.

By voting today for this bill for a \$753 million raid on the Federal Treasury, the Members who supported yesterday's budget control legislation will be repudiating their votes.

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

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

Mr. WYLIE. Do I understand from the statement of the gentleman from New York that we are already making exceptions to the Budget Control Act which we just passed yesterday, that the \$750 million provided for in this bill will be an exception to budgeted items?

Mr. GROSS. Of course, it will have to be. It is unbudgeted. It may never be budgeted if this bill is passed.

Mr. WYLIE. Further as I understand the statement of the gentleman from New York, the Budget Control Act which we passed yesterday does not apply to this legislation. Money in this bill would be excepted from the Budget Control Act? Did I understand correctly?

Mr. HANLEY. Mr. Chairman, if the gentleman will yield, the gentleman is correct.

Mr. GROSS. But the purpose of the Budget Control Act was to put restraints on spending.

Mr. WYLIE. Mr. Chairman, if the gentleman will yield, how many such exceptions will we have to the Budget Control Act? Will this be just the first one of many?

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

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

Mr. DEVINE. Mr. Chairman, am I accurate in my understanding of the gentleman's statement that we have legislation here that will cost the taxpayers three-quarters of a billion dollars and this is not included in the budget and this will violate the budget in that amount?

Mr. GROSS. It is not included in the budget.

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

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

Mr. WRIGHT. Mr. Chairman, I congratulate the gentleman on the statement he is making particularly with reference to his opposition to this so-called Postal Reform Act. I was one of those who voted with the gentleman in opposing that when it was initially foisted upon us.

Is it not true that under that act the Post Office comes under an entirely separate arrangement, where the Postmaster General, or whatever we call the head of this Corporation, does not even have to go to the Office of Management and Budget but has a sort of carte blanche to present his due bill to the Congress in whatever form it exists?

Mr. GROSS. That is true.

Mr. WRIGHT. Could the gentleman tell me how much money in this particular fiscal year we are still picking up as a postal deficit?

Mr. GROSS. Without this bill, if all the requests are met, we will appropriate \$2 billion for the Post Office Department.

Mr. WRIGHT. So we have \$2 billion this year to pick up their loss in operating revenues. And was it not the theory when we passed the so-called Postal Reform Act, which, in my judgment, was not reform, but retrogression, that this would make revenues come out even and we would not have any more postal deficits.

Mr. GROSS. That is exactly right and that is why the Congress delegated to the Postal Service Corporation, so-called, the ability to fix rates through the Rate Commission.

Mr. WRIGHT. I am not at all sure I believe the Post Office ought to operate in the black necessarily or I do not think it ought to be a moneymaking operation. It is essentially a service. But can the gentleman tell me, is there any less deficit we are having to pay for than we were paying for when Congress and the people had control over the Post Office?

Mr. GROSS. The \$2 billion would be the largest amount ever appropriated to the Post Office Department in the history of this country. And let me say this to the gentleman, that it was the agreement to provide the Post Office Department, when the reorganization took place, with approximately \$1 billion a year which would cover postage foregone, preferential rates for nonprofit publications, and so on and so forth, but this has gone far beyond anything that the Congress contemplated.

Mr. WRIGHT. If the gentleman would yield further, am I correct, as I believe I am, in the summation that since the so-called Postal Reform Act the Postal Service has measurably declined, postal rates have measurably increased, and notwithstanding that fact the deficit we are picking up and the taxpayers are paying for has also increased?

Mr. GROSS. There is no question but what the Postal Service operation is most extravagant. There is no question about it.

Mr. WRIGHT. I thank the gentleman.

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

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

Mr. CARTER. Mr. Chairman, I would like to ask my distinguished friend, the gentleman in the well, if he has visited the imposing quarters of the Postmaster General Mr. Klassen. Has the gentleman ever visited Mr. Klassen's quarters in his new office?

Mr. GROSS. No, I have not personally visited his new quarters.

Mr. CARTER. I understand from reading in one of the leading newspapers here in Washington that they are extremely sumptuous with alabaster walls and imported rugs and the very finest of everything, all at the expense again of the taxpayer. Furthermore, that there are 12 rooms for the different members of the board which are seldom used, but are furnished in the same sumptuous manner.

I think that this goes through the leadership or the appointees of the Post-

master General. Certainly I think the taxpayers of this country should rebel against excessive expenditure. Does the gentleman agree?

Mr. GROSS. Yes. I just got through saying that I think there is too much extravagance in the operation and too little solid management in the operation of the Postal Service as it now exists.

Mr. CARTER. Again I would ask the gentleman if the Postal Service has not diminished throughout the country?

Mr. GROSS. That is the contention, and I agree.

Mr. CARTER. As an observer and as a Member who has, I think, the second or third largest number of rural post offices in the Nation, I must say that it has diminished immeasurably. The mail service is much poorer. Not only that, I have evidence of nepotism in the program in my district.

Mr. GROSS. I think if the gentleman would look further, he would find not only nepotism, but cronyism.

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

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

Mr. WYLIE. Does first-class mail now pay its own way?

Mr. GROSS. Yes; first-class mail does pay its own way at 10 cents per ounce and there is no subsidy for the citizens who use that service.

Mr. WYLIE. We have told people who mail letters that the Postal Service is a business operation and we must increase the cost of first-class stamps so that it will be maintained as a business operation.

Mr. Chairman, if you believe that the classes of mail provided for in this bill need a subsidy, then the provisions of current law are quite adequate in this regard. S. 411 is a blatant example of special interest legislation, and there is no rational basis to support a vote in favor of this proposal. One of the purposes of the Postal Reorganization Act of 1970 was to get politics out of the ratemaking process in the hope that the new Postal Service Corporation would operate in a businesslike manner with each service offered paying its way. This bill is definitely a departure from this concept.

This bill is also inflationary for it will commit an additional three-quarters of a billion dollars in Federal spending as an unbudgeted outlay. Possibly, this is one of the reasons that the committee reported this bill without any hearings after a grand total of 22 minutes of deliberations. Someone is trying to pull a fast one with S. 411, and I strongly suggest that you vote against this raid on the Treasury.

Passage of this measure would create a precedent that would encourage other postal users to seek similar subsidies and phase-in extensions. We have told people who mail letters that the Postal Service is a business and all of its customers must pay a rate sufficient to finance the service provided and yet we come in here and say we really did not mean it except for individual mailers.

I could not in good conscience vote for this bill in its present form.

Mr. HANLEY. I yield to the chairman of the full committee, the gentleman from New York (Mr. DULSKI) such time as he may consume.

Mr. DULSKI. Mr. Chairman, I rise in support of the bill S. 411.

The thrust of this bill involves congressional policy in the matter of postal rates for certain specified classes of mail.

As you know, under the Postal Reorganization Act of 1970, this body decided that future postal rate increases for both commercial and nonprofit mailers needed to be phased in. This was necessary in order to lessen the impact of these increases and thus give these mailers a reasonable time to adjust to the substantial rate increases anticipated as a result of this act.

Prior to postal reform, and for as long as I can remember, the Congress recognized that the service provided by news publications was most desirable and should be encouraged. To this end, postal rates for these classes of mail were traditionally low and did not bear the costs incurred by the Post Office Department for their handling and delivery.

This long standing policy was revised with passage of the Postal Reorganization Act, which now requires each class to pay all its attributable costs plus a share of so-called institutional costs. Hence, under this new statutory requirement, the new postal rates would reflect mammoth increases for these classes.

Congress recognized that the resultant large rate increases would have disastrously adverse effects on these mailers. Therefore, it established the policy that rates for certain classes of mail would be phased in over a period of time.

S. 411 reaffirms this postal policy and recognizes that the original period for phasing rates is not sufficient. The purpose of the bill, therefore, is merely to provide an extension of the period for phasing in these rate increases—3 additional years for mailers of commercial publications, except regular third-class bulk mail, and 6 additional years for mailers of nonprofit publications.

I recognize that there are certain commercial publications which enjoy a healthy profit factor and, if taken alone, would not need this legislation. The fact remains, however, that there are hundreds which are economically marginal—whose very existence is threatened by huge postal rate increases.

Also, thousands of publications for veterans' groups, labor organizations, consumer groups, religious and charitable organizations, are seriously threatened by these rate increases.

The question is—should we, as policymakers, deny additional time for these mailers to adjust to these rate increases, or, stated another way, should we continue present law, ignoring the disastrous results which are sure to follow?

In my opinion, we can best serve our constituency by passing S. 411. For it is in the best interest of this Nation that the printed news media remain vital and viable. Recent events have demonstrated its importance to the country. No matter

how you analyze it, freedom of the press, recognized by our Founding Fathers as the foundation of the Republic, is directly endangered by high postal rates. The Congress should do all that it can to prevent this from happening.

I want to make one other point. Contrary to public belief, the subsidy contemplated under this legislation is not solely for the magazine industry. Ultimately, it is a direct monetary benefit for the public. It is clear that many magazines which cannot pass the increase on to the consumer will soon stop publishing. Those which remain will not absorb these costs but will pass them on to their subscribers. The eventual beneficiaries then, in my view, are the citizens of our Nation who will pay less for magazines and continue to be well informed by the printed media.

Mr. Chairman, I strongly urge my colleagues to support passage of this bill.

Mr. JOHNSON of Colorado. Mr. Chairman, will the gentleman yield?

Mr. DULSKI. Mr. Chairman, I yield to the gentleman from Colorado.

Mr. JOHNSON of Colorado. Mr. Chairman, I have been reading a series of articles in the Washington Post. I wonder if the gentleman can verify some of the questions which have been raised in that series. For instance, it mentioned that mail costs to first class users have been increased by \$1 billion per year to cover the expenses of second-, third-, and fourth-class users.

Can the gentleman verify that?

Mr. DULSKI. I do not know where the figures came from. The only thing is that I can assure the gentleman that on July 2 and 3, my committee will have open hearings on the entire question as it relates to Postal Service. The gentleman from New York (Mr. HANLEY) and Mr. WILSON have scheduled hearings in the next month.

I do not know where the reporter got all his figures. Some of the information he receives from our committee. Beyond that, I would not like to comment on series in the Washington Post at this time.

Mr. GROSS. Mr. Chairman, I yield 5 minutes to the gentleman from Illinois (Mr. DERWINSKI).

Mr. DERWINSKI. Mr. Chairman, I rise in support of S. 411 which is, I believe, a reasonable modification of postal policy.

In writing the Postal Reorganization Act of 1970, the Congress properly removed itself from the process of fixing the rates of postage for the various classes of mail. However, the Congress, at the same time, established the policy that the impact of increased rates under the new "break-even" mandate should be minimized. This was accomplished by establishing in the law certain phasing periods for profit and nonprofit categories of mail.

The legislation before us is the result of a reexamination of that phasing policy. It provides for an extension of these phasing periods in view of the unexpected and unanticipated postage increases which have been experienced under the provisions of the law.

Under this legislation the phasing period for certain commercial mail matter is increased by 3 years, to a total of 8, rather than the 5 years which is presently provided by law. The phasing period for nonprofit mail matter is increased by 6 years, to a total of 16. While I am convinced that such an extension of the phasing is justified, I regard it as a one-time adjustment. I see no need for, and could not support, an indefinite continuation of these postal subsidies.

In supporting this legislation, my concern is for the smaller publications and journals on whom the rate increases have the more serious effect. While relief will be granted under this bill to some who are not in as great a need for it, we cannot exclude a few while we give it to others. Because it is the vital dissemination of printed information and ideas which is at stake, I believe we should lean in favor of the broad approach to make sure we keep in business those small journals which have meant so much to our Nation's history.

As the committee report quite properly points out, the activities of thousands of nonprofit organizations and educational institutions could be seriously curtailed if S. 411 is not enacted. Congress historically has provided lower rates for the nonprofit classes of mail. The Postal Reorganization Act continued this policy, in the form of phased rates, and therefore the provisions of this legislation are consistent with both past and present congressional policy.

Of course, the real answer is that the legislation is not being enacted to benefit the publishers, but rather to benefit the reading public; it is the reader who is the beneficiary of the additional subsidy since it would guarantee him a variety of publications at a reasonable price. Publishers are not that different from any other business; if their profit margins are cut too severely, they will simply elect to put their capital into a different, more profitable, business enterprise. Thus, postal costs become a material consideration as to whether a large publishing house will use its capital to launch new publications and improve the quality of its current publications, or whether it will put that capital into other ventures, such as paper manufacturing or other allied fields.

It is also obvious, but nevertheless not well understood, that a large circulation publication is not necessarily a financially sound publication. Conversely, a small circulation publication may have a very healthy financial condition. Large publications can be and often are a very valuable national resource that should be continued. It should be remembered that Life magazine was killed not by disinterest on the part of its readers, but rather by a decision by advertisers that there were more effective ways of reaching the market that the advertisers wanted to reach. Life magazine was widely read and desired by many diverse parts of our society; it was an extremely valuable communication medium, and the country is poorer for its loss.

The question is who is the ultimate loser: Time, Inc., or the American people? Immediately after suspension of

publication of Life magazine, the stock of Time, Inc. rebounded sharply on the stock market, and its profit structure was substantially improved. Time, Inc. did not need a larger postal subsidy in order to make money; it made money by ceasing to publish Life magazine. However, it did need a larger postal subsidy if it was going to continue to publish that magazine. Thus, it seems clear that the American people were the loser, and not Time, Inc. Time, Inc. is now making more money, but the American people have lost an irreplaceable communication medium.

Section 3 of the bill requires that the budget requests of the Postal Service for public service and revenue foregone appropriations be submitted to the Congress by the President without revision.

The effect of this section is to preclude the Office of Management and Budget from indirectly adjusting postal rates, because any revision OMB would make in the revenue foregone appropriation would have an effect on the phased rates the mailer is required to pay or eliminate phasing altogether. While the objection of OMB to this provision of the bill can be appreciated from the standpoint of preparing a budget, nevertheless the role of postal ratemaking is not one that belongs to OMB. The Congress, in the Postal Reorganization Act, gave this authority to the Postal Rate Commission and the Postal Service.

In its report on S. 411, the Postal Service states that it does not oppose section 3 of the bill, and points out that this provision will make it easier for Congress to deal with revenue foregone appropriation requests.

It would not be proper for OMB to intercede into the postal ratemaking procedure, and very probably they would not wish to do so. The language of section 3 of the bill would insure this separation of duties and authority.

It should also be pointed out, Mr. Chairman, that S. 411 is significantly different from the legislation brought before the House last year, H.R. 8929. That legislation proposed permanent subsidies in the form of a one-third discount on rates for the first 100,000 copies of profit publications and the first 250,000 copies of nonprofit publications. It provided for biennial phasing rather than annual phasing steps, and therefore was a considerably broader and more expensive proposal.

Mr. Chairman, because S. 411 deals strictly with an extension of the phasing periods without the gimmicks which were built into the prior House bill, I believe S. 411 can be justified and I urge its approval.

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

Mr. DERWINSKI. Yes, I will be happy to yield to the gentleman from Iowa.

Mr. GROSS. The gentleman does not take into consideration any rate increases that may take place in the meantime over that extended period of time; there might be a rate increase each year.

Mr. DERWINSKI. No; not in each year, every other year if the pattern of labor-management agreements continue. But, of course, we cannot speculate on

that. That would depend on the contract that the Postal Service works out with its employees.

However, Mr. Chairman, I would like to clarify one other point: H.R. 8929, the rule on which was rejected, had a basic price tag of \$700 million above S. 411. Therefore, although I must honestly admit that I am not quite as effective an economizer as is the gentleman from Iowa, I nevertheless submit to those Members who want a budgetary justification for supporting this bill that this bill is really a \$700 million reduction from the previous proposal that was brought to the floor, on which a rule was rejected. Also, this is a one-shot adjustment. None of us who are supporting this measure look upon it as something that we would repeat. All we are providing is a one-time adjustment, 3 years for profit publications and an additional 6 years for not for profit. When that basic period ends, they will pay the full cost of delivery.

Mr. Chairman, this bill is a practical piece of legislation. I think it is budgetarily sound, and I urge its approval.

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

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

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

Mr. FORD. Mr. Chairman, I rise in support of the bill.

I would like to say, Mr. Chairman, that I appreciate the efforts of the gentleman in the well, the gentleman from New York (Mr. HANLEY), for working so very carefully to meet the objections that were expressed by our colleagues when we brought this matter to the floor a year ago and for meeting each and every one of the legitimate objections that were made at that time to the legislation that we had proposed in the way in which he has through this legislation.

The patience the gentleman has used in explaining the matter within the subcommittee and within the full committee has resulted, I might say, in a virtually unanimous support on both sides of the aisle in the Committee on Post Office and Civil Service for the legislation. Only two Members, as I recall, voted against reporting this bill favorably. I think the gentleman in the well should be commended for the long, hard work he has put in.

I know that the people who will be reading books and the children who will be reading books and using books in libraries and schools and in their homes across this country will long remember the name of the gentleman from New York (JIM HANLEY).

Mr. HANLEY. Mr. Chairman, I am most grateful to the gentleman from Michigan (Mr. FORD) for his very kind remarks.

I do not come before the Members today as an ardent supporter of the Postal Reform Act, because it is riddled with problems and because of some of the major shortcomings inherent in it which motivated the hearings which

were held on this particular issue. I want the Members to know that it was not taken lightly at all. In the previous Congress 19 days of hearings were conducted on this subject, and in this Congress an additional 2 days of hearings were held on this subject.

The Congress made a mistake back then when it mandated that the U.S. Postal Service become self-sustaining. Hindsight is always better, and for what it is worth, if the traditional quality of postal service is going to prevail in America, that entity can never become self-sustaining.

There have been a good many allegations hurled against the USPS. Earlier one of the Members posed a question to the chairman of the committee with regard to the allegation that the first-class user was being bilked by a billion dollars. For what it is worth, that was a very erroneous statement, one which has been responded to by the Postmaster General.

Mr. Chairman, I wish to go a little bit further back in the way of background. I do not want to appear to be defending the Postmaster General. For what it is worth, the Members will be hearing from him very shortly by letter, and he is going to ask us for the opportunity to sit with us in order to discuss some of the problems of the Postal Service and to defend some of the allegations that have been hurled against it. I hope very much that the Members will take him up on his invitation.

Beyond his willingness to sit with us in our offices, he is going to conduct office hours up here on the Hill and respond to all of the allegations that have been hurled against that entity, the Postal Service.

Now, the problems inherent in the Postal Reorganization Act are not going to be resolved by the issue that we are debating here today. This is a corrective interim measure. It is one that will hopefully prevent the demise and destruction of thousands of publications across this country.

Further in the way of background, tomorrow I will be introducing a bag of rather substantive amendments to the Postal Reorganization Act. In July we will be conducting a series of hearings. Our leadoff witness will be the Postmaster General. He will be succeeded by the Chairman of the Postal Rate Commission. Hopefully, the Members of Congress will involve themselves heavily in this colloquy. So whatever the Members may have on their minds, let us hear from them through the course of these hearings, because we want to move very positively in this Congress in the direction of eliminating a good number of the shortcomings which now prevail within the system and which are resultant from the Postal Reorganization Act of 1970.

The gentleman from Iowa (Mr. Gross) is quite correct when he accuses certain people who are interested in the passage of this bill of exerting their efforts back in the earlier days and using the vehicle of the Citizens' Committee for Postal Reform to provide the momentum that was generated within this body and the Senate chamber and which, in turn, re-

sulted in the Postal Reorganization Act of 1970.

In my mind there is no question but that the Congress made a rather large mistake back then. As you know, my position was somewhat different than what was contained in that reorganization act, but that plea fell on deaf ears. We are around to say, "I told you so," but that is all academic. The mission of this Congress from this point on is to do whatever is necessary, legislatively speaking, to get this entity back on the tracks, so to speak.

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

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

Mr. GROSS. The gentleman says that the Postal Service will never become self-sustaining.

Mr. HANLEY. That is correct.

Mr. GROSS. The gentleman is eminently correct. As long as you pass bills of this kind and raid the Treasury to pump money in, of course it will not be. The Postal Service could not care less where they get their money from as long as they get the dough they need.

Mr. HANLEY. I conditioned my statement that the traditional quality of the Postal Service as it is known to the American people cannot possibly prevail under this mandate. Back when our Founding Fathers were writing the Constitution they were very emphatic about "reasonable rates for all classes of mail." Their thinking back then was to assure that we had an informed citizenry here in America, and I think they did a pretty good job in accomplishing that.

However, the reorganization act that we are working under, the route that we are taking resulting from that reorganization act, is going to continue to send the rates for all classes of mail spiraling.

So, under this mandate, in essence, if the American people think that 10 cents is a lot for a first-class stamp, if I might use the vernacular of the street, "They ain't seen nothing yet," unless Congress moves in the direction of correcting this. We intend to do this by virtue of the amendments that I have already referred to.

You have a situation here whereby that entity is faced with the strong probability of a decline of volume along with an ever-increasing increase in the cost of operation. For example, take the energy problem alone. With regard to the cost of a gallon of gasoline, a 1-cent increase in the cost of a gallon of gasoline is reflected in the postal overhead by a cost of \$1.5 million. So, therefore, the cost of operation increases on a day-to-day basis. Yet the volume will decline through the implementation of electronic devices. For instance, soon the Social Security Administration will be electronically transmitting benefits to beneficiaries across America. That constitutes about a matter of 30 million pieces of mail a month for the Postal Service. The banking industry is rapidly moving in the direction of the electronic transfer of funds, void of any need for the Postal Service. So, as I say, the Postal Service is faced

with a decline in volume on the one hand and on the other hand, an increasing cost of overhead on a day-to-day basis. Therefore, it is incumbent on the Congress to do something, and we hope we will be able to do that something prior to the termination of the 93d Congress.

For what it is worth, ladies and gentlemen, in no degree is this issue today related to the performance of the U.S. Postal Service *per se* but, rather, it is designed to correct the shortcoming I have already referred to. If we do not move in this direction, you will soon see the demise of so many thousands of publications across the country, newspapers and magazines that have been traditional in their communities but which cannot cut the mustard under the postal rate hikes that they face. Nonprofit rates, as you know, under this mandate can spiral to 800 percent. The average throughout the magazine industry is 217 percent.

Gentlemen, I hope so much that you will help us today and on a temporary basis alleviate this acute problem by supporting the passage of S. 411.

Mr. GROSS. Mr. Chairman, I yield such time as he may consume to the gentleman from New York (Mr. ROBISON).

Mr. ROBISON of New York. Mr. Chairman, this exercise today—on S. 411—coming, as it does, on the heels of yesterday's reach by this House for fiscal responsibility in the form of "budgetary reform," is a most interesting one, indeed.

As I read the situation, S. 411 is a rehash of sorts—though described in its accompanying report as a "considerably more modest" version—of H.R. 8929 which emerged from this same committee last year but which, quite properly I think, failed to see the light of day when the rule thereon was defeated last July 23d.

The subject matter both bills are—or were—concerned with is the same: The phasing period, as originally set under the Postal Reorganization Act of 1970, for certain commercial mail matter.

As is mentioned in the accompanying report, that Postal Reorganization Act marked "a new and significant attempt to provide adequate postal service for the American people." It is a proper matter for debate whether or not that goal has been achieved though, certainly, even the most-ardent supporters of "postal reform" have to admit to certain disappointments.

The accompanying report also goes on—and again quite properly—to note that—

Congress wisely relinquished the responsibility for setting postal rates under the Postal Reorganization Act.

However, it must be clear to all of us that it is precisely that business that, with the offering of this bill, we are about to reenter.

Now, Mr. Chairman, I would be the first to admit that the impact of recent postal-rate increases on certain magazines and newspapers has been harsh—especially when it comes to the publications of nonprofit organizations such as, for a for-instance, the "American Legion

magazine" or "Boys' Life," as well as for certain other magazines of limited interest and, therefore, circulation, in which category one could cite numerous examples. And, I would be the first to argue that, in such instances, it is still eminently within the right of the Congress—as stated in the accompanying report—to continue to "set basic policies which are involved in postal ratemaking."

However, as is so often the case around here with legislation proffered as efforts to correct, or alleviate, certain unforeseen inequities, the bill now before us adopts not the rifleshot approach to the areas in real need of congressional concern but adopts, instead, that familiar shotgun approach that attempts to solve all problems at once, and hang the taxpayer in the process.

For, the fact of the matter is—no matter how one slices it, and no matter how more modest this proposal is than its immediate predecessor as offered by the same committee—that S. 411 carries an eventual price tag to the taxpayer of \$753 million, and that it is that self-same taxpayer who, as the minority views point out, is already shouldering an onerous burden just in paying for his own, unsubsidized first-class postage rates, plus a frightful toll in inflation, generally.

Mr. Chairman, by virtue of my service, these past 10 years, on what is now called the Treasury, Postal Service, and General Government Subcommittee of our Committee on Appropriations, I have sought to become as much of a student as possible of the problems of, and challenges faced by, the still-new Postal Service Corporation. Some years back, before postal reform was voted on, I even ventured to learn as much as I could about the complexities and the vagaries of the postal ratemaking process, itself. And, I became convinced—even back then—that there was a need for Congress, if it was to stay in the postal ratemaking business, to adopt the rifleshot approach as opposed to the shotgun approach as once again resorted to in the bill now before us.

And, way back then—relatively speaking—although I have not had time to look up my exact remarks, I believe I said that, although there were undoubtedly certain kinds of publications that needed assistance, if they were to survive then-projected postal-rate increases, on the other hand if I, as an individual, wished to subscribe through the mail to *Time* or *Newsweek* or *Sports Illustrated*, rather than to bother to buy the same publications on the newsstands which, in fact, is the case, then I ought to be willing to pay the full cost of having such publications delivered to my house without asking my neighbor across the street who had no interest in receiving the same publications to subsidize, as a taxpayer, my personal desire in reading material.

And that, Mr. Chairman, is still precisely what is wrong with the pending proposal; and basically why, despite the acknowledged need for some legislative adjustments with regard to the plight of

certain publications, I cannot vote for the pending proposal.

As is pointed out in the minority views—and I am sorry to see the "minority" in this instance so substantially reduced in numbers, even though I can appreciate the impact on that result of the fact that this is, after all, an election-year—the publishing industry, already heavily subsidized, is not in all that bad shape at the present as it is sometimes pictured. There is, as I so well know by virtue of my work on my aforementioned subcommittee, a more or less permanent public-service and revenue-foregone subsidy which—built into the postal reform act—helps keep postal rates generally lower, and is at least of indirect benefit to publishers. Setting postal rates, and assigning them fairly among the various mail classes is a complex—a very highly complex—task, and one can well argue with the methods adopted by the Postal Service for trying to do so, but I don't think they are all that wide of the mark. And, so, when—as is pointed out in the minority views—I read that enactment of this bill will increase the subsidy available to the already-profitable *Reader's Digest* by \$12.5 million a year; to *Time* magazine, that is hardly a shaky operation, by \$11.8 million a year, and to the *Wall Street Journal*—that affluent and influential publication to which I would probably continue to subscribe regardless of the mail cost—by an additional \$15.3 million a year, then I am certain that this is not the answer to whatever postal-rate problems are really faced by our publishing industry, today, no matter how many fine words are carried in this bill's accompanying report about the need for "universal communication, [a] policy of paramount importance to the functioning of our democracy."

Mr. Chairman, next week—as the ranking member on the Appropriations Subcommittee I have already mentioned—I will have to help carry the burden on this same floor of obtaining my colleagues' approval of the postal subsidies our bill will recommend to them. I anticipate some difficulty in that regard, as one who still believes in the concept of "postal reform" and who, whatever my own disappointments to date in how that concept has worked out, understands full well how, in an election year, it is easy and tempting to inveigh against the failings and, even, the "arrogance," of the still-new Postal Service Corporation and of those who are trying to make it a workable mechanism. When our subcommittee brought the \$230 million additional subsidy item for that Corporation to the House—in the so-called second supplemental appropriations bill earlier this year, an amendment offered to strike the same from that bill garnered 97 votes in this body on April 10, of this year. It will, therefore, be extremely interesting to me to note how many, if any, of those same 97 Members vote for S. 411—the bill now before us—for it would seem to me that such would be the height of inconsistency and, if I may say so, of irresponsibility.

Mr. GROSS. Mr. Chairman, I yield

such time as he may consume to the gentleman from Vermont (Mr. MALLARY).

Mr. MALLARY. Mr. Chairman, I think it is very important in considering this bill that we remind ourselves that it calls only for the extended phasing in of full postal rates. It does not call for the permanent subsidization by tax dollars of the mailing costs for communications or publications covered under the terms of this bill.

In July of last year, I opposed H.R. 8929 and was pleased that the rule for its consideration was defeated. I opposed this bill because it reintroduced the Congress into the postal ratemaking process. I also opposed it because it provided for permanent tax subsidization of certain classes of mailers.

The Congress established the principle in the Postal Reorganization Act that the mailers, and not the taxpayers, should ultimately pay the cost of mail deliveries. Despite all the talk that we hear these days criticizing the Postal Service and criticizing the Postal Reorganization Act, I still believe that the principle of a self-sustaining Postal Service was sound. I intend to continue to support that principle.

This is an extremely expensive bill. As the figures show, the total cost over the full period until 1988 is \$753 million. The costs will probably be substantially higher as regular postal rates rise on a periodic basis with inflation and, therefore, the extended phase-in will cost much more than this. I have real resistance to voting in favor of this amount of subsidization of postal rates without a substantial showing of need. I firmly believe that the evidence brought forward in the early hearings on the bill last year gives real evidence that some kind of rate relief is both necessary and desirable. The amount of increase in rates for both profit and nonprofit mailers required under the original Postal Reorganization Act is so high that it will cause serious dislocations for significant numbers of mailers. It may well be that the term of years for the phasing-in of full rates contemplated in this act—8 years for the profit mailers and 16 years for the nonprofit mailers—may be excessive in some cases.

I would much prefer more selective legislation that would get at the needs of the seriously affected mailers and would not provide generalized rate relief or subsidies for those who do not need it. Unfortunately, the legislative problem of trying to devise selective rate relief in an equitable and technically correct manner is exceedingly difficult, if not impossible. Therefore, I have reluctantly decided that this bill which does provide significant relief is an appropriate exercise for this Congress. I, therefore, support the concept of this extended phasing of postal rates. It is my conviction that this legislation will help to promote the dissemination of information and opinion in our country and thus allow publishers of all sorts the necessary time to make economic adjustments caused by the large postal rate increases which they must face.

Before concluding, I would also like to point out that legislation is now being prepared that would reject the principle of a self-sufficient Postal Service. This legislation would call for permanent taxpayer subsidies of certain mailers and it would, by doing so, reintroduce the Congress into the messy and very inappropriate area of postal ratemaking. I feel that the passage of this bill today may reduce some of the very heavy pressures for total rejection of the principles of the Postal Reorganization Act and will permit it to move slowly—unfortunately more slowly than I would prefer—toward a streamlined and self-sufficient Postal Service.

Mr. Chairman, with some reluctance and reservations, I urge the passage of this bill.

Mr. FINDLEY. Mr. Chairman, many Members, myself included, have received messages urging support of this bill from newspaper publishers and other publishing concerns.

I am a publisher myself, holding a majority interest in a country weekly newspaper in Pittsfield, Ill. My associates, I am sure, would be glad to see this stretch-out of rate increases approved for purely financial reasons. But I hope, and believe, that they and most other newspaper people in the Nation would applaud this body for rejecting the bill.

Most newspaper people view with concern the level of Federal subsidies in private life. They want the budget cut back, as a way to combat inflation. They believe in a private enterprise paying its own way. They do not want ever to be beholden to Government, prizing highly the independence of Government domination that has been the hallmark of journalism since the beginning of the Republic.

Members who fear retaliation by publishers in consequence of a negative vote misjudge the character of newspaper publishers.

When I first came to Congress I helped to eliminate the century-old policy under which newspapers were delivered free of charge to subscribers in the county of publication. Most publishers respected this change, and they will respect, too, I believe, the phaseout of all subsidies.

Mr. BINGHAM. Mr. Chairman, I rise to express my support for S. 411 which extends the period for phasing of certain postal rates. The goal of this legislation is to prevent irreparable damage to our Nation's diversified information distribution system which depends principally on the mails to reach its consumers. This system includes profit and nonprofit newspapers, magazines, and a variety of publications, sound recordings, books, film and other communications from cultural, educational, and charitable organizations. The system allows groups of all sizes and persuasions to communicate with their members and the public at a cost most can afford to pay, and it allows Americans, rich and poor, rural and urban, to engage in a free flow of ideas and have access to a variety of opinions, evaluations, and information on a myriad of subjects which affect their lives. In addition it helps to

encourage Americans to engage in charitable causes. This system has helped Americans become what is probably the best informed citizenry in the world.

This system is now in danger because of inflation and because of ruinous postal rate increases which were made necessary by the self-sufficiency requirement for all classes of mail contained in the Postal Reorganization Act of 1970. In that year, Congress created an independent Postal Service Corporation and set the goal that by 1984 each class of mail would pay its own way and contribute a fair share of the Postal Service's institutional costs. To help those classes of mail which had been traditionally favored with low rates because of their public service value Congress provided for phasein periods for the rate increases. Back in 1970 this all seemed reasonable and wise, but we did not anticipate the devastating effects of these rate increases on the public service-valued classes when added to the worst inflation in 25 years and shortages in many materials on which the media depends. The Government has so far been unable to deal effectively with this inflation. But the bill before us, S. 411, can provide much needed relief to this important industry just as we have done for other industries whose health we have determined to be vital to the survival of the American way of life.

S. 411 provides for a 3-year extension through fiscal year 1979 of the present phasein period for commercial magazines and newspapers—second class regular rate matter—books and records—special fourth class matter—and controlled circulation publications. For nonprofit mail matter—preferred second class mail, and third class bulk—and matter sent under the special fourth class library rate the phasein period would be extended from 10 to 16 years through fiscal year 1987. To insure that the U.S. Postal Service receives the appropriations it needs to cover the costs for this phasein period and other public service costs, and to insure that Congress maintains its control over general ratemaking policy, S. 411 requires that the amounts requested by the Postal Service for such purposes be included in the President's budget request with his recommendations but without revision. In the past the administration has shown its opposition to subsidizing these classes of mail by not including the necessary amounts in its budget request. This tactic is unacceptable.

S. 411 is similar to legislation (H.R. 4128) I cosponsored with former Postal Subcommittee Chairman MORRIS UDALL early last year. Our bill offered not only an extension of the phasein periods but additional subsidies for organizations in the information system not able to absorb all of the phasein increases and other rate charges because of their small operating capital and limited circulation. When the House defeated a similar subsidy bill (H.R. 8929) last year by refusing to approve the rule, which would have allowed its consideration on the floor I realized that many of my colleagues were not ready to provide such costly subsidies

even to save some of these marginal operations. S. 411 is a compromise which I think can preserve the general health of and competition in the information system at an acceptable cost. This bill does accept at least in theory, the necessity of ultimately requiring these classes of mail to pay their full share of the costs and an end to Federal subsidies for this purpose. I sincerely hope that my colleagues will consider the dangers inherent in a rapidly shrinking information system and vote for S. 411 which allows the remaining diverse elements in the system more time to adjust to Government-mandated postal rate increases.

Mr. HARRINGTON. Mr. Chairman, I rise today in support of S. 411, legislation to extend the postal rate increase phase-in periods for newspapers, magazines, and books.

The Postal Reorganization Act of 1970, which established the Postal Service, set as its guideline that every class of mail eventually pay all of its attributable costs and a portion of institutional or overhead costs. The Congress realized at the time that some period of adjustment for bulk mailers was necessary before full implementation of rate hikes. Consequently, a 5-year phase-in period was allotted to commercial mailers, and 10 years was granted to nonprofit mailers.

Since its enactment, the cost savings expected to result from automation and businesslike management of the Postal Service have never materialized. In fact, due to inflation, increased labor costs, and management inefficiencies the budget has grown by 10 percent per year with ever-increasing budget deficits. These deficits, expected to reach \$385 million for 1974, have forced excessive rate increases which affect bulk mailers most severely.

The failure of the Postal Service to live up to its expectations has necessitated the Congress exercising its oversight function to review and extend the statutory phase-in periods, to reduce the detrimental effect of rate increases on the flow of printed material through the mails.

The primary provisions of the bill would extend the phase-in period for second-class regular rate matter—commercial magazines and newspapers—special fourth-class matter—books and records—and controlled circulation publications from the present 5 to 8 years. The phase-in period for nonprofit second- and third-class matter, and special fourth-class library matter would similarly be extended from the current 10 to 16 years. However, S. 411 requires that no present postal rate be reduced because of the extensions of the phase-in periods.

It is important to realize that S. 411 does not abridge the authority of the Postal Rate Setting Commission; nor does it provide permanent Government subsidies for the classes of mail involved. The bill leaves unchanged the goal of self-sufficiency for the Postal Service, and it insures that rate increases will not damage the communications industry unfairly. S. 411 grants the service a further period to improve its cost effi-

ciency, after which time all subsidy will cease.

It seems to me that the dissemination of ideas and opinions through the mails has a critical importance for America. The value of the mails in promoting a well-informed citizenry is extremely important in today's democracy.

Throughout our history the postal rates set for magazines and newspapers have been subsidized to promote the flow of information. Although we have decided to transform the Postal Service into an independent corporation, it is important that we guarantee that the pursuit of fiscal economy does not impair the freedom and vitality of the press.

The rate increases for second-class commercial publications will rise by an average of 217 percent through 1977 over the pre-1971 rates, and if postal costs continue to increase, the rate may reach as high as 300 percent. Most severely injured by such drastic rate increases will be hundreds of small circulation newspapers and magazines, which provide essential independent opinions and coverage of local and regional news. Most such small publications depend on the mails for the bulk of their subscriptions, and they operate on a slim margin. In the event of their demise there is no competing media to fill the gap; only the mail can serve as the vehicle of distribution.

Without subsidies of some sort, nonprofit publications will be burdened by an astounding 574-percent average increase in postal rates. This will have a crippling effect on the bulk mailings and newsletters of countless charitable, religious, veterans, and civic organizations.

Rate increases as high as 200 percent will add to the costs of library books, clearly increasing library expenses and probably forcing a curtailment of their services.

The total estimated cost, in revenue foregone, of S. 411 over the course of the phase-in period is \$753.7 million. Some have called this bill an unjust subsidy to the publishing industry. This is not the case. The funds spent will provide the financially threatened small publications and nonprofit organizations with sufficient time to absorb increasing postal costs without fatal harm.

Mr. Chairman, as we enter one of the most crucial periods of our history it is essential that the free flow of information be preserved. The enactment of S. 411 will assure that the Postal Service does not inadvertently restrict the people's right to know.

Mr. DRINAN. Mr. Chairman, I rise in support of S. 411 to extend the phase-in period of rate increases for specified classes of mail under the Postal Reorganization Act of 1970. This legislation is designed to ease the serious problems which beset publishers and libraries as a result of steeply rising postal rates.

Since May of 1971, second-class postal rates for newspapers and magazines have increased 74 percent. Projected rates for mid-1976 are 300 percent above the 1971 level. These actual and anticipated rate hikes have already contributed to the demise of several highly regarded popu-

lar magazines including *Look*, *Life*, the *Saturday Evening Post*, and *Collier's*. Many other publications of marginal profitability face possible extinction if projected rate increases are implemented by 1976. Subscription rates for publications which remain in business will continue to rise, reducing the number of Americans who can afford them.

Publications produced by nonprofit organizations have been hardest hit by skyrocketing postal rates. The expected increase in postal rates for such publications during the 10-year period ending in 1981 is 574 percent. Religious, educational, labor, scientific, and philanthropic publications are among those affected by these rates. Nearly all such groups rely upon their membership as subscribers and could not feasibly shift their sales to newsstands to avoid the burden of higher postal rates.

One essential community service, the local library, is particularly susceptible to postal rate increases. Many libraries outside of our cities deliver books and other materials on loan via mail. Sharp increases in fourth-class postal rates have resulted in higher library operating costs. Since most libraries cannot pass on increased costs to their customers, higher postal rates must be offset by reduced acquisitions or cutbacks in library services.

The bill before us today would not change the provision of the Postal Reorganization Act requiring that all classes of mail become economically self-sustaining in the future. It would merely adjust the phase-in period of that provision to a more realistic level. When Congress established the existing phase-in terms for ending all postal subsidies in 1970, the subsequent sharp rise in postal rates was not anticipated. The President's Commission on Postal Organization predicted that passage of legislation along the lines of the Postal Reorganization Act would result in lower postal costs, rather than in increased expenses which have been passed on to the consumer in the form of higher rates.

The phase-in extensions provided by this legislation would sustain limited Federal subsidization of postal rates for certain second- and fourth-class mail for an additional 3 to 6 years. Rates for nonprofit publications, local newspapers, classroom publications, and special library mailings would escalate over a period of 16 rather than 10 years. Magazine and newspaper rates would rise to cover costs by 1979 instead of 1976.

I should point out that this represents limited relief from future rate hikes; no postal rates presently in effect would be altered. Yet the bill would help to maintain adequate library services and to prevent the further disappearance of publications which serve the public.

The postal rate increases of the past few years have been an economic burden to all Americans. They have placed a particularly heavy strain upon the written communications media. If projected rate hikes are implemented during the next few years, the diversity of thought expressed in print will inevitably decline. It is the duty of Congress to safeguard

the people's access to information and keep communications channels open by passing this vital legislation.

Mr. HANLEY. Mr. Chairman, I yield myself the balance of our time.

Mr. Chairman, I will utilize my final minute by reminding the Members of the House that this legislation passed our subcommittee unanimously, it was an 8-to-0 vote. In the full committee the vote was 23 to 2. It came out of the Committee on Rules unanimously. Hopefully it will get the same treatment here in the House today.

Mr. CULVER. Mr. Chairman, I support S. 411, a bill identical to H.R. 14194, which passed the Senate on May 9 of this year. This legislation extending the period over which postal rates are to be implemented for second class and other mail categories promulgated under the Postal Reorganization Act of 1970, would be of great benefit to the future of America's community newspapers, periodicals, and nonprofit publications.

It is imperative that a free society be kept informed of national and world news if it is to remain free. Second class mail, available only to newspapers and magazines which have paid subscribers, was established about 100 years ago stemming from the philosophy which held that it was in the public interest to promote the widest dissemination of information possible. Thus these publications were given a preferential rate. For years, American newspapers and periodicals have been providing news to readers in communities across the Nation. Reasonable rates were seen as a principal underpinning for a broad diversity of publications and their widest possible circulation.

The Postal Reorganization Act of 1970 was passed to provide much-needed reform within the postal system. However, with the frequent postage increases coupled with the high percentage increases in postal rates, newspapers are finding it increasingly difficult to keep their prices within the range of the reader's ability to pay. These rate hikes are placing a tremendous hardship on all newspapers, and place a special burden on smaller papers which operate on a low margin of profit.

S. 411 is a bipartisan measure which seeks to keep existing publications alive while necessary changes in the Postal Reorganization Act of 1970 can be developed by the appropriate committees of Congress. It has as its purpose to extend the implementation of postal rate increases over an 8-year period, thus making it easier for newspapers, magazines, and nonprofit publications to absorb the new rate increases and to ensure that the subsequent rise in mailing costs does not impair the publication nor the dissemination of news to the American people.

Mr. DULSKI. Mr. Chairman, passage of S. 411 is a long-range service to the American public. Additional phasing-in periods for increased postage rates are vital to the survival of such mail as classroom and library materials; for nonprofit mailers such as religious, veterans, labor, educational, scientific, farm, and charitable organizations; and small newspapers and magazines largely dependent

on mail subscriptions rather than newsstand sales.

If these groups had not been afforded the relief of additional time to absorb the unforeseen and drastic postal rate increases, it would have meant the death of many of them. There has been a lot of opposition by a few people who point out that included in the phasing are some users well able to afford the costs now. The fact remains that 75 percent of the beneficiaries do desperately need the extra time, and there is simply no equitable way to legislate the distinction.

At this point, I would like to insert an editorial from the March 12, 1974, Buffalo Evening News on this subject:

POSTAL SQUEEZE ON MAGAZINES

The latest hike in second-class mail rates, and those now in prospect through 1977, spell trouble for the magazine industry. More important, these steep increases add up to bad news for a self-governing society crucially dependent upon a broad dissemination of information and diversity of opinion.

In defending severe annual boosts in second-class rates, the Postal Service contends that it is merely complying with the mandate of Congress that each class of mail in a reorganized "businesslike" operation pay its own way.

But this fetish for a simplistic profit-and-loss approach to rates blithely ignores the national policy, prevailing since the founding of the postal system, under which a moderate rate structure serving the people's need to be well informed was properly regarded as more important than black ink in the Post Office accounting ledger.

This reversal of policy is inferentially questioned now by the Senate Post Office Committee. Casting doubt on how truly "businesslike" the postal operation is in its management policies, the panel concludes that a greater measure of Treasury financing may well be the only alternative to spiraling rates higher than the public can be expected to pay.

Certainly for many journals which depend heavily on mail circulation—though far less so for major metropolitan dailies like The News whose mail subscriptions represent fairly negligible proportions of the total—proposed 1977 rates as much as 400 per cent over the 1971 schedule would pose grave threats. This is particularly true for many of the small-circulation opinion journals which depend primarily on subscription rather than advertising revenues.

In any event, the threat foreseen to many periodicals, especially those dependent more upon subscription rates than upon advertising revenue, is one needing relief from Congress. Even from the standpoint of the Postal Service's insatiable revenue demands, it would be ironically self-defeating if steep rate hikes led to the death of periodicals or to deep cuts in their readership stemming from higher subscription rates. But far more important than the stake of any single publication, surely, is the public interest in preserving a healthy diversity of viewpoints and sources of information in an increasingly complex society.

I want to emphasize that this is not an open-ended subsidy; it is an extension of a temporary one, enabling economically marginal publications to continue to exist. The estimated total cost through the end of the phasing period in 1987 is \$753.7 million. It is taxpayers' money, but it is going to benefit the taxpayers. If the budget can stand the strain of simply writing off \$2 billion owed us by the new nuclear India, the budget can stand the strain of this amount to ease the burden on Rev. Billy Graham's Decision magazine; the American Legion

magazine; the Jewish Press Association; the Catholic Press Association; the Atlantic Monthly; small newspapers; trade journals; cultural, educational, scientific, and opinion periodicals; Boys Life; school newspapers; and charitable fund-raisers—and ease the burden on their subscribers.

With captive television audiences and with limited newsstand space dominated by sex-oriented magazines, the American public more than ever needs the diverse opinions, intellectual stimulation, and free flow of subject matter offered by those publications which depend more on subscriptions than advertisements for solvency. S. 411 is a sound investment in a free press.

The CHAIRMAN. All time has expired. The Clerk will read.

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 section 3626 of title 39, United States Code, is amended as follows:*

(1) Subparagraph (1) is amended by striking out the word "tenth" and inserting in lieu thereof the word "sixteenth" and by striking out the word "and" following the semicolon.

(2) Subparagraph (2) is amended—

(A) by inserting the word "former" between the words "under" and "sections";

(B) by striking out "4452(a)";

(C) by striking out the word "fifth" and inserting in lieu thereof the word "eighth";

(D) by striking out "subsection" and inserting in lieu thereof "subparagraph"; and

(E) by striking out the period and inserting in lieu thereof a semicolon and the word "and".

(3) Immediately below subparagraph (2), add the following new subparagraph:

"(3) the rates for mail under former section 4452 (a) shall be equal, on and after the first day of the fifth year following the effective date of the first rate decision applicable to that class or kind, to the rates that would have been in effect for such mail if this subparagraph had not been enacted."

SEC. 2. Nothing in section 1 of this Act shall be construed to authorize a reduction in any rate of postage in effect and being paid on the date of enactment of this Act.

SEC. 3. Section 2009 of title 39, United States Code, is amended by adding at the end thereof the following: "The budget program shall also include separate statements of the amounts which the Postal Service requests to be appropriated under subsections (b) and (c) of section 2401 of this title. The President shall include these amounts, with his recommendations but without revision, in the budget transmitted to Congress under section 11 of title 31."

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

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

Mr. GONZALEZ. Mr. Chairman, reserving the right to object—this does not mean that if the unanimous-consent request is agreed to that Members will be precluded from offering amendments to this bill?

The CHAIRMAN. The Chair will state that the answer is "No"; amendments would be in order.

Mr. GONZALEZ. Mr. Chairman, I withdraw my reservation of objection.

The CHAIRMAN. Is there objection to

the request of the gentleman from New York?

There was no objection.

AMENDMENT OFFERED BY MR. CHAPPELL

MR. CHAPPELL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. CHAPPELL: On page 2, beginning in line 2, strike out all of paragraphs (2) and (3) down through line 22 and insert in lieu thereof the following:

(2) Subparagraph (2) is amended—

(A) by striking out the period and inserting in lieu thereof a semicolon and the word "and" and

(B) Immediately below subparagraph (2), add the following new subparagraph:

"(3) Notwithstanding the provisions of this section, the rates for mail for in county, weekly and classroom publications, on and after the first day of the eighth year following the effective date of the first rate decision applicable to that class or kind, to the rates that would have been in effect for such mail if this subparagraph had not been enacted."

MR. CHAPPELL. Mr. Chairman, this is a very simple amendment. If we here are trying to help the people who need help, then we will vote for this amendment. By the very nature of the report itself, it is shown that those who need help from this kind of situation we are in today are, first of all, the nonprofits. The report shows that those are the ones that are worse hit by this present situation. All this amendment does is to leave the nonprofits in the bill, which means that they have a longer period to phase-in, as this bill provides, and adds to it the little weekly newspapers who are having some problem in the struggle today.

That is all the amendment does.

Let me explain. If the Members want to help the nonprofit publications—and they are the ones that need the most help—and if they want to help the little struggling weekly in their local areas, then they will vote on this amendment.

MR. CHAPPELL. I hope that all of us will see the necessity for helping those who need help and will realize that this bill primarily gives assistance to those people who need help the least. I hope we can all join together and vote for this amendment.

MR. GROSS. Mr. Chairman, will the gentleman yield?

MR. CHAPPELL. I yield to the gentleman from Iowa.

MR. GROSS. I thank the gentleman for yielding.

MR. CHAPPELL. I commend the gentleman for his amendment.

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

THE CHAIRMAN. The Chair will count. Seventy 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.

The call was taken by electronic device.

QUORUM CALL VACATED

THE CHAIRMAN. One hundred and one Members have appeared. A quorum of the Committee of the Whole is pres-

ent. Pursuant to rule XXIII, clause 2, further proceedings under the call shall be considered as vacated.

The Committee will resume its business.

The Chair recognizes the gentleman from Florida, who has 3 minutes remaining.

MR. CHAPPELL. Mr. Chairman, I believe the gentleman from Iowa was asking a question and I yield to the gentleman.

MR. GROSS. Mr. Chairman, what is the exact intent of the gentleman's amendment?

MR. CHAPPELL. The intent, Mr. Chairman, of my amendment is to include in this bill only nonprofit publications and the small weekly and in-county publications. It is not intended to include anyone else, only those categories.

MR. GROSS. Does this strike section 3 of the bill; does the gentleman know?

MR. CHAPPELL. This would not strike section 3 of the bill.

MR. GROSS. It does not strike section 3?

MR. CHAPPELL. No; that remains in the bill.

MR. COLLIER. Mr. Chairman, if the gentleman will yield, I have two biweekly newspapers. How can we handle the situation, seriously, where we have one newspaper coming out once a week and in the same area we have a newspaper coming out twice a week?

MR. CHAPPELL. This is intended to take care of that kind of newspaper. I am trying to help those who need it, and those are the small weekly, biweekly, and daily newspapers.

MR. COLLIER. I understand what the gentleman is trying to do. Will this be done by regulation, or how do we draw the regulation to distinguish between a weekly newspaper in a town and another biweekly newspaper in another community?

MR. CHAPPELL. Mr. Chairman, I ask unanimous consent to withdraw this amendment so I may offer another that would make that clear.

THE CHAIRMAN. Is there objection to the request of the gentleman from Florida?

MR. FORD. Reserving the right to object, Mr. Chairman, we would like to see the wording and see whether or not it is germane to the bill.

MR. CHAPPELL. I will have it for the gentleman. All it would do is add "those publications with 5,000 circulation or less" which would reach the problems the gentleman here was talking about.

MR. FORD. Further reserving the right to object, is the gentleman talking about only weekly newspapers?

MR. CHAPPELL. As this gentleman has just pointed out, we are talking about the smaller publications, which are the ones in trouble, and under this proposition we would include the in-county publications.

MR. FORD. But the in-county classification means something in the postal code, and it does not mean weeklies. It means any publication, daily or weekly or any other periodical, magazine, or newspaper so long as it is mailed within the county of its distribution, and that would

include Cook County, Ill., in which Chicago is located, so I do not think the gentleman should leave the impression this is a minor matter.

MR. CHAPPELL. The point I am getting at is this is to be modified with the phrase "less than 5,000 circulation" and this would be done to meet the "less than 5,000 circulation" publications whether profit or nonprofit and whether dailies or weeklies.

THE CHAIRMAN. Is there objection to the gentleman's request?

MR. DERWINSKI. Mr. Chairman, further reserving the right to object, I just want to be sure the gentleman from Florida will give us sufficient time to question him on this amendment, since it came to us like a bolt out of the blue. I do not think any of us know what we are dealing with. I do not say that facetiously, because we have not had the chance to absorb the total impact of his amendment, but I do not object with the understanding that the gentleman will give us the opportunity to thoroughly go through this matter.

MR. CHAPPELL. Mr. Chairman, I suggest the gentleman look at the amendment. Again, the amendment was drafted by counsel for the Post Office and Civil Service Committee and he assures me that the amendment is written so as to meet the intent and purpose of the amendment which I have just expressed.

THE CHAIRMAN. Is there objection to the request of the gentleman from Florida to withdraw his amendment?

There was no objection.

AMENDMENT OFFERED BY MR. CHAPPELL

MR. CHAPPELL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. CHAPPELL: On page 2, beginning in line 2, strike out all of paragraphs (2) and (3) down through line 22 and insert in lieu thereof the following:

(2) Subparagraph (2) is amended—

(A) by striking out the period and inserting in lieu thereof a semicolon and the word "and" and

(B) Immediately below subparagraph (2), add the following new subparagraph:

"(3) Notwithstanding the provisions of this section, the rates for mail for publications of 5,000 copies or less in county, weekly and classroom publications, on and after the first day of the eighth year following the effective date of the first rate decision applicable to that class or kind, to the rates that would have been in effect for such mail if this subparagraph had not been enacted."

MR. CHAPPELL. Mr. Chairman, I believe I have explained the amendment and the intent and purpose of the amendment sufficiently. I hope all of us will join together in helping these people who need the help and leaving those people who are able to phase in under the present schedule to pay their proper share.

As I understand, the first-class user, the letter user today pays 125 percent of his cost. That means he is subsidizing right off the top 25 percent of those who are otherwise users of the mail services.

This bill very clearly shows us we are going to spend about \$750 million by the passage of this bill. It shows that those who are most able are the ones who are going to benefit most by the subsidy. So

I think it is only fair and proper to help those who need help and take cognizance of those today, the little people who are using the letter services, and we ought to give them some consideration. I do not see how we can refuse to take this kind of approach, in view of the fact that the letter user today is the one carrying the burden and that there is no indication anywhere that the big publishers of this country have any serious financial problem deserving of this subsidy provided by the bill. I hope we will join our efforts in the passage of this amendment.

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

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

Mr. ANDERSON of Illinois. I would hope in the discussion of the gentleman's amendment we would have some clarification as to this cutoff, this 5,000 circulation cutoff. As I understand the amendment, it would refer to daily publications of 5,000 circulation or below and weekly.

Mr. CHAPPELL. Yes, sir; but it is primarily for the small publisher and would exclude those of 5,000 or more circulation.

Mr. ANDERSON of Illinois. I do not know whether that would be a constitutional classification or not. There would be a degree of arbitrariness in suggesting that publications of 5,000 circulation or more are necessarily so affluent that they would not deserve the kind of treatment given those with a circulation below 5,000. This is a point I would hope we would discuss, because I think it is material.

Mr. CHAPPELL. I believe the classification is a constitutional one. The intent and purpose of this amendment is to give help where help is needed and not to subsidize those most able to carry their part of the Postal Service costs today.

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

I hope that the Members will support the bill in the form in which it has come from the committee and to the floor. It represents a considerable degree of compromise by everyone concerned with the publication and dissemination of information, whether we are talking about books or propaganda in libraries, in schools, in homes.

The gentleman from Illinois raises a very good question about the amendment when he suggests that the amendment may have constitutional implications. I am informed by counsel that the reason this kind of cutoff was not used during the years that legislation was passed by the Congress setting rates is because there always was a question raised about whether it was constitutional to do so.

I suppose if the House wants to try it, it can adopt it and let some newspaper go through the expense of taking it to court. When we talk about publications as being profit or nonprofit publications, the fact that we classify publications as "for profit" does not necessarily mean they are in fact making a profit. All we have to do is look at a newsstand and see the vacancies, or the spaces filled with some-

thing else which used to be taken up by news magazines—not just little ones, but some of the largest, oldest, best established news magazines in this country which were there up until just a few years ago and are no longer being enjoyed by anyone of any age. So, it is not just the little guy who is being gobbled up.

Mr. Chairman, talk to any farmer about the number of publications available to him now as compared to what he had available to him 5 or 10 years ago. He has already read in his magazines that it has been the sudden input of postal rate increases that has led to the demise of that type of publication where the trend is to subscribe over a long period of time.

Not every one of the publications can pass on a new raise instantly to its customers. They have contractual agreements for years down the road, and all we are doing is—not cutting their rate, not saying that they should not pay the full cost of carrying the mail—we are simply saying that instead of dropping this on them over a period of 5 years, we will drop it on them over a period of 8 years; take 8 steps to get the same distance we would go in 5 steps.

All we are trying to do is soften the impact. Let us remember that we are talking about a consumer's bill here. If we want to increase, as we do here, the cost of carrying the publication through the mail to a person who is going to receive it by 150 to 300 percent, depending on its size, that is what the rate ultimately does. We must recognize that we should not pass on to all the users of books in this country that kind of jolt all at once. So, this legislation will give them the full shot, 150, 200, 300 percent, depending on what kind of publication we are talking about, but let us spread it over 3 additional years so that the consumer is not getting hit with all of it at one time.

We are talking here about revenue deferred not to exceed \$58 million a year. We are not talking about profits to big corporations. We are talking about a saving in the cost to the consumer of books and other publications, the major source of education, for the most part, for most of the people in this country, and particularly in the rural parts of the country where the vast majority of these materials get into people's hands and get there by being carried by the U.S. mail.

It was when this country was a predominantly rural country that we recognized that if people not living in the big cities where libraries were available to them were going to have access to learning and knowledge, the U.S. post office was going to have to be the link to bring it to them. If you want to tell the user that we are going to increase the cost of that privilege by 300 percent in one shot because somehow somebody thinks that is contributing to balancing the budget, then vote against this bill, but it is not going to do so. It is not going to close the sumptuous quarters of the Postmaster General and it is not going to decrease the cost of a first class stamp.

However, I am fearful that the Chap-

pell amendment literally kills the bill. If that is what the Members want to do, they should vote for the amendment. I urge the Members not to do so.

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

Mr. Chairman, may I emphasize that we really cannot understand the full impact of this amendment.

There may be many a major periodical in our districts which serve our constituents which will not be at all aided by this amendment. The question comes up, when we use this approach, whether it is fair to attack because of size. I think most Members, being objective, would claim that is not a fair approach.

Mr. Chairman, I would like to read the statement made on the floor of the Senate a month ago by our highly respected senior Senator from Arizona, Mr. GOLDWATER.

I quote from the statement:

During the eight-year period from 1965 through 1972, 718 new magazines were launched. However, by 1973 more than 70 percent of these magazines were no longer being published. Of the 718 new publications, only 205 were still alive in 1973. This signifies an overall death rate of 72 percent, meaning less than 3 in 10 chance of survival.

With this vulnerability, there is a very real danger that many more newspapers and periodicals will be forced to go out of business because of higher postage costs. Those which do survive may be drastically changed in format or frequency of publication. Instead of offering the public a great variety of viewpoints and information on general issues and events, publications may be far less responsive to public needs. The problem is that no one can predict what changes in society may be set in motion if the people can no longer select from among a vast range of informative printed materials.

Mr. Chairman, the point here is that Chappell amendment totally diverts this bill from its intended purpose. It does not stimulate the effective service to the public that we foresee as needed in this 3-year phasing period. Let me emphasize that we are speaking of a 3-year phasing period, and that is all.

Mr. Chairman, I think this is a good bill. I strongly urge that the amendment be rejected.

Mr. ANDERSON of Illinois. Mr. Chairman, I rise in opposition to the amendment. I rise in support of S. 411 which extends the phasing period of postal rate increases for certain classes of mail. Specifically, this bill is designed to provide a measure of relief from rising postal rates for regular rate, nonprofit, and other preferred rate publications mailed under second class and controlled circulation rates of postage; for nonprofit third class rate material; and for books, films, sound recordings, and educational materials under special fourth class rates of postage.

This objective is accomplished in the bill by increasing from 10 to 16 years the period of adjustment to full rates for preferred second class, nonprofit third class, and special fourth class and library rates; and by increasing from 5 to 8 years the period of adjustment to full rates for second class regular, that is, magazines and newspapers, and spe-

cial book rate fourth class which is books and records.

Mr. Chairman, I had the privilege to testify in favor of these objectives back on July 25, 1972, before the Postal Service Subcommittee, and this year I joined in cosponsoring H.R. 4128 with the gentleman from Arizona (Mr. UDALL). The legislation which I cosponsored was aimed at giving preferential treatment to small circulation publications, many of which have since been forced out of existence due to rising costs.

Mr. Chairman, my support for this bill, as well as the one I originally cosponsored, stems mainly from my concern about the future of small magazines and newspapers which do provide the American people with a vital source of independent news and diverse opinion. The hearings of the committee indicate that nonprofit mail has been especially hard hit by increased rates and other costs. These include publications of religious organizations, labor unions, veterans' organizations, and charitable institutions. The soaring postal costs of educational materials also puts severe limitations on libraries which purchase books and yet are faced with budgetary constraints. I think a partial review of the organizations which support this bill will demonstrate who is most affected by such postal rate increases. They include the AFL-CIO, the American Legion, VFW, Catholic Press Association, American Jewish Press Association, and the Evangelical Press Association, to name but a few.

Mr. Chairman, not only will this legislation help to insure the survival of these small yet vital publications, but it will also help to insure that low-income individuals will still be able to receive these at lower rates than would otherwise be possible.

In conclusion, Mr. Chairman, I think this bill will help to perpetuate and expand our cherished freedom of the press in the fullest and most meaningful sense of the term, and I urge its adoption.

The CHAIRMAN. The Committee will rise informally in order that the House may receive a message.

#### MESSAGE FROM THE PRESIDENT

The Speaker resumed the chair.

The SPEAKER. The Chair will receive a message.

A message in writing from the President of the United States was communicated to the House by Mr. Marks, one of his secretaries.

The SPEAKER. The Committee will resume its sitting.

#### EXTENDED PHASING OF POSTAL RATE ADJUSTMENTS

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

With respect to the intent of the author, actually the measure falls just a hair or two short of striking the enactment clause, so if we want to kill the bill, then we should support the amendment.

Mr. Chairman, apparently there is some resentment relating to the fact that some entities within the publishing

industry are being helped economically. I would like to reiterate that the handful of publishers that appear to enjoy a decent economic status are relatively few. I would like to point out that those in that category will enjoy about 5 percent of the total dollar figure associated with the bill. On the other hand, they account for about 13 percent of our national circulation.

As I pointed out in my previous remarks, two of the major publishers are conglomerates, and publishing is but one part of their overall operation. I point out that, at best, according to Price Waterhouse, their profit margin has been about 5 percent, which is not that great in consideration of what other corporate profits are showing.

Mr. Chairman, if we moved in the direction of the gentleman's amendment, we would deny the accommodation provided in this measure to most of the publications in America. I do not think that that is the intent of the committee or of the Congress, and I point out that this was not taken lightly. We tried hard over a long period of time, about 2 years now, to resolve this matter and come up with a fair compromise.

Now, some have described this as a subsidy to the publishing interests. It is anything but that. The rate hikes are not paid by the publishers, it is passed on to the subscribers. So, in essence, we are dealing with a consumer matter here.

Mr. Chairman, I hope very much that the Members will see fit to reject the amendment offered by the gentleman from Florida (Mr. CHAPPELL).

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

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

It is interesting to hear the statements made in opposition to the amendment about how everybody in the publishing industry is going to go out of business unless this bill is passed without amendment.

Let me read a quote or two for the benefit of the Members:

For America's newspapers, 1972 was a very good year, probably the best in history, in fact. Ad revenues rose about 12% to \$6.94 billion while newspapers consumed 650,000 tons of newsprint.

That is a quote from the Graphic Communications Weekly.

Again quoting:

The NNA Board also felt that the Postal rates now in effect, with increases that are spelled out for the next several years, will not drive any newspaper publisher out of business. The board believes that these rates can be lived with.

That is the statement of William Muller, general counsel, National Newspaper Association Publishers Auxiliary.

The second great revolution in advertising's return to print has already begun. We in the magazine field look ahead with strong conviction to further growth within the industry.

That is a quote from Stephen Kelly, president of the National Newspaper Association, as reported in Folio, January of 1973.

Life's collapse is like the cancellation of a

long-running TV show. Because Bonanza is on its way out doesn't mean the TV industry is dying. As for magazine publishing, the industry has never been healthier.

That is Mr. Joseph Hanson, the publisher of Folio, speaking.

The gentleman from New York (Mr. HANLEY) has repeatedly referred to "Price-Waterhouse," to the study made by that firm.

Mr. Chairman, I will ask the gentleman this: Is it not true that study was bought and paid for by the magazine publishers?

Mr. HANLEY. Mr. Chairman, if the gentleman will yield, it is pretty much in concurrence with the information developed during the course of our 21 days of hearings.

Mr. GROSS. Yes; and it was bought and paid for by the magazine publishers; is that not correct?

Mr. HANLEY. If the gentleman will yield, on his point with regard to the National Newspaper Association, in the previous forum they opposed the legislation which was considered, but they now support this legislation. That is the association of weekly and small daily circulation newspapers. They do support this legislation.

Mr. GROSS. Mr. Chairman, the gentleman has not yet answered my question.

My question was whether the Price-Waterhouse survey or review, whatever you wish to call it, was not bought and paid for by the magazine publishers.

Mr. HANLEY. Frankly, I do not know who underwrote the effort. I do know that during the course of our hearings it was pretty much established the economic survey coincided with the information we had received.

Mr. GROSS. If it was, that would be a self-serving review or survey; would it not?

Mr. HANLEY. Certainly.

Mr. GROSS. Yes; it would be completely self-serving.

Mr. HANLEY. Not from the standpoint of the committee's activity, which was completely subjective.

Mr. GROSS. It would be self-serving as it was translated from the magazine publishers to the committee; would it not?

Mr. HANLEY. Regardless of whether it would be self-serving or not, it reflected the true economic picture.

Mr. GROSS. Mr. Chairman, if the gentleman does not wish to answer the question, that is all right.

The Magazine Publishers' Association has told us that between 1962 and 1972, 750 new magazines were introduced and 160 were sold.

The gentleman talks about the rate of attrition of magazines and tried to build a case today about how magazines are going to be driven out of business unless this bill is approved.

I repeat, there were 750 new magazines introduced and 160 sold, merged, or discontinued in that 10-year period. That is not a high rate of attrition.

Mr. DERWINSKI. Will the gentleman yield?

Mr. GROSS. And I have no fund-raising dinners scheduled, I will say to the gentleman from Illinois.

Mr. DERWINSKI. Let me say to the gentleman from Iowa that I fear to tangle with him in debate since he is such a formidable antagonist, but let me point out to the gentleman that he has selectively read from some material from which I gather the publishing industry is not doing too well.

Mr. GROSS. You selectively read from material that was supplied—

Mr. DERWINSKI. By our great friend BARRY GOLDWATER.

Mr. GROSS. Was that selected material or something else?

Mr. DERWINSKI. No; it is most effective, I can tell you.

The CHAIRMAN. The time of the gentleman has expired.

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

Mr. GROSS. I ask for this time because I would like to hear what the gentleman has to say.

Mr. DERWINSKI. My question is, Is it the proper way to approach the alleged profits in the publishing industry to see to it that they pay their fair share of Federal taxes? If they are that profitable, that is wonderful. We want them to be so that they can help to pay for some of the Federal budgetary expenses which you and I help to keep down.

Mr. GROSS. Let them pay their fair share of postal costs instead of loading it on the backs of the first-class postal users who have been hit with a 10-cent stamp, but no one is subsidizing them.

Mr. DERWINSKI. But the first-class user will not be helped by getting this bill. He will still have to pay the heavier cost.

Mr. GROSS. Out of what he ought to be paying for the postal service.

Mr. DERWINSKI. But there is no way that you can solve the problem of the first-class mail user. Not with this Chappell amendment or anything of that kind.

Mr. GROSS. I support the amendment offered by the gentleman from Florida. It is aimed in the right direction, and it will make the bill much less worse.

AMENDMENT OFFERED BY MR. MATHIS OF GEORGIA TO THE AMENDMENT OFFERED BY MR. CHAPPELL

Mr. MATHIS of Georgia. Mr. Chairman, I offer an amendment to the amendment offered by the gentleman from Florida (Mr. CHAPPELL).

The Clerk read as follows:

Amendment offered by Mr. MATHIS of Georgia to the amendment offered by Mr. CHAPPELL: Line 4 strike out "in county" and "5,000" and insert for "5,000" the numeral "10,000".

Mr. MATHIS of Georgia. Mr. Chairman, this amendment is a clarifying amendment, I hope, to the amendment offered by the gentleman from Florida, which I support, because inadvertently in the drafting of the language it appears that the gentleman has reduced the 16-year exemption for these small weekly newspapers back down to 8 years. My amendment would restore it, to make the weekly newspapers dealt with as they were in the original bill reported by the committee.

My amendment also increases the

number 5,000 to 10,000 to insure that we cover a few more of these weekly newspapers that have this same problem. Perhaps, as arbitrary as the gentleman from Illinois pointed out, the 5,000 figure is, I think it does broaden the amendment to a point where it will cover more of these weekly newspapers.

I feel it is the desire of a majority of the members of the committee to try to assist them. I think there is a good possibility that the gentleman from Florida (Mr. CHAPPELL'S) amendment will support my amendment.

Mr. CHAPPELL. Will the gentleman yield?

Mr. MATHIS of Georgia. I yield to the gentleman.

Mr. CHAPPELL. I accept the gentleman's amendment. As a matter of fact, I commend him on it, because I think he makes perfectly clear the people we are trying to help are the in-county publications which are intended to be helped so that they will be subject to the extended period of 16 years rather than the shorter period. I concur that it will help all of those who need help by increasing the limitation to 10,000 rather than 5,000.

Mr. MATHIS of Georgia. I appreciate the support of the gentleman from Florida and urge the support of the Chappell amendment as amended by my amendment if the committee will accept it.

Mr. DERWINSKI. Will the gentleman yield to me in order to expedite the matter?

Mr. MATHIS of Georgia. I yield to the gentleman.

Mr. DERWINSKI. Let me say that I recognize the gentleman from Florida and the gentleman from Georgia are two of the really effective Members of this body. When I see this combination linked up it frightens me even a bit more than the gentleman from Iowa.

What the gentleman from Georgia is really doing is rushing to correct the original mistakes in drafting that were innocently made by the gentleman from Florida.

I support it as a revisionary effort but ask that we reject the amendment as amended, and get back to the original bill.

Mr. MATHIS of Georgia. I appreciate about one half of the comments made by the gentleman from Illinois.

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

Mr. MATHIS of Georgia. I would be delighted to yield to the gentleman from Iowa.

Mr. GROSS. I think what the gentleman from Illinois (Mr. DERWINSKI) is really interested in is whether this amendment takes the United Nations Magazine, Playboy, and other publications out of subsidy provided in this bill.

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

Mr. MATHIS of Georgia. I would say to the distinguished gentleman from Iowa that I do not want to become involved in a big interparty dispute between the people on that side of the aisle.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Georgia (Mr. MATHIS) to the

amendment offered by the gentleman from Florida (Mr. CHAPPELL).

The amendment to the amendment was agreed to.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida as amended.

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

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 166, noes 237, answered "present" 1, not voting 29, as follows:

(Roll No. 304)

AYES—166

Alexander	Griffiths	Roberts
Archer	Gross	Robinson, Va.
Bafalis	Grover	Robison, N.Y.
Baker	Gude	Rogers
Beard	Gunter	Roncalio, Wyo.
Bennett	Haley	Roncalio, N.Y.
Bevill	Hammer	Rousselot
Blester	schmidt	Runnels
Bowen	Hansen, Idaho	Ruth
Breaux	Harsha	Ryan
Brown, Mich.	Hays	Sandman
Bryohill, N.C.	Hechler, W. Va.	Satterfield
Burgener	Hicks	Seiberling
Burke, Fla.	Hinshaw	Shipley
Burleson, Tex.	Hogan	Shoup
Burlison, Mo.	Horton	Shuster
Butler	Huber	Sikes
Camp	Hunt	Slack
Carter	Hutchinson	Snyder
Cederberg	Ichord	Spence
Chappell	Jarman	Staggers
Clancy	Johnson, Colo.	Stanton, J. William
Clawson, Del	Jones, Ala.	Steed
Cleveland	Jones, Okla.	Steiger, Ariz.
Cochran	Jones, Tenn.	Steiger, Wis.
Corman	Ketchum	Stubblefield
Coughlin	Kuykendall	Stuckey
Daniel, Robert W., Jr.	Latta	Symington
Davis, S.C.	Lent	Taylors
Davis, Wis.	Lott	Symms
de la Garza	Lujan	Talcott
Dennis	McDade	Taylor, Mo.
Dent	McKay	Taylor, N.C.
Devine	McSpadden	Thomson, Wis.
Dickinson	Mahon	Thornton
Diggs	Mallary	Towell, Nev.
Downing	Martin, N.C.	Treen
Duncan	Mathis, Ga.	Vander Veen
du Pont	Mayne	Veysey
Erlenborn	Mazzoli	Waggoner
Eshleman	Michel	Wampler
Fahey	Miller	Ware
Evans, Colo.	Minshall, Ohio	Whitehurst
Evins, Tenn.	Mizell	Whitten
Flowers	Mollohan	Wilson, Bob
Flynt	Montgomery	Wyatt
Forsythe	Mosher	Wyder
Fountain	Natcher	Wylie
Frenzel	Nelsen	Wyman
Froehlich	Nichols	Young, Alaska
Fulton	O'Hara	Young, Fla.
Fuqua	Parris	Young, Ga.
Gettys	Passman	Young, S.C.
Gibbons	Poage	Zion
Ginn	Price, Tex.	Zwach
Goodling	Pritchard	
Green, Oreg.	Rarick	

NOES—237

Abdnor	Bell	Burke, Mass.
Abzug	Bergland	Burton
Adams	Biaggi	Byron
Addabbo	Bingham	Carney, Ohio
Anderson, Calif.	Blackburn	Casey, Tex.
Anderson, Ill.	Blatnik	Chamberlain
Andrews, N.C.	Boogs	Chisholm
Andrews, N. Dak.	Boland	Clark
Annunzio	Bolling	Clausen, Don H.
Arends	Brademas	Clay
Armstrong	Bray	Cohen
Ashbrook	Breckinridge	Collier
Ashley	Brinkley	Collins, Ill.
Aspin	Brooks	Collins, Tex.
Badillo	Broomfield	Conable
Barrett	Brotzman	Conlan
Bauman	Brown, Calif.	Conte
	Broyhill, Va.	Burke, Calif.
		Conyers

Cotter	Lagomarsino	Regula
Crane	Landgrebe	Reuss
Cronin	Lehman	Rhodes
Culver	Litton	Rinaldo
Daniel, Dan	Long, La.	Rodino
Danielson	Long, Md.	Roe
Delaney	Luken	Rooney, Pa.
Dellenback	McClory	Rosenthal
Dellums	McCloskey	Rostenkowski
Denholm	McCollister	Roush
Derwinski	McCormack	Roy
Dingell	McEwen	Royal
Donohue	McFall	St Germain
Drinan	McKinney	Sarasin
Dulski	Madden	Sarbanes
Eckhardt	Mann	Scherle
Edwards, Ala.	Maraziti	Schneebell
Edwards, Calif.	Martin, Nebr.	Schroeder
Eilberg	Mathias, Calif.	Sebelius
Fascell	Meeds	Shriver
Findley	Melcher	Sisk
Fish	Metcalfe	Skubitz
Flood	Mezvinsky	Smith, Iowa
Foley	Milford	Stanton
Ford	Mills	James V.
Fraser	Minish	Stark
Frelinghuysen	Mink	Steele
Gaydos	Mitchell, Md.	Steelman
Giamo	Mitchell, N.Y.	Stephens
Gilman	Moakley	Stokes
Goldwater	Moorhead,	Stratton
Gonzalez	Calif.	Studds
Grasso	Moorhead, Pa.	Sullivan
Green, Pa.	Morgan	Teague
Gubser	Moss	Thone
Guyer	Murphy, Ill.	Tiernan
Hamilton	Murphy, N.Y.	Traxler
Hanley	Murtha	Ullman
Hanrahan	Myers	Van Deerlin
Hansen, Wash.	Nedzi	Vander Jagt
Harrington	Nix	Vanik
Hawkins	Obey	Vigorito
Heckler, Mass.	O'Brien	Walddie
Heinz	O'Neill	Walsh
Helstoski	Owens	Whalen
Henderson	Patman	White
Hillis	Patten	Widnall
Holifield	Pepper	Wiggins
Holt	Perkins	Williams
Holtzman	Pettis	Wilson
Hudnut	Peyser	Charles H.
Hungate	Pickle	Calif.
Johnson, Calif.	Pike	Wilson
Johnson, Pa.	Podell	Charles, Tex.
Jordan	Powell, Ohio	Winn
Karth	Preyer	Wolf
Kastenmeier	Price, Ill.	Wright
Kazan	Quie	Yates
Kemp	Quillen	Yatron
King	Railsback	Young, Ill.
Kluczynski	Randall	Young, Tex.
Koch	Rangel	Zablocki
Kyros	Rees	

## ANSWERED "PRESENT"—1

Brown, Ohio

## NOT VOTING—29

Brasco	Gray	Madigan
Buchanan	Hanna	Matsunaga
Carey, N.Y.	Hastings	Reid
Daniels,	Hebert	Riegle
Dominick V.	Hosmer	Rooney, N.Y.
Davis, Ga.	Howard	Rose
Dorn	Jones, N.C.	Ruppe
Esch	Landrum	Smith, N.Y.
Fisher	Leggett	Thompson, N.J.
Frey	Macdonald	Udall

So the amendment, as amended, was rejected.

The result of the vote was announced as above recorded.

## AMENDMENT OFFERED BY MR. GONZALEZ

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

The Clerk read as follows:

Amendment offered by Mr. GONZALEZ: Page 3, immediately after line 8, add the following new section:

Sec. 4. (a) Subchapter V of chapter 36 of title 39, United States Code, is amended by adding at the end thereof the following new section:

"§ 3686. One cent postage rate for postal and post cards

"Notwithstanding any other provision of this title or of any other law, the rate of postage for the use (other than any use which is related to a trade or business) of each

single postal card and for each portion of a double postal card, including the cost of manufacture, and for each post card and the initial portion of each double post card is 1 cent until otherwise provided by law. For the purposes of the preceding sentence—

"(1) a postal card is a card supplied by the Postal Service with a postage stamp printed or impressed on it for the transmission of messages, orders, notices, and other communications, either printed or written in pencil or ink;

"(2) a post card is a privately printed mailing card for the transmission of a message, and not larger than the size fixed by the Convention of the Universal Postal Union in effect, and of approximately the same form, quality, and weight as a postal card; and

"(3) the term 'trade or business' means any occupation or other activity engaged in for profit, compensation, or hire."

(b) The table of sections for subchapter V of chapter 36 of title 39, United States Code, is amended by adding at the end thereof the following new item:

"3686. One cent postage rate for postal and post cards."

(c) The amendments made by this section shall become effective at the beginning of the third calendar month following the date of the enactment of this section or on such earlier date, published in the Federal Register by the Board of Governors of the Postal Service, as the Board may prescribe.

## POINT OF ORDER

Mr. DULSKI. Mr. Chairman, I make a point of order against the amendment on the ground that the amendment is not germane to the bill.

The CHAIRMAN (Mr. ADDABBO). Does the gentleman wish to be heard on his point of order?

Mr. DULSKI. I do, Mr. Chairman.

Mr. Chairman, the question is whether the matter contained in the amendment is in violation of House rule XVI, clause 7, which provides, in part, that—

No motion or proposition on a subject different from that under consideration shall be admitted under color of amendment.

The bill under consideration, S. 411, relates to the following subject matters.

The first section amends section 3626 of title 39, United States Code, to extend the rate phasing for certain classes of mail, namely:

First, from 10 to 16 years for nonprofit and preferred rate second-class mail, nonprofit third-class, and the special library fourth-class rate; and

Second, from 5 to 8 years for regular second and third-class mail, controlled circulation mail, and special commercial books and records fourth-class mail.

Section 2 is a savings clause.

Section 3 amends section 2009 of title 39, United States Code (relating to the method of presenting the annual Postal Service budget) to add two new requirements.

Under House rule XVI, clause 7, any amendment to a bill concerning a subject different from those contained in the bill is not germane and is subject to a point of order.

The instant amendment proposes to add a new section to chapter 36 of title 39 relating to the establishment of a new class of mail and thus attempts to establish postal rates.

In my opinion, the subject matter of the amendment is not similar to any of the subject matters involved in S. 411

which I have just outlined and is not germane.

Mr. Chairman, I insist on my point of order.

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

Mr. GONZALEZ. I do, Mr. Chairman.

Mr. Chairman, this amendment is as germane as a newborn infant is to its mother when still suckling at her breast. This whole transaction is concerned with the matter of postal rates. The whole thrust of this legislation before the House is that point, a decision made by the Postal Rate Commission.

My amendment goes to the heart of germaneness; strikes it right down the middle. It merely says, as my predecessor attempted to do in his amendment in this particular category, as it has been known as a post card, that we shall stimulate for private use, family use, noncommercial use, the penny postcard.

Mr. Chairman, I just cannot conceive of this amendment not being wholly germane.

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

Mr. GONZALEZ. Mr. Chairman, I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Chairman, what is more American than a penny postcard?

Mr. GONZALEZ. I cannot think of anything more American than a penny postcard.

The CHAIRMAN (Mr. ADDABBO). The Chair is prepared to rule on the point of order.

The Chair has listened to the point of order and has studied the bill and the report. In the opinion of the Chair, the gentleman from New York (Mr. DULSKI) has properly characterized the bill. It is very narrow in scope and relates only to a period of phasing of certain classifications of mail and of budget submission.

It certainly is not broad enough to open the whole subject of postal rate adjustments. The amendment would establish a 1-cent post card, a subject not within the scope of the bill.

The Chair is not against the amendment of the gentleman from Texas, but the Chair must hold that the amendment is not germane, and sustains the point of order.

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

Mr. Chairman, I am only going to take a minute. When one is armed with absolutely perfect logic, that is all he needs to make his point. The point I want to make at this time, since we have a fair number of Members on the floor, is that all through this debate a number of Members were rising to take shots at the Postal Service.

I am afraid too many Members may innocently be in the frame of mind of voting against this bill, thinking they are getting at the Postal Service, which seems to be a whipping boy.

That is not the case at all. A vote for this bill or a vote against this bill has no real significance to the Postal Service, and any gripes and complaints the Mem-

bers have about the U.S. Postal Service or their attitude toward change is not going to be altered one iota by the passage or defeat of this bill.

Mr. CHAIRMAN. This bill deserves passage on its merits. This is a practical piece of legislation to meet the needs of the mailers including the not for profit who have encountered extraordinary problems in the last 3 years because of the increase in postal rates. This bill is \$700 million less than a similar proposal which the House rejected. I consider this a practical adjustment both in terms of dollars and impact. I believe the practical thing to do at this point now is to pass the bill.

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

Mr. DERWINSKI. I yield to the gentleman.

Mr. HANLEY. I commend the gentleman for his statement and want to associate myself with his remarks.

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

Let me say to the gentleman from Illinois that this bill may involve less money than the previously defeated bill in the House, but it is still a \$753 million completely unjustified raid on the U.S. Treasury.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. ADDABBO, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (S. 411) to amend title 39, United States Code, with respect to certain rates of postage, and for other purposes, pursuant to House Resolution 1170, he reported the bill back to the House.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the third reading of the bill.

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

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

Mr. GROSS. 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 277, nays 129, not voting 27, as follows:

[Roll No. 305]

YEAS—277

Abdnor	Blatnik	Chisholm
Abzug	Boggs	Clark
Adams	Boland	Clausen
Addabbo	Bolling	Don H.
Alexander	Bowen	Clay
Anderson, Calif.	Brademas	Cochran
Anderson, Ill.	Bray	Cohen
Andrews, N.C.	Breax	Collins, Ill.
Andrews, N.D.	Breckinridge	Collins, Tex.
Andrews, N. Dak.	Brinkley	Conte
Annunzio	Brooks	Conyers
Arends	Broomfield	Cotter
Ashbrook	Brotzman	Coughlin
Ashley	Brown, Calif.	Cronin
Aspin	Brown, Mich.	Culver
Badillo	Burke, Calif.	Daniel, Dan
Barrett	Burke, Fla.	Danielson
Bell	Burke, Mass.	Delaney
Bergland	Burton	Dellenback
Biaggi	Carney, Ohio	DeJumis
Blester	Carter	Denholm
Bingham	Cederberg	Dent
	Chamberlain	Derwinski

Diggs	McCollister	Roy	Mosher	Satterfield	Veysey
Dingell	McCormack	Royal	Parris	Shuster	Waggoner
Donohue	McDade	Ryan	Passman	Sikes	Ware
Drinan	McFall	St Germain	Poage	Snyder	Whitehurst
Dulski	McKinney	Sandman	Price, Tex.	Spence	Whitten
Eckhardt	Madden	Sarasin	Rarick	Steed	Wiggins
Edwards, Calif.	Mallary	Sarbanes	Roberts	Steiger, Ariz.	Wylie
Eilberg	Mann	Scherle	Robinson, Va.	Stubblefield	Wyman
Esch	Maraziti	Schneebell	Robison, N.Y.	Stuckey	Young, Alaska
Fascell	Martin, Nebr.	Schroeder	Rogers	Symms	Young, Fla.
Fish	Mathias, Calif.	Sebelius	Roncalio, Wyo.	Taylor, N.C.	Young, S.C.
Flood	Mayne	Seiberling	Rousselot	Towell, Nev.	Zion
Flynt	Meeds	Shipley	Runnels	Treen	Zwach
Foley	Melcher	Shoup	Ruth	Vanik	
Ford	Metcalf	Shriver			
Forsythe	Mezvinsky	Sisk			
Fraser	Milford	Skubitz			
Frelinghuysen	Mills	Slack			
Froehlich	Minish	Smith, Iowa			
Gaydos	Mink	Staggers			
Gettys	Minshall, Ohio	Stanton			
Gialmo	Mitchell, Md.	J. William			
Gilman	Mitchell, N.Y.	Stanton			
Ginn	Moakley	James V.			
Goldwater	Mollohan	Stark			
Grasso	Montgomery	Steele			
Gray	Moorhead, Pa.	Steelman			
Green, Pa.	Morgan	Steiger, Wis.			
Guyer	Moss	Stephens			
Hamilton	Murphy, Ill.	Stokes			
Hammer-	Murphy, N.Y.	Stratton			
schmidt	Murtha	Studds			
Hanley	Myers	Sullivan			
Hanna	Natcher	Symington			
Hansen, Wash.	Nedzi	Talcott			
Harrington	Neisen	Taylor, Mo.			
Hays	Nichols	Teague			
Heckler, Mass.	Nix	Thomson, Wis.			
Heinz	Obey	Thone			
Heilstoski	O'Brien	Thornton			
Henderson	O'Hara	Tierman			
Hicks	O'Neill	Traxler			
Hillis	Owens	Ullman			
Hinshaw	Patman	Van Deerlin			
Hogan	Patten	Vander Jagt			
Holifield	Pepper	Vander Veen			
Holt	Perkins	Vigorito			
Holtzman	Pettis	Walde			
Hudnut	Peyser	Walsh			
Hungate	Pickle	Wampler			
Hunt	Fodell	Whalen			
Johnson, Calif.	Powell, Ohio	White			
Johnson, Pa.	Preyer	Widnall			
Jones, Ala.	Price, Ill.	Williams			
Jordan	Pritchard	Wilson, Bob			
Karth	Quie	Wilson, Charles H., Calif.			
Kastenmeier	Quillen	Wilson, Charles, Tex.			
Kazan	Railsback	Winn			
Kemp	Rangel	Wolff			
Koch	Rees	Wright			
Kyros	Regula	Wyatt			
Lagomarsino	Reuss	Wydler			
Latta	Rhodes	Yates			
Lehman	Rinaldo	Yatron			
Lent	Rodino	Roe			
Litton	Roncalio, N.Y.	Young, Ga.			
Long, Md.	Rooney, Pa.	Young, Ill.			
Lott	Rosenthal	Young, Tex.			
Luken	Rostenkowski	Zablocki			
McClory					
McCloskey					

NAYS—129

Archer	Davis, S.C.	Hanrahan
Armstrong	Davis, Wis.	Hansen, Idaho
Bafalis	de la Garza	Harsha
Baker	Dennis	Hechler, W. Va.
Bauman	Devine	Huber
Beard	Dickinson	Hutchinson
Bennett	Downing	Ichord
Bevill	Duncan	Jarman
Blackburn	du Font	Johnson, Colo.
Brown, Ohio	Edwards, Ala.	Jones, Okla.
Broyhill, N.C.	Eriksen	Jones, Tenn.
Broyhill, Va.	Eshleman	Ketchum
Burgener	Evans, Colo.	King
Burleson, Tex.	Evins, Tenn.	Kuykendall
Burlison, Mo.	Findley	Landgrebe
Butler	Flowers	Leggett
Byron	Fountain	Lujan
Camp	Frenzel	McEwen
Casey, Tex.	Fulton	McKay
Chappell	Fuqua	McSpadden
Clancy	Gibbons	Madigan
Clawson, Del.	Gonzalez	Mahon
Cleveland	Goodling	Martin, N.C.
Collier	Green, Oreg.	Mathis, Ga.
Conable	Gross	Mazzoli
Conlan	Grover	Michel
Corman	Gubser	Miller
Crane	Gude	Mizell
Daniel, Robert W., Jr.	Gunter	Moorhead, Calif.
Haley		

Mosher	Satterfield	Veysey
Parris	Shuster	Waggoner
Passman	Sikes	Ware
Poage	Snyder	Whitehurst
Price, Tex.	Spence	Whitten
Rarick	Steed	Wiggins
Roberts	Steiger, Ariz.	Wylie
Robinson, Va.	Stubblefield	Wyman
Robison, N.Y.	Stuckey	Young, Alaska
Rogers	Symms	Young, Fla.
Roncalio, Wyo.	Taylor, N.C.	Young, S.C.
Rousselot	Towell, Nev.	Zion
Runnels	Treen	Zwach
Ruth	Vanik	

NOT VOTING—27

Brasco	Hastings	Reid
Buchanan	Hawkins	Riegle
Carey, N.Y.	Hebert	Rooney, N.Y.
Daniels	Hosmer	Rose
Dominick V.	Howard	Ruppe
Dorn	Jones, N.C.	Smith, N.Y.
Fisher	Landrum	Thompson, N.J.
Frey	Long, La.	Udall
Griffiths	Macdonald	
	Matsunaga	

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Thompson of New Jersey for, with Mr. Hebert against.

Mr. Dominick V. Daniels for, with Mr. Fisher against.

Mr. Buchanan for, with Mr. Hosmer against.

Until further notice:

Mr. Matsunaga with Mrs. Griffiths.

Mr. Hawkins with Mr. Dorn.

Mr. Macdonald with Mr. Reid.

Mr. Rooney of New York with Mr. Davis of Georgia.

Mr. Riegle with Mr. Carey of New York.

Mr. Howard with Mr. Long of Louisiana.

Mr. Brasco with Mr. Smith of New York.

Mr. Jones of North Carolina with Mr. Landrum.

Mr. Udall with Mr. Rose.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

#### GENERAL LEAVE

Mr. HANLEY. 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, S. 411, and to include extraneous material.

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

There was no objection.

#### SIXTH ANNUAL REPORT ON THE ADMINISTRATION OF THE NATURAL GAS PIPELINE SAFETY ACT OF 1968—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

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

To the Congress of the United States:

I herewith transmit the Sixth Annual Report on the administration of the Natural Gas Pipeline Safety Act of 1968. This report has been prepared in accordance with section 14 of the act, and cov-

ers the period January 1, 1973, through December 31, 1973.

RICHARD NIXON.  
THE WHITE HOUSE, June 19, 1974.

DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES APPROPRIATION BILL, 1975

Mr. YOUNG of Texas. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1183 and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 1183

*Resolved*, That during the consideration of the bill (H.R. 15405) making appropriations for the Department of Transportation and related agencies for the fiscal year ending June 30, 1975, and for other purposes, all points of order against the following provisions in said bill for failure to comply with the provisions of clauses 2 and 5, rule XXI, are hereby waived: In title I—"Coast Guard"—beginning on page 3, line 2, through page 4, line 14, and beginning on page 4, line 20, through page 5, line 12; "National Highway Traffic Safety Administration"—beginning on page 14, lines 3 through 18; and "Federal Railroad Administration"—beginning on page 15, lines 1 through 8.

The SPEAKER. The gentleman from Texas is recognized.

Mr. YOUNG of Texas. Mr. Speaker, I yield 30 minutes to the distinguished gentleman from Tennessee (Mr. QUILLEN) pending which I yield myself such time as I may require.

Mr. Speaker, House Resolution 1183 permits the Committee on Appropriations to submit the 1975 appropriation bill for the Department of Transportation and related agencies for action on the floor of the House of Representatives.

House Resolution 1183 provides that all points of order against the provisions of clause 2—prohibiting unauthorized appropriations—and clause 5—prohibiting reappropriations—rule XXI of the rules of the House of Representatives are waived with respect to certain items for three different agencies in title I.

H.R. 15405 provides \$3,307,239,000 in new budget—obligational—authority for the included programs. This is a reduction of \$231,699,552 below the \$3,538,938,552 requested in the budget. The amount recommended in the bill is \$110,478,994 more than the total amount appropriated for the current fiscal year.

Appropriations are also made in the bill for the Coast Guard, the Federal Aviation Administration, the Urban Mass Transportation Administration, the Civil Aeronautics Board, the Interstate Commerce Commission, and the Federal Railroad Administration.

Mr. Speaker, I urge the adoption of House Resolution 1183 in order that we may discuss and debate H.R. 15404.

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

Mr. Speaker, as explained, House Resolution 1183 is the rule under which we will consider H.R. 15405, the Department of Transportation and related agencies appropriation bill, for 1975. This rule waives points of order against several sections of the bill for failure to comply with the provisions of clause 2 and clause 5 of rule XXI. These two clauses

deal with lack of authorization and reappropriations. These waivers are needed for the following provisions of the bill:

All of page 3, page 4, lines 1-14 and lines 20-25, and page 5, lines 1-12, dealing with the Coast Guard. Under the National Highway Traffic Safety Administration, page 14, lines 3-13 and page 15, lines 1-8.

The primary purpose of H.R. 15405 is to appropriate \$3,307,239,000 for the programs of the Department of Transportation and related agencies. This is \$110,478,994 more than the \$3,196,760,006 appropriated for the current fiscal year. On the other hand, the amount recommended in this bill is \$231,699,552, below the \$3,538,938,552 requested in the budget.

Mr. Speaker, I urge the adoption of this rule in order that the House may begin debate on H.R. 15405.

Mr. Speaker, I have no requests for time, but I reserve the balance of my time.

Mr. YOUNG of Texas. Mr. Speaker, I have no 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. McFALL. 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. 15405) making appropriations for the Department of Transportation and related agencies for the fiscal year ending June 30, 1975, and for other purposes; and pending that motion, Mr. Speaker, I ask unanimous consent that general debate be limited to 2 hours, the time to be equally divided and controlled by the gentleman from Massachusetts (Mr. CONTE) and myself.

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

There was no objection.

The SPEAKER. The question is on the motion offered by the gentleman from California.

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. 15405, with Mr. MURPHY of New York 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 unanimous consent agreement, the gentleman from California (Mr. McFALL) will be recognized for 1 hour, and the gentleman from Massachusetts (Mr. CONTE) will be recognized for 1 hour.

The Chair recognizes the gentleman from California.

Mr. McFALL. Mr. Chairman, I yield myself 20 minutes.

Mr. Chairman, before discussing the specifics of the bill, I want to express my appreciation to the other members for their cooperation during the detailed hearings conducted by our subcommittee.

tee. It is a real pleasure to serve with them. I especially want to thank the distinguished ranking minority member from Massachusetts (Mr. CONTE) for his active participation and support in developing this legislation.

Our committee feels that the transportation problems of this Nation are great. We also recognize the need to reduce Federal spending to curb the inflation which large deficits have helped to produce. I think the bill before us today reflects the proper balance between improving transportation and holding back inflationary spending.

SUMMARY OF THE BILL

The bill includes a total of \$8,848,978,-448, of which about \$5.5 billion is liquidating cash and \$3.3 billion is new obligational authority. The committee's recommendation is \$366,222,552 less than the administration's request. We believe that, at this time, all agencies should separate that which is essential from that which is merely desirable.

The bill provides funds for about 128,500 positions, including nearly 38,000 military personnel for the Coast Guard. This is an increase of about 600 positions over fiscal year 1974. Most of these new personnel are Coast Guard military and FAA air traffic controllers and flight service specialists.

SELECTED MAJOR RECOMMENDATIONS

I would call the attention of the Members of the Committee to the summary beginning on page 4 of the report. The major recommendations are as follows:

First, the appropriation of \$1,363,000,000 for the operations activities of the Federal Aviation Administration, \$22,500,000 less than the budget request;

Second, the appropriation of \$617,579,-448 for operating expenses of the Coast Guard;

Third, approval of the \$6,380,000 requested to complete the Morgantown personal rapid transit—PRT—demonstration project, contingent upon an acceptable agreement between UMTA and the University of West Virginia on the future of the project;

Fourth, deletion of the \$10,620,000 requested to continue UMTA's high performance personal rapid transit demonstration project at Broomfield, Colo.;

Fifth, approval of the \$16,900,000 requested to provide for an improved Loran-C radionavigational system for the Pacific coastal region;

Sixth, the appropriation of \$50,000,000 for research and development of the Federal Railroad Administration;

Seventh, a general provision providing for commitments of not to exceed \$1,321,750,000 for urban mass transportation;

Eighth, the addition of \$8,000,000 over the budget for certain railroad-highway crossings demonstration projects;

Ninth, a reduction of \$15,000,000 in the research, engineering, and development—trust funds—appropriation of the FAA;

Tenth, a general provision limiting obligations for State and community highway safety and highway-related safety grants to \$100,000,000, a reduction of \$48,000,000 below the budget estimate, including a denial of the funds requested

for incentive grants for mandatory seat-belt legislation;

Eleventh, the appropriation of \$15,000,000 for procurement of aircraft by the Coast Guard; and

Twelfth, a general provision prohibiting the use of funds to implement a program of increased aviation user charges.

OFFICE OF THE SECRETARY

Mr. Chairman, the bill provides a total of \$60.5 million for the Office of the Secretary of Transportation. This includes \$31.3 million for salaries and expenses. Most of the 42 new positions provided for are safety related.

I am pleased to report that the Department of Transportation has finally recognized the need for a national transportation policy. We conducted several days of hearings on this matter. While the Secretary's progress report was not as specific as we would have liked, it was, nonetheless, a first step. I hope that next year I can report that further progress has been made in this area.

The bill also includes \$28 million for the transportation research activities of the Office of the Secretary. This is in addition to the \$6.4 million included in the special energy research and development appropriations bill for fiscal year 1975, which passed the House on April 30.

COAST GUARD

The Coast Guard is one of the oldest and finest organizations in our Government. This fine tradition is exemplified by the recently retired Commandant, Adm. Chester R. Bender, and the Vice Commandant, Vice Adm. Thomas R. Sargent. Under their leadership the Coast Guard successfully phased out its participation in the Vietnam conflict and assumed much broader peacetime responsibilities.

The Coast Guard has a reputation for being cost conscious and submitting tight budgets. We have reduced the agency's appropriation for operating expenses by \$5,390,552. This is less than 1 percent of their budget.

For acquisition, construction, and improvements, the committee recommends the sum of \$111,307,000. This amount includes the full \$16.9 million requested to improve the Loran-C radionavigation system on the Pacific coast and \$15 million for the procurement of new aircraft.

No reductions are proposed in the appropriations for bridge alterations and retired pay.

For reserve training, we recommend \$29 million, an increase of \$2.23 million over the appropriations for the current fiscal year. For a number of years we suggest that the Coast Guard develop a peacetime mission for the Reserves. This has now been accomplished. And Reservists have already been used to assist victims of the serious flooding which occurred on the Mississippi and Missouri Rivers last year.

The bill also includes \$17.5 million for the research and development programs of the Coast Guard. This is 25 percent more than the amount appropriated for fiscal year 1974.

In the area of State boating safety assistance, we recommend an appropriation of \$6 million. This is an increase of \$2.5 million over the current year's appropriation. We are concerned, however,

that some States are merely substituting these Federal funds for State funds. We hope that the Coast Guard will seek legislation to require the States to increase their funding in this field.

We did not include the \$10 million requested to increase the balance in the pollution fund. The balance in this fund is almost \$10 million, and total fund income is expected to exceed expenditures during fiscal years 1974 and 1975.

FEDERAL AVIATION ADMINISTRATION

Mr. Chairman, we recommend the sum of \$1,363,000,000 for operations of the Federal Aviation Administration. This provides for all personnel engaged in the operation and maintenance of the air traffic control system, as well as all supporting services, administrative costs, and regulatory personnel in the FAA.

Our recommendation for operations is \$22.5 million less than the budget. We found out that the air traffic levels on which FAA's request is based were developed last September, prior to the fuel shortage. Since that time, there have been some significant reductions in air traffic operations.

The bill includes \$241.1 million for facilities and equipment. As in past years, most of these funds are for the terminal and en route traffic control systems. In addition we recommend funds for 22 new instrument landing systems. The locations for these systems are contained on page 16 of the committee report.

For the R. & D. programs of FAA, the bill includes \$55 million in trust funds and about \$10.4 million in general funds. We feel it is essential for FAA to move forward as fast as it can in the area of wake vortex research and have approved the full amount for this program.

We have recommended the full budget request for airport development grants. In the planning grant program, we felt the unobligated balance was too large, and, therefore, we have not recommended any new funds for this purpose.

With respect to the National Capital airports, the committee recommends \$16 million for operation and maintenance and \$4.2 million for construction.

FEDERAL HIGHWAY ADMINISTRATION

Mr. Chairman, highways provide by far the largest portion of transportation services used in this country. About 89 percent of all intercity travel and 97 percent of all urban passenger trips are by the highway mode. This mode remains the predominant choice in our national quest for mobility.

To continue our highway program, we recommend a liquidating cash appropriation of \$4,573,840,000 from the highway trust fund. Of this amount, nearly \$3 billion is to continue the construction of the interstate highway system.

For administrative expenses of the Federal Highway Administration, the bill includes a limitation of \$127.2 million. This is a reduction of \$10.8 million below the budget.

The bill includes separate appropriations for motor carrier safety and highway safety research and development. These are not new programs, but this is the first time that we have recommended separate appropriations for both of these items. The amounts recommended are \$6.1 million for motor carrier safety

and \$9 million for highway safety research and development.

For highway beautification, we recommend a \$25 million liquidating cash appropriation. The bill also includes a limitation on highway beautification obligations for fiscal year 1975. The \$40 million limitation is about \$10 million less than the level requested in the budget.

We did not include any additional funds for the rail-crossings projects in the Northeast corridor. This program is still progressing very slowly, but not because of a lack of Federal funds. As of April 30, 1974, almost \$20 million of prior year appropriations still had not been obligated. With respect to the 12 rail-highway crossings projects authorized by section 163 of the Federal-Aid Highway Act, we have added \$8 million over the budget. Since the funds recommended can be used only for these projects, they should be able to proceed without any significant delays. It is our intention that these funds be used prior to the regular apportionment of funds under sections 203 and 230.

We recommend the budget request of \$10 million for a new program of rural highway public transportation demonstrations. Under our recommendations, the budget requests for highway safety construction programs and forest and public land highways would also be approved.

NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION

In the field of highway safety, we recommend \$17,350,000 for the traffic and highway safety program, a reduction of \$13,150,000 below the budget request.

Under our recommendation, no funds would be provided for the compliance test facility. We have been advised that the lease agreement for this facility has not yet been finalized.

The bill does include the full amounts requested for the experimental safety vehicle and motor vehicle consumer information programs.

The other activity under this administration is a matching grant program for State and community highway safety. We recommend \$96 million to pay obligations already incurred in this program, and, also, recommend a limitation of \$100 million on obligations to be made in 1975. Under our obligation ceiling, no funds would be available for a program of incentive grants to States to enact mandatory seat belt legislation.

FEDERAL RAILROAD ADMINISTRATION

The bill provides \$3.8 million for the Office of the Administrator of the Federal Railroad Administration. We recommend the appropriation of \$10,170,000, an increase of \$933,000 over fiscal year 1974, for the railroad safety functions of the Federal Railroad Administration. I feel that additional safety inspectors are essential for improved railroad safety and that this program should be given a higher priority than it has heretofore been accorded by FRA. The bill also includes the budget request of \$1 million for grants to States for railroad safety, plus language which would make an additional \$1.5 million available for this program.

We recommend \$50 million for railroad research and development, which is

\$19,550,000 more than the amount appropriated for similar activities in fiscal year 1974. The reductions, which are listed on page 28 of the report, include \$1.5 million for research involving industry problems. We feel it has not been demonstrated that any of the proposed research will solve the railroad industry's problems. We are also concerned about the possible duplication of effort between this program and certain activities of the ICC. As stated in the report, we expect the activities of these agencies to be properly coordinated.

We have reduced the advanced systems programs by \$8 million and the supporting technology program by \$1.5 million. We feel the Federal Railroad Administration should concentrate its efforts on those programs which appear to have the greatest potential for immediate and near term improvements.

The bill includes a \$125 million appropriation to Amtrak to offset operating deficits. The Congress has appropriated, over the years, nearly a half a billion dollars to Amtrak. Amtrak, however, is no closer to breaking even now than it was about 3½ years ago when the first appropriation was made. In the conference report on the second supplemental appropriations bill we directed the Secretary of Transportation and the president of Amtrak to submit service and route criteria to the Congress. We expect that the criteria submitted will establish a reasonable balance between sound fiscal policy and adequate service to the traveling public.

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

Mr. McFALL. Yes, I yield to the gentleman from Washington.

Mr. ADAMS. One of the problems that the authorizing committee is having with this is that that route structure may well be frozen, and if it is frozen the \$125 million will not maintain that structure, so that if we change the amount of money that they have, they have no other source of revenue. They are running at a deficit, and it means that they must either stop routes or stop service in particular areas.

Mr. Chairman, I would be hopeful that the gentleman might consider the testimony that was before us to the effect that the deficit will be \$143 million at a minimum, and depending upon fuel costs for the rest of the year, could rise.

I would just like to know if the gentleman has some position for the Appropriations Committee as to whether we are going to drop the service or whether there is a chance that additional money can be placed in this as the case is made for it.

Mr. McFALL. Is the gentleman from Washington referring to the \$18 million that we reduced from the proposed budget?

Mr. ADAMS. Correct. They have a deficit, and there is no other money, so they just have to shut down operations to that degree.

Mr. McFALL. We realize that; and as the gentleman knows, this entire appropriation is subject to a point of order. I expect that the point of order will be made and we will have a discussion at that time concerning it.

Mr. Chairman, I would like to say this:

I am glad the gentleman asked the question because I know that he and others on the authorizing committee are working very hard on Amtrak. I suppose you could categorize the reduction of Amtrak's funds as an attempt to get the Members' attention with respect to this company. We are concerned that Amtrak's request seems to change every month.

I know the authorizing committees of this Congress, the administration, and Amtrak are making an attempt to look into this matter.

If we make absolutely certain that Amtrak is going to perform the function for which it was intended, then, I think, we have accomplished our purpose. When we get to that point during the reading of the bill, perhaps, we can have a meaningful discussion of just what the committee that the gentleman belongs to is doing with reference to oversight of Amtrak.

Mr. ADAMS. I thank the gentleman.

What we are trying to solve is the very difficult problem of service versus how much the taxpayers should pay.

Mr. Chairman, I thank the gentleman for his comment.

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

Mr. McFALL. I will be glad to yield to the gentleman from Texas.

Mr. PICKLE. If it is the gentleman's intent, assuming this point is raised, and further consideration of the Amtrak program is to be made, perhaps if we can have a better agreement between Amtrak and the railroads, the committee would consider putting additional funds into it or at least restoring some of these funds so that Amtrak can operate properly.

Mr. McFALL. Mr. Chairman, I would point out to the gentleman that the authorizing legislation is still in his committee. It is not authorized as yet. I hope that the gentleman's committee will be considering that point.

I think all of the members of our subcommittee are in favor of Amtrak. We support Amtrak. We want to see it operated properly. We just want to make certain that those who are responsible for its operation in and out of the Congress are paying adequate attention to it. Hopefully, many of the roadblocks of the past, such as bad track and lack of cooperation by the railroads from which Amtrak has to get its service, are some of the things which we will be doing something about.

Mr. PICKLE. The gentleman's last point is certainly commendable. We should aid Amtrak's operation in every respect we can in helping it in scheduling its service, but we should also expect full cooperation of the participating railroads, especially with regard to tracks and the condition of tracks, because that is a factor if we are going to make a success of this. Therefore, these two elements must go together. I hope that we can consider both of them in the same light.

Mr. McFALL. With reference to that, the gentleman knows that the train from St. Louis to Chicago takes a longer time than it did in 1912.

The track is in such terrible condi-

tion that, as one approaches St. Louis, the train never goes over 30 miles an hour.

We have heard testimony given before the committee, and we know that this is a real problem, especially in the Northeast for railroads such as the Penn Central, and others.

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

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

Mr. PICKLE. For example, the track of the Inter-American line is in such poor condition that the train cannot even go fast enough to charge the battery to provide air-conditioning. So in the very deep part of the South we are forced to go miles and miles without any kind of air-conditioning. That is a deplorable situation, and we must do something about that.

Mr. McFALL. Mr. Chairman, we recommend \$7 million for administrative expenses of the Urban Mass Transportation Administration. For research, development, and demonstrations we are recommending \$51,130,000, an increase of \$16,080,000 over fiscal 1974 and a reduction of \$27,870,000 below the budget estimate. Among the recommended reductions, is \$10,620,000 for the high performance PRT. We felt that the unobligated balances should be adequate for completion of the conceptual design and evaluation of this project during fiscal 1975. During the coming year, we expect UMTA to conduct an urban deployability study of PRT to see what role, if any, these systems should play in mass transportation.

The bill includes the full amount requested to complete the research and development phase of the Morgantown project. We have directed, however, that none of these funds be obligated until UMTA and the University of West Virginia agree on what will happen beyond the R. & D. phase and this agreement has been approved. If such an agreement is not reached within 30 days after the enactment of this bill, we have directed that the \$6,380,000 recommended should be used to dismantle the project as required in the contract between UMTA and the university.

We recommend \$400 million to liquidate obligations incurred under basic legislation for urban mass transportation. We are concerned about the techniques employed in selecting fixed guideway and other capital grant applications for approval and expect UMTA to accelerate its efforts to provide adequate guidelines to the cities. In addition, the bill provides for an obligation level of \$1,321,750,000 for Urban Mass Transportation Administration programs in fiscal year 1975.

#### RELATED AGENCIES

Title II of the bill provides \$298,002,000 for five related agencies. This includes \$9,450,000 for the National Transportation Safety Board which investigates and determines the probable cause of all aviation accidents, and selected surface transportation accidents. In addition, the Board conducts a continuing review of safety in all modes of transportation.

The sum of \$17,150,000 is recommended for salaries and expenses of the Civil

Aeronautics Board. We are recommending the full budget request of \$69,828,000 for subsidy payments to air carriers providing service to communities which would not otherwise be served.

For the Interstate Commerce Commission, the sum of \$43 million is recommended. This is essentially the full amount requested.

The bill provides the Panama Canal \$62.7 million for operating expenses, \$6 million for capital outlay, and a limitation on general and administrative expenses of \$23,837,000. The Panama Canal Company has recommended a toll increase of approximately 20 percent. Most of the items on which this increased is based appear to be valid costs, but we are concerned with the company's change in depreciation policy. The depreciation of certain assets which previously were not depreciated adds an annual charge of about \$8.3 million to operating expenses and is partially responsible for the toll increase. We feel the legislative committee should consider whether this change is related to possible treaty modifications. We also feel that the part of the toll increase related to depreciation costs should not be implemented until the legislative committee has approved this change in policy.

Finally, we recommend \$72,124,000, including \$52,724,000 in advance appropriations for fiscal year 1976, for the Federal share of the funding of the Washington, D.C., Metro system and the full budget request of \$17.75 million to provide a Federal interest subsidy for the revenue bonds marketed by Metro. We have deferred the Federal contribution for the 1976 purchase of 256 transit cars until Metro and the Urban Mass Transportation Administration can reach an agreement on which cars are best for the Metro system. This action should not delay the opening of the system, since funding has already been provided for 300 cars and a decision on the next procurement does not need to be made for about 15 months.

Mr. Chairman, I believe we have brought a balanced and carefully considered bill to the committee and I urge its adoption.

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

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

Mr. ADDABBO. Mr. Chairman, I am deeply disturbed that the committee bill recommends a net decrease of \$1.1 million in aviation noise and pollution research as indicated in the table on page 16 of the committee report.

Those of us who represent districts which are affected by the noise and pollution associated with large airports have long called on the Federal Government, particularly the Federal Aviation Administration, to do more to resolve jet noise problems.

Many of us have long felt that the Federal Aviation Administration was not really making its best efforts along those lines. Unfortunately, this year's committee bill simply has the effect of reinforcing our feeling that the FAA continues to lag on this matter.

I find it interesting to read in the report that the FAA testified that the

agency has not yet produced valid evidence that the implementation of retrofitting will bring "meaningful relief" to the public. The committee, according to the report, is left with a question that the cost-benefit ratio is unresolved.

The agency further continues to play the game of "let's wait one more year." The agency now seeks to delay the retrofitting program because it is studying an alternative option, the "refan" technology which, it reports, will be available by June 1, 1975.

It is my feeling that June 1 of next year would come and go without a definite conclusion by the agency. That, of course, would mean that instead of being specifically a part of the fiscal year 1976 budget, the issue would be delayed until fiscal year 1977.

Mr. Chairman, the people of my congressional district, surrounded as they are by Kennedy International Airport, La Guardia Airport, and Newark, cannot afford to wait 1 year, 2 more years or however long FAA would delay.

The people of my congressional district, along with those from urban areas all over America, want the Congress to act now to take positive steps to eliminate the worst hazards of jet noise and pollution.

The Congress acted several years ago to instruct the Federal Aviation Administration to promptly study the cost and the feasibility of retrofitting, and begin an organized program to implement it. The FAA is still studying the matter, even though the National Aeronautics and Space Administration, operating with limited funds several years ago, demonstrated admirably that retrofitting is indeed feasible and plays a distinct role in substantially reducing jet noise.

Mr. Chairman, it is time to stop this annual charade we let the FAA play on the American people and on the Congress.

Mr. Chairman, I would ask the chairman of the subcommittee (Mr. McFALL) to comment on these questions.

The committee report states the FAA testified that it has not yet developed valid evidence that retrofitting will provide meaningful relief to the public. Did not the FAA testify that retrofitting could reduce noise levels for perceived noise up to 50 percent of the present noise levels and NASA has concluded retrofitting produces significant decreases of jet noise. A year ago the Boeing Corp. demonstrated a workable retrofitting plan. Does the committee have any realistic belief that FAA, given its choice, will ever come out in favor of retrofitting?

Mr. McFALL. Will the gentleman yield?

Mr. ADDABBO. I yield to the gentleman.

Mr. McFALL. Yes, I think FAA will be able to come out with a satisfactory rule on noise abatement.

Mr. ADDABBO. Has the committee considered just how long it will allow FAA to stall off retrofitting. Under the terms of the committee report on page 16, it would be at least fiscal year 1977 or later before retrofitting could be implemented.

As I remember the language in the report, we asked them to delay it until

June of next year. Could the chairman please explain why the noise pollution funds were cut below last year's budget? Last year it was \$6 million, and it was reduced this year to \$4.9 million.

Mr. McFALL. We gave them virtually what they requested. I do not believe there is a significant reduction.

Let me read the table on aviation noise and pollution research from page 14 of the report. For fiscal year 1974, the appropriation was \$6 million. For fiscal year 1975, they requested \$4,986,000, and we gave them \$4,920,000. We reduced the request only by some \$66,000.

I can assure the gentleman from New York that the committee is concerned about aviation noise. The gentleman is very knowledgeable on this subject. In fiscal year 1972, as I recall, his amendment earmarked \$4.5 million for noise abatement research. We have included at least that much for noise abatement research in every year since 1972.

Mr. ADDABBO. Could you explain what the proposed program of research into the psychoacoustic reaction of individuals is, and why the Congress should use its limited research funds studying ways to determine the limits of noise abuse people can take rather than ways in which to lower noise levels?

Mr. McFALL. Mr. Chairman, I yield myself 2 additional minutes.

I would say to the gentleman that in seeking ways in which to lower noise levels we must first consider which aspects of noise are causing the problem—otherwise we could spend a great deal of money and still have offensive noise.

Mr. ADDABBO. The testimony on pages 402 and 403 of the subcommittee hearings shows that at least 1,800 airlines or 90 percent of the airline fleet does not now meet noise standards promulgated by the FAA. Will it ever implement the retrofitting plan at any time?

Mr. McFALL. Yes. Essentially, beginning June 1975, I would expect FAA to do this. I would say to the gentleman our estimate is it will cost \$800 million to do this industrywide. We want to make certain that when they do it they will be doing something which will be acceptable to the public. I suppose it is a lot like the old question of what kind of noise annoys an oyster.

Mr. ADDABBO. Will the committee hold the FAA to the June 1, 1975, date in view of the fact that on page 404 Administrator Butterfield and other people testified:

I'd be more accurate to say it's at least two years down the road.

Would the chairman give me any assurances they will try to hold the FAA to at least June 1, 1975?

Mr. McFALL. We think they can still hold to June 1975, assuming they can get some kind of an answer to the questions we posed in studying this. I agree completely that something has to be done to reduce aircraft noise. And it is not our intent to unduly delay an FAA rule on this subject. We would like, however, for the rule finally adopted by the FAA to take advantage of the latest technology which is available. NASA has

been conducting research on a refan program. We do not want FAA to preclude this technology from its rule.

Mr. ADDABBO. I thank the gentleman for his response.

Mr. CONTE. Mr. Chairman, I rise in support of the bill, and I yield myself such time as I may consume.

Mr. Chairman, the Appropriations Subcommittee on Transportation has completed its review of that portion of the administration's budget for fiscal 1975. I believe that the bill the committee has reported and that we are considering today is a good one. The committee has worked long and hard to "achieve the best possible balance between the financial requirements of the Department of Transportation and related agencies, and the need to reduce Government spending to curb the inflation, which large deficits have helped to produce." I would like to commend my colleagues on the subcommittee, especially Chairman McFALL and counsel Tom Kingfield, for their serious efforts in attempting to reach this balance. Even though we have cut the administration's request by over \$231 million, excluding contract authorization, the committee has appropriated \$8,848,948,448, an increase of more than \$600 million over fiscal 1974.

Although I concur with most of the committee's recommendations, there are major areas which concern me and which, I feel, warrant discussion and clarification. It is to those areas of concern that I will address my remarks.

PERSONAL RAPID TRANSIT—RESEARCH AND DEVELOPMENT

The Urban Mass Transportation Administration funds various research and development projects to examine the feasibility of instituting new transportation systems. Cited for continuing appropriations by the administration in fiscal 1975 are the personal rapid transit projects at Denver, Colo. and Morgantown, W. Va., as well as research on the dual mode system. The committee has recommended the full budgetary request for Morgantown, \$6,380,000, but has deleted the requests for the other two projects. Although there is a lot to learn from PRT experiments, and research should continue, we need to reassess our approach to this research and development. The Morgantown situation speaks for itself. Instead of creating a new and efficient mass transit system, the Morgantown project may indeed be a setback for future transit planning. The project is nothing short of a disaster at the expense of the American taxpayers.

I personally went down to Morgantown to observe the situation and believe me, it is the perfect example of misguided innovation. Instead of researching the system before development in an urban environment, the decision was made to research and develop simultaneously. The result has been an expenditure of over \$57 million of the taxpayers' money with the only new technology breakthrough being how to keep the guideways from freezing. For those of you unfamiliar with the system the "people mover" consists of individual, automated, 20-passenger, rubber-tired cars traveling along an elevated concrete guideway or track. I have brought along some photo-

graphs of my Morgantown trip which will give a better visual picture of this system.

In the fall of 1969 a Federal grant was awarded to West Virginia University to conduct design studies for personal rapid transit system for use in Morgantown. As a result of those studies the university subsequently submitted a grant application to the Urban Mass Transportation Administration—UMTA—to construct a six station system for an estimated cost of \$13.5 million.

But because of the potential national application of such a system, UMTA selected the Jet Propulsion Laboratory to develop a new system design. The cost escalated. What was to be a research and development project conducted by the University of West Virginia turned out to be the beginning of the construction of a transit system for urban Morgantown. The cost estimate for this project rose to \$35 million in January 1971. By April of that year, a review of the estimated construction cost indicated that the full system would be over \$37 million.

To date, only three of the six stations have been completed at a cost of over \$57 million. It has been estimated that it will cost \$33 million a mile to complete, resulting in an additional expenditure of \$65 million. An example of the type of poor planning at Morgantown, which has added to the escalating costs of completing the six-station project, now estimated at \$110 million, has been in the construction of the guideway itself. The guideway was built before the weight of the passenger cars was known, and it was made much stronger than necessary. The cost was roughly \$1,100 a foot as against \$150 a foot for a similar "people mover" at the new Dallas-Fort Worth Airport.

What created this \$110 million boondoggle out of a project estimated to cost \$13.5 million? A lack of research and an impatience to construct. However, the project has been plagued by more than money problems. In order to cut its losses, the Department of Transportation attempted to turn over the partially completed project to the university to begin operation next spring. The university insisted, however, that the Department fund the project to completion—extending the elevated guideway another 1.4 miles and adding three more stations. In spite of this problem, the committee has decided to concur in the administration's budget request of \$6,380,000. However, this is contingent upon the university and DOT-UMTA arriving at a compromise agreement within 30 days of enactment of the legislation.

Mr. ADAMS. Mr. Chairman, would the gentleman yield on that point?

Mr. CONTE. I would be glad to yield to my good friend.

Mr. ADAMS. The gentleman in the well is my very good friend, and he has been most helpful to transportation matters in the United States. But I am concerned because I have a letter from the University of West Virginia. They have responded to a telegram from UMTA dated March 21, 1974, indicating that a contract exists between the two of them, and that this contract they want to have carried out because they spent a number

of millions of dollars, and the State has spent a number of millions of dollars, in granting rights-of-way. I am concerned with the language in the report, and I understand the gentleman is concerned. I am concerned about it, and I have some familiarity with it because one of the people or some of the people building the cars are from my district, so my interest is more than just being a member of the committee.

I know that the project has had a lot of problems, but I am concerned with this language on pages 30 and 31 in that it cannot be carried out or cannot be really construed as congressional action. I would caution the gentleman, because if a contract exists, and the University of West Virginia is saying: We want to have you carry out your half of the contract, and we will carry out ours, are we not really legislating an *ex post facto* law, in other words, taking away their contract?

Mr. CONTE. That is a very good point, and I will speak on this as I go along.

First of all, let me say that it is a bad contract. I said in committee that the lawyer for DOT who drew that contract should have been fired, there is this clause that says that if the University does not want the project, when completed, we are going to have to go and take the project out. So the costs mentioned here could be money to dynamite the project.

I think it is DOT's interpretation of the contract that the contract is fulfilled by the completion of 1 (a) and (b) of the contract.

Mr. ADAMS. Does that not include six stations?

Mr. CONTE. No, a three station system.

I yield to my chairman and he may have it right in his hand.

Mr. McFALL Mr Chairman I have a copy of the contract between the Urban Mass Transportation Administration and the University of West Virginia It says on page 2:

The Personal Rapid Transit System at Morgantown will begin with:

a. Fifteen (15) vehicles.  
b. Three stations designated as Walnut Street Station, Beechurst Station and Engineering Station and located in the general areas specified on the route Plan for Personal Rapid Transit System at Morgantown.

c. Approximately 2 miles of double track guideway connecting the three stations.

d. Power supply system, control and communications system and related equipment and facilities required for automatic operation of the total transit system, designed to accommodate further expansion up to 100 vehicles and six stations.

e. The facilities necessary for maintenance and repair of the vehicles and the facilities necessary to accommodate the operations and control center.

UMTA will test and evaluate the system, and generate the necessary data to ensure the reproducibility and utility of the system in nation-wide locations that may have similar transportation needs.

There is nothing in here that says anything about six stations. We also had testimony in the hearings that indicated that there was not a contractual agreement for six stations. However, I thought the best evidence of that would be a copy of the contract itself. If the gentleman would want it I can bring down and he

can read the testimony which the Administrator gave us to describe the contract, but, of course, the best evidence is the contract itself.

Mr. ADAMS. Mr. Chairman, if the gentleman will yield further, I will get permission to put this letter in the RECORD when we go back to the House, but I just quote this from the letter, and I will say I understand the concern of the Chairman and the ranking minority member on this matter. Here is what the University of West Virginia said through their Mr. Earle T. Andrews on March 24, 1974:

WEST VIRGINIA UNIVERSITY,  
Morgantown, W. Va., March 28, 1974.

Mr. FRANK C. HERRINGER,  
Administrator, Urban Mass Transportation  
Administration, Washington, D.C.

DEAR MR. HERRINGER: This letter is in response to your telegram dated March 21, 1974. I feel that I must, as the representative of the West Virginia Board of Regents in the matter of the PRT System, decline to accept the terms of your offer to modify the existing contract between the Board of Regents and UMTA.

I have discussed this matter with Dr. James G. Harlow, President of West Virginia University and Dr. Samy E. G. Elias, as fully as the time limit set in your telegram will permit, and we are all in agreement on this point. The major reasons for our reluctance to accept the modification you offer are as follows:

We entered into our agreement, and have always understood, that the University would wind up with a full six station system extending from the center of Morgantown, West Virginia to the West Virginia University Hospital on the University's Medical Center Campus. This was spelled out in the original contract proposal we had mutually agreed to but was modified in the final executed contract in deference to UMTA's need to align spending with the annual flow of budgetable funds. It was understood by the parties that the full six station system would be provided even though the second phase might well have to be through capital grant funds. On the strength of the promise of the United States Government to provide the complete system the Board expended substantial sums of money, and used its power of eminent domain, in acquiring various rights-of-way for the project. This was in addition to supplying several rights-of-way over land the Board already owned.

Similarly, the West Virginia Department of Highways, the County Court of Monongalia County, the City of Morgantown, and the Monongalia County Board of Education all supplied land and rights-of-way for the project. The existing system runs from the City of Morgantown to the Engineering Sciences Building, about halfway to the planned terminus. The latter station is not designed as a terminal and is totally inadequate to serve such function.

Further, it is too remotely removed from the Towers Student Dormitory Complex to serve a useful purpose in that respect. The bus systems would have to be maintained to provide adequate transport facilities for these students among the three University campuses. As you know, the PRT System was changed from a West Virginia University to an UMTA project to be constructed on property to be supplied by the Board and other local agencies. You also know when UMTA pre-empted our right to approve the system design it gave us the existing contract to assure us that the end product would be a viable one.

There is no provision in your proposed modification for taking care of the system, other than solving of problems of an operational nature during the initial year of operation. We feel that many problems in-

volving design, failure, and necessary modifications will present themselves during the real testing period, that is, when the system is actually in service and carrying passengers. This is almost without exception the history of any unique engineering project no matter how intelligently and carefully a forecast has been made on the basis of an integration of non-data relevant to a multiplicity of component elements. It is this historical truism that gives us concern.

It was our understanding that UMTA would support the system during the first year of operation in taking care of such critical problems which might arise. We further understood that UMTA intended to use this system as a demonstration project which, of course, implies public use and reaction. As the installation now stands it can serve only as a testing stand for design and equipment evaluation. If Phase I is completed, while it will not serve as a viable transportation entity to meet the needs of the University and the people of the area, it should well serve as a research and demonstration vehicle for UMTA, which was the Department of Transportation's intent and publicly evolved purpose in undertaking the Morgantown PRT.

While we want to cooperate with your agency in every feasible manner, we are frankly concerned that if we agree to the modification of the contract suggested by you that we will have a system on our hands that, while it may meet your specifications, will not operate satisfactorily under actual conditions. If the cause of the failure were a "unique operational problem" your suggestion that you provide a grant for a Boeing "back-up" design team for the first year of operation might take care of it. But we do not know what the quoted phrase actually means, and it does not appear to include design, hardware, software, or other possible failures of a critical nature.

In any of such cases the correction of the defects may well require the expenditure of large sums of money which the Board would not have at its disposal. We cannot conceive that your agency, after having expended the large sums required to construct the system, would even consider turning it over to us for the first year of operation under these conditions. We have thought, and still think, that the first year of operation would be part of the research and development phase of the project. If your agency should construct the system and turn it over to us in such a status that it, for unexpected reasons, would not successfully operate for more than a few months, and we not have the funds to correct conditions, both UMTA and the Board would be subject to merited public criticism.

We sense that you believe the system will work without any trouble other than some conventional operational problem if it meets to your satisfaction the specifications you have set up. We do not share that feeling, yet we would be taking the entire risk in case of failure. At least we believe that would be the situation if we should agree to your suggested modification of the agreement.

Sincerely,

EARLE T. ANDREWS,  
Member, West Virginia Board of Regents.

What I am pointing out to the gentleman, and I know he has spent a great deal of time on this, is that there is apparently a deep difference of opinion on the contract, and I do not try to judge the merits of how well the lawyer for DOT or UMTA did this, but certainly the University of West Virginia believes that they have a contract with UMTA for six stations, and I am sure they understand that without this they will: First, not have a functional system and second, if the directive on pages 30 and 31 of this report is really legislative history or law and they go in and dynamite this thing and start to clean it up afterwards,

the university's moneys will have been completely sent down the drain.

I am not trying to act as a lawyer or judge their cause of action but I think we need to be very conscious that we have not violated the terms of a U.S. Government contract by a statement in the report.

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

Mr. CONTE. I am glad to yield to the gentleman from California.

Mr. McFALL. I think we should discuss the question of whether or not the University of West Virginia and UMTA have a contract for a six-station system. They do not have such a contract. President Harlow wrote a very clever letter in which he tries to intimate this was an original agreement, but it is not in writing. He keeps saying, "Oh, yes, we had a six-station agreement," but he cannot point to any written contract for a six-station system. There is not any such agreement. Whether or not they had an oral agreement before the written agreement was entered into, I do not know; but if they did have such an agreement and it is not in the original contract, it is vitiated by the formal contract.

If the gentleman will continue to yield on his time—

Mr. CONTE. I yield to the gentleman.

Mr. McFALL. I think we should put this in the proper perspective. Mr. Herring, the Administrator of Urban Mass Transportation Administration, testified before the committee. I feel he was testifying correctly. This is in response to some questions by Mr. YATES concerning the Morgantown project investment:

Mr. YATES. Incidentally, it did say that the Government had invested approximately \$115 million. Is that correct?

Mr. HERRINGER. No, that is incorrect.

Mr. YATES. How much have we invested?

Mr. HERRINGER. It was approximately \$55 million or \$57 million. We are proceeding with the plans as outlined to you last year to complete phase I-B of the project, which is to develop 45 vehicles on 2.2 miles of guideway, at a cost of \$64.3 million.

The dispute that has attracted the attention of the press concerns where we go from there.

We have an agreement that dates from 1971 with the University of West Virginia, a contract, that states that at the close of the project, when we are finished testing these vehicles on the 2.2 miles of guideway, that the university essentially has the right to accept or reject the system. If they reject the system, then we are obligated to take it out and restore the site to its original condition.

In my viewpoint, what the university is trying to do is amend the contract themselves by demanding that it be a six-station system completely acceptable to them and that they be guaranteed a \$50 million capital grants or they will not accept the R. & D. project.

Now, in my opinion, this is essentially an anticipatory breach of the contract. They are trying, by issuing demands ahead of time, to change the contract by what they will accept and what they will not accept.

I think that the Government would be very wise at this point to say that we will not invest another \$6 or \$7 million in this project until we can get some kind of agreement with them on what they will accept.

I do not think we ought to be tied to giving them entirely what they want, especially if it will cost another \$56 million to build the kind of six-station PRT system that they want.

Mr. CONTE. I want the record to show that I concur wholeheartedly with the chairman's interpretation and also with the hearings here. It is my interpretation that it was as phase 1 in the three-station program.

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

Mr. CONTE. I am glad to yield to the gentleman from Iowa.

Mr. GROSS. If I understand the record correctly, it has been proposed that the \$6,380,000—is that the figure in the bill for demolition?

Mr. CONTE. \$6,380,000, yes.

Mr. GROSS. Unless something can be done about this boondoggle at Morgantown, W. Va., within 30 days then it should be dismantled?

Mr. CONTE. Well, under the contract—

Mr. GROSS. Is that not what the report says?

Mr. CONTE. That is right. We say, "Either accept this if we give you the \$6,380,000 as a finished product, but if you are not going to go ahead and accept this as a finished product and you are going to enforce that part of the contract that says to come in and dismantle, you tell us now before we spend another nickel and we will go ahead and dynamite this thing."

Mr. GROSS. Is there any way we can get mandatory language in the bill to provide that \$6,380,000 is all there is, "There ain't no more," if this deal cannot be made to operate with that much money, we go in and use what is left of the \$6 million and buy dynamite and get it out of there?

Knock this thing in the head once and for all. It seems to me we have already spent far more money than we ought to have spent on this project. It is time, I say again, to knock it in the head and get it out if it cannot be made to operate with the money that has already gone into it.

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

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

Mr. CONABLE. Mr. Chairman, I would like to ask, is the gentleman familiar with the "dial-a-ride" bus system?

Mr. CONTE. Certainly. We have many dial-a-ride projects all over the country, there are 40 of them.

Mr. CONABLE. Mr. Chairman, I would like to make a request here and also make some legislative history.

Mr. Chairman, the administration requested \$1.5 million for continuing research on dial-a-ride bus service. At the subcommittee hearings members questioned the request on the grounds that research had been going on for 5 years and dial-a-ride bus service has been widely accepted and is now in use in more than 50 communities. When administration witnesses did not make a vigorous defense, the committee decided to eliminate the million and a half dollars from the appropriation bill.

The Rochester-Genesee Regional

Transit Authority maintains there is a definite need for additional research on dial-a-ride. It will begin soon to integrate its dial-a-ride system into the regular municipal bus service and research funds are needed to develop this system in the best way. It is in this final integration of demand and regular systems that the greatest savings and improved service are possible. The transit authority people feel strongly that additional research money should be included to finance this final step of dial-a-ride improved service.

Most or all research money in the past has gone to Haddonfield, N.J., a dial-a-ride pioneer, at the insistence of Senator CLIFFORD CASE, ranking subcommittee member in the Senate. The Rochester-Genesee Regional Transit Service maintains that most of the Haddonfield research has not been applicable to larger metropolitan areas such as Rochester and that additional research should be financed for areas of this size. The Rochester research for an integrated system would be applicable to the great majority of communities.

I would like to ask the gentleman this question: The senior Senator from New Jersey will be expected to submit his usual amendment in the other body to add research money. It is entirely possible for the conferees on the part of the House, assuming this measure passes, to seek some broader use of any research money appropriated in the conference with the other body, so that it can be used for more general application of 40 other places in the United States.

Mr. CONTE. Mr. Chairman, let me say to the gentleman from New York that he has stated the case clearly and right to the point. We have appropriated \$6 million to support the dial-a-ride demonstration project in Haddonfield, N.J., for research. It has been going on for 4 years, and the committee feels that this type of technology has been proven. It is now time for the people of Haddonfield to provide part of the cost for operating this system.

There are 40 dial-a-ride systems in operation throughout the country, and all of these except Haddonfield, N.J., are funded primarily with local funds. In the case of the Haddonfield project, the Federal Government has been supporting the system, which has a deficit of \$2.50 per rider. One of the reasons this deficit is so high is that the Federal Government has maintained taxi and bus companies for Haddonfield riders who are not riding taxis because of this project. These costs amount to \$127,000.

Mr. Chairman, speaking for myself, if the other body tries to put any money in here for research and development, which I do not feel we need, I hope the administration, the Department of Transportation, will give it to Rochester. Haddonfield has had its hand in the pot too long.

Mr. CONABLE. We are talking about such research money as may be appropriated. I do not oppose such research funds, but feel they should be applied to study ways to integrate dial-a-ride into the regular transit systems.

If there is research money, what I would like from the gentleman is a commitment that he will work to see that

research money applied to these projects of more general application than Haddonfield.

Mr. CONTE. Such as Rochester.

Mr. CONABLE. Yes.

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

Mr. CONTE. I am happy to yield to my friend from California.

Mr. HANNA. Mr. Chairman, I would just like to add my comments to those of the gentleman from New York. There is no program in the whole gamut of Federal assistance that has been more valuable, more helpful in terms of existing problems in my district than the dial-a-ride idea in transportation.

We got very little money to start with. Yet, that program has moved ahead very dynamically. It has taken off and it has now spread throughout the county, whereas it started in one city.

I cannot conceive of a situation in which we can justify, as a Congress, the concentration and use of money under the guise of development for supporting the inefficiency and the failure to adapt to the configurations and performance of 40 other places in the United States.

Mr. Chairman, I hope that the gentleman and his conferees from the House will very strongly oppose a continuation of this situation in New Jersey.

Mr. CONTE. Mr. Chairman, I might say the gentleman from California, Congressman HANNA, again came through with flying colors and made a great contribution here today. We certainly will miss him next year.

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

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

Mr. MYERS. It seems to me that the University of West Virginia is about to break their contract; am I correct in that, that they are really breaking the terms?

Mr. CONTE. No. There is a clause in the contract that says when this phase I(a) and I(b) is completed, if they do not want the project, they can ask the Federal Government to come in and dismantle it and return the area to what it was.

Mr. MYERS. Therefore, they are satisfied with the conditions of the contract at this point?

Mr. CONTE. And so are we.

Mr. MYERS. At this point the U.S. Government has provided \$6 million for dismantling regardless of what the university does?

Mr. CONTE. \$6,800,000 is for what we feel is needed to complete the project.

Mr. MYERS. Thank you.

Mr. CONTE. Mr. Chairman, if the parties fail to agree, the appropriated funds are to be used to demolish the project. Even here there is a problem, a general study into the cost of dismantling the project places the cost of demolition at over \$13 million. In fact, the cost would probably be much higher, according to DOT. Perhaps the thoughts of Mr. James G. Harlow, president of West Virginia University, best sum up the situation at Morgantown:

The system as it now stands will satisfy neither of its prime objectives. It won't handle Morgantown's traffic problems and it

won't serve as a viable test, nationally, of the value of PRT's.

No matter what the final outcome of the Morgantown situation is, I am convinced of one thing. Politically and morally, we cannot waste the taxpayers' money on funding similar PRT projects, without proper research and development outside of the urban environment before actual urban construction begins. That is why I am pleased to report that the committee has deferred the \$10,620,000 administration request for the high-performance PRT project at Denver, at least for a year.

This does not mean that the committee is against PRT research and development, nor does it mean the end of PRT development activities. The committee believes that the unobligated balance of 1974 funds is adequate to complete the design and evaluation phase of the high-performance PRT project. However, the committee does not want to create another Morgantown situation. The committee wants assurance that it is not committing DOT-UMTA to capital funding of Denver's PRT system.

Although the administration requested \$7,750,000, no funds are recommended for dual mode research. Dual mode in its simplest form would consist of a vehicle that would ordinarily operate on a guideway or roadway but would also travel the streets picking up passengers—then connecting to the guideway.

A Department of Transportation report on the dual mode system raised the problem of increased energy consumption because of its high speed. In light of the energy crisis facing the Nation there was hesitation to proceed with development of this system. Also, because of the high cost of initiating this type of project the committee felt compelled to deny funding.

#### COAST GUARD

Although the committee cut more than \$5 million from the operating expenses of the Coast Guard, it did recommend \$617,579,448, a \$32.6 million increase over fiscal 1974. It also approved the full administration request for retired pay and beneficiary payments of Coast Guard personnel.

The 1975 appropriations bill also includes a \$2.3 million increase for Reserve training in order to provide qualified and experienced Reservists in time of war or natural disasters. Seven months after the enactment of Public Law 92-479, authorizing peacetime missions for the Coast Guard Reserve, Reservists were responding to the serious flooding which occurred on the Mississippi and Missouri Rivers. The committee is pleased with this type of Reserve utilization. Even though it reduced the administration request for Reserve training by \$1,200,000, this reduction is only related to initial training cost estimates for nonprior service personnel.

The Coast Guard had projected 1,000 non-prior-service recruits in fiscal 1974. The records show that 200 would have been a more realistic estimate. However, the budget request for fiscal 1975 reflected the 1,000 figure. The committee felt that this projection is too high and has reduced the budget accordingly.

The sum included in the bill for re-

search, development, test, and evaluation programs of the Coast Guard is \$3,500,000 or 25 percent more than the amount appropriated for fiscal 1974 even though it is lower than the administration request. The Coast Guard plans to continue its development of pollution monitoring, detection, and cleanup systems, vessel traffic systems, and vessel and cargo safety technology.

The committee has rejected the \$10 million requested to increase the balance in the pollution fund. This fund was established under the Federal Water Pollution Control Act to assure adequate money would be available to initiate and conduct the cleanup of oil or other hazardous polluting substances spilled into U.S. waters. In 1971 \$20 million was provided to establish this fund and although cash has been withdrawn, the total income from the fund is expected to exceed expenditures in fiscal 1974 and 1975.

The amount recommended by the committee also includes the full budget request of \$16,900,000 to improve the loran-C radionavigation system on the Pacific coast. These loran-C stations are operated by the Coast Guard in support of the Department of Defense for precise navigational purposes. Although DOD has no requirements for these stations on the west coast, the committee feels it is essential to improve this system to support its civilian users.

I have always supported the idea of a strong and active Coast Guard, not only to protect our waters in time of war but more importantly, to serve the public during times of natural disaster. I feel our committee recommendations continue to support the concept of an experienced and well equipped Coast Guard, even though we have attempted to keep spending down.

#### FEDERAL AVIATION AGENCY

At our committee hearings the FAA indicated that it does not have a need for certain air traffic controller training simulators for which \$7.7 million had been previously appropriated. Only about \$1 million of those funds has been spent. There remains \$6.7 million which can be applied to fiscal 1975 if necessary, but we have directed the FAA not to proceed on any research, development, or procurement of training simulators without prior approval by the committee. A \$2.2 million request for a light jet simulator used to train FAA pilots has also been denied. The cost of this type of training seems much too high, and we feel that the FAA should examine alternatives, such as obtaining this training by contract.

Recognizing the need for continued airport development, the committee has approved the full budget request of \$280 million for airport development grants, but has deleted the \$13 million requested for airport planning. This was done because of the large unobligated balance for this program amounting to more than \$14.7 million.

FAA's efforts directed at turning over some of the Agency's functions in airport development to States has been a concern of many of the committee members, including myself. We are trying to coordinate a national policy, not promote a fragmented State policy. Therefore we have directed the FAA not to proceed

with the delegation of any of its present functions to State and local governments without prior explicit approval from the committee.

#### DARIEN GAP HIGHWAY

The committee has included \$20,000,000 to continue construction of 250 miles of highway in Panama to connect the Inter-America Highway of South America with the Pan-American Highway System, creating a single highway network from Alaska to every South American country. From an economic viewpoint this project will benefit all the Americas.

#### RURAL HIGHWAY PUBLIC TRANSPORTATION DEMONSTRATION PROGRAM

Upon administration request the committee has approved \$10 million to encourage the development, improvement, and use of highway related public mass transportation in rural areas. This is of particular interest to me, representing a district with many small towns where the only mode of transportation is a private car. I am pleased to know that the transportation problems of the rural population are finally being acknowledged—hopefully they will also be solved.

#### RAILROAD SAFETY

The committee has recommended \$10,170,000 to help insure railroad safety. This appropriation to the Federal Railroad Administration is over \$900,000 more than fiscal 1974 although it is \$50,000 less than the budget request. This reduction, however, only relates to GSA rent. The money recommended will enable a greater number of safety inspectors to further the effective investigation and enforcement of Federal railroad safety rules.

Railroad safety has become a high priority of the committee because of the added significance placed upon railroads as a part of our national transportation system.

#### ICC

The bill includes \$43 million for salaries and expenses of the Interstate Commerce Commission. This is an increase of over \$2.4 million from fiscal 1974 but is \$300,000 less than the administration request. However, this entire reduction pertains to rental payments to GSA. The committee looks forward to a more effective and efficient resolution of surface transportation problems affecting the public. Problem areas under ICC jurisdiction which I, personally, would like to see resolved are, freight car shortages and disparities in grain freight rates. I have already complained about the grain freight rates from Toledo, Ohio, to Fitchburg, Mass., which are \$12.20 a ton as compared to grain freight rates from Cincinnati to High Point, N.C., at \$5.07 per ton.

The congressional purpose for creating the Department of Transportation was clear. It was to coordinate a national policy of transportation in order to promote a fast, safe, efficient, and convenient system at the lowest cost, consistent with other national objectives. Those objectives included the efficient utilization and conservation of our resources. In the past, we have sometimes deviated from those objectives, but I sincerely feel that the proposals made by this committee are a step toward achieving those goals.

I am proud to have been a part of that effort.

Mr. McFALL. Mr. Chairman, I yield 5 minutes to the gentleman from West Virginia (Mr. STAGGERS).

Mr. STAGGERS. Mr. Chairman, at the outset, I would like to say that the two gentlemen handling the bill, the gentleman from California (Mr. McFALL) and the gentleman from Massachusetts (Mr. CONTE) are two of the finest Members that we have in the House. They are two gentlemen who have served their Nation and their districts well.

First, concerning the project as it applies to Morgantown, W. Va., I have heard several comments here. Let me give the Members a little bit of the history of this, because I sat in on some of the meetings between the university officials and the representatives of the Department of Transportation.

I received a letter from the President of the University of West Virginia saying that he had seen proposals to build a high-speed transportation system in some of the cities around the country, and he wondered if he could come down and talk to the officials of the Department of Transportation to see if they could get a demonstration project located in Morgantown. I set up the appointment and sat in on the first meeting.

They asked for planning money, and planning money was granted. West Virginia officials went back and came up with a design.

Under the original proposal, the project was estimated to cost \$18 million. West Virginia was prepared to supply \$4.5 million but needed \$13.5 million from the Urban Mass Transit Administration. This UMTA agreed to provide. But then UMTA decided that they should take over the project and do it themselves rather than let West Virginia University do it. So they rescinded the University's design proposal and requested open bids for the project.

A company from California, the Jet Propulsion Laboratory, came in and gave their bid on it. They were the original ones who made the design or helped to design the vehicle that put a man on the Moon, and they were certainly competent to do the job. I am talking about Jet Propulsion Laboratories which did the design for Alden.

UMTA announced that it was taking over the project because they wanted to expand its scope to serve as a model rapid transit system. West Virginia University acceded to this.

When the contract was signed I was there, and unless I am mistaken, it was to be a fully developed six-station system. Then later on it was modified to some degree. They were to develop the first project part consisting of three stations under an appropriation and then later on another three would be developed under capital grants.

The part they are building now will take care of 3.5 million passengers a year. The other three stations will take care of 14.5 million passengers a year.

When the university came to Washington to ask for a grant to build this themselves they had the largest bus fleet of any university in America and a good

one transporting their students between the three campuses. Today they have the second largest in America and they are practically all new. They are doing the very utmost that they can. However, in the clogged streets that they have they are trying to transfer the students between three campuses and it takes the students 70 minutes to transfer from one campus to another.

If we stop with these three stations, it will be no good for the university. I can tell you that. You will be able to transfer 3.5 million students a year with this system but they will still have 14.5 million a year who will remain dependent on the buses and these students will still need 70 minutes to get from one campus to another.

Mr. Chairman, I believe that the Government made a promise to the university and the citizens of Morgantown and they should keep that promise. The university went out and got the best people in America that were available to do the job and spent a considerable amount of money in reliance on the Federal Government's promises to develop a workable and efficient system. Dr. Harlow and many others at the university have worked tirelessly and skillfully to make this project a success. Their efforts should not be lost by the unilateral decision of UMTA to dishonor its pledge to the university and the people of West Virginia. Too often the people of this Nation that have been disappointed by the empty promises of the Federal Establishment.

Mr. McFALL. Will the gentleman yield?

Mr. STAGGERS. I yield to the gentleman.

Mr. McFALL. Let us get this whole issue right down to where it is. What do you say the contract is? I have the contract right here. What do you say is in it?

The CHAIRMAN. The time of the gentleman has expired.

Mr. McFALL. Mr. Chairman, I yield the gentleman 1 additional minute for him to say what the contract is.

Mr. STAGGERS. I will say to the gentleman when the first contract was signed what they were going to do was to complete the six stations. They came along afterward and said, "Let us amend this and we will complete the first three stations under appropriations and the next three stations under capital grants." This \$6 million will complete the first phase.

But what the committee has done is to permit UMTA to withdraw from its original promises and require the university and the people of Morgantown to agree to a change in the agreement. That is what they said. "You change this contract in 30 days or we will take the \$6 million and tear it down."

I think that this will be a black mark for this Congress to become a party to any proposal which would enable the Urban Mass Transit Administration to go back on its word and breach its promises to the citizens of the State of West Virginia.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CONTE. I yield 5 additional minutes to the gentleman from West Virginia.

Mr. STAGGERS. I thank the gentleman for yielding me the additional time.

Mr. Chairman, I say, as President Roosevelt said in this very place on January 7, 1941, that it would be a day of infamy, and I say that too, if the Congress says to that Department of the Government that they are able to abrogate the contract with the people of a State. That is exactly what this is. I know the gentleman from California may not share my opinion on this, but that is my opinion. I know the gentleman from California has his own opinion.

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

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

Mr. McFALL. Mr. Chairman, I would ask the gentleman from West Virginia where in this written contract is there anything about a six-station system?

Mr. STAGGERS. There is.

Mr. McFALL. This is the contract that I have here in my hand.

Mr. STAGGERS. I can tell the gentleman that if the gentleman will look back at the first contract, and all through here, it mentions it in several places.

Mr. McFALL. I have the contract here, and it says three stations.

Mr. STAGGERS. The gentleman is looking at the latter part, in which it says they will use capital grants to build the rest of it.

Mr. McFALL. Will the gentleman yield further to me?

Mr. STAGGERS. Yes, I would have to yield to the gentleman.

Mr. McFALL. I want to read what that language says.

Mr. STAGGERS. I will put that in the RECORD so that the Members of the House can read it.

Mr. McFALL. Let me read it to the gentleman. It says that the successful completion of this project will qualify this system concept for capital grants in appropriate locations.

Mr. STAGGERS. That is right.

Mr. McFALL. Is that a guarantee of six stations?

Mr. STAGGERS. There have been spoken or oral guarantees too.

Mr. McFALL. Does the gentleman from West Virginia say that this is such a guarantee?

Mr. STAGGERS. There is the intimation of it there; it is intimating it.

Let me say to the gentleman that this is a demonstration project, and a needed one. This is in an urban area where the people are extremely crowded, and they cannot get through the streets easily. The State of West Virginia has already spent \$5.5 million. If you blow this up will you be keeping faith with the taxpayers of the State of West Virginia, then? Not at all. The people of West Virginia went into this in good faith, that it would be completed.

I have a letter from a young lady from the university about this project. And in looking over the project and hearing some of the publicity that has been given to it, she said—and I will not read the complete letter—she said:

I never hitchhiked until I went to college, but I soon learned, as the transportation system between campuses was inadequate. I was also there when the two co-eds disappeared

and were later found in the woods decapitated.

These were the two young girls who, at the time when the buses had stopped running, found that the only way they could get from one campus to another, was to hitchhike. And they disappeared while hitchhiking to get back to the second campus. They searched for those two girls for months and months and months, and when they finally found them their heads had been cut off, and they never did find who murdered them. But that was the only way that they could get, or that the students now can get, between the two campuses, is hitchhike when the buses are not running.

So I say that the university was trying to cure a situation which needed to be cured, and certainly I think that they expect the Congress to fulfill its obligation.

To me, the \$6.3 million should not have any strings attached to it. It should go without qualification to the completion of the project, and then we can determine where to go from there.

I believe, really, that the Appropriations Committee is exceeding its authority by including in its report important limitations on the appropriation of this money which do not appear in the bill.

Indeed, if the limitations contained in the committee's report were proposed to be included specifically within the terms of the bill itself, the Members would realize that it would be subject to a point of order because it would be legislating on an appropriation bill, which violates the rules of this House. In my opinion, the inclusion of this language in the committee's report which accompanies this bill is equally objectionable and violates the spirit of the rules.

That is exactly what has happened here. It would appear that we are trying to legislate here, and this should not be done. This is not the right way to do it.

We should finish the first phase of the project, and then see about finishing the second phase, which phase would have to be completed through capital grants which would not have to come through the Committee on Appropriations.

I know that my good friend, the gentleman from Massachusetts (Mr. CONTE) has been there to see the project, and the gentleman from California (Mr. McFALL) has been there also. It has been done correctly, and it should be finished up, and it will do the job expected of it.

I will admit that there were some things that were done in the wrong way. For instance, they tried to hurry it up, and get something done for the election in 1972. That is where a lot of mistakes were made. But the project is definitely worth saving. It should not be allowed to be dismantled and we should not give UMTA the tacit authority to coerce the University of West Virginia into agreeing to revisions in the project under the threat that, if they do not, the Federal Government will come in and tear down the existing structures. That, in my opinion, would be a disgrace and would contradict fundamental principals of fairness.

The CHAIRMAN. The time of the gentleman has expired.

Mr. McFALL. Mr. Chairman, I yield myself 1 1/2 additional minutes.

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

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

Mr. PICKLE. Mr. Chairman, my remarks in regard to the bill before us, H.R. 15405, the Transportation appropriations measure, are directed at this moment toward the two provisions which relate to funding for the U.S. Coast Guard, and specifically to a navigation research project currently under way under the Coast Guard's direction.

While the Coast Guard now utilizes the Loran-C system of radio navigation for most purposes, a continuing program has been underway to develop a radio navigation system suitable for small boat operators in rivers and harbors.

A considerable amount of work has already been done by the Coast Guard, in cooperation with TRACOR, Inc. on this type of system, with the specific system under test being known as the Rivers and Harbors Aids Navigation System, or RIHANS.

During recent hearings before the House Merchant Marine and Fisheries Coast Guard and Navigation Subcommittee, RIHANS was explored to some extent in connection with that committee's authorization activities.

Because Loran-C planning and development was also discussed during the same hearings, some possible confusion has arisen over the separate contexts in which the Loran and RIHANS systems operate.

There is an outside chance this confusion could lead the Coast Guard to believe that the RIHANS program might be terminated or the broader rivers and harbors navigation goal modified, and it is this chance which concerns me in these floor remarks today.

I have been assured by the staff of the Coast Guard and Navigation Subcommittee that Loran-C and RIHANS are not mutually exclusive in the Coast Guard's navigation program, and that nothing in pending legislation should imply that the navigation system for small boat owners does not remain preferable.

I have further been informed by the subcommittee that nothing shall preclude the Coast Guard from continuing the RIHANS development program during the coming fiscal year, utilizing for support discretionary funds from its Congressional appropriation.

It appears especially important that some navigation system for small boat owners who frequent rivers and harbors be developed, for there is currently no readily available radio navigation device available for this class service.

I might note in passing that RIHANS is currently undergoing field tests which have yielded very promising preliminary results.

Since substantial sums have been spent on development of this system, and since it has yielded positive results, it would appear that final testing should proceed rather than opting for termination of the entire program or switching to a newer and as-yet-untested variation. To do so would either deprive the Coast

Guard of a needed navigation aid, or, in the later case, would constitute a costly duplication of taxpayer money.

As far as I know, Mr. Chairman, there is no great problem with this program, but I am anxious to clear up what could be a troublesome ambiguity in days to come. I merely wish to make clear that the Coast Guard remains free to proceed with RIHANS and the rivers and harbors program, in addition to the loran-C improvements which appear as a line item in the legislation before us. I have been assured by the chairman of this last committee and the chairman of the authorizing subcommittee that this is their intent, also.

Mr. McFALL. Mr. Chairman, I just want to make clear at this point in the record my opinion of the Morgantown project. I supported this project in the past. I would hope that we would be able to construct a project there that the University of West Virginia would find acceptable. But I do not think that the Government should yield to what I consider to be blackmail by the University of West Virginia in demanding a \$50 million capital grant guarantee, demanding a six-station system, and demanding everything that they want, which is not in the original contract.

That is what we are trying to do with this language—put a little backbone behind UMTA so that when they are negotiating with the University of West Virginia, they will be able to come up with something reasonable.

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

Mr. McFALL. I yield to the gentleman from West Virginia.

Mr. STAGGERS. All the university officials are saying is they do not want the Government to say: "Get down on your knees and do what we want you to do when you make a contract with us." They do not want to be blackmailed.

They are just asking the Government to fulfill the contract. That is all.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CONTE. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, I want to read from page 479 of this year's hearings, the 1974 hearings, part IV. Mr. Herringuer was testifying.

The university feels that they have a commitment to a six-station system which was the original system discussed back in 1970. They feel that we should either build the whole thing or get out.

I have indicated to the university that if we decide that a \$50 million extension is not reasonable and the university then says they won't accept the three-station system, then we will take it out. I do not want the university to feel that we are not willing to take it out under any circumstances and that they can essentially ask us for anything they want. I feel we have to draw the line somewhere and express our willingness to live up to the original contract and take it out.

I would rather spend \$7 million on taking it out than to spend \$50 million on building a system that I can't justify to you.

I think it would be fiscally irresponsible if the Congress appropriated funds to build another three-station system. First of all, my colleagues ought to go to Morgantown. I do not want to whack this thing too hard, but I have been against

it from the beginning. I was the first one against it, back in the beginning. It goes by the county jail, shoots up around the campus, I do not think the students are going to go downtown to use this vehicle.

But I think that what is really behind all of this is not so much the three other stations but the operating costs of this particular type of P.R.T. The money that is going to cost to keep those guideways free from ice and snow is going to be fantastic. It will break that school.

I have the greatest respect for the gentleman from West Virginia (Mr. STAGGERS). I admire him. He is one of the great chairmen of this Congress. I think we would be doing the school and Chairman STAGGERS a real favor by going down there and blowing that thing up and salvaging some copper and brass.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CONTE. I now yield 5 minutes to my good friend, the gentleman from Alabama, (Mr. EDWARDS), a very distinguished member of the committee.

Mr. EDWARDS of Alabama. Mr. Chairman, I rise to speak in favor of H.R. 15405. As a member of the Transportation Subcommittee of the Appropriations Committee, I have, of course, followed this legislation closely since hearings began early this year. I commend the chairman for his steadfast leadership on this bill and for his conscientious attention to the goal of getting the taxpayer's money's worth out of all programs included in this legislation. And, it is always a pleasure to work with the gentleman from Massachusetts. (Mr. CONTE). He is one of the most thorough and best prepared Members of the House.

America is a country on the move. Our society, like it or not, is a highly mobile one. One measurement of the quality of life in America, because of these facts, is one's access to a balanced transportation system. Our ability to choose between different modes of transportation, the ability to get to work, to school, to church, to recreation areas with maximum convenience and minimum expense are very important. The ability to buy a wide variety of goods at reasonable prices is attainable only if the goods can reach us over an efficient transportation system.

Recent events continue to remind us that the search for improved transportation cannot successfully be carried out without a simultaneous consideration of the energy crisis, land use, the environment, the economy, and many other related issues. Transportation affects all aspects of American life, and I believe H.R. 15405 recognizes the interrelationship between transportation and other pressing problems facing our country.

H.R. 15405 recognizes that our overriding goal must be to make our transportation system as responsive as possible to the traveling public, to the people who need to get themselves and their goods from one place to another.

The committee's hearings this year have revealed that America's transportation problems are still very real. We continue to need better long-range planning, and we must do a better job of steering our research and development

away from simply discovering new ways of achieving old results and toward genuine solutions. But we are making progress. While H.R. 15405 is certainly not perfect, I believe it moves us in the right direction during fiscal year 1975. I urge every Member of the House to support this bill.

Mr. Chairman, I want to add a few remarks here on Morgantown. One of the things all of this discussion brings out very forcefully is that the Government a few years ago took off on the wrong track in trying to do something like Morgantown without knowing where it was going. It is the best reason I know why we ought to start spending this kind of money in Pueblo, Colo., where we have test facilities and a test area, where we can develop the systems and know exactly where we are going. Then when a city desires to put in a personal rapid transit project we will have the research done and we can say: "Here is what you can do and here is what it will cost and on this basis we will talk to you about a capital grant."

But until we go this route we will have something like Morgantown which is a system really not designed with the greatest efficiency in mind. The gentleman from Massachusetts (Mr. CONTE) pointed out that the guideways will cost many hundreds of dollars a foot more than they should have. But if all of this had been worked out in Pueblo years ago we would not be here talking about the problems we are finding in Morgantown today. So I would hope that in the future the people and the committees will face up to the fact that the research concerned with this kind of problem which needs to be done should not be done in a city, but should be done at Pueblo where we will have it under our complete control.

It concerns me that a great deal of this kind of money—and I say this with respect to Amtrak as well—seems to drift to centers of political influence or where there are members who have the strongest pull within the agencies involved. We are running into that right now in Amtrak where it seems every member wants a demonstration project paid for by Amtrak.

Mr. Chairman, somewhere along the line we have to call a halt to this foolishness and put our money where it can best be used and stop playing games with the Members on both sides, in this body and in the other body.

This is the taxpayers money we are talking about and the Congress must be more concerned about spending it.

Mr. CONTE. Mr. Chairman, I yield 5 minutes to my good friend, the gentleman from Iowa (Mr. Gross).

Mr. GROSS. Mr. Chairman, I am pleased to hear the gentleman from Alabama (Mr. EDWARDS) caution the Members of the House that we must do some real husbanding of money in this Government. I note that this bill is \$605 million more than was spent for the same general purposes last year. I well remember that yesterday afternoon the House had before it the State, Justice, and Commerce Department appropriation bill. That bill was also a half billion dollars and more over the spending of the pre-

vious year, and the House this afternoon passed a bill that calls for \$753 million subsidy to finance a stretchout of postal rates.

I wonder when the Appropriations Committee is going to bring a bill to the House floor to provide for the spending of less than in the previous year.

I wonder how the Appropriations Committee can possibly justify this kind of increased spending?

I am sure my friend, the gentleman from California, the chairman of the subcommittee in this instance, could not conduct his personal affairs on the basis of increased spending this year if he had run a deficit in his spending the previous year. He would be compelled to cut back on his spending.

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

Mr. GROSS. I am glad to yield to the gentleman from California.

Mr. McFALL. I was out and I did not hear all the gentleman's speech.

Mr. GROSS. I will say to my friend that there is in this bill \$605 million more than we spent for the same general purposes last year.

The question is how can we go on like this? We cannot conduct our personal affairs on the basis of deficit spending without cutting down the next year in order to recoup our fortunes. Any other conduct in the managing the funds of the Federal Government will result only in fiscal chaos.

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

Mr. GROSS. Yes, of course.

Mr. McFALL. I will say to the gentleman that, of course, I do not operate my own finances, or at least I try not to operate my own finances that way, and I believe the gentleman from Iowa does not, either. However, I would point out to the gentleman that we have tried to be responsible in this bill. It is \$605 million more than last year. However, as indicated in the report we did reduce proposed expenditures by several hundred million dollars. We reduced the new obligational authority by more than \$200 million below the budget. We have attempted to be responsible in our handling of this part of the budget.

I would point out further that we have to operate the Coast Guard. We have to operate the FAA. We have to operate all of these agencies of Government. We are doing some valuable things in this bill.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CONTE. Mr. Chairman, I yield the gentleman an additional 3 minutes.

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

Mr. GROSS. I yield to the gentleman.

Mr. McFALL. I do not intend to take all the gentleman's time, but I wanted to make that observation.

Mr. GROSS. I do not know how in the world we are going to reach any kind of financial stability in this country if we are going to continue to boost spending from 1 year to the next by a half-million dollars in every appropriation bill. To do so convinces me that there was no meaning to the reformation legislation that was approved yesterday. Either

we have the will to cut spending here and now or we do not have the will to do it at all. We can pass all the reform legislation in the wide world and it is not going to change it. It takes courage and determination to cut these appropriation bills or we will simply go deeper and deeper into debt until national insolvency overtakes us.

Now, I would like to ask the gentleman about this SST business. I see there has been a new title concocted for it. "climatic impact assessment." This is the SST, is it not? Did this title originate in the committee or with some bureaucrat?

Mr. McFALL. Mr. Chairman, if the gentleman will yield, it is not there for the SST, but it is the aftermath of the SST. The climatic impact assessment program is to determine the effect of an SST on the upper atmosphere. I think it is very important and very valuable research which is being done.

We are going to have a report before the end of the year which will indicate what damage, if any, would be done by a fleet of 400 supersonic aircraft flying in the upper atmosphere.

Mr. GROSS. I thought we put the quietus on the SST long ago. Why is there \$3,200,000 in this bill for continuation of the SST?

Mr. McFALL. It is not for the continuation of the SST. It is for the determination of what effect an SST would have on the atmosphere.

As the gentleman knows, there is a Concorde which landed at Boston just this last week. There is a Tupelov. It is possible a fleet of Tupelovs and Concorde might be flying in the future. Since we have got into this thing, we have been spending money to find out what would happen if we would have such a fleet. I think it is valuable to know what would happen.

Mr. GROSS. Do we not have a number of supersonic aircraft?

Mr. McFALL. There are, of course, military supersonic aircraft.

Mr. GROSS. I would hope so.

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

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

Mr. YATES. Mr. Chairman, the gentleman well knows my opposition to the SST program. At the conclusion of that program and in the arguments against continuation and what was its possible effect. It is this effect on the upper atmosphere on our lives on the earth which is involved. The administration had begun its research on what the effect of SST flights in the upper atmosphere would be. It had progressed about halfway or a little bit more in the research for the future.

Mr. GROSS. Surely we could ascertain the effect supersonic aircraft have on the upper atmosphere without a supersonic transport of questionable value.

Mr. YATES. That was the purpose of this research. We thought it would be well to continue that program. This appropriation is for the continuation, for the ending of that program.

Mr. McFALL. Mr. Chairman, I yield 10 minutes to the gentleman from Missouri (Mr. BURLISON).

Mr. BURLISON of Missouri. Mr. Chairman, I appreciate my friend from

California yielding me this time. My remarks will be directed to a paragraph in the report of the committee found on page 17 of the report, the next to the last paragraph.

This statement by the committee purports to direct the beginning of construction of an airport for the metropolitan St. Louis area to be constructed at Waterloo, Ill. Incidentally, Mr. Chairman, I have submitted separate views that are a part of the committee report, and at the proper time I will ask unanimous consent to insert those remarks at this point in the RECORD.

(The material referred to follows:)

#### SEPARATE VIEWS OF HON. BILL D. BURLISON

I take this opportunity to advise my colleagues of my strong objections to one paragraph of this committee report which calls for the immediate construction of a new St. Louis airport inconveniently located 25 miles southeast of St. Louis in Illinois. The report further states the opinion that there have been enough studies of this subject to date and further studies are unwarranted. Not being assigned to the Transportation Subcommittee, this paragraph did not come to my attention until the report was submitted to the full committee.

However, if the subcommittee had examined the St. Louis airport situation carefully, it would have discovered that the facts of this matter contradict the unfortunate conclusion reached. Furthermore, this committee recommendation is both fiscally imprudent and represents an unjustified intrusion into an airport site selection decision—which by law is the primary responsibility of local authorities. Certainly my colleagues would not want important local issues in their communities decided in this manner.

The Committee report states that it feels that 25 studies of the St. Louis airport situation have been enough. This statement does not reflect a recognition of the fact that only two studies have examined in depth the ability to expand Lambert-St. Louis International Airport to meet the area's air travel needs in the foreseeable future. Both studies concluded the expansion potential of Lambert is considerable.

The major study recommending a new Illinois airport for St. Louis (R. Dixon Speas Site Selection Survey, 1970) did not address the question of whether a new airport was even necessary. It assumed Lambert could not be adequately expanded and based this assumption on a statement purportedly taken from a 1968 ATA-TWA assessment that Lambert "even with maximum expansion, cannot be expected to fulfill commercial air carrier needs beyond 1979." In fact, no such statement or conclusion was contained in the ATA-TWA report!

Recognizing that previous projections of air traffic in the St. Louis area are now out of date and virtually useless because of changes in the energy situation and technology, the Department of Transportation last week announced that a new 90-day study forecasting St. Louis air traffic will be made. Moreover, the Department feels it is wise to spend a modest \$221,000 of federal money to complete a 6-month master plan of Lambert Field, which has never been done, to determine if it can be expanded to meet St. Louis' needs through 1995. The money for this has already been appropriated. Approval of the Illinois application now, as suggested in the committee report, would mean spending between \$350 million and an estimated \$1.2 billion of taxpayers' money for a new airport before we even know if a new airport is in fact needed.

Since a \$25 million construction program already underway at Lambert will double the airport's capacity (from 6 million to 12 million) by 1977, we can clearly afford to wait

6 months for the Lambert master plan in order to make an enlightened decision, not a hasty one.

Perhaps the most alarming aspect of the committee's recommendation is the fact that it attempts to impose an Illinois airport in the St. Louis area when an overwhelming majority of the region's citizens and their elected public officials vigorously oppose the Illinois site. Seventy-eight percent of the population of the metropolitan area and 91 percent of the area's air travelers live in the City of St. Louis and the four surrounding Missouri counties. Ninety-two percent of these Missouri voters approved a November 1972 referendum favoring expansion of Lambert Airport and opposing the Illinois site.

This committee report's recommendation on the St. Louis airport not only opposes the strong wishes of the St. Louis area, it contradicts the clear intent of Congress as stated in the Airport Airway Development Act that airport site selection should properly be made by the local area—not dictated by a bureaucrat or a far away government entity.

It is curious to note that the Illinois airport was first advanced by a quiet arrangement between the ex-mayor of St. Louis and the ex-governor of Illinois, each defeated for re-election. Similarly, the Transportation Appropriations Subcommittee did not openly consider both sides of this question. Instead, it heard brief testimony in response to several leading questions from an able subcommittee member from the Illinois delegation. It also heard the Administrator of the Federal Aviation Administration plead for a master study because there had never been one and for the further reason of considering changes wrought by the recent aviation fuel shortage and technology advancement. Clearly, at the least, this calls for a cautious approach toward construction of a large new airport that will require hundreds of millions of federal dollars.

In view of all of the above concerns, the proper course in this matter would be to allow the Department of Transportation to follow the requirements of the law and its own guidelines in order to reach a decision based on accurate information. The report paragraph above discussed clearly should not be included in the committee report.

BILL D. BURLISON.

Mr. YATES. Mr. Chairman, will the gentleman yield for a correction?

Mr. BURLISON of Missouri. I yield to the gentleman from Illinois.

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

Mr. Chairman, I do not interpret the report in the same way as the gentleman does. The report does not require the construction of an airport at Columbia/Waterloo in Illinois. As I read the language, and I read, I hope, concisely, it says:

FAA has recommended that a new airport be constructed at the Columbia/Waterloo site to serve the St. Louis area. The Committee is advised that there have been 25 different studies of this subject since 1968. Yet, the Department continues to authorize additional studies, building delay upon delay instead of building the much needed airport. The Committee feels that this matter has been studied enough and directs the Department to begin the construction of the airport.

If the Department chooses to construct the airport in Missouri, that would be fine. The purpose of this language was only to get the airport off of dead center and say that there have been enough studies, and let us get on with the selection of the airport and building of it.

Mr. BURLISON of Missouri. Mr. Chairman, I thank my friend for his contribution. I apologize if I have misled him.

Possibly I should have said that the effect of this language is to dictate the construction of the airport at Waterloo, Ill.

Mr. Chairman, I think that the Members, those who are interested in the issue, would have to become familiar with the facts and then read that language in the report. I think they would conclude that that is the effect of the language.

Mr. Chairman, what the committee has directed with that language is clearly in violation of the law and could not be legally done.

I direct the attention of the Members to the 1970 Airport and Airways Act, title 49, section 1716(f)(1), which states in part as follows:

The Secretary shall notify in writing the governing authorities of the area concerned of the need for such additional airport and request such authorities to confer, agree upon a site for the location of such additional airport, and notify the Secretary of their selection.

Clearly, in this instance there has been no conference among the interested officials. There has been no agreement, and certainly no notification to the Department of any such agreement or conference.

Mr. Chairman, in addition to this law, I refer to the 1972 national airport system plan of the Department of Transportation where it says, in the same vein:

The FAA cannot itself direct the construction of facilities which it considers necessary without the cooperation and consent of the local officials and interested elements of the community.

Therefore, Mr. Chairman, it is clear from the law, and the regulations of the Department, that the committee is seeking to do with this language what it clearly cannot do.

Let me turn to one other point. Eighty percent of those who live in the area served by the Metropolitan St. Louis Airport live in Missouri, that is, in the city of St. Louis and the four counties which immediately surround it. Ninety-one percent of the customers of this airport, the passengers of this airport, are residents of Missouri and the area that I designated.

We held a referendum in Missouri in 1972 which gave a return of 92 percent voting for an expansion of the St. Louis Airport and against construction of an airport 30 miles south of St. Louis, in Waterloo, Ill. Therefore, we can see that the people served are unequivocally opposed to terminating the present airport facilities in St. Louis.

More on the point at issue, however, Mr. Chairman, is the matter of a feasibility study to see whether the airport facilities at Lambert in St. Louis should be expanded at their present location. There has been money appropriated in fiscal year 1974 for this study. It is already appropriated. The Department is ready to use it.

Mr. Chairman, if the mandate of the committee, as expressed in this paragraph that I have taken issue with, were carried out, these funds could not be used that have already been appropriated and that are requested by the Department and by the FAA to conduct a feasibility study. There has never been

a master plan made for this purpose, to determine this feasibility. The FAA and the Department of Transportation have requested such a study.

Mr. Chairman, in part 3, page 396 of the Transportation Subcommittee Hearings in the statement by the F.A.A., submitted by the Department of Transportation for inclusion in the RECORD, is this statement:

The Secretary of Transportation has concluded that he must have an updated appraisal of the alternative of the continued use of Lambert Field.

The Secretary also has requested the Assistant Secretary for Policy, with the assistance of private consultants, to appraise and update the forecast of air transportation demand in the St. Louis metropolitan area.

So, Mr. Chairman, we have the request of the Department for a feasibility study which has never been made; we have a flagrant change in circumstances wrought by the recent critical aviation fuel crisis, and also by the very dramatic technology breakthroughs and advances in recent years, as well as by those projected for the immediate future. Those are all three sound basic reasons why we should have this master feasibility study conducted.

If the mandate of the committee in this paragraph which we have alluded to is carried out, there is no way to have this feasibility study made. It is a study that we have never had, one that the Department wants, and it is one that is obviously dictated by the law and the circumstances surrounding our controversy.

Mr. Chairman, I have the very highest regard for the ranking member of the Subcommittee on Transportation, my very good friend, the gentleman from Illinois (Mr. YATES).

I have the highest regard and respect for the gentleman in whose district the proposed new site is located, the gentleman from Illinois (Mr. PRICE).

However, I feel, Mr. Chairman, that the equities in this situation demand further study.

Mr. Chairman, I am very pleased to yield at this time to my able colleague, a respected member of the Interstate Commerce Committee, the gentleman from Missouri (Mr. SYMINGTON) in whose district the present St. Louis Metropolitan Airport is located.

Mr. SYMINGTON. Mr. Chairman, I want to thank very much my good friend, the gentleman from Missouri (Mr. BURLISON) for allowing me some time here to speak on a matter in which I am sure the Members will agree I have some interest. It is a matter of whether or not the 10,000 people who work at Lambert and the some 2 million people who use it as an airport, most of whom live in my district, should, by a simple stroke of the pen in a report of the Subcommittee on Transportation, be led to believe that it is the determination of the House, without appropriate hearings on the subject, to dictate the construction of a new airport to serve the very same community that wants to keep the present one.

Implicit in the directive is that the new airport would be located on the Illinois side of the river, some 30 miles away, requiring in a time of fuel shortage an

extra 60-mile round trip, far in excess of the average distance traveled by those who use the present airport to say nothing of the dislocation of our mass transit system, and the need for new highways and bridges.

Mr. Chairman, I certainly understand the interest of the State of Illinois in having such an airport built. There is a little land there which has not been developed, and it would be pleasant to make a billion dollar investment there.

The CHAIRMAN. The time of the gentleman from Missouri (Mr. BURLISON) has expired.

Mr. McFALL. Mr. Chairman, I yield the gentleman from Missouri (Mr. SYMINGTON) 1 minute.

Mr. CONTE. Mr. Chairman, I yield 3 minutes to the gentleman from Missouri (Mr. BURLISON).

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

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

Mr. HUNGATE. Mr. Chairman, I thank my colleague for yielding.

I rise in support of the position taken by my colleague, the gentleman from Missouri.

I will state that we are united on this issue, regardless of party, and we have the support, I understand, of our State administration. We in Missouri are poor, but we are proud. We have the Missouri Airport located now where the people are who use it.

Mr. Chairman, I appreciate the efforts of the gentleman from Missouri (Mr. SYMINGTON).

Mr. SYMINGTON. Mr. Chairman, I shall say in response to the gentleman; he has paraphrased the remarks made by Daniel Webster in the Dartmouth College case, for Missouri, "is a small place, but there are those who love her."

Mr. HUNGATE. Mr. Chairman, I would like to join my distinguished colleagues from Missouri in expressing my strong objections to the recommendations of the Appropriations Committee on the St. Louis Airport question.

The committee has directed the Department of Transportation to begin construction of a new airport 25 miles southeast of St. Louis in Illinois. This action clearly oversteps the bounds of the committee's responsibility by making a decision which is a local one, and which goes against the wishes of the majority of the region's citizens and elected officials who have already voiced their support for Lambert Field in a November 1972, referendum.

Moreover, a decision to proceed with the Illinois project would be inconsistent with the intent of the Airport and Airway Development Act, which provides that these questions be resolved at the local level. It would seem unconscionable to spend the many millions of dollars it will cost to build a new facility when the capacity of Lambert Field is still unknown. The money for a 6-month master plan study of Lambert has already been appropriated by this body. Additionally, there is a \$25 million construction program underway at Lambert which will double the airport's capacity by 1977. Therefore, we in the Missouri delegation see no reasonable explanation for the

committee's unprecedented action which ignores local wishes and hastily commits millions of taxpayer dollars for an unwanted project.

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

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

Mr. ICHORD. Mr. Chairman, I wish to join with my other distinguished colleagues here today in criticizing the unnecessary, inexplicable, illegal, ineffectual, and very shabby language in the report to accompany H.R. 15405 regarding the determination of the location of an airport to serve the future needs of the St. Louis area. The report for some unknown reason purports to make a policy determination regarding the location of such an airport which is totally beyond the committee's purview, recommending that a massive new airport be constructed 25 miles southeast of St. Louis in Illinois rather than exploring the expansion of the existing Lambert Field which now serves the area. The report does accurately point out that the location of a St. Louis airport has been a point of controversy since 1968 and that this controversy must be settled and certainly no one has even taken issue with this conclusion, but surely the committee in its wisdom cannot feel qualified to unilaterally solve a very complex problem by the inclusion of some 93 off-handed remarks in a totally unrelated committee report.

There are several facts, Mr. Chairman, which I believe the committee must have overlooked in the press of their urgent business and I should like to take this opportunity to respectfully make these facts known to the committee.

Fact I. The St. Louis area will require expanded air carrier service in the years ahead. The committee has apparently recognized this fact and I applaud their interest and foresight.

Fact II. There is an airport already serving the St. Louis area, Lambert Field, which in a time demanding budgetary restraint and efficiency, might be sufficiently expanded to serve the future air transportation needs of the St. Louis area. The committee is apparently unaware of this fact as no mention is made of Lambert Field in their report.

Fact III. The alternative to expansion of Lambert Field would require the development of a massive new airport site at Columbia/Waterloo in Illinois which: First, would require land acquisition of 18,650 acres; second, would involve Federal expenditures of between \$400 million and \$1.2 billion; third, would, according to all studies, significantly disrupt the economies of Missouri and St. Louis; fourth, which has no access roads unlike the easy accessibility of Lambert Field to most of St. Louis via Interstate 70, thus requiring additional construction moneys for a sophisticated expressway; fifth, which would be located an unnecessarily long distance from the majority of airport customers who reside in St. Louis county and outstate Missouri thus requiring greater fuel usage when fuel conservation is required; and sixth, most importantly, the need for which has not yet even been ascertained.

Fact IV. While the unusual language is certainly a grave departure from customary and proper practice, the recommendation is also illegal given the fact that the Secretary of Transportation cannot authorize construction of a new metropolitan airport until a consensus is reached by the affected local communities on the question of airport site selection. I would respectfully point out to the committee that not only is such a consensus not present but that the overwhelming majority of the affected citizens in the area are totally opposed to the surprising recommendation contained in the report.

Fact V. Given this situation of need, budgetary restraints and the controversy over whether to expand the existing airport or to develop a totally new airport site, it is quite obvious that the only rational course would be to make a master plan study of the Lambert-St. Louis International Airport to determine whether it can indeed be adequately expanded to serve the St. Louis area as the primary air carrier facility for the 1990's. But here again the reports offer no reason to not make such a study but recommends the expenditure of vast sums of tax moneys on a new airport without further considering the public interest or the efficacy and efficiency of possibly expanding the existing St. Louis airport.

Mr. Chairman, I would certainly not presume to prejudice at this time where the airport should be located as a matter of desirability even if we did not have to consider the desires of local citizens. And I would certainly not have expected the report to attempt to do so. Indeed, since the peculiar recommendation cannot even carry the force or effect of law, I find it strange that any comment was made at all. After thoroughly studying the committee's report, however, I can only presume that the uncharacteristic language in such poor taste was due to haste and oversight. As we should all be in the business of wisely utilizing the taxpayer's money—especially during this time of rampant Federal spending and double-digit inflation—I certainly believe that it makes more sense—both economically and in terms of the public needs and interests in the St. Louis area—to allot moneys to first determine whether the Lambert-St. Louis International Airport can be sufficiently expanded to serve what is certainly a very real need before making any sweeping recommendation for the construction of a massive, new and expensive airport at another site.

I would hope that when the committee has had time to sufficiently study that matter upon which they are making recommendations that they too would arrive at this conclusion.

May I say to the Members that this matter is premature for a legislative determination at this time. I cannot believe that the FAA will ever force an airport location upon a group of local citizens who voted 92 percent against such a location. I cannot believe that the Congress would ever affirm such a determination if the FAA were to make such a decision.

May I also advise the Member that if the FAA ever made such a decision over such overwhelming objections of the users, I, for one, intend to bring this matter before Congress for an ultimate decision. Forcing American citizens to do what they do not want to do in planning activities such as this is no way to run a show. I cannot believe that the Congress would acquiesce in such an infringement upon the right of local determination.

Mr. SYMINGTON. Mr. Chairman, I thank the gentleman.

The gentleman from Missouri (Mr. ICHORD) has made a very salient point which touches on the governing provisions of airport law. The operative language of the national airport systems plan reads, "the FAA cannot itself direct the construction of facilities it considers necessary without the cooperation and consent of the local officials and the interested elements of the community." Of course, those interested elements of the community are the people who live there. In the Waterloo part of the "community" I imagine there are some farmers and chickens. But we have a great many thousands of travelers and working people who are keenly interested in this.

I yield to the gentleman from Missouri (Mr. TAYLOR).

Mr. TAYLOR of Missouri. I thank the gentleman for yielding.

Mr. Chairman, I rise in strong support of the remarks of my colleague from Missouri with regard to the airport in the Greater St. Louis area.

I feel strongly the present facilities at Lambert Field with proper extensions could very well serve the people of the Greater St. Louis area. I certainly think it would be premature at this time to make any further recommendations without the committee taking a long, hard look at the St. Louis area and the present St. Louis Lambert Airport, which is overwhelmingly supported by the people of Missouri in the St. Louis area.

Mr. SYMINGTON. I thank the gentleman very much.

The main point at the outset, of course, is the illegality of such a direction. Were it contained in the bill, I am confident it would be subject to a point of order as unauthorized legislation in an appropriations bill.

Looking at the merits of the case, it is important to hear what the current FAA Administrator said while testifying on the general subject of airports. He said that "it is only a matter of time, and the day is not too far distant when you will actually look back and joke about the long runways used today in commercial aviation. The technology to bring this about is just around the corner."

Bear in mind, Mr. Chairman, that what we are dealing with here is an unequivocal order to build a new airport with such long runways which will not become operative until the 1990's, when the technology that will obviate their necessity is just around the corner.

These are the things that I ask the House to bear in mind so that the legislative history made this day leaves no one in doubt that the House has abso-

lutely no intention of directing what is essentially an illegal, and unwarranted act and one which the Secretary of Transportation himself does not wish to have imposed on him as is implied in his letter to us sent only yesterday. He has approved and authorized the first study of, Lambert's potential made partially with Federal funds, with local subscription of about half that figure. The purpose of the study is to determine whether or not Lambert Field can remain viable into the 1990's. He certainly does not want to be directed to invest up to half a billion dollars in a new airport on either side of the river until he has had ample opportunity to examine the results of the report he has authorized.

Mr. CLAY. Mr. Chairman, I have long been concerned about the lack of understanding surrounding St. Louis Airport controversy. The recent action taken by the House Appropriations Committee tends only to worsen an already bad situation. A statement such as the Transportation Subcommittee issued instructing the Department of Transportation to start construction of an Illinois airport illustrates that the committee has no real knowledge of the situation. First, the airport site selection is, by law, the primary responsibility of the local community which must use the airport. Most of the committee members voting have no idea that 91 percent of the users of the St. Louis Airport live on the Missouri side of the river. Furthermore, I doubt that they realize this means that 91 percent of the travelers would have to commute over 70 miles round trip to use the new airport site.

This blatantly points out that the committee's action, in this case, is inconsistent with its prior record of responsibility. First, in an era of conservation and fuel shortages can one imagine the unnecessary gasoline being consumed with 91 percent of the airport users having to go over 38 miles one way to reach the proposed new site. Second, the committee has made clear that it is ready to spend between \$400 million and \$1.2 billion for a new airport when a mere \$200,000 study could determine if a new facility is necessary at all. No study has been done to determine Lambert's expansion potential, however, the proposal before the Department of Transportation would take only 6 months to complete.

In addition, a \$25 million construction program currently underway at Lambert will double the airport's capacity by 1977 and may mean that no additional building is necessary. I do not believe 6 months is too long to wait to possibly save \$1.2 billion tax dollars. Third, the committee did not take into account that the distance of the proposed new site would mean that most of the St. Louis SMSA's mass transit funds would have to go simply to transit lines going to and from the airport.

In conclusion, I would like to point to Dulles Airport in Washington, D.C., with which my colleagues are familiar. Dulles, 35 miles from Washington, was intended to become the Capital's major jet port, but 15 years after its opening it is still

operating at a deficit. National Airport still remains the primary facility with no one desiring to go to Dulles unless absolutely necessary. This situation points out the importance of having all the facts before making a commitment of tax dollars. I fear by currently designating Illinois as the site of the new airport, the same grave mistake will be repeated.

Mr. McFALL. Mr. Chairman, I yield 10 minutes to the gentleman from Illinois (Mr. YATES).

Mr. YATES. Mr. Chairman, I rise in support of the provision respecting the Waterloo/Columbia Airport in the committee report. I can well understand the attitude of the gentlemen from Missouri, and I address myself to all of them. They are all friends of mine, and I do not like to get into this kind of a controversy with them. I suggest that they may be reading something into the language which is not there.

As I indicated in my discussion with my good friend, the gentleman from Missouri (Mr. BURLISON) the language in the bill does not mandate the construction, nor does it direct the construction of an airport at Waterloo-Columbia in Illinois. What it does say is that the FAA Administrator has found in the past that the logical place for the construction of an airport in the St. Louis area would be in the Columbia-Waterloo area.

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

Mr. YATES. I would be delighted to yield to the gentleman from Missouri.

Mr. SYMINGTON. That was Administrator Schaeffer.

Mr. YATES. That is correct, that was the FAA Administrator, Mr. Schaeffer.

Mr. SYMINGTON. We were never able to explain to Mr. Schaeffer that any discussion of this kind should be made in the context of the technology which would be in existence at the time the new airport would come into being. Mr. Buterfield indicated he was aware of this.

I think that the FAA study and recommendations were made upon insufficient evidence, and upon insufficient studies, and were made before the energy crisis, and did not take into account the fact that rapid transit would have to be used to move the people from Missouri to Illinois across bridges that are not as yet built. None of these things were taken into consideration.

Two former administrators agreed with this. Both of them agreed that it should be considered on the basis of the technology that is coming into being, that technology which means that they can continue to accommodate a great many more people in flight, and even so, that this would not include continuing to build the huge airports like this in the future. And Secretary Brinegar has made the same kind of statement.

Mr. YATES. Is the gentleman opposed to the construction of a new airport for St. Louis, or is the gentleman opposed to the construction of a new airport in Illinois?

Mr. SYMINGTON. I think we in Missouri who have studied this are opposed to the construction of a new airport

anywhere until it has been made undeniably clear as to what exactly is necessary.

Mr. YATES. Let me ask the next question. The gentleman from Missouri knows about the letter I received from Secretary Brinegar, he and I discussed it earlier.

Mr. SYMINGTON. Yes.

Mr. YATES. Secretary Brinegar in that letter indicates that he is going to undertake another study of the St. Louis area.

Mr. SYMINGTON. Yes.

Mr. YATES. In which he is going to make the feasibility study that the gentleman referred to before.

May I ask the gentleman from Missouri this question: Suppose that as a result of this feasibility study the Secretary determines that Lambert Field cannot be extended, that the St. Louis area needs a new airport and that the new airport should be built in the Waterloo-Columbia area; would the gentleman and the Missouri delegation be willing to accept that result?

Mr. SYMINGTON. In the first place, I should point out that the committee report says that the matter has been studied enough, and directs the Department to begin construction of the airport.

I think that the main thing I want to make clear is that that language should not reflect the views of the House.

The gentleman has asked me the question, and my answer is that the House does not want to direct the Secretary to do something until he is ready to do it, or until he is empowered by law to do it, and until consent is received from the affected area. The gentleman has asked me a hypothetical question concerning how many of us feel if, should the 6-month plan not convince the Secretary or mandate that Lambert is viable through the 1990's, and at that point he must come back to the affected area and look for the kind of consent which authorized him under the law to decide where a new airport might be possibly located. But that is way down the road.

Mr. YATES. That is not way down the road, may I say to the gentleman. The time is now. The study is being made. This question has already been studied a great many times.

I have in my hand a list of studies that have already been made since 1968. There were earlier studies than that. Some 20 or 21 studies have been made.

Mr. SYMINGTON. I am aware of that.

Mr. YATES. Let me complete my statement.

There have been 21 studies made so far, and let me read from the last report that has been made since October 1972.

October 1972. The Lambert-St. Louis year 2000 plan, Wilbur Smith & Associates, sponsored by the Missouri-St. Louis Metropolitan Airport Authority, proposed a \$370 million expansion of Lambert as an alternate to constructing a new airport.

Another study was made in January 1973. This was a study of relocation housing resources in the city of St. Louis and St. Louis County by the Vector Corp., again sponsored by the St. Louis

Metropolitan Area Airport Authority. It concluded that the city and county of St. Louis lacked sufficient housing resources to relocate the residential and commercial occupants that would be displaced as a result of the implementation of the Lambert-St. Louis 2000 year plan. It was suggested that Federal funds for expansion of Lambert would, therefore, be denied or delayed considerably.

The third study was made in January 1973, an evaluation report of the Lambert-St. Louis year 2000 plan, by Tippets - Abbott - McCarthy - Stratton, sponsored by the city of St. Louis Airport Authority. It concluded that the Lambert-St. Louis 2000 year plan was inadequate and recommended that the city of St. Louis pursue an interim expansion program for Lambert concurrent with the necessary planning for a new air carrier airport to replace Lambert by the early 1980's.

In February 1973, there was an analysis of Lambert-St. Louis 2000 year plan by R. Dixon Speas Associates, sponsored by the St. Louis Metropolitan Area Airport Authority, which concluded that the Lambert-St. Louis 2000 year plan is not a feasible alternative for meeting the long-term air transportation needs of the St. Louis area.

Mr. PRICE of Illinois. Mr. Chairman, will the gentleman yield?

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

Mr. PRICE of Illinois. I thank the gentleman for yielding.

I, too, hold a high regard for every member of the Missouri delegation. I think they are all good friends, and I hate to be in the position of being on the opposite side of them. But the gentleman from Missouri has not yet replied to the gentleman's question whether or not he would support an Illinois site after the studies were completed and the department approved the application. There is only one application pending, and that is the application of the Metropolitan St. Louis Airport Authority. No other application is pending.

Mr. YATES. May I ask the gentleman a question? Is it not true that the environmental statement also indicates that the new airport should be constructed in the Columbia-Waterloo area of Illinois?

Mr. PRICE of Illinois. Yes. There was complete harmony in the family on both sides of the river. Then for several years this matter was studied. Outside firms were hired to make examinations of locations, and finally the decision was reached that the best and most suitable site was on the Illinois side of the river. That is where the harmony ended.

I would say to the gentleman if it had been a Missouri site—and I think I can cite more than one example—I would have accepted the decision at that time. It would not have been my purpose to oppose the location if that original committee had selected a Missouri site. But that committee, which was not involved in politics, selected as the most suitable site and the one closest for serving the St. Louis area, the Columbia-Waterloo site.

On the question of the short takeoff and landing, everyone knows they are

talking about intercity traffic. We are talking about an airport for intercontinental traffic with larger planes and the greater amount of the business. I am not privy to what their final recommendation was. I have a hunch that it did approve the Illinois site. I cannot say that because I have not seen the report, but I think every thorough study made so far has indicated that the most suitable site and the most economical area in which to build it is the one that has been selected on the Illinois side.

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

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

Mr. HUNGATE. I thank the gentleman for yielding.

The gentleman gave us a number of studies that were made. He recited a number of them, and I am sure there were more.

Mr. YATES. That is correct.

Mr. HUNGATE. I am willing to concede there were a number. I think the gentleman would agree with me, however, that there were a number of studies made on Vietnam, and that it might have been better if we had just kept studying it and had never gone in there.

Mr. YATES. I do not see the relationship between Vietnam and the St. Louis Airport, but if the gentleman does, more power to him.

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

Mr. CONTE. I yield the gentleman 2 additional minutes.

Mr. YATES. Mr. Chairman, I asked for this additional time so I may complete the record by reading the letter from Secretary Brinegar on this subject, which is dated June 18, 1974. It says:

THE SECRETARY OF TRANSPORTATION,  
Washington, D.C., June 18, 1974.

Hon. SIDNEY R. YATES,  
House of Representatives,  
Washington, D.C.

DEAR MR. YATES: In view of your interest in the St. Louis airport matter, I would like to bring you up to date on its present status.

The environmental impact statement prepared in connection with the proposed development of a new airport near Waterloo, Illinois, is now being reviewed within the Department. Concurrent with this review, I have concluded that I must have an updated appraisal of the alternative of continued use of Lambert Field.

The Missouri-St. Louis Metropolitan Airport Authority and the St. Louis Airport Authority have applied to the Federal Aviation Administration (FAA) for an airport master planning grant for the purpose of evaluating the feasibility of expanding Lambert to meet the area's long-range air transportation requirements. The Metropolitan and St. Louis Airport Authorities, with the concurrence of Governor Bond, have agreed to conduct a six-month study to determine what can be done at Lambert Field. The study will not extend beyond Lambert's present boundaries to land areas the acquisition of which would be economically or technically infeasible, involve unreasonably adverse environmental impact, or would cause unreasonable residential dislocation and/or inhibition of the operations and growth of commercial and industrial employers in the Lambert vicinity. I have asked the FAA to process promptly the application for this six-month study.

I have also requested the Assistant Secre-

tary for Policy, Plans, and International Affairs, with the assistance of private consultants, to appraise and update the forecasts of air transportation demand in the St. Louis metropolitan area up to the year 2000.

I have directed that these matters be resolved as quickly as possible, for I recognize the importance of a decision having such long-term significance.

Sincerely,

CLAUDE S. BRINEGAR.

Mr. Chairman, I make one final point. We now have a feasibility study in prospect. I would hope, I would think, and I would expect that the Illinois delegation would certainly be willing to accept the conclusions and recommendations in the completed studies the Department of Transportation makes. I hope the Missouri delegation would similarly be willing to accept such conclusions and recommendations. I think it is to the best interest of both Missouri and Illinois that the best interests of the people of the area be fostered that their property be enhanced by having the airport constructed in the best possible place. Studies up to the present time indicate that place to be the Waterloo/Columbia location. I would expect that will still be the finding. Certainly, I would hope my friends from Missouri will not remain adamant and resistant if the studies now being undertaken follow earlier recommendations that the airport be constructed in Illinois.

Mr. RANDALL. Mr. Chairman, although our congressional district is situated in west-central Missouri, I join with my colleagues from central and eastern Missouri in their protest over the action of the Transportation Subcommittee of the Committee on Appropriations in attempting to direct the Department of Transportation to begin the construction of an airport in Illinois near East St. Louis.

I join in this protest not only because I am a Missourian, but because what the committee was attempting to do here in the St. Louis area, it could do also in the Kansas City area or anywhere else in America if this usurpation of power at the expense of city, county, and other local units of government is not vigorously protested as an action which is in effect contrary to law.

Without going into the necessity of quoting the exact wording of the United States Code, the location of an airport in the metropolitan area can be finalized only after a concurrence or a consensus of all local differences of opinion have been melded into one final conclusion.

There is no general concurrence of opinion as to the location of the airport either at the Columbia-Waterloo site or a continuation of the Lambert-St. Louis, Mo., site. Suffice it to say, there certainly has been no compliance with the procedures required for the location of an airport prior to the use of the ill-advised and unwarranted language in the committee report which directs the construction of the airport evidently at the Columbia-Waterloo site. Such is the only location mentioned in the pertinent paragraphs in the report accompanying H.R. 15405.

Now, of course, it is difficult, if not impossible, to strike language from a

MAY 31, 1974.

Mr. HAROLD GRAHAM,  
Vice President, Marketing,  
Amtrak,  
Washington, D.C.

DEAR MR. GRAHAM: We recently completed a train trip from Decatur, Alabama, to Orlando, Florida, and return. We had a pleasant trip and enjoyed the train ride; however, we do have a major complaint, which I feel should be redressed.

Our complaint concerns train accommodations and equipment. As you will note from the enclosed copy of our passenger receipt, we reserved and paid for first-class accommodations and were supposed to have had a double bedroom. On the trip from Decatur to Orlando, we were assigned two roomettes, each of which had single seats and single berths. Now, Mr. Graham, have you ever tried to sleep in a single (and tapered no less) berth with a five-year old boy? If you have had such a misfortune, you can readily understand the nature of my complaint! Nevertheless, Car 5232 was in fairly good condition, although none too clean.

On the return was when we really had the problems. Again, no double bedrooms were available, and we were assigned one single and one double compartment in a "slumber" coach which from all practical appearances was a reject from the Civil War. In the first place, the car was extremely dirty, and there is simply no excuse for that. The air conditioning malfunctioned and the car was so hot when we boarded that we couldn't sleep. The porter opened the car doors to try to cool the car down, but then it was so noisy we couldn't sleep. The malfunction was repaired in Jacksonville, and you guessed it, there was no way to shut the cold air off, so we froze to death the balance of the night! The extreme hardness of the seats, not to mention the lack of foot room in the "double" compartment, coupled with the bone-jarring jolts caused by the suspension system of the antiquated car, made us think we were riding in a stagecoach.

Now, it is my contention that if you are going to offer first-class services and charge first-class rates, you should provide clean first-class accommodations. I believe that a first-class passenger has a right to expect a seat at least as comfortable as a coach seat and a seat for each passenger (even if he is only five-years old and traveling at a reduced fare). Further, I believe that if you are going to charge the equivalent of a good motel room for sleeping accommodations, you should provide a berth for each passenger.

Incidentally, the train service representative told me that a double bedroom provided only two single berths. If this is the case, the reservation agent was misleading in selling us double bedroom accommodations for three people.

I can understand that sometimes it is impossible to have the equipment needed where it is needed, and when this happens, I would suggest that you devise a procedure to so notify ticketed passengers and to provide them with an automatic refund if appropriate. I have no idea of the cost of the accommodations we actually had or if we should receive a refund as was suggested by several members of the train crew. I would, however, appreciate a comparison of fares and a refund if appropriate.

In spite of this rather lengthy complaint, we did enjoy the train. The staff was courteous, friendly, and helpful, and appeared genuinely interested in making Amtrak successful. Our porter, Michael Gehlerter, who was with us on the Decatur to Jacksonville and Jacksonville to Decatur portions of the trip was outstanding.

I look forward to your response.  
Sincerely,

FRANK H. PRICE, JR.

Mr. Chairman, the complaints concern

committee report. It is noteworthy that there is no language of any kind in the bill itself, H.R. 15405.

At this point, it would be appropriate to inquire just what is the complaint of those who are protesting the language of the committee report accompanying H.R. 15405 on page 17?

Well, suddenly the committee becomes concerned about the lack of progress on the St. Louis airport problem. The committee is worrying that there have been so many studies since 1968 and to solve the problem puts in the report mandatory language:

The committee feels that this matter has been studied enough and directs the department to begin the construction of the airport.

For the good of all of us it is most fortunate that the committee cannot direct that anything be done. It is just a committee of the House and there is no authority for it to direct the FAA or the House itself or any branch of the executive department to do anything, any time, anywhere. Of course, it may suggest but even such a suggestion of a location of an airport at a particular site would not be in accordance with the provision of law already enacted for the location of airports.

What else is wrong with the language of the committee report?

The answer is money for feasibility studies was already appropriated in fiscal 1974. The funds are available. The language on page 17 of the report says build the airport now—there is no use for any more studies and forget about the funding for the study that we, the same committee, made last year.

Mr. Chairman, what else is wrong about this shuddering mandate from the Subcommittee on Transportation of the Committee on Appropriations?

The easy answer is that the Illinois location, if selected, would require millions upon millions of dollars to construct rapid transit to the location including the construction of several new bridges. The expense would be difficult to estimate in these days of inflated construction costs.

Those of us who live on the other side of the State are undergoing some current experience with an airport that is 45 minutes from our homes and was built far too far away from the population that it services rather than adopt the alternate option of spending some money to improve the existing airport by lengthening the runways and by providing additional safety features at a conveniently located airport.

Mr. Chairman, all any of us can do at this point is to raise strong objection to the language of the committee report. Because while it cannot be struck out or expunged from the report it is important that reference be made to the separate views of our member on the Appropriations Committee, BILL BURLISON. On pages 38 and 39 of the report, he cites his strong objections to the paragraph when he so appropriately points out that this direction on the part of the committee is an unjustified intrusion into airport site decisions and that it is the pri-

mary responsibility of local authorities to select a site. He goes on eloquently to explain that if the committee can get away with a mandate of this kind in this instance then any of our colleagues in the House may expect intrusion in their congressional districts. Surely none of them would want their airport sites selected in their communities in the manner attempted by the Subcommittee on Transportation in the St. Louis airport situation.

Finally, Mr. Chairman, the only proper course after appropriate objection has been stated is for the Federal Aviation Administration to ignore this attempt to direct the location of a site. The Department of Transportation should follow the requirements set out in current law and reach a decision on site location based on agreement by the entire local community to be served. Airport site selection should properly be made by the local area and not be dictated by any bureaucrat in far away Washington and certainly not by any transportation subcommittee of the Committee on Appropriations.

Mrs. SULLIVAN. Mr. Chairman, I would like to take this opportunity to advise my colleagues of my complete agreement with the other members of the Missouri delegation who have spoken today in opposition to the committee's recommendation concerning the proposed Illinois airport for the St. Louis area. We feel that important local matters such as whether a new airport should be built and the location of such an airport should be decided by the local citizens of the St. Louis area who must use the airport. These citizens and their local public officials have overwhelmingly opposed the proposed Illinois Airport and have supported the expansion of Lambert-St. Louis International Airport to the maximum possible extent.

We are therefore greatly encouraged by the indications we have received that the Secretary of Transportation will approve the pending application to conduct a masterplan of Lambert Airport to determine if a new airport is necessary. It is presumptuous for the Appropriations Committee to direct the construction of a new St. Louis Airport before we know if a new airport is needed. We do know that the citizens who would have to travel an average distance of 38 miles to reach the Illinois site are strongly opposed to the committee's recommendation and the committee has done a disservice to these citizens.

Mr. CONTE. Mr. Chairman, I yield 2 minutes to the gentleman from Indiana (Mr. HILLIS).

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

I really want to address some questions to the gentleman, to have him answer some questions concerning Amtrak, to change the subject for a moment.

I have a copy of a letter here which I received from a constituent directed to the problems with Amtrak, which is a general letter of complaint really, and I am including the letter in its entirety for the RECORD. It reads as follows:

the accommodations and equipment which Amtrak was using on the trip. The point I am getting at is that I see in this bill the request for Amtrak has been reduced by some \$18 million, and I certainly favor the economy. But what are their plans for the acquisition of new equipment for Amtrak? Is this bill going to permit them to replace their worn out equipment such as is referred to in the letter here?

Mr. CONTE. Mr. Chairman, yes, by all means. One of the biggest problems, and we cross-examined the people from Amtrak, is that they are having trouble buying the equipment and also in refurbishing the old equipment. It is really amazing and the gentleman ought to read the record on this matter.

There are not that many firms in the United States who do this refurbishing and there are not that many companies in the United States that build these new cars that they need. They are way behind.

Mr. HILLIS. But they will under the proposal be able to continue with the updating and modernization of the Amtrak equipment?

Mr. CONTE. That is correct.

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

Mr. CONTE. I yield 1 minute to the gentleman from Missouri (Mr. SYMINGTON).

Mr. SYMINGTON. Mr. Chairman, I would like the Members to look at this discussion of St. Louis metropolitan airport needs in the context of the suggestions that were made previously with respect to large Federal expenditures that appeared to lack a sound basis. All the Missouri delegation—and it is to a man and I might say woman—all we are saying, in order to correct the legislative history on this question, is that it is entirely out of order for the Committee on Appropriations, the Transportation Subcommittee, and for that matter, this House to direct the Secretary of Transportation to build an unauthorized airport. It is helpful to hear the distinguished Member from Illinois (Mr. YATES) disclaim any intent to force an Illinois site. What we say is it is wrong to order a new airport built anywhere until an opportunity to review all the questions involved has been fully provided those in a position to make decisions of this kind including the Secretary and the governing authorities of the areas affected. This kind of joint concurrence will continue to be required by law to undertake further action should it be determined that Lambert Field's lifespan is limited—a conclusion we devoutly hope and believe is not supported by the facts.

Mr. MURPHY of New York. Mr. Chairman, will the gentleman yield?

Mr. McFALL. I yield 2 minutes to the gentleman from New York (Mr. MURPHY).

Mr. MURPHY of New York. Mr. Chairman, I wish to make a brief comment in regard to the observations of the Appropriations Committee report on the Department of Transportation and re-in reference to the proposed increase in related agencies appropriations bill, 1975.

Panama Canal tolls—page 34, House Report No. 93-1111.

The tolls formula formerly enacted by Congress requires the recovery from tolls of operating expenses of the canal including depreciation, interest, and the net cost of government of the Canal Zone. The statute does not define depreciation, but leaves the details of setting up the depreciation account to the Panama Canal Company.

Until 1974, titles, treaty rights, and certain excavations were not depreciated on the assumption that these assets had an indefinite economic life. However, in 1973, the company concluded that this assumption was no longer justified in view of the developing economic obsolescence of the canal resulting from the increase in numbers of ships too large to go through the locks as well as the agreement in principle by the executive branch in treaty negotiations with Panama that responsibility for operation of the canal by this Government will terminate at a date to be specified by a new treaty. Thus, in 1974, the company changed its policy and began depreciating these assets. This policy change adds an annual charge of about \$8.3 million to operating expenses, and is, in part, responsible for the contemplated toll increase.

The committee report states, "because of the substantial increase to operations resulting from this policy change and because questions have been raised about whether or not this change is related to possible treaty modifications, the committee feels that the Legislative Committee should look into this matter. The committee also feels that that part of the toll increase related to depreciation costs should not be implemented until the Legislative Committee has approved this change in policy."

I concur with the committee on this decision. There is strong feeling in the Congress, a feeling which I share, disagreeing with the statement of principles laid out by the executive branch with Panama. Although I feel that there should be a depreciation allowed on the growing obsolescence of the canal, I firmly believe that a depreciation should not be allowed based on an agreement of principles that responsibility for operation of the canal by this Government will terminate at a date to be specified by a new treaty. Too much is being assumed by the executive branch. The Congress very well may never set a date for the turning over of the operation of the canal to the Republic of Panama.

I commend the Appropriations Committee for its foresight and for making it clear that the Legislative Committees should and will carefully review any attempts by the executive branch to begin to implement certain treaty agreements before acceptance by the full Congress.

Mr. REUSS. Mr. Chairman, the Committee on Appropriations' report—House report 93-1111—on the 1975 Department of Transportation appropriations is disappointing in regard to the Urban Mass Transportation Administration's "new systems" research, development, and demonstration program.

The new systems program began with

legislation the Congress passed in 1966 directing the Department of Housing and Urban Development to "undertake a project to study and prepare a program of research, development, and demonstration of new systems of urban transportation that will carry people and goods within metropolitan areas speedily, safely, without polluting the air, and in a manner that will contribute to sound city planning."

In 1968, President Johnson transmitted to Congress the action plan, Tomorrow's Transportation, prepared in response to the law. The report concluded that "present modes of urban transportation are inadequate to meet total future urban needs," and called for the "vigorous leadership of the Federal Government" in developing new systems. Specifically, it recommended Federal spending of \$530 million over 5 to 15 years for R.D. & D. of six types of new systems: dial-a-ride, personal rapid transit, dual-mode, pallet systems, new systems for major activity centers, and fast intraurban transit links.

Today, despite efforts by hundreds of transportation engineers and technicians in Government and private enterprise, and the desire of countless urban communities across the nation to join UMTA in demonstrating the new systems, our accomplishments are feeble:

**Dial-a-ride**—The dial-a-ride demonstration in Haddonfield, N.J., is the only project funded by UMTA new systems money that has advanced to urban revenue operation. About 30 other demand-responsive bus systems—eight with UHTA service development assistance—are in operation around the country.

**Personal rapid transit**—The first segment of a so-called PRT system in Morgantown, W. Va., was opened for testing in 1972. But the ridership potential there is not sufficient to justify the costs, and UMTA now faces the possibility of having to spend \$7 million to dismantle and dynamite an investment of \$64 million.

**Dual-mode**—No dual-mode systems have been demonstrated.

**Pallet systems**—No pallet systems have been demonstrated with Federal assistance, though Auto-Train Corp. has made its Virginia to Florida service a big and profitable success, and is opening a new route from Louisville to Florida.

**New systems for major activity centers**—The four people-mover systems exhibited during TRANSPO 72 at Dulles Airport, at a reported Federal cost of at least \$10 million, are now dismantled. None has been constructed in a working urban environment, despite all the election-year hullabaloo given the exhibition. Four other people-mover systems—one funded in part by an UMTA capital grant—are operating at airports at Tampa, Dallas-Fort Worth, Seattle, and Houston; and another is under construction at Bradley Field outside of Hartford, Conn. The most successful people-mover systems demonstrated to date are those at Disneyland and Disneyworld. The Disney people have offered UMTA their designs, but have declined to join UMTA in any construction projects.

Fast intra-urban transit links—None of the possible systems for rapid intra-city travel, such as tracked air-cushion vehicles, has been demonstrated.

The problem is smallness of vision. Both the administration and Congress must share the blame.

Compared to Tomorrow's Transportation's recommendation that \$530 million be spent over 5 to 15 years, UMTA's funding of new systems from fiscal 1970 through 1975 will be just \$121 million if we approve this appropriations bill as reported.

In this fiscal 1975 appropriation alone, the committee has cut the program by nearly \$20 million, or two-thirds:

[In thousands]

New system	UMTA request	H. Rep. 93-1111	Reduction
Morgantown PRT	\$6,380	\$6,380	-----
High-performance PRT	10,620	0	\$10,620
High-capacity PRT	2,750	2,750	-----
Dual-mode	7,750	0	7,750
Dial-a-ride	1,500	0	1,500
Pallet systems	0	0	-----
New systems for major activity centers	0	0	-----
Fast intra-urban transit links	0	0	-----
Total	29,000	9,130	19,870

Two-thirds of the money in the appropriation is for Morgantown. This is throwing good money after bad on a proven dud, while dual-mode and dial-a-ride, both very promising, are killed.

The committee's report explains that no funds are recommended for dual-mode because—

A Department of Transportation report on this subject states that the introduction of dual mode systems would cause increased transportation energy consumption due, in part, to the increased speeds attained. The Administrator testified that he was not convinced that UMTA should proceed to prototype development, not only because of the energy consumption characteristics of dual-mode but also because of the cost implications of this type of system.

The Department of Transportation report referred to by the committee is the April 1973, "Analysis of Dual Mode Systems in an Urban Area," by DOT's Transportation Systems Center. Unfortunately, the dual-mode systems covered by the TSC report are primarily small vehicle systems, rather than dual-mode transit systems such as Milwaukee, Toledo, and other cities have proposed. According to TSC's Dual-Mode Program Manager J. J. Marino:

The statement, "The introduction of Dual Mode systems caused increased regional transportation energy consumption . . . due in part to the increased speeds attained" can certainly be misinterpreted by the uninformed reader and has little or no relationship to the ongoing UMTA Dual-Mode program.

Total regional transportation energy consumption in Boston, the sample city in the "Analysis of Dual Mode Systems in an Urban Area" study, would only be increased from 222 billion to 223 billion B.t.u.'s per day, if dual-mode transit were implemented, according to Peter Benjamin, head of TSC's Urban Analysis Group, who calls this increase "not very significant".

Benjamin also emphasizes that TSC's

figures are based on studies that "preceded the current concern about energy utilization. Thus the system designs were aimed at maximizing ridership and minimizing traveltime. Had energy use been a major criterion, an alternative design may have yielded other results." According to a 1973 UMTA study, "The Energy Consumption Rate of Various Transportation Modes," for example, dual-mode transit is more energy-efficient than any other ground transportation system now in operation or on the drawing boards, because of its high efficiency in taking people where they want to go and the elimination of congestion.

In terms of passenger-miles per gallon of gas, the auto gets about 19 miles per gallon, rapid rail systems 32 miles per gallon, transit buses 41 miles per gallon, PRT vehicles between 46 and 50 miles per gallon, and dual-mode minibuses 53 miles per gallon, according to the UMTA study.

Dual-mode and other new transit systems could save the equivalent of 32.3 billion gallons of gasoline a year—about one-third our total annual consumption of gasoline—according to the October, 1972, Office of Emergency Preparedness report, "The Potential for Energy Conservation."

And while urbanwide dual-mode systems will be expensive, the "Analysis of Dual Mode Systems in an Urban Area" found that the costs "are not inconsistent with those of any large urban transportation system, and on a route-mile basis are lower than those of the New York Second Avenue Subway and the projected unit costs of the Washington, D.C., Metro and Baltimore and Atlanta rapid transit systems." Finally, the report concludes that the benefits of dual-mode, such as traveltime savings, cleaner air, and the reduction of auto accidents, are more than twice the costs.

The "vigorous leadership" by the Federal Government called for by Tomorrow's Transportation is long overdue. It will be further postponed by House Report 93-1111 and by this transportation appropriation bill.

Mr. DULSKI. Mr. Chairman, I view with some concern the reduction which the Committee has recommended in the fiscal 1975 funds for the Federal Railroad Administration.

The recommended reduction is \$35.3 million, over half of which is Federal support for Amtrak.

Last year, the Rail Reorganization Act became law, aimed at revitalizing the rail system in the Northeast and Midwest sections of the United States.

The Department of Transportation and the Interstate Commerce Commission currently are attempting to meet the stiff deadlines which we imposed in the law. There is need for fastest possible action, but at the same time I hope that we do not find ourselves sacrificing quality for speed to the detriment of all.

Last February 1, Transportation Secretary Claude S. Brinegar met one of the first deadlines when he issued a comprehensive reorganization plan for the Northeast rail pattern.

To those of us who are familiar with existing rail lines in the Northeast, the

DOT report was a great disappointment. The Rail Reorganization Act laid down eight goals which should be considered in deciding which rail lines should be retained.

The DOT report, perhaps because of the time pressure, chose to focus on just one so-called goal: profitability.

Using this single criterion, DOT came up with a wholly distorted and alarming picture of the lines it believed should be abandoned.

Fortunately, the law also provided for an initial analysis and recommendation by the Interstate Commerce Commission's Rail Services Planning Office. This ICC report recognized the shortcomings of the DOT report and, hopefully, a more practical approach is being pursued today as the agencies move toward their next deadlines.

At my request the ICC arranged to come to my home city of Buffalo last month to let upstate New York people provide some input to the current reorganization effort. I testified at that hearing and I was indeed impressed by the apparent understanding which the ICC staff showed of the scope of the rail reorganization problem.

The profitability data upon which DOT relied for its report last February had many flaws. The data reflected unfair and discriminatory cost allocations to branch lines. Further, DOT did not take into account the other seven goals in the law, particularly as they applied to local economic conditions. Clearly, the DOT report was based upon out-of-date and inadequate information. The statistical guidelines must be greatly strengthened.

We cannot afford to make any gross mistakes in our endeavor to reorganize the rail system. No branch line should be sacrificed—its rails and right-of-way lost forever—until the economic consequences are studied carefully.

Considerable spadework on the rail system in New York State has been done already by the State department of transportation. Secretary Brinegar came up with an astonishing list of branch lines in New York State which he said should be scrapped because they were unprofitable.

Our State agency had made its own analysis and found that Secretary Brinegar was wrong on two-thirds of the branch lines in our State he recommended for the scrap heap. Those lines are profitable today when you take into full account cost allocations. As for the other third, they are not as bad off as the Secretary would imply; the State analysis says they can be made profitable with little effort.

The ICC's rail planning office has assured me that it is evaluating these lines in a much more reasonable and fair fashion. However, it is incumbent upon Members of Congress to keep tabs on progress of this reorganization and see that it does not get off on a tangent inconsistent with our legislative intent.

Last winter, our Nation felt the bite of the energy pinch which experts have been warning us about for some years. While there has been some easing, we by no means have found a solution, nor

is one in prospect in the foreseeable future.

Many, many thousands of people discovered during that energy pinch last winter the advantages of a rail system in our economy, both for passengers and for cargo.

With that fuel pinch of last winter still quite fresh in our minds, we should remember the fuel economy which is an integral feature of the railroad. Not only should we remember the fuel economy, but we also must remember the vital role which the railroads will play in any national emergency.

As I said at the outset, I view with some concern the reduction which the Committee on Appropriations has made in the budget for the Federal Railroad Administration.

We still have an energy shortage.

We need a viable rail system for our national defense.

Mr. Chairman, our railroad network has been the backbone of our Nation's economy over the years. For various reasons that need not be detailed here, it has come upon hard times and vigorous competition.

But it should always be remembered, that in two areas it shines bright: Capacity and reliability, and in all kinds of weather.

Mr. BLATNIK. Mr. Chairman, I wish to support the amendment offered by my colleague and fellow committee member, the gentleman from Texas (Mr. WRIGHT). The obligatory ceiling imposed by section 315 is both unwarranted and unwise. It will establish a bad practice as well as a bad precedent.

Highway safety construction projects are essential to save lives. Our estimates indicate that if the programs contained in the 1973 Highway Safety Act are fully funded and effectively implemented, 5,000 or more lives will be saved annually.

The moneys come from the highway trust fund. Contract authority is contained in each. Overall, almost a half of a billion dollars has been authorized. This is a small price to pay for saving lives on the Nation's highways.

The obligatory ceiling proposed in section 315 would halve the effectiveness of the highway safety programs in question. I realize that this imposition is in accordance with the budgetary request of the Department of Transportation. But, I strongly question whether such limitations should be imposed on these potentially high payoff, high benefit types of programs.

I, therefore, strongly urge my colleagues to support the amendment offered by Congressman WRIGHT and urge my colleagues to do the same.

Mr. ALEXANDER. Mr. Chairman, today we consider the transportation appropriations bill, a bill which will affect every citizen of the Nation. It matters not whether you drive a car, use a bus, ride a subway, or fly in an airplane. This bill is a people-moving bill. It is also a product-moving bill. If you eat food, wear clothes, or use furniture—for instance—that was made by persons other than yourself or your neighbors this bill is important to you.

As I have stood in this Chamber many times before and discussed transportation needs with our colleagues I rise again

today to focus interest for at least a brief time on the problems of the countryside. There is a growing need for increased resources in the countryside to improve transportation networks which have been allowed to deteriorate in recent years, particularly as our State tried to meet their responsibilities to the Interstate Highway System.

The deterioration threatens our food distribution system and our efforts to strengthen the quality of life in the rural areas and move their citizens back into the mainstream of national life. In my study of Federal efforts to deal with these needs, I am attempting to determine how much of the moneys we appropriate in actions such as those contemplated here today are used in nonmetropolitan areas. Such statistics are difficult to assemble. Thus far we have been forced to accept partial answers.

The answers today deal with the Federal Highway Administration and Urban Mass Transportation Administration programs. I find the results of the analysis which I have been able to do disheartening. For instance, of the billions we appropriate for highway planning and construction less than 34 percent was used in nonmetropolitan areas in fiscal year 1973. Under the UMFTA programs in the same year only 4 percent of the funds went to nonmetropolitan counties.

In the chart which I will make a part of the Record the programs in the highway planning and construction category include: interstate, rural, and urban highways; motor carrier safety; highway safety research and development; highway-related safety grants; rail crossing demonstration projects; railroad-highway crossing demonstration projects; territorial highways; Darien Gap Highway; highway safety construction; right-of-way revolving fund; forest highways; public lands highways, and Baltimore-Washington Parkway.

Column 1 of the chart identifies the program; column 2 lists the committee's recommendation for fiscal year 1975; column 3 lists the amount estimated for expenditure in nonmetropolitan counties based on fiscal year 1973 expenditures; column 4 lists the fiscal year 1974 appropriation, and column 5 lists the percent of the Federal outlays for the program made in fiscal year 1973 for nonmetropolitan counties.

Program	In millions of dollars			
	1975 committee recommendation	1975 amount for non-metropolitan areas	1974 appropriations	Percent <sup>1</sup>
Highway planning and construction	4,924.7	1,669.5	4,495.7	33.9
Highway beautification	25.0	7.3	30.0	29.0
Urban mass transportation administration	458.1	18.3	420.0	4.0
Rural highway public transportation demonstration program <sup>2</sup>	10.0	10.0	0	0
Total	5,417.8	1,175.1		

<sup>1</sup> Percentage of fiscal year 1973 outlays going to nonmetropolitan areas.

<sup>2</sup> The rural highway public transportation demonstration program has not been funded in past years, thus until proven wrong it is assumed that all the moneys in this program will be used in nonmetropolitan areas.

Mr. VANIK. Mr. Chairman, in general, I support the legislation before the House today to provide for appropriations for the Department of Transportation and related agencies. However, I would like to raise an issue for the consideration of the committee and the other Members of the House of Representatives. I realize that the proposal which I will be discussing cannot be implemented without careful study and suitable authorizing legislation. Nevertheless, it is an issue which should be discussed as we continue to spend nearly \$9 billion for our Nation's transportation systems.

Specifically, this bill provides \$4,573,840,000 for the Federal-aid highways program and the liquidation of contract authorizations funded by the highway trust fund. According to the committee report, approximately \$3 billion of the funds recommended are to continue the construction of the Interstate Highway System. The balance of the funds are for payments to the States for rural and urban transportation programs, certain planning and research programs, emergency relief, and for the administrative costs of the Federal Highway Administration.

Again, quoting from the committee report:

From July 1, 1973, to March 31, 1974, an additional 870 miles of the Interstate system were completed and opened to traffic. As of March 31, 1974, about 35,700 miles, or 84 percent of the 42,500 mile authorized Interstate System, had been completed and opened to traffic. In addition, there are about 5,900 miles on which construction, right-of-way acquisition, or preliminary engineering is underway, making a total of roughly 41,600 miles of the system on which work is either completed or underway.

In the regular Federal-aid primary, secondary, and urban programs an additional 4,800 miles were improved during this same period. As of March 31, 1974, construction projects involving about 268,500 miles had been completed at a cost of \$30.3 billion. Contracts involving an additional 11,400 miles were authorized or underway.

Other than this brief description, there is very little information available as to the exact location and nature of the highways which will be constructed with this enormous sum of money. Some idea of the type of projects which are being funded can be obtained from the various, recent, highway acts. For example, in reviewing the Highway Act of 1973, Public Law 93-87, one comes across section 143, providing for 10 highway studies to be completed by January 1, 1975. These studies are to discuss the feasibility and necessity for constructing highways along such routes as:

First. Brunswick, Ga., to Kansas City, Mo.

Second. Kansas City, Mo., to Chicago, crossing the Mississippi between Nauvoo, Ill., and Hannibal, Mo.

Third. Amarillo, Tex., to Las Cruces, N. Mex.

Fourth. Catoosa, Okla., to Ponca City, Okla.

Fifth. Cove Fort, Utah, west toward Carson City, Nev.

Sixth. Kansas City, Mo., to Baton Rouge, La., via major Arkansas cities.

Seventh. Waterloo, Iowa, via Dubuque, Iowa, and Rockford, Ill., to LaCrosse, Wis.

Eighth. Lubbock, Tex., south to Interstate 10.

Ninth. Salina, Kans., north toward Watertown, S. Dak.

Tenth. Wichita, Kans., to Tucumcari, N. Mex.

In addition, Public Law 93-87 provides for a National Scenic Highway Systems Study in which highway funds might be made available for a highway system to "link together and make more accessible to the American people recreational, historical, scientific, and other similar areas of scenic interest and importance." In addition, section 129 of the 1973 Highway Act provides for the "Great River Road." This section requires that the Secretary of Transportation shall establish criteria for the location and construction of reconstruction of the Great River Road by the 10 States bordering the Mississippi River. In essence, this proposal provides for some \$70 million to maintain and improve a road along the entire length of the course of the Mississippi River.

Public Law 91-605, the Federal Aid Highway Act of 1970, provides a similar list of authorized new highways and new highway feasibility studies. For example, section 140 provides for future additions to the Interstate System. The 1970 act also provided for the Baltimore-Washington Parkway and the improvement of that portion of the Parkway under the jurisdiction of the Secretary of the Interior. The act also provided for the "federalization" of the West Virginia Turnpike.

Mr. Chairman, I mention these items only to point out that, with the Interstate Highway System now 84 percent completed, the Department of Transportation and those interested in highway construction seem to be desperately searching for new roads to build. Instead of searching for money with which to build roads, we are searching for roads on which to use our money. Despite the fact that the Interstate Highway System is nearly completed, there is a desperate effort underway to continue construction. For example, section 107 of Public Law 93-87, the Highway Act of 1973, provides:

It is further declared that since the Interstate System is now in the final phase of completion it shall be the national policy that increased emphasis be placed on the construction and reconstruction of the other Federal-aid systems.

Mr. Chairman, like many, I believe that the highway trust fund should increasingly be used to provide a "mix" of transportation projects. For example, if a State such as Ohio, which has almost completed its interstate system, wants to use some of its trust fund allocation to build rapid rail and urban mass transit systems, then it should be permitted to do so, without restriction or hindrance from Washington.

Rather than continuing to pave the Nation in concrete and asphalt, the highway trust fund should be made more flexible, should be used for other purposes, and the taxes collected by motorists for the highway trust fund might even be reduced.

In addition, rather than continue to build new roads, the Highway Trust Fund could be used to retire the debt on the toll roads managed by the various

States. A number of States, realizing the severity of the highway transportation problem, began early construction of modern parkways and super highways, prior to the start of the interstate highway system in 1956. A number of these States, primarily those in the more populated and congested eastern portion of the Nation, financed the construction of their own super highways by imposing tolls on the use of these highways. Mr. Chairman, I believe that it is very unfair for the Department of Transportation to continue to seek out increasingly obscure highway projects, while large portions of the country remained burdened with numerous toll roads and frequent toll station stops. The citizens of the toll road areas are placed at a distinct disadvantage compared to the citizens of other areas of the country. Everyone who buys a gallon of gas has to pay 4 cents per gallon which is contributed to the Highway Trust Fund. But persons who are surrounded by toll roads must also pay a fee for the use of the highways constructed by their States prior to the start of the Interstate Highway System. In essence, it is double taxation. The toll road is an additional burden on the commerce of the areas which impose the toll. It increases the cost of doing business in the area; it increases the burden on workers who must use the high speed highway for commuting purposes.

Mr. Chairman, the development of the free Interstate System and the interstate beltways around densely populated urban areas has been followed by a substantial development of residential, industrial, and commercial activity along the system and at its interchanges. Interstate 128 around Boston and the Baltimore and Washington Beltways are evidence of the tremendous economic benefits of toll-free highway construction. By comparison, the toll roads have produced considerably less economic gain to the urban areas they serve. In this respect, the toll road system discriminates against the urban areas which they were intended to serve.

Mr. Chairman, I believe that it is time that we consider authorizing the redemption of the State bonds which financed the various toll roads around the Nation. This refinancing would be available to those States and localities which desired it and which were willing to see the "federalization" of their State highway or local parkway. Such a Federal retirement of State highway bonds should be totally voluntary—but it should be offered before the Federal Government commits the Highway Trust Fund to additional, marginal highway projects.

I make this suggestion in the hope that it can be debated in the various States in which there are toll roads. I am hopeful that it could be considered in future, up-coming highway authorization bills.

There is a fairly extensive list of toll roads, primarily in the Northeastern States and in Kansas, Oklahoma, and Texas. The longest toll road is the New York State Thruway which runs 496 miles with a maximum toll of \$8.70. In general, the average toll per mile appears to be around 2 cents, with the Chicago Skyway costing 5 cents per mile and the

Dallas North Tollway costing 6.1 cents per mile. I would like to enter at this point in the record a list of the various toll roads in the Nation. It is my understanding that there may have been some changes in this list. In particular, the West Virginia Turnpike and Alligator Alley in Florida may no longer be toll roads. In addition, I would like to include a brief memorandum from the Library of Congress as to the reasons for the concentration of toll roads in the eastern part of the Nation.

This memorandum discusses a provision in the 1970 Federal Aid to Highway Act which provided for assistance to the West Virginia Turnpike. I would like to enter in the record a portion of the conference report on the Federal Aid to Highway Act of 1970 which describes the West Virginia Turnpike decision and the precedent for Federal participation in the improvement of toll roads. In addition, the 1973 Federal Aid to Highway Act included a number of references to the problem of toll bridges, tunnels and ferries, as well as a study of toll bridge authority. In particular, section 132 provides for Federal assistance in the "freeing" of interstate toll bridges. Section 133 provides for a study of "what action can and should be taken to assure just and the prudence of the highway administration" 118 provides that:

When any such toll road that the Secretary has approved as a part of the Interstate system is made a toll-free facility, Federal-aid Highway funds apportioned . . . may be expended for the construction, reconstruction, or improvement of that road to meet the standards adopted for the improvement of projects located on the interstate system.

#### THE OHIO TURNPIKE

I do not believe that the burden created by toll roads is fully realized by many Members—especially those from States which have totally free highway systems. The Ohio Turnpike system is worth examining. It is one of the better run highway authorities in the Nation. The highway was financed by bonds which are coming due in 1992. Because of the nature of the enabling legislation and reasonable tolls nationwide." Section 118, Ohio has been paying off the bondholders ahead of schedule. The result has been considerable interest savings to the people of Ohio. It is now estimated that the State will be able to retire the remaining \$131,632,000 debt—40.4 percent of the original \$326 million borrowed in 1952—within the next 6 or 7 years. At that point, the highway will belong to the people of the State of Ohio and will become a toll-free road.

Why shouldn't the highway trust fund which is supported by toll users be available to help States like Ohio retire these bonds, and make these highways toll free rather than continue building an endless chain of new and marginally useful highway in relatively unpopulated areas of the Nation?

What has been the toll burden of the Ohio Turnpike? Between 1960 and 1973—the years for which I have figures readily available—the highway collected \$379.7 million. Last year alone, it collected some \$37.9 million. There is increasing evidence, Mr. Chairman, that this toll burden is largely paid by local

residents of Ohio. The following statistics show the trend:

	1960	1973
Number of vehicles using turnpike:		
Passenger vehicles	10,125,471	18,835,204
Commercial vehicles	2,641,764	5,308,070
Total	12,767,235	24,143,274
Number of miles traveled	1,019,096,796	1,648,253,679
Percent traveled by passenger vehicles	79.4	72.9
Percent of tolls paid by passenger vehicles	59.6	47.5
Average miles per trip	79.9	63.8
Average toll revenue per trip for passenger vehicles	\$1.19	\$0.96

As these statistics show, the average miles per trip travelled by passenger vehicles has declined about 16 miles over the past 13 years. The average revenue toll paid per passenger vehicle also declined. What this indicates is that the number of commercial vehicles transversing the State remains high or is increasing, while there are an increasing number of Ohioans who use a portion of the turnpike for business travel and commuting.

The growth of the use of the highway in the Greater Cleveland-Akron area is particularly remarkable. Following are statistics on the number of vehicles entering and leaving the turnpike between interchanges 8 and 13, between Lorain-Elyria and Streetsboro:

	1960	1973
Vehicles entering and leaving Lorain-Elyria and Streetsboro	8,500,000	21,600,000
Total vehicles, entering and leaving turnpike	25,500,000	48,300,000
Percentage of vehicles entering and leaving turnpike from Greater Cleveland area	33.2	44.8

Mr. Chairman, it is obvious that a toll road can be a particular burden to a highly urbanized area. Yet at the same time that the citizens of these areas are paying toll fees, they are also paying the Federal gasoline excise tax which is used for building highways, toll free.

Mr. Chairman, the people of Ohio may want to continue to operate the Ohio

Turnpike under the present system. Personally, I would hope that the tolls could be ended as soon as possible. Yet by the time the road becomes toll free, we in northern Ohio will have lost many of the economic advantages which would have been available to us if we had had a toll free road. I am sure that many areas of the country would like to be able to end their toll road system. I believe that the Highway Trust Fund could be used to free these communities from the burden of the toll road system. I would expect that such a removal of tolls would show many of the same—and even better—economic benefits than new road construction.

This is an issue that should be debated. I am drafting legislation to enable Highway Trust Fund moneys to be used for eliminating toll roads. If this proposal has the interest and support of areas which are burdened with toll highways, I hope that it may be considered in the next highway authorization legislation.

Following is data on toll roads, their history, and the precedents for federalization.

#### TOLL ROADS

State and road name	Location	Miles	Max. toll	Average per mile (cents)	Speed limit
Connecticut: Connecticut Turnpike	Rhode Island State line to New York State line	129.0	\$2.75	2.1	70
Delaware: Kennedy Memorial Highway	Wilmington to Maryland State line	11.0	.30	2.7	60
Florida:					
Alligator Alley (Everglades Parkway)	State Route 858 (Naples) to Andytown	77.0	1.50	1.9	65
Bee Line Expressway	Orlando to State Route 520	17.0	.35	2.0	70
Florida's Turnpike	Wildwood to Miami	260.0	4.80	1.8	70
Illinois:					
Chicago Skyway	Illinois-Indiana State line to Route 94 Chicago	7.0	.35	5.0	65
East-West Tollway	West of Chicago to Aurora	28.0	.50	1.8	65
Northwest Tollway	Des Plaines to South Beloit	76.0	1.50	2.0	65
Tri-State Tollway	Indiana State line to Wisconsin State line	83.0	1.80	2.2	70
Indiana: Indiana Toll Road	Ohio State line to Illinois State line	156.9	2.80	1.8	70
Kansas: Kansas Turnpike	Kansas City to Oklahoma State line	233.0	5.25	2.2	75
Kentucky:					
Audubon Parkway	Pennyville Parkway to Owensboro	23.0	.50	2.2	70
Blue Grass Parkway	Elizabethtown to Lexington	72.0	1.30	1.8	70
Kentucky Turnpike	Louisville to Elizabethtown	40.0	.60	1.5	70
Mountain Parkway	Winchester to Salyersville	76.0	1.60	2.1	70
Pennyville Parkway	Hopkinsville to Henderson, Ky	60.0	1.00	1.7	70
Purchase Parkway	Fulton to junction of U.S. 62 near Gilbertsville	49.0	.90	1.8	70
Western Kentucky Parkway	Elizabethtown to Princeton	136.0	2.20	1.6	70
Maine: Maine Turnpike	York to Augusta	100.0	2.15	2.2	70
Maryland: Kennedy Memorial Highway	Maryland State line to Baltimore	42.0	.90	2.1	70
Massachusetts: Massachusetts Turnpike	Boston to New York State line	134.0	3.30	2.5	65
New Hampshire:					
F. E. Everett Turnpike	Massachusetts and New Hampshire to U.S. border	39.0	.50	1.3	70
New Hampshire Turnpike	Portsmouth to Massachusetts State line	16.0	.25	1.6	70
Spaulding Turnpike	Portsmouth to Rochester, N.H.	23.0	.25	1.1	70
New Jersey:					
Atlantic City Expressway	Turnersville to Atlantic City	44.0	1.25	2.8	60
Garden State Parkway	Montvale to Cape May	173.0	2.75	1.6	60
New Jersey Turnpike	Deepwater to Ridgefield Park	131.0	1.75	1.3	60
New York:					
New York State Thruway—Main line section (Thomas Dewey Turnpike)	Pennsylvania State line to New York City:				
	Eastbound	496.0	8.70	1.8	65
	Westbound	496.0	7.70	1.6	65
	Massachusetts Turnpike to Selkirk	24.0	.75	3.1	65
	Connecticut Turnpike to New York City	15.0	.25	1.7	65
	Through Buffalo to Niagara Falls	21.0	.55	2.6	65
	Pennsylvania State line in Indiana State line	241.0	3.50	1.5	70
Oklahoma:					
H. E. Bailey Turnpike	Oklahoma City to Texas State line	86.4	1.70	2.0	70
Indian Nation Turnpike	Henryetta to Hugo	105.2	2.25	2.1	70
Muskogee Turnpike	Broken Arrow to Muskogee South to Webber Falls	54.1	1.00	1.8	70
Turner Turnpike	Oklahoma City to Tulsa	86.0	1.60	1.9	70
Will Rogers Turnpike	Tulsa, Oklahoma to Joplin, Missouri	88.5	1.60	1.8	70
Pennsylvania:					
Pennsylvania Turnpike	New Jersey line to Ohio line	359.0	7.10	2.0	65
Pennsylvania Turnpike (northeastern section)	Norristown to Scranton	110.0	2.00	1.8	65
Texas:					
Dallas-Fort Worth Turnpike	Dallas to Fort Worth	30.0	.60	2.0	70
Dallas North Tollway		9.8	.60	6.1	55
Virginia:					
Richmond-Petersburg Turnpike	Richmond to Petersburg	35.0	.95	2.7	65
Virginia Beach-Norfolk Expressway	Interstate 64 in Norfolk to Baltic Ave.	12.1	.25	2.0	65
West Virginia: West Virginia Turnpike	Charleston to Princeton	88.0	2.75	3.1	60

THE LIBRARY OF CONGRESS,  
Washington, D.C.

To: The Honorable CHARLES A. VANIK.

From: Economics Division.

Subject: Toll Roads.

This refers to your recent request for information on toll roads. Enclosed is a table from the current Rand McNally Road Atlas

showing the nation's toll roads, the mileage of each, the total maximum toll, and the average charge per mile.

It is true that there is a concentration of toll roads in the Eastern portion of the United States. The earliest form—the turnpikes—were located in the East because that is where the population was concentrated in

the earliest days of the nation. Then, after the automobile became popular, the heavy volume of traffic, hilly or mountainous terrain, with frequent highway intersections and railroad crossings, led to the parkways or limited access highway. Again, these factors abounded in the East. However, the staggering cost of constructing such highway

systems led to toll-road methods of financing them. The Pennsylvania Turnpike, opened to traffic in 1937, is an example of such an undertaking, and its success led to similar facilities in more than a dozen other states.

In contrast, the smaller number of vehicles per mile of highway, and the vast areas of the Western States which were relatively flat, meant that the standard two-lane highway served the existing traffic more adequately than a similar road in the heavily-traveled East.

In connection with the matter of Federal aid for toll roads, the Federal-Aid Highway Act of 1970 provided the medium for extending assistance to the West Virginia Turnpike. A copy of the commentary on this provision appearing in the Conference Report of the House Public Works Committee, Report No. 91-1780, is enclosed. Also enclosed is the legislative history of the 1970 Highway Act.

Under the terms of this provision, a spur toll road facility at Utica, New York, and later Route 84 in Florida, (Alligator Alley) were included in the toll road program.

THOMAS E. MCCARDELL,  
Economist in Transportation  
and Communications.

[From Conference Report, H. Rept. 91-1780]  
FEDERAL PARTICIPATION IN THE IMPROVEMENT  
OF TOLL ROADS

Senate amendment

This amendment to section 129 of title 23, would change existing Federal law to permit participation in safety improvements of toll roads which are part of the Interstate System, but only on the condition that the State and the toll authority agree to remove tolls when the bonded indebtedness outstanding as of the date of the agreement is liquidated.

House bill

No comparable provision.

Conference substitute

The conference substitute would authorize Federal participation in the construction of a toll road which provides for only two lanes of traffic and which is on the Interstate System in order to bring it to the geometric and construction standards for the Interstate System (including the requirement in section 109(b) of title 23, United States Code, for at least 4 lanes) and to facilitate removal of the tolls therefrom. Federal participation would be on the same basis as in the case of free Interstate System highways, would be limited to those two lane toll roads which were designated as part of the Interstate System before June 30, 1968, and would be contingent upon an agreement with the State highway department and the toll route authority that no indebtedness to be liquidated by a collection of tolls is to be incurred after the date of enactment of the subsection, that all tolls received less cost of operation and maintenance will be applied to repayment of bonds outstanding on the date of enactment constituting a valid lien against the toll road, and that upon liquidation of the bonds the road will become a road free to the public.

The conferees wish to make it clear that, if a two lane toll road which is otherwise eligible for assistance under this section contains additional climbing lanes along its route, these climbing lanes are not to be counted for the purpose of determining the eligibility of the toll road for assistance.

Mr. DON H. CLAUSEN. Mr. Chairman, I want to take this time to express my appreciation to the chairman and members of the Subcommittee on Transportation Appropriations for the responsive way they deal with the requests we attempt to advance.

They have proven themselves to be receptive to our requests and under-

standing of the problems we seek to solve.

I appreciate the funding commitment included in the bill for the Coast Guard's search and rescue station to be located at the airport in Humboldt.

This station, when completed, will be extremely beneficial to our north coast area and is a necessary link in the Coast Guard's chain of search and rescue installations.

Mr. Chairman, I wish to speak briefly to express my full support for the Shoup amendment which will prevent the Federal Aviation Administration from eliminating flight service stations.

I am unable to understand the reasoning behind the FAA's efforts to terminate these facilities which provide the primary aviation safety programs for the benefit of pilots and passengers.

Along the north coast of California we have an unusual climate and a rugged topography that combine to require pilots to have the latest and most complete information from knowledgeable professionals.

As a pilot, I know there is no substitute for the "eyeball-to-eyeball" contact between the aviator and the briefer. Unique weather conditions and other problems in many areas require the presence of flight service station facilities and personnel.

My concluding point, which I have discussed on numerous occasions with the gentleman from Montana (Mr. SHOUP) and others interested in aviation, is that even though there has been a navigation and communication system advanced that, in theory, is supposed to be able to service areas which now have flight service stations, we have only the theory to go on—not the fact.

My strong feeling is that we should, and must, retain the present system until such time as any new proposal has been fully tested and proven superior.

I hope the House will overwhelmingly approve this amendment.

Mr. CONTE. Mr. Chairman, I have no further requests for time.

The CHAIRMAN pro tempore (Mr. SISK). The Clerk will read.

The Clerk read as follows:

FACILITIES AND EQUIPMENT (AIRPORT AND AIRWAY TRUST FUND)

For necessary expenses, not otherwise provided for, for acquisition, establishment, and improvement by contract or purchase, and hire of air navigation and experimental facilities, including initial acquisition of necessary sites by lease or grant; engineering and service testing including construction of test facilities and acquisition of necessary sites by lease or grant; construction and furnishing of quarters and related accommodations for officers and employees of the Federal Aviation Administration stationed at remote localities where such accommodations are not available, and purchase of six aircraft; \$241,100,000, to be derived from the Airport and Airway Trust Fund, to remain available until June 30, 1977: *Provided*, That there may be credited to this appropriation funds received from States, counties, municipalities, other public authorities, and private sources, for expenses incurred in the establishment and modernization of air navigation facilities: *Provided further*, That no part of the foregoing appropriation shall be available for the construction of a new wind tunnel, or to purchase any land for or

in connection with the National Aviation Facilities Experimental Center.

AMENDMENT OFFERED BY MR. SHOUP

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

The Clerk read as follows:

Amendment offered by Mr. SHOUP: Page 7, line 15, immediately before the period, insert ", or to remote or decommission any existing flight service station".

Mr. SHOUP. Mr. Chairman, last year the Conference Committee on Transportation Appropriations directed the FAA not to close any stations "until such time as automated systems are in place and satisfactorily operational." Despite the fact that proven automated systems have not been developed put in place, and satisfactorily operational for flight service stations and are unlikely to be for several years, in testifying for its fiscal year 1975 budget request, the FAA asked the House Transportation Appropriations Subcommittee to lift the conference prohibition.

I think the prohibition was wise and should be retained until the FAA presents a realistic plan for a future flight service station system and modernized automated hardware and software that has been tested and proven to work.

The effect of allowing the FAA to proceed with the closing or remoting the proposed 30 flight stations without complying with the wishes of Congress as expressed in the conference report adopted last year, would be to jeopardize continued services to the flying public such as: Preflight pilot briefing, enroute communications, VFR flights, assisting lost VFR aircraft, originating NOTAM's notice to airmen, broadcasting aviation weather information, accepting and closing flight plans, monitoring radio nav-aids, participating with search and rescue units in locating missing VFR aircraft, and operating the national weather teletypewriter systems. In addition, at selected locations, flight service stations take weather observations, issue airport advisories, administer airmen written examinations, and advise customs and immigration of transborder flight.

In the interest for the safety of the flying public, I do not think it unreasonable to insist, as we did last year, that the FAA properly plan and sufficiently test alternate procedures. My concern is based on experience—using funds appropriated prior to fiscal year 1974, FAA services at one of the small airports in western Montana was remoted. The resulting operation has not been satisfactory—thankfully we have had no fatalities—several near accidents have occurred. It is a fact that the number of private aircraft is increasing, resulting in greater traffic and necessitating expanded safety measures. Such premature action as proposed by the FAA does not reflect its previous dedication to service to the flying public.

This amendment will in no way deny or hamper the FAA in their search for more safe efficient aviation operations—on the contrary it will endorse such action but once again mandate—

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

Mr. SHOUP. I will be happy to yield to the gentleman from Kentucky.

Mr. STUBBLEFIELD. Mr. Chairman, I rise in support of the amendment offered by the gentleman from Montana (Mr. SHOUP).

Since the Conference Committee on Transportation Appropriations last year directed the Federal Aviation Administration not to close any flight service stations "until such time as automated systems are in place and satisfactorily operational," I urge the House to retain that prohibition and certainly agree that no consolidation should be authorized in 1975.

While I am opposed to FFA's so-called modernization plan in general, I am specifically concerned that the flight service station located at Barkley Field in Paducah, Ky., is among the 30 flight service stations which have been designated for consolidation. Such action would cause a serious economic hardship to all classifications of aviation users, not only in western Kentucky, but in nearby areas of Illinois, Missouri, and Tennessee. I would like to point out that Barkley Field is the busiest in all Kentucky west of Louisville and has the third largest airline volume of any Kentucky airport. To close this station would mean a loss of instrument flight traffic inbound when the tower is not open and would deny pilots their local weather briefings at Barkley Field at hours when the control tower is closed. I urge the adoption of this amendment.

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

Mr. SHOUP. I will be happy to yield to the gentleman from Arkansas.

Mr. THORNTON. Mr. Chairman, I would like to thank the gentleman for offering his amendment. I rise in support of the amendment.

The Federal Aviation Administration's proposal for flight service station consolidation and modernization directly affects south Arkansas, which I represent. As part of its 5-year consolidation program which would result in the closing of 30 flight service stations each year, the FAA plans to close the Pine Bluff Flight Service Station in fiscal year 1975 and the El Dorado Flight Service Station in fiscal year 1976. Both of these flight service stations lie within my district.

The Pine Bluff Flight Service Station not only serves Jefferson County, the second largest county in Arkansas, but southeast Arkansas as well. For the past 2 years, Jefferson County has led Arkansas in industrial growth which has caused an increase in corporate aircraft activity. Nevertheless, in March of this year, the FAA reduced the Pine Bluff Flight Service Station's operations from 24 to 12 hours daily, with many of its services being transferred to the Little Rock Flight Service Station.

At the present time, the Pine Bluff Flight Service Station is open from 6 a.m. until 6 p.m., and the air traffic control tower is open from 6 a.m. until 8 p.m.

This means that for a significant portion of the day, pilots do not have access to local weather observations. During the periods when the Pine Bluff station is not

in operation, pilot weather briefings are handled by the Little Rock flight service station; however, due to the differences in the weather conditions which may prevail between Pine Bluff and Little Rock, which is situated 40 miles away on the Arkansas River, the weather briefings are not always satisfactory. There have been instances where Little Rock was fogged in while Pine Bluff was clear, and vice versa.

Additionally, during periods when the control tower in Pine Bluff is not in operation, there are no trained personnel available at the Pine Bluff airport to operate the high intensity runway lights during periods of bad weather.

Numerous complaints concerning the effects of this situation on safe aircraft operation have been received from citizens of the Pine Bluff community as well as companies that operate corporate jets and utilize Grider Field, the Pine Bluff airport. Closing the Pine Bluff station would only compound the problems.

I am convinced that El Dorado would face the same problems should its flight service station be closed.

Last year the Congress, in passing the Transportation Appropriation Act of 1974, directed that the FAA not close any existing flight service stations "until such time as automated systems are in place and satisfactorily operational." Based on their experiences, it is the opinion of several airport managers with whom I have talked that the automated systems for flight service stations have not yet been proven to be effective. I ask my colleagues to keep this in mind. Should we do away with our existing flight service stations without having a proven alternative? I think not. Therefore, I ask my colleagues to support this amendment.

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

Mr. SHOUP. I will be happy to yield to the gentleman from Oregon.

Mr. ULLMAN. Mr. Chairman, I, too, want to join with my colleague, the gentleman from Montana, in expressing the view that in the areas we represent, involving great distances, the closure of some of these facilities would indeed be unwarranted and contrary to the public interest. I especially refer to the proposed closures at the Dalles and at Baker in Oregon.

Mr. Chairman, I rise in support of the gentleman's amendment.

Mr. SKUBITZ. Mr. Chairman, I want to associate myself with the remarks of my colleague from Montana. The amendment he has proposed does not add a single penny to the budget. All that the amendment proposes to do is to make sure that some 30 flight service airports are not arbitrarily closed by an overambitious bureau.

I also want to call to the committee's attention that this bill proposes a grant of \$125 million to Amtrak. I understand that my colleague from Michigan (Mr. DINGELL) will raise a point of order which should be sustained. The authorizing committee of which I am a member has not reported the authorizing bill to date. Furthermore, testimony before our committee supports at least \$150

million. To appropriate less than this would be disastrous to Amtrak.

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

Mr. Chairman, we received an excellent and detailed briefing from the FAA during our hearings on the subject of flight service stations. The FAA has two programs which are frequently confused with one another. One is a long-term research program to develop automated equipment such as cathode-ray tube data displays and computer information storage, which will not be completed for about 10 years. The other program is the remoting of personnel from 30 flight service stations to other nearby, and more active, stations.

There is insufficient activity to keep equipment and personnel fully utilized at several locations, while at other locations the number of personnel is inadequate to meet existing demands. Consolidation of personnel will result in much-needed greater productivity and system efficiency: safety would not be derogated, and all essential services would be retained along with providing increased capability to meet the demand.

It is important to remember that these 30 stations to be remoted would not be closed: They would just not be manned by personnel. Pilots would enter these stations, utilize the updated briefing materials available there, use a direct telephone line to speak to flight service personnel in the nearby station and file their flight plans. The weather reports and forecasts would be just as up to date and locally generated as they are now. In-flight radio communication and direction-finding services would not be affected, since the remoted stations would still have their radio transmitters and receivers. This is similar to what is now done with the 20 air-route traffic control centers, which communicate with and observe—through remote radar—IFR en route aircraft in all of the 48 contiguous States.

One thing to keep in mind is that 95 percent of all the functions of the flight service stations are done in a remote manner at this time. That is to say, a pilot calls in for a briefing on the telephone, or files a flight plan by telephone, or talks on an air-ground communications channel when he is airborne.

The current annual operating costs for flight service stations is \$86 million and includes over 4,000 personnel. In another 10 years, without any remoted stations, the annual cost will be \$250 million and 11,000 personnel. In about 10 years, the automation program will be completed. If we allow the system to grow to 11,000 personnel, what would happen to the 8,000 personnel who would no longer be needed in the automated 3,000-man system? Rather than build up staffing now and then reduce it after automation, it would be more efficient to redistribute the present work force. In this way, there would be no loss of jobs, now or in the future, and there would be an estimated savings of \$190 million in operating costs each year after automation is implemented.

In summary, the remoting of 30 flight service stations would improve efficiency.

slow the escalation of costs, and allow the FAA to prepare for the implementation of its automation program, but would not have any adverse personnel impact, or in any way derogate safety.

Mr. Chairman, I ask that the amendment be defeated.

I include the following:

SERVICES OF FLIGHT SERVICE STATIONS  
NOW PERFORMED BY FSS SPECIALISTS AND  
PROPOSED FOR 30 REMOTED STATIONS

1. Weather observations: Contract observer (same dissemination).
2. Direction finding assistance: NC.
3. Pilot weather briefing: Self briefing and telephone briefing.
4. Flight plan processing: NC.
5. Processing pilot reports: NC.
6. Processing notices to airmen: NC.
7. Airport advisory service (current practice 183 airports): Fixed base operator (Current practice 10,000 airports).

LOCATIONS

Arizona: Yuma, 3rd, Sam Steiger (R).  
Arkansas: Pine Bluff, 4th, R. H. Thornton, Jr. (D).  
California: Marysville, 4th, Robert L. Leggett (D).  
Colorado: Akron, 4th, James P. Johnson (R).  
Florida: Key West, 15th, Dante B. Fascell (D).  
Georgia: Brunswick, 1st, Ronald Bo Ginn (D).  
Indiana: Terra Haute, 7th, John Thomas Myers (R).  
Iowa: Ottumwa, 4th, Neal Smith (D).  
Kansas: Hill City, 1st, Keith G. Sebelius (R).  
Kentucky: Paducah, 1st, Frank A. Stubblefield (D).  
Louisiana: Alexandria, 8th, Gillis W. Long (D).  
Maine: Houlton, 2nd, William S. Cohen (R).  
Michigan: Sault Ste. Marie, 11th, Phillip E. Ruppe (R).  
Minnesota: Rochester, 1st, Albert Harold Quie (R).  
Missouri: Joplin, 7th, Gene Taylor (R).  
Total, 30 Locations—\$1,644,000.  
Montana: Livingston, 1st, Dick Shoup (R).  
Nebraska: Sidney, 3rd, David Thomas Martin (R).  
New Mexico: Truth or Consequences, 2nd, Harold Runnels (D).  
New York: Elmira, 39th, James F. Hastings (R).  
Ohio: Zanesville, 10th, Clarence E. Miller (R).  
Oklahoma: Ponca City, 6th, John N. Happy Camp (R).  
Pennsylvania: Williamsport, 17th, Herbert T. Schneebeli (R).  
South Carolina: Myrtle Beach, 6th, Edward L. Young (R).  
Tennessee: Bristol, 1st, James H. Quillen (R).  
Texas: Dallas, 5th, Alan W. Steelman (R).  
Utah: Bryce Canyon, 2nd, Wayne Owens (D).  
Virginia: Charlottesville, 7th, J. Kenneth Robinson (R).  
Washington: Toledo, 3rd, Julia Butler Hansen (D).  
Wisconsin: Lone Rock, 6th, William A. Steiger (R).  
Wyoming: Rawlins, (At Large), Teno Roncalio (D).

FACT SHEET CONCERNING DEFICIENCIES  
AT DILLON, MONT.

After the Dillon FSS functions were remoted to Bozeman in June, 1973, two major deficiencies surfaced. The first was concerning the quality and timeliness of the contract weather observations. The second concerned

the unavailability of altimeter settings for Dillon which effected instrument approach activities at Dillon. Arrangements had been made to provide pilots making instrument approaches with the Butte altimeter setting, but because of the distance between Butte and Dillon this was unsatisfactory. Upon notification of these deficiencies, the FAA arranged through the National Weather Service for replacement of the contract observer with a more reliable person, and additionally provided for a backup weather observer. The altimeter setting problem was resolved by making arrangements for the Dillon altimeter setting to be available on a 24-hour basis through the Bozeman FSS. The FAA has received no complaints since these actions were accomplished in April 1974.

This series of events after the consolidation of Dillon indicates that when problems arise, as they frequently can in a move of this magnitude, that FAA takes positive action to resolve them and will continue to do so in any future consolidations.

Mr. HILLIS. Mr. Chairman, I move to strike the requisite number of words and rise in support of the amendment.

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

Mr. HILLIS. I yield to the gentleman from Montana.

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

Mr. Chairman, the distinguished chairman of the committee has referred specifically to Williston, Mont. I think it was very obvious that his entire presentation did point up the fact that there were deficiencies when the remoting program was put into effect, and it has taken something like a year to get the bugs out of it.

I would ask the Committee to consider this: Would it not be better to iron out all these bugs before we expose the flying public to these dangers?

I have also noticed, Mr. Chairman, that the FAA conveniently forgot to note that the day after the remoted installation was cut in, the entire thing went on the blink, and for something like 4 days there was no service whatsoever; they forgot to mention this.

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

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

Mr. McFALL. Mr. Chairman, will the gentleman from Montana agree that the service at Dillon is proper now, after they have solved these problems?

Mr. SHOUP. No, I would not.

Mr. McFALL. What would the gentleman say is wrong with the service?

Mr. SHOUP. Mr. Chairman, I would say that the intermittent service on the telephone communications is causing a considerable problem. As late as 2 months ago—we experienced this problem—there was no backup service between Dillon and Bozeman, where the system is remoted, to take the place of the downed lines. At those times, when the storms hit, there is no remoting; the system is completely dead.

Mr. McFALL. Mr. Chairman, if the gentleman from Indiana will yield further, I will say to the gentleman from Montana that almost all the problems at Dillon have been resolved in less than 1 year. You mention a new problem, and

I am certain that the FAA will solve this one.

However, if we put a provision in the bill saying that we cannot do anything—we cannot remote, we cannot close the flight station—there is no way in which we can solve these problems. Under that provision we are going to have personnel coming out of our ears manning flight stations throughout the country.

Mr. SHOUP. Will the gentleman yield further?

Mr. HILLIS. I yield to the gentleman.

Mr. SHOUP. Within the bill there are funds which can be expended for research and development of satisfactory systems. I feel it is completely within the bill and that the FAA can install alternate systems and can install remote equipment, but they cannot proceed to utilize them within this particular fiscal year. That is because I do not feel they have complied with the Congress dictates of last year.

Mr. McFALL. Will the gentleman yield for an answer to that question?

Mr. HILLIS. I yield to the gentleman.

Mr. McFALL. What the gentleman is referring to is to the automated system which will not be available for 10 years. The system we have at Dillon is based upon existing equipment.

The problems they had there were in putting this system in and making it work properly. It does not have anything to do with automated equipment. All the system really needs is the opportunity to go into operation and become functioning. However, if this amendment is adopted, they cannot do much of anything. All they can do is have the existing flight stations, which will require substantially more personnel.

Mr. SHOUP. Will the gentleman yield?

Mr. HILLIS. I yield to the gentleman.

Mr. SHOUP. It takes some time for the installation of these stations. It takes a considerable time for the development to do this. There is nothing in this amendment that prohibits them from doing that.

What the problem is, Mr. Chairman, and what I keep pointing out is that they go in and just put in a radio and hook it up to a telephone line and immediately on the same day transfer all of their men out and then cross their fingers and hope it will work.

I have an example to show that it did not work. I am saying in all the other 30 stations proposed in this fiscal year—and let us look ahead to the other 30 in fiscal year 1976, which makes a total of 60—it is only reasonable for us to insure that before we expose the flying public to the possible danger we should insure ourselves that it is done correctly. It is not too much to ask from the FAA.

Mr. McFALL. Will the gentleman yield further?

Mr. HILLIS. I yield to the gentleman.

Mr. McFALL. We are making the Dillon system work. There is no new technology involved here—just telephone lines and radios. This is a system that will work. And if we will do it properly and reasonably with 30 stations, the FAA is not going to jeopardize the safety of aircraft in any area.

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

Mr. Chairman, I hesitate to take issue with the distinguished chairman of the with the distinguished chairman of the State and my colleague from the Central Valley of California, but I do.

We have a problem in the Central Valley up near Marysville where we are plagued with fog and with very specialized conditions. Here it appears that the FAA is attempting to change a trend. In the effort to modernize and become perhaps most efficient I think they are forsaking some of the requirements of air safety.

I support the amendment offered by the gentleman from Montana (Mr. Shoup). I do not know what the conditions are in Montana, but I have researched this issue a little bit. Of the 30 flight stations that the FAA proposes to close this year 13 or almost half of them are in the middle third of all the flight service stations, and that is the way they would remain by activity. I do not know whether that point was brought out. Only 12 are in the lowest third, and none of those are in the bottom 20 that are recommended for closure this year.

The Aircraft Owners and Pilots Association—and there are a great number who use these facilities—expressed extreme misgivings about the alternate service that the FAA scheduled to replace the 30 sites. What they tell me is picking up a telephone and calling Sacramento from the north Central Valley is not equivalent to having some people right there that have the reports and the back-up information and who can actually provide the proper questions to ask of the pilots and give them better information.

What they say is that they get better service, they feel, from the existing method.

FAA's proposals rely heavily on some new concepts and equipment that have not yet been fully tested. Indeed, the National Weather Service has said that the concept is beyond the present state of technology. It would be very callous of us to consign pilots to the use of hardware and technology that does not yet exist.

The FAA plan also does not truly represent consolidation; it is a step sideways rather than a step forward. A consolidation would have the functions provided by flight service stations directly to air traffic control centers, rather than the far more costly technique of creating a new system of flight service station hubs. It seems to me that the cost implications of this procedure should be rather closely examined.

There is no doubt about it, we may save some money by going to these facilities, but the facility I am concerned with is at Marysville, which performs some 60,000 to 70,000 services a year. It has a 10-man complement, and in my book, my experience has been that this FAA unit has saved lots of lives and it should not be replaced simply by a telephone line hook-up.

I admit that I am perhaps rather prejudiced in this matter.

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

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

Mr. MCFALL. Mr. Chairman, I would say that what the gentleman has said about the technology does not apply. We are not talking about a new technology, we are talking about a system of remote with existing technology. Contrary to what the Aircraft Owners and Pilots Association says, we have remote other stations and they are working out fine. There may have been some problems involved in some of them, but we are getting these problems worked out. The FAA would not put in an unsafe system.

As far as Marysville is concerned, you can get on the receiver of a radio, or on a telephone from Marysville to Sacramento, where the personnel are, and the weather reading will be by personnel in Marysville, not Sacramento. As I say, some of these may have had some problems, but at 30 a year this is not being done so rapidly that it will be jeopardizing the safety of anyone.

Mr. LEGGETT. Mr. Chairman, I think we all want to build up the utilization of private aviation and general aviation in this country. I think that these FAA facilities are a substantial contributing factor to the buildup of general aviation, particularly in the rural areas. I think this is classically a rural versus urban problem. I think that the amendment should be supported.

Mr. ANDERSON of Illinois. Mr. Chairman, I move to strike the requisite number of words, and I rise in support of the amendment.

Mr. ANDERSON of Illinois. Mr. Chairman and members of the committee, I am happy to support this amendment to delay the closing of any flight service station until such time as automated systems are in place and satisfactorily operational.

In my own district I am aware of the excellent work performed daily by the FSS personnel based at the Greater Rockford Airport, Rockford, Ill. Not only does this facility service the general aviation community flying in and out of Rockford, but pilots and airport personnel throughout northern Illinois have come to rely on the reports quickly and easily obtained by phone from the Rockford station.

I understand approximately 15 local airports also use this FSS facility which includes the cities of Janesville and Beloit, Wis., and in my State of Illinois such communities as Dixon, Freeport, Rochelle, and Belvidere. Over the past 30 years pilots in this midwestern area have come to expect and have consistently received excellent service from Rockford. If, however, this facility is closed, it may be consolidated with the already overburdened station in Chicago. From past experience, the local pilots have reason to fear being included in the Chicago FSS area of operations.

Before the Congress agrees with the abandonment of the projected 30 stations per year, I would hope that the replacement of upgraded facilities would already be in place and operating at the high standards so essential for air traffic safety. While I am sympathetic to the Federal Aviation Administration's desire of equalizing the workload at their flight

service stations, I also realize it is impossible to equalize the level of airport operations across the country. There will always be the large airports such as Chicago's O'Hare, New York's JFK, and Los Angeles' International. Air traffic patterns necessitate increased FAA responsibility at these major hubs.

As the airport conditions vary from place to place, so perhaps should the FAA's support. O'Hare's congestion demands a large traffic control commitment. Perhaps this individual consideration should also be given to the vital weather and flight-planning data support system which is performed by these flight service stations. If this proves to be impractical, then at least the FAA should provide to the affected aviation community—scheduled for a consolidation—that they will receive no less quality of service from the upgraded and more distant station. To date this assurance has not been adequately conveyed.

Also it should not be forgotten that the Nation's aircraft pilots, owners, and passengers are paying for the new equipment costs inherent in each consolidation. It is the facilities and equipment section of the aviation trust fund which supports this hardware request. It is no wonder then that so many aviation oriented individuals are concerned with this FAA program. While stations are being listed for deactivation, little or no mention is being made with which facility the retired FSS area will be remoted. There is the other allied consideration of when the new facilities will be fully operational.

It is for these reasons then that I feel the House should instruct the FAA to rework their plans in order to provide a more clear and coordinated program for improving the operation of its flight service stations.

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

Mr. Chairman, I hope that this amendment is not adopted. I go back to the question that the gentleman from Iowa (Mr. Gross) asked the chairman of the committee about this budget being \$600 million over last year's budget. Where do we go?

We have a responsibility to the taxpayers to hold the budget down. Here is a chance to try to do something to try to hold expenditures down, to keep this budget within reason.

Here they are—the budget busters. They are out here ready to knock it in the head. If this system did not work, I would go along with the budget busters, but the system does work.

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

Mr. CONTE. I will yield to the gentleman from Montana when I am finished. The gentleman has been on the floor. I can see where he is interested in this because of the problems they have in Montana. But we have memorandums from FAA to the effect that everything is working fine out there in Montana, and that this flight service station as it is now has been corrected, and they have not had one complaint since April.

I have one here in the Kirksville-Columbia area, and here is the FAA before

our committee. This is a slide projection. It said:

I use this to illustrate an example of a successful consolidation. About a year ago we consolidated the Kirksville Flight Service Station with the Columbia Flight Service Station. We had extreme opposition from the local citizens of Kirksville. We worked with them and finally they agreed to the consolidation. The activity at Columbia has increased 17 percent. We added no specialists to Columbia, which was also not fully productive. The Columbia people are personally satisfied. We have made a point of checking and made sure our services have not deteriorated in either location. I believe it's a very successful consolidation. It had some side benefits to local airport management at Kirksville, in that they became the contract weather observer. This helped supplement the airport management's budget for the year.

We could go on and on. But here is a program that, unless we do something with it, is going to mean that we are going to have to add an 11,000-men work force to approximately 3,000 when the automated system is implemented 10 years from now. If we translate that into dollars and cents, we are talking about millions and millions of dollars.

How did this amendment get in here last year? We went over there in conference, and there were a great many Senators who were very upset about closing some of these flight service stations, and they prevailed and put in this amendment on the DOT bill that these stations would not be closed.

I understand that the FAA has met with these Senators, has explained the system, has gone over it as they have with us, and now these Senators are satisfied with the new system and feel that the new system will do everything that the old system had done before with less personnel.

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

Mr. CONTE. I now yield to the gentleman from Montana.

Mr. SHOUP. I thank the gentleman for yielding.

Mr. Chairman, I speak for the people of Dillon, Mont. They are not satisfied with what has been done to them. I am not too much concerned about whether the Senators are satisfied; I am more concerned about whether my people are satisfied. They are not.

The other question I should like to ask the gentleman, who started out with this budget-busting comment, is, How much does this amendment add to the budget?

Mr. CONTE. It says here:

To refuse the FAA's proposal to greatly increase system efficiency by redistributing their work force will result in a continuation of stations inability to satisfy user demands or will involve the hiring and training of an additional 7,000 people (presently 4,000) to meet the projected growth in demand. Both of these alternatives are undesirable: one because it would create degradation of safety and the other because of the subsequent necessity to reduce the 11,000-man work force to approximately 3,000 when the automated system is implemented ten years from now.

No loss of essential services. Electronic equipment will remain at vacated site. Telephone lines will connect it to an adjacent manned facility. Weather observations—taken by tower, National Weather Service, or

contract observers—will be given the same nationwide dissemination.

Mr. SHOUP. I thank the gentleman. I would like to make an observation.

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

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

Mr. SHOUP. I would like to make an observation regarding the statement, that it will require additional hiring—how much was the addition?

Mr. CONTE. It will involve hiring and training of an additional 7,000 men, it says.

Mr. SHOUP. That is 7,000 men. We are going to remote 30 flight stations, which would be 230 men per station.

Mr. CONTE. We will get 60 more.

Mr. SHOUP. That would be 115 men per station. I think this gets a little bit out of reason.

Mr. CONTE. They are talking about 10 years. This is an FAA memorandum I am reading from.

Mr. SHOUP. If we do not close the 30 this year, in 10 years we are going to have to hire 7,000 men?

Mr. CONTE. They are talking of a 10-year program.

First. Ninety-five percent of contact with these remote flight service stations is by radio or telephone. Only 5 percent of contact is made by personal appearances.

Second. It is the first step in modernization of flight service station systems. If these stations are not consolidated, it will mean hiring an additional 7,000 people. The present number employed is 4,000. After modernization only 3,000 will be needed. The 4,000 presently employed can and will be placed into positions within the FAA—some at a higher level. But, it would be difficult to deal with and place 11,000 employees.

Third. From an economic view, consolidation will create a more efficient system. These low-activity stations involve a \$5.10 cost per hour for flight services. This is opposed to \$1.80 cost per hour in high-activity flight service stations. The only flight service station being consolidated that is not a low-activity station is Dallas-Fort Worth—reason: present facilities inadequate.

Fourth. It is a misnomer to say that these stations are closing. Rather, they are being consolidated by means of telephone service. They are not closing these facilities, but merely removing their personnel.

#### WEATHER REPORTING PROBLEM AFTER CONSOLIDATION

First. Some stations will utilize national weather service facilities.

Second. Other stations will utilize weather observers, which will be contracted.

Mr. SHOUP. I thank the gentleman.

Mr. CONTE. Mr. Chairman, I hope the amendment is defeated.

Mr. KETCHUM. Mr. Chairman, I move to strike the last word and I rise today in support of the amendment offered by the gentleman from Montana. As a private pilot myself, I am well aware of the services provided by flight service sta-

tions, and have often depended upon them while flying. I have no quarrel with the FAA's plan to modernize the stations and upgrade their capabilities, but I do question the wisdom of cutbacks when the technology to replace existing stations is not available. The fact is that at the present time there is need to construct and staff more stations than those which are now in operation.

I can certainly attest to the need for a flight service station in Bishop, Calif. Bishop is a resort and recreation community situated in the vicinity of the White and Sierra Mountains. The local airport serves the community of 10,000, as well as a visitor population of 4½ million annually. Since many of these visitors fly their own planes or use small commercial aircraft, it is imperative for safety reasons that a flight service station be established at Bishop.

The two most important services that could be provided by a flight service station would be weather advisories, and the monitoring of navigational aids. The unpredictable weather conditions, and the unreliability of NAVAIDS are of the utmost concern to the pilots flying in the area. They are unanimous in their support for an FSS, and believe flying safety would be greatly enhanced with the construction of a flight service station. At the present time, however, the FAA will not even consider this proposal due to their pending FSS system modernization.

I believe that the passage of this amendment is essential to the continued safe operation of the flight service systems. It would also serve notice on the FAA that there is a desire in Congress to insure the safety needs of small communities like Bishop are met. I urge my colleagues to vote for the Shoup amendment.

Mr. TAYLOR of Missouri. Mr. Chairman, I move to strike the last word and I rise in support of Congressman Shoup's amendment to H.R. 15405 to prevent the Federal Aviation Administration's ill-conceived closing of 30 flight service stations in fiscal year 1975. Congressman Shoup has already described the many vital services to airmen that these stations provide. It is my belief that the FAA's plan to reduce the number of flight service stations from 282 in 1974 to 138 in 1978 and eventually reduce the total number of stations across the United States to as few as 20 by 1983 is ill-considered.

Substituting unmanned automated facilities at selected locations as a substitute for the fully manned stations is only a conceptual idea and the concept should at least be proven experimentally in actual flight service station operations before a consolidation plan is put into effect. In addition, the FAA has no plan to provide the same services to pilots during the long transition period to automated facilities. In fact, many of the flight service stations to be closed will apparently never be replaced by automated facilities.

For example, under the FAA proposal the pilot services presently provided by the Joplin, Mo., flight service station will be transferred to Springfield, Mo. The Joplin flight service station serves a wide area in the four-State region of Arkan-

sas, Oklahoma, Kansas, and Missouri and handles over 113,000 flight services per year. The FAA has no plans at all to construct an unmanned automated facility at the Joplin airport or even install a "type 1" facility which only consists of a flight information desk. The Joplin flight service station ranks as the 169th busiest station in the United States, yet 162 of the 375 total flight service stations operating in the United States in fiscal year 1973 handled less business than Joplin but will remain in operation during fiscal years 1975 and 1976 under the FAA consolidation plan.

You can get an idea of just how faulty the reasoning is behind this plan by taking a close look at the proposed closing of the flight service station at Love Field in Dallas, Tex. The Love Flight Service Station ranks as the 21st busiest station in the United States, and yet, the FAA proposes that the Love Station be consolidated with the Fort Worth Station which itself is the 22d busiest station in the United States. This surely cannot be in the best interests of efficiency, economy and safety.

Last year it was the judgment of the conference committee on the Transportation appropriation bill that the FAA should not decommission any existing flight service station until such time as automated systems are in place and satisfactorily operational. At the present time automated systems still have not been installed and consequently I believe a prohibition is still necessary.

I share the concern of the small aircraft pilots of southwest Missouri that the FAA's vague plans for remoting pilot services will result in a reduction of the services which they find essential. I urge the adoption of the amendment introduced by the gentleman from Montana.

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

The CHAIRMAN. The Chair will count. Seventy-four 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.

The call was taken by electronic device.

#### QUORUM CALL VACATED

The CHAIRMAN. One hundred 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 vacated.

The Committee will resume its business.

The question is on the amendment of the gentleman from Montana (Mr. SHOUP).

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

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

A recorded vote was refused.

So the amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

#### GRANTS TO THE NATIONAL RAILROAD PASSENGER CORPORATION

To enable the Secretary of Transportation to make grants to the National Railroad Pas-

senger Corporation, \$125,000,000, to remain available until expended.

#### POINT OF ORDER

Mr. DINGELL. Mr. Chairman, I reserve a point of order and I move to strike the requisite number of words.

The CHAIRMAN. The gentleman from Michigan reserves a point of order at this point against what provision of the bill?

Mr. DINGELL. Against the provisions beginning with line 14 through line 18, page 15, which were just read by the Clerk.

Mr. Chairman, I will regretfully insist on the point of order. I rise for the purpose at this time of engaging in colloquy with my good friend from California (Mr. McFALL).

I note first that there is no authorization in time for the \$125 million figure; that the matter is now pending in legislative committee. I would point out that the legislative committee will be shortly coming forward with a much higher figure.

I want to commend my colleague, and I do not criticize the Committee on Appropriations for bringing forward an appropriation bill in view of the fact that the legislative committee and the legislative subcommittee of which I am a member have not been sufficiently punctual in bringing forward the appropriation authorization. Therefore, my comments are not to be taken in any sense as critical of my good friend from California (Mr. McFALL) or the subcommittee, for having brought forward this figure.

But, there is something that is important to the House, and I am glad to see my friend from California (Mr. McFALL) is prepared to respond, because I do think colloquy at this time is important.

Mr. Chairman, the figure of \$125 million is \$18 million less for the National Rail Passenger Corporation than the Bureau of the Budget has suggested. The Bureau of the Budget had suggested and the Department of Transportation had indicated \$143 million was needed. In point of fact, the National Rail Passenger Corporation had indicated that to provide the kind of service that is going to be needed during this period of the energy crisis, the figure which should be appropriated is \$200 million, or very close to it.

Now, I want to yield to my good friend and colleague from California (Mr. McFALL) for whatever comment he wishes to make, because he is a sincere, able, and valuable Member of this body.

Mr. McFALL. Mr. Chairman, I would like to thank the gentleman from Michigan for yielding to me.

We discussed this before, and I am glad that the gentleman has taken this reservation at this time to discuss this matter. I would like to explain to the House why we put this matter in the bill, and further reply to the gentleman's comments about Amtrak.

The bill does include funds for Amtrak, which we have not yet authorized, as the gentleman points out. The reason for this is that we felt we should report a complete bill to the House. We felt that the House should have the benefit of the committee's thinking with respect to this program, and should be able to

assess the relative priority of this program with other transportation programs.

Prior to this year, we have never reported a regular annual appropriations bill including funds for Amtrak. The reason for this is that the authorization has never been enacted at the time we have reported our bill. Last year we reported on June 15 and the authorization had not passed the House. The year before we reported on May 22 and the year before that we reported on July 8, after the fiscal year had already begun. In none of these years had the authorization passed the House and in none of these years did we report our regular bill with funds included for Amtrak.

We feel that the Federal grants made to Amtrak are very important. We also feel that it is important that someone call to the attention of the Members the fact that, with the funds recommended in the accompanying bill, nearly half of a billion dollars will have been appropriated to Amtrak. And it appears as though substantial future appropriations will be required. In view of this, we have urged the adoption of criteria which will establish a reasonable balance between sound fiscal policy and service to the traveling public.

Mr. Chairman, it is not our intent, nor is it the committee's intent to usurp the functions of this very important legislative committee to which the gentleman refers.

We did not request a rule waiving points of order against this program because we wanted to bring it to the floor of the House in this way, and not usurp the authority of the legislative committee. We merely, as I told the gentleman from Washington (Mr. ADAMS) when we discussed this earlier, wanted to bring this to the attention of the House, and of the members of the committee.

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

(On request of Mr. McFALL, and by unanimous consent, Mr. DINGELL was allowed to proceed for 2 additional minutes.)

Mr. DINGELL. Mr. Chairman, I want to thank my colleague, the gentleman from California, for his comments.

The House should know that having a viable national railroad passenger system in this country is going to require extensive subsidies for a goodly period in the future.

The Commerce Committee, in bringing this authorization legislation to the floor, has never indicated to the House that there was not going to be a big cost. We are going to need an enormous amount of new equipment.

None of the cars procured by Amtrak from the other railroads are dated nearer than 1955, and very few of them date from that time. Roadbeds are in incredibly bad condition. Safety is intolerable. There are management and employee security problems which still plague Amtrak. There are great problems because of the fact that the roadbeds are so bad that it is difficult to get on-time service.

Mr. Chairman, the Subcommittee on Transportation and the Commerce Committee have worked diligently on these matters, and I want to commend the gentleman from California, and the Sub-

committee on Transportation and the Subcommittee on Commerce, for their concern in these matters.

I agree that we should certainly have an authorization bill in time.

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

Mr. DINGELL. Yes, I yield to the gentleman from California.

Mr. McFALL. Mr. Chairman, I think the gentleman's comments are positive and very valuable in understanding the problem we have with Amtrak, and I think the gentleman will agree that we have to move forward in trying to remedy those problems.

I am in favor of Amtrak. We have to have Amtrak. I think Amtrak is necessary for the transportation system of the country.

As to the point the gentleman makes about the reason for Amtrak's deficiencies, I think many of us expected that. However, these deficiencies demonstrate the kind of work that this Congress has to do to try to remedy these conditions.

Mr. DINGELL. Mr. Chairman, the gentleman from California is eminently correct, and it is the intention of the Committee on Commerce to do this very thing.

I thank the gentleman.

The CHAIRMAN. Does the gentleman from Michigan (Mr. DINGELL) insist on his point of order?

Mr. DINGELL. I do at this time, Mr. Chairman, insist on my point of order.

The CHAIRMAN. Does the gentleman from California (Mr. McFALL) concede the point of order?

Mr. McFALL. Mr. Chairman, I concede the point of order.

The CHAIRMAN (Mr. MURPHY of New York). The gentleman from California (Mr. McFALL) concedes the point of order.

The Chair sustains the point of order.

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

Mr. Chairman, I would just like to reiterate some of the points that the gentleman from Michigan made and to make some points concerning Amtrak and the Department of Transportation and the appropriation that we are discussing.

I honestly do not think, although I realize the intent of the gentleman from California, that the House of Representatives can go along with an Amtrak appropriation at this present moment under the conditions that I now see with the purchase of new equipment by Amtrak. I understand that Amtrak has been ordered by the Department of Transportation to buy six French trains. At a time and period in our country when American labor is suffering unemployment, when our mass transit facilities and technology are at a low ebb, and when various American corporations have invested enormous amounts of their own money, particularly in my district, with United Aircraft spending \$53 million in developing turbopowered trains, it is incredible to me that they should be asking us to spend the American taxpayers' money in a way that is taking jobs out of this country and paying for foreign technology rather than helping produce American technology in a field which we

all know will expand dramatically in the next few years.

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

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

Mr. McFALL. Mr. Chairman, I can understand the gentleman's concern, since United Aircraft, which is located in his district, has a competing train. I would point out to the gentleman that while this is a French patent train, the train will be made in the United States by Rohr Corp. in San Diego. So, it is actually a train made in the United States which is competing with that of United Aircraft.

Mr. MCKINNEY. Mr. Chairman, I wish to respectfully disagree with the gentleman from California on this point.

Concerning the first eight trains, they were made in France; is that not correct? Is it not correct that the two which are now running on the St. Louis run and the first six trains we purchased have been or will be made fully in France by French labor?

Mr. McFALL. Mr. Chairman, I do not pretend to be an expert on this matter. The gentleman may well be correct, but my understanding is that the Rohr Corp. has the contract to manufacture the French-patent trains.

Mr. MCKINNEY. Mr. Chairman, I would not argue the point which the gentleman made that Rohr Aircraft has a license for the manufacture of the French train. I think California has every bit as much right to compete on these trains as Connecticut does. However Amtrak informed me that 6 car sets or 30 cars will be made in France; 20 new ones and the 2 trains now existing.

It seems to me that it is clear that we are using trains which come from foreign sources, and it does seem to me that when we consider an Amtrak authorization, we should take a long look at what is happening to American jobs. We ought to take action which will bring American technology forward in a field of this type, because we know the entire world is going to be asking for this technology in the near future.

For that reason, I am delighted, though I understand the intentions of the gentleman from California, that the point of order was carried.

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

Mr. Chairman, I take this time to direct a question to the distinguished chairman of the Subcommittee on Transportation. I have read the report with regard to Amtrak, and I commend the gentleman for providing the funds that are recommended in the bill.

However, we have all read recent press reports which state that Amtrak is destined to fail, that Amtrak cannot succeed. On the other hand, we read reports that Amtrak at places is overbooked at times. Passenger traffic is growing.

Our people need a balanced system of transportation. If Amtrak is overbooked, why do we get the reports that Amtrak is failing?

Will the gentleman give us a report as to the future of Amtrak?

Mr. McFALL. Mr. Chairman, if the gentleman will yield, as I know he does, I would say that in discussing the future of Amtrak, perhaps my crystal ball is as cloudy as that of the gentleman from Tennessee. However, I do remember some of the testimony before the committee, and I have some ideas of my own about Amtrak.

I think Amtrak is going to be successful. I think Amtrak has to be successful. I think we must have a rail passenger system in the United States.

There are certain areas in which Amtrak is going to make money if we can get the kind of tracks that are essential in order to operate an efficient train.

Certainly, in the Northeast corridor between Washington-New York and New York-Boston there is sufficient traffic and sufficient customers in order to make an Amtrak operation successful and profitable. Also there are lines out of Chicago, like the spokes of a wheel.

Mr. EVINS of Tennessee. I thank the gentleman.

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

RESEARCH, DEVELOPMENT, AND DEMONSTRATIONS AND UNIVERSITY RESEARCH AND TRAINING

For an additional amount for the urban mass transportation program, as authorized by the Urban Mass Transportation Act of 1964, as amended (49 U.S.C. 1601 et seq.), to remain available until expended: \$51,130,000: *Provided*, That \$47,880,000 shall be available for research, development, and demonstrations, \$2,250,000 shall be available for university research and training, and not to exceed \$1,000,000 shall be available for managerial training as authorized under the authority of the said act.

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

Mr. Chairman, once again the House House is about to engage in its annual ritual of routinely appropriating hundreds of millions of dollars to finance the construction and deployment of obsolete transit systems despite their unerring tendency to fall flat on their face in the marketplace. At the same time I suspect we will also act today to cut substantially the comparatively small transit research and development program even though it holds our only hope of making transit competitive.

Ever since I came to Congress in 1971, the House has voted a substantial cut in transit R. & D. funds. The Senate has consistently voted full funding for these programs and through compromises in conference, the program has been able to limp along.

I recite this history because I believe it reflects poorly on our sense of transit priorities. Contrary to the rhetoric from the transit establishment, the capital grant program will not work until the research and development is made to succeed. The capital grant program is necessary, but it only keeps transit's head above water. It does not generate much forward progress.

I think even my good friend from Massachusetts (Mr. CONTE) would agree that our fundamental transportation problem in this country is not the multimillion-dollar cost overrun in Morgantown, however unfortunate that situation has turned out to be. Our fundamental problem is that this country says it wants a

balanced urban transportation system and there is no currently available transit options that can make that goal a reality.

Let us look for just a moment at the available options. Short of flat out coercion, city fathers really have only two choices in trying to put together a long-range transit development plan. They can buy an enormously expensive and probably obsolete conventional fixed guideway system or they can buy buses or they can buy both. Our dilemma is that neither of these options has come within a country mile of cutting the mustard in the marketplace. Instead, the pattern has been that whenever either of these options are extensively deployed, operating deficits begin to soar and ridership improves almost not at all.

Despite substantially increased Federal funding in recent years, transit has continued its steady decline since World War II to where it now accounts for the astonishingly low market share of about 4 percent. This decline in transit patronage is occurring in Europe as well as in the United States despite the much stronger transit riding tradition in Europe. It was recently called to my attention for example that the much vaunted London transport system has experienced declining patronage since 1948 despite the professional management, through expansion, modernization, and automation. Europe is discovering what we have long recognized about individual tastes in transportation—if a person can afford an automobile, he will buy one and use it. Transit's performance is poor primarily because none of the currently available options comes close to matching the automobile's comfort, privacy, and convenience. Until we develop those options, transit will continue to attract its abysmally low market share of ridership.

We have some rather serious problems with our R. & D. efforts, but they pale in comparison to the problem of trying to find a billion dollars worth of cost-effective transit to fund each year. UMTA's R. & D. program does lack something in coherence and focus. Mr. Herringer, administrator of UMTA, I think, recognizes this fact and is in the process of trying to do something about it. Maybe UMTA has not accomplished any miracles, but there is no satisfaction to be had in reducing our commitment to transit R. & D. We ought to be seeking ways to beef up that commitment. Unless this R. & D. effort succeeds, the goal of a balanced transportation system will remain an impossible dream.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Sec. 304. None of the funds provided under this Act shall be available for the planning or execution of programs for incentive grants for mandatory seat belt legislation nor for programs the obligations for which are in excess of \$100,000,000 in fiscal year 1975 for "State and Community Highway Safety" and "Highway-Related Safety Grants".

AMENDMENT OFFERED BY MR. HARSHA

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

The Clerk read as follows:

Amendment offered by Mr. HARSHA: Page 23, beginning on line 19, strike out "for incentive grants for mandatory seat belt legis-

lation nor for programs" and on lines 20 and 21, strike out "\$100,000,000" and insert "\$132,000,000."

Mr. HARSHA. Mr. Chairman, the purpose of my amendment is to reinstate the \$32 million in requested funding for the incentive grants provision of the Highway Safety Act of 1973. The purpose of such incentive grants is to encourage the States to adopt safety belt use laws. States which do so would be eligible, assuming funds were available, for up to a 25-percent bonus over the monies normally apportioned to them for section 402 highway safety programs.

I was the original sponsor of this proposal in the Committee on Public Works. I did so because of the overwhelming evidence indicating the worth and need of safety belts as a means of saving lives and preventing crippling injuries when traffic mishaps occur.

In Australia, where safety belt use laws have been on the books for 2 years, fatality reductions on the order of 25 percent have been achieved; crippling injuries of the type that permanently disable and disfigure, have been reduced by 35 percent. If we can achieve similar results in this country through the adoption of such laws, that is if all the States adopt and enforce safety belt use, studies indicate that fatality reductions of 10,000 or more can be achieved annually. Over 100,000 serious injuries can be prevented.

Over the next decade this translates into 100,000 lives saved and a million serious injuries prevented. In other words, we will be saving over twice the number of lives and preventing twice the number of injuries that this Nation sustained during the course of our 10-year involvement in Vietnam.

And, it is worth noting that 25,000 of those whose lives will be saved will be children. A quarter million will avoid crippling injuries.

If we achieve these results, and I believe we can, the societal damages which we will avoid will be astronomical. Estimates vary, but we can conservatively forecast saving of upward of \$50 billion during this period. And that figure could easily be doubled.

The Department of Transportation shares my optimism in this regard. Administrator James Gregory is most enthusiastic about the incentives grant approach contained in the 1973 Highway Safety Act. He believes it will be a constructive stimulus to the States in motivating them to adopt safety belt use laws. In fact, a presentation was recently made to Puerto Rico as the first State to become eligible for such a grant.

It seems to me that offering incentives to States to encourage them to take positive action is far more preferable than mandating such action on the Federal level—as we have done in the case of interlock and sequential warning devices. Incentive requirements encourage "States rights" and they recognize Federal responsibilities.

I realize that opposition to safety belt use laws exists. Much of it, however, centers around the federally imposed requirement that all new automobiles be equipped with interlock and nuisance buzzers aimed at compelling seat belt us-

age. Personally, I do not approve of this "back door" approach to highway safety. In fact, as I see it, once safety belt use laws are on the books, there will be no further need for interlocks. In other words we can safely abandon the objectionable interlock and buzzer systems.

As a matter of fact, I have introduced, and the Committee on Public Works is considering, a bill, H.R. 13499, which would end the requirement for interlocks on vehicles sold in States which have become eligible for safety belt incentive awards. This seems to me a constructive and realistic approach.

Over the next decade, when passive restraints, such as the airbag, are gradually replacing older modes, safety belts offer the best, indeed the only means for achieving wholesale reductions in fatalities postcrash or loss of control of motor vehicles.

But we cannot hope to achieve such reductions unless the \$32 million needed to fund the incentive grants provision to encourage States to adopt safety belt use laws is restored.

If you agree with me that saving 100,000 American lives is a worthwhile objective, I urge that you support my amendment; \$32 million is a small price to pay for such a promising program.

Mr. SHUSTER. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Ohio (Mr. HARSHA).

Mr. Chairman, it is with great reluctance that I oppose my distinguished leader from the Committee on Public Works, but as a member of that Transportation Subcommittee, and, indeed, as author of two of the safety amendments which are now in the Federal highway law, I can certainly attest to the accuracy of his statistics in terms of seatbelts being very valuable in saving lives. In fact, anybody who does not wear a seatbelt is absolutely foolish.

But, Mr. Chairman, I believe that a free people have a right to be foolish. I think that we certainly must insist upon informing and educating the public as to the importance of seatbelts, but to encourage the States to mandate, to force by law, a person to wear a seatbelt is, in effect, to say, "We know what is good for you." I believe this does violence to our individual liberties. If we start this, where will it stop?

We are told that many lives can be saved, and they can be. On the other hand, there are 250,000 people who die prematurely each year from smoking, so should we provide incentives to make smoking illegal? There are 15 million people who are 20 percent overweight, and this takes 7.5 years from each of their lives. That adds up to 1.6 million lifetimes. Should we make it illegal to consume over 3,000 calories a day? There are 28,000 people who die each year from alcohol, we are told. Should we make it illegal to drink?

Now I understand there is scientific evidence that by taking an aspirin a day we can reduce heart attacks. Should we make it mandatory for each American to take one aspirin a day?

Mr. Chairman, I think the answer to all of these questions is the same. The answer is we have no right to mandate,

we have no right to pass a law or encourage the passage of a law which forces a free people to do what we think is good for them. I urge the defeat of this amendment.

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

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

Mr. ICHORD. I thank the gentleman for yielding.

I certainly concur with the remarks of the gentleman in the well, and I am surprised that my good and distinguished friend, the gentleman from Ohio, would be sponsoring this amendment. I should like to have the gentleman in the well elucidate upon just what this \$32 million is for that the gentleman from Ohio wants to put back in the bill. It is my understanding that this \$32 million is going to be used by the Department of Transportation to lobby State legislators to pass a law making it illegal for me not to wear a seatbelt.

Mr. SHUSTER. That is absolutely correct. However, I would not want to speak for the gentleman from Ohio.

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

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

Mr. HARSHA. I thank the gentleman for yielding.

In the first place, it is not a mandatory section. It does not impose any responsibility on the States whatsoever. They have the option of enacting mandatory seatbelt laws if they want to.

Mr. SHUSTER. That is right. But this amendment says: If you, Mr. State, pass a law saying that our people in the State must wear seatbelts, then you get these Federal dollars.

Mr. HARSHA. Will the gentleman yield further?

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

Mr. HARSHA. I thank the gentleman for yielding.

Will the gentleman in the well enlighten me on one point? He is a member of the committee. He was present when this committee adopted this amendment in committee. I offered it there, and he did not vote against it. In fact, there was not one single vote against it in the committee.

Mr. SHUSTER. That is exactly right. That occurred over a year ago, and as a freshman Member, I am learning.

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

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

Mr. GROSS. I thank the gentleman for yielding.

There is an old adage that goes like this:

A wise man changes his mind; a fool never does.

Let me ask the gentleman this question. Does the gentleman think we are already sharing enough revenue now with the States without sticking \$32 million more into this bill? If we are going to share more revenue with the States, let us do it openly and above board, and without seatbelts.

Mr. SHUSTER. I certainly agree with the gentleman from Iowa. I think the \$32 million issue is an important issue, but I think the fundamental issue of our individual freedoms and our individual liberties is a much more significant issue than the \$32 million.

Mr. HARSHA. Mr. Chairman, will the gentleman yield again?

Mr. SHUSTER. I would be happy to yield to the gentleman from Ohio.

Mr. HARSHA. I thank the gentleman for yielding.

The net effect of denying this amendment is to resort to just the very thing that the gentleman objects to. Then we are saddled with this mandate of interlock and sequential warning devices.

Mr. SHUSTER. There is no relationship between the two, I would suggest to the gentleman.

Mr. HARSHA. There certainly is. If we can get mandatory use seatbelt laws, then we do not need it.

Mr. SHUSTER. Your amendment unfortunately does not affect the interlock or warning devices in any way.

Mr. MC FALL. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I do not wish to prolong this debate any more. I think the Members understand what is at issue here, but I wish to express the opposition of the subcommittee to the amendment.

The bill, as reported, prohibits the use of funds to provide incentive grants to States for enacting legislation which would make the use of seatbelts mandatory.

The amendment which has been offered would delete that prohibition, and thereby allow the expenditure of \$32 million to encourage States to require that seatbelts be worn.

I, as anyone well knows, think seatbelts are good. I wear them and I feel safer with the belts on, but I still oppose the amendment because I do not believe we can justify the expenditure of \$32 million just to encourage the State legislatures to do their job. If mandatory seatbelt legislation is so vital and so important, then the State legislatures should not need any encouragement to enact such legislation.

Mr. Chairman, I ask that this amendment to add \$32 million for grants to encourage mandatory State seatbelt legislation be defeated.

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

Mr. MC FALL. I yield to the gentleman from Oklahoma (Mr. STEED).

Mr. STEED. Mr. Chairman, I have seen some bad amendments in my time, but I do not think I have ever seen any amendment as bad as this one. I think this approach, to try to bribe the State legislatures into doing something they otherwise would not do, is all wrong. I believe that this is such a waste of Government money that if all we were interested in were wasting money, this proposition does not even get a high priority in that respect.

I just do not believe the House wants to start this kind of precedent of providing lobbying money to try to get the States to pass this kind of law. I just cannot believe if the Members really

understand what is involved that they could possibly support it.

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

Mr. Chairman, the distinguished gentleman has brought up a suggestion that if we do not follow his approach we will have to resort to the mandatory hook-up of seatbelts to the ignition, the so-called interlock system, which the Department of Transportation has by regulation required every car coming out of Detroit to have.

I had the experience a number of weeks ago of returning to my district and renting a 1974 Hertz rental car with the seatbelt hooked up to the ignition. I understand that Hertz has now ripped out all such interlock systems in their rental cars rather than risk the customers doing so which many were so doing. But I had the experience of spending all week long fighting this contraption. I was having to move the automobile from one motel room to another, being at a political convention, and when I moved the car only 10 feet I had to completely hook up the shoulder strap and the seatbelt strap, and it almost ran me out of my mind. Before the weekend was over I did figure out a way to beat the system by rolling down the window and starting the car from without and then getting into the car.

Let me say to the Members of the House that we do not need more silly rules and regulations. I am surprised at the gentleman from Ohio—and I will yield to him in a minute since I mentioned his name—offering this amendment. Think what we are doing here. This is an issue upon which all conservatives and liberals should agree.

I happen to be an airplane pilot. I agree with all the information and the facts and statistics given by the gentleman from Ohio. I realize the value and the safety in a seatbelt. As a pilot, I automatically fasten my seatbelt; but it is altogether a different issue when we are asked to make it a crime for me not to wear a seatbelt. Since when do the American people need "big brother" to say that it shall be a crime if they do not take these steps to protect themselves? This is what the gentleman from Ohio is trying to do here. He is asking us to spend \$32 million of money that we do not have to go back to the State legislators and ask them to pass a law, to bribe them to pass a law making it a crime for us not to protect ourselves. My God, how far have we gone?

Mr. HARSHA. Mr. Chairman, if the gentleman will yield, this has nothing to do with the interlock system. This will enable legislation to do away with the interlock system.

Mr. ICHORD. I agree with the gentleman, but we should immediately pass a law repealing this silly regulation requiring all cars coming out of Detroit to have an interlock system, which incidentally costs the consumer a considerable sum.

Mr. HARSHA. Has the gentleman got a bill in to do that?

Mr. ICHORD. Yes, I have, and I hope the gentleman will pass it.

Mr. HARSHA. I have, too, to do that very thing.

Mr. ICHORD. Let us pass it then.

Mr. HARSHA. The point the gentleman is missing is that the use of the seatbelts does not involve only the user himself. It involves the safety of everyone on the highway.

Mr. ICHORD. I refuse to yield further. I disagree with the gentleman. This is not like passing a law to make it illegal to drive an automobile while drunk, which endangers other people. It is not like driving an automobile under the influence of narcotics. There again, we endanger someone else; but the amendment of the gentleman from Ohio seeks to effect an intrusion of a personal right of free choice of the individual and I cannot think of any more horrible way to waste \$32 million.

Mr. HARSHA. It is not any more an intrusion of the rights of the individual than it was to pass the mandatory requirement for motorcyclists to use helmets. That has been done. That was for the protection of all users of the highways.

Mr. ICHORD. The Federal Government does not do that.

Mr. HARSHA. Yes, it was a result of Federal action. It has been adopted in 26 States and it has been further upheld by the U.S. Supreme Court. It involves not only the protection of the user but the rights of society as well.

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

Mr. Chairman, I do not particularly care what happens to this amendment; but I do think there should be a little more fact laid on the table here and some of the statements made here have not been facts.

In the first place, I happen to chair the subcommittee having jurisdiction over autos and if we had the time we might be able to hear some of the bills introduced dealing with the correction of the mistake which was forced upon the Department of Transportation by the White House after a visit by Mr. Henry Ford the 2d, who was the principal advocate of the present contraption known as the interlock, probably the least desirable of all the alternatives then being proposed, certainly not desirable as the device being advocated then by General Motors for a passive restraint system.

We talk about free choice and the impact it has upon us. I want some free choice. I do not want to continue the rapid escalation of insurance costs because of persons who are irresponsible and fail to hook their seatbelts, which incidentally are required to be in the automobiles by law.

We started back in the fifties imposing mandatory safety features in automobiles and if we had not done so, we would not have the safety in the automobiles that we do today.

Granted, there have been mistakes. We delegated to the agencies the responsibility of determining the best systems rather than legislatively mandating specific systems. But, the fact is that there is a lot more noise being made over the interlock, and I am not—and I emphasize that again—an advocate of the interlock. But, over at the Department of Transportation they have had less than 600 letters of complaint.

The Members may exclaim, "ah" all they want to, but if any Member can show a different number, I will be willing to correct this record. I am not in the habit of stepping into this well and misleading my colleagues. I have not done it in this instance, nor have I done it at any time in my more than a quarter century of legislating.

The fact is that we have alternatives even today to the interlock. They can have a passive restraint system to meet requirements. Now, in legislation coming out of the Interstate and Foreign Commerce Committee, we are going to require that there be a modification to permit a sequential signal system not tied to the present ignition as an intermediate step. There are some engineering problems. The cars have been modified, the electrical systems have been modified, and I have been told by this great automobile industry that they have difficulty in effecting changes within the automobile.

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

Mr. MOSS. Mr. Chairman, I yield to the gentleman from Missouri.

Mr. ICHORD. Mr. Chairman, I was wondering what would be the approximate cost to the consumer of the passive system. It is my information that the average cost of the interlock system to the consumer—and of course the consumer is the one who pays the cost—is on the average between \$50 and \$90. I am wondering what would be the cost of the passive system of which the gentleman speaks.

Mr. MOSS. It is my present opinion that it would not be much greater initially than the cost of the interlock. I think it would be far less frustrating—far less frustrating, and provide a far greater degree of security, particularly in the high speed accidents, than is achieved through the interlock system.

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

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

Mr. COCHRAN. Mr. Chairman, I yield to the gentleman from Ohio.

Mr. HARSHA. Mr. Chairman, no one more than I could be more concerned about preserving the personal freedoms that all of us enjoy.

But the question is not one solely of personal liberty as the gentleman from Missouri suggests.

There is solid foundation in both case law and in the philosophical underpinnings of our system of government for legislative action that requires individuals to conform to a standard of conduct that is substantially beneficial to the society as a whole.

What we are concerned about in promoting the acceptance of safety belt use legislation by providing incentive grants is the safety and health and welfare of all of the people who drive or ride in motor vehicles on our streets and highways.

There is considerable evidence to show that use of belt restraints protects not only the individual using them, but others around him—in his vehicle, in other vehicles, and others using the pub-

lic pathways—including pedestrians, bicyclists, and motorcyclists.

Who is it that benefits from the use of safety belts, when such restraint enables a driver to stay at the controls under extreme circumstances so that he can maneuver his vehicle to avoid hitting another car, or a pedestrian?

Who is it that benefits from belt use when such restraint keeps one occupant of a car from crashing into another in an accident, thus preventing serious injury or even death to one or both? No one can argue against the fact that belt use protects both the wearer, and others too.

In law today the closest analogy we have are the laws in 46 States requiring motorcyclists to use safety helmets.

These laws have been appealed to the highest courts in 26 States, and upheld in all but one. There have been six cases that have gone to the U.S. Supreme Court and in each the State laws have been upheld.

If one argues that an individual does have the right to determine for himself whether or not he shall use safety restraints, then he is asking us to believe that even when the consequences of non-use may be death, or serious and perhaps permanent injury to others on the roadways, those other people are devoid of any right to be protected. He is asking us to accept the fallacy that "only I am involved, therefore the choice is only mine."

We must also consider that not only are we talking about people and their personal injuries or deaths, but we are talking about all of the other consequences of accidents and injuries.

Does not the public have an interest in keeping to a minimum the very large drain on public resources that follow accidents, and the economic impact on each of our citizens?

In *Simon against Sargent*, which was affirmed by the U.S. Supreme Court in 1972, the Federal District Court of Massachusetts wrote:

"(T)he public has an interest in minimizing the resources directly involved. From the moment of injury, society picks the person up off the highway; delivers him to a municipal hospital and municipal doctors; provides him with unemployment compensation if, after recovery he cannot replace his lost job, and, if the injury causes permanent disability, may assume the responsibility for his and his family's subsistence. We do not understand the state of mind that permits plaintiff to think that only he himself is concerned."—*Simon v. Sargent*, 346 F. Supp. 277, 279 (D. Mass. 1972).

Mr. Chairman, there are only two methods available to us for increasing safety belt use. One is suasion, and the other is compulsion.

We all know that efforts during the past decade to induce voluntary use of safety belts have failed. We all know that in Australia where safety belt use laws are in existence, use has increased to 85 percent and more, and deaths have been reduced 20-25 percent and serious injuries even more.

Universal safety belt use in the United States could be expected to save 10 to 15,000 lives a year out of the approximate 35,000 motor vehicle occupants that are killed. And prevent or reduce the

seriousness of as many as two million injuries.

The States need the incentive grant funds that DOT has requested. And those funds can be used for any safety program, so that by approving them Congress can get double it's money's worth.

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

Mr. COCHRAN. I yield to the gentleman from Pennsylvania.

Mr. SHUSTER. Mr. Chairman, I understand the theory that if one does not have a seat belt on, he might not be able to control the car as well, but as a member of the Subcommittee on Transportation, I searched for the hard evidence to substantiate that, and I know of none. If the gentleman from Ohio does know of any, I would be happy to hear him cite chapter and verse.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio (Mr. HARSHA).

The amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Sec. 315. None of the funds provided under this Act shall be available for the planning or execution of programs the obligations for which are in excess of \$250,000,000 in fiscal year 1975 for "Highway Safety Construction Programs".

AMENDMENT OFFERED BY MR. WRIGHT

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

The Clerk read as follows:

Amendment offered by Mr. WRIGHT: On page 26, strike lines 19 through 23, inclusive.

Mr. WRIGHT. Mr. Chairman, this amendment would simply strike section 315, which for the very first time, if I am correctly informed, would impose a spending limitation upon highway construction money which comes out of the highway trust fund.

Not only is it a bad precedent, it seems to me, to place a congressional impoundment on the highway trust fund moneys, but it occurs to me that this is the very worst place to do it because this limitation would reduce by a very substantial amount the moneys that are available in the authorization for contract authority out of the highway trust fund for highway safety construction projects.

Mr. Chairman, I wish to put the importance of this into proper perspective.

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

Mr. WRIGHT. I will be glad to yield at a later time. First, I wish to explain what my amendment provides.

Mr. CONTE. Mr. Chairman, if the gentleman will yield, I understand that the chairman of the committee agrees to the amendment, and the ranking minority Member agrees to the amendment. I was just trying to save some time.

Mr. WRIGHT. Mr. Chairman, if that is the gentleman's understanding, I will be glad to yield.

Mr. McFALL. Mr. Chairman, if the gentleman will yield, we on this side accept the amendment offered by the gentleman from Texas.

Mr. WRIGHT. Mr. Chairman, I thank the gentleman.

The CHAIRMAN. The question is on

the amendment offered by the gentleman from Texas (Mr. WRIGHT).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. BIAGGI

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

The Clerk read as follows:

Amendment offered by Mr. BIAGGI: Page 26 under title III, general provisions, add a new section: 316.

"None of the funds provided under this Act shall be available for the purchase of passenger rail or subway cars, for the purchase of motor buses or for the construction of related facilities unless such cars, buses and facilities are designed to meet the mass transportation needs of the elderly and the handicapped."

Mr. BIAGGI. Mr. Chairman, I am offering this amendment to reaffirm our national policy that elderly and handicapped persons have the same rights as other persons to utilize mass transportation facilities and services. When this policy was first enunciated in my amendment to the 1970 Urban Mass Transportation Assistance Act, it has hailed as the emancipation proclamation for the handicapped.

Heretofore, handicapped Americans were relegated to separate and unequal transit systems—systems that were very costly not only to the Government, but also to the individual user, my 1970 amendment sought to require the design and construction of all new mass transit systems, equipment, and facilities be totally accessible to the elderly and the handicapped.

Sadly, the Department of Transportation has continued its separate systems program for the elderly and handicapped under fancy sounding names such as "Dial-A-Ride." These programs serve relatively few handicapped at a very high price.

The vast majority of handicapped and elderly people—including those in wheelchairs—could be served through the general transportation system for little or no additional cost. Why then does the Department continue to subsidize buses and mass transit systems that cannot be used by the handicapped? I really would like to know, but I have not been able to get a straight answer from the administration on this.

Why, I ask you, did the Department fight the San Francisco Bay Area rapid transit plans to make its bus system accessible to the handicapped in wheelchairs? The new subway system there was built without barriers, and the buses would form an integral part of the mass transit system. If the buses were inaccessible, the handicapped would be unable to reach the subways.

The local agency was for it; the handicapped were for it; but the Department of Transportation opposed it saying it was an unnecessary expenditure. Yet the cost of providing lifts in the buses to make them accessible to the handicapped was far less than establishing a "Dial-A-Ride" system for all the handicapped in the Bay area.

Mr. Chairman, what is happening here is out and out discrimination. If the Department of Transportation is allowed to continue on its present route, the elderly

and the handicapped will be denied access to mass transit for many years to come.

Hundreds of buses that are inaccessible to the handicapped are rolling off the assembly lines. Yet collecting dust on the Department's drawing boards is a bus design that could be mass produced for virtually the same cost and be fully accessible to the elderly and the handicapped as well as to the general public.

I want to see steps in buses eliminated—and they can be. I want to see escalators and elevators instead of stairways—and they can be put in.

I want to see gates instead of turnstiles—and we can have them. I want to see mass transportation for all Americans—and we can have it.

Yes, mass transportation for every American even if he is elderly or on crutches or missing an arm or using a wheelchair. The cost is little. Only the determination to eliminate discrimination in mass transportation is needed. My amendment, today, will put a stop to future expenditures by the Department of Transportation for equipment and facilities that are inaccessible to the elderly and the handicapped. We cannot continue to abide by the doctrine of separate and unequal facilities. I urge my colleagues to support this amendment and put meaning to the words of the national policy for the handicapped we enunciated 4 years ago.

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

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

Mr. McFALL. Mr. Chairman, I wish to commend the gentleman from New York (Mr. BIAGGI) for providing us with this fine amendment. I believe it is absolutely essential. I do think it is a part of the existing law; it is in other parts of the law. This certainly would be very helpful if we had it in this bill.

Mr. Chairman, I am willing to accept the amendment.

Mr. CONTE. Mr. Chairman, if the gentleman will yield, the amendment offered by the gentleman from New York (Mr. BIAGGI) is a very good amendment, and we have no objection to it on this side.

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

The amendment was agreed to.

AMENDMENT OFFERED BY MR. BROWN OF OHIO

Mr. BROWN of Ohio. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Brown of Ohio: page 26, after line 23, insert a new section to read:

"Sec. 316. None of the funds provided herein for the purposes of State and Community Highway Safety shall be available to any state or jurisdiction which fails to enforce the National Maximum Speed Limit" (Public Law 93-239)

Mr. BROWN of Ohio. Mr. Chairman, one of the bonuses which we have achieved in this country as a result of the effort to save fuel by reducing the speed limit is the saving of lives. In that connection, I would like to read some statistics for the Members.

The deaths occurring in January 1974, as opposed to those in January 1973, in the State of Pennsylvania were cut in half; in New Jersey there were 42 percent fewer highway killings; in New York State the reduction was 36 percent; in Florida it was 25 percent; and nationwide it was some 23 percent.

However, Mr. Chairman, an item in the Washington Star-News yesterday indicated that throughout the country we are not observing the nationally mandated speed limit. The American Automobile Association set up its own speed trap with radar on a Texas highway yesterday and found that 62 percent of the vehicles that zoomed past were traveling in excess of the 55-mile-per-hour speed limit. The American Automobile Association said that 76 percent of the 295 female drivers and 58 percent of the 1,171 male drivers checked exceeded the limit. The average speed for all motorists was 57 miles per hour. Better than two-thirds of the automobiles clocked were speeding.

It has been reported that the rate of highway deaths per 100,000 miles of motor travel has dropped to the lowest level since the year 1933. If Public Law 93-239 helped achieve that, it surely is one of the most commendable accomplishments of this Congress. I call on you to reaffirm that action by voting for my right-to-life amendment for the American motorist.

If we allow motorists throughout the country to increase their speed gradually, now that we seem not to have as much of a crisis in the fuel field as we had a few months ago, we are likely to be increasing, along with that, the number of people who will die on the highways. I guess what I ought to do is wish a Merry Christmas and a Happy New Year to those people who will not be around at the end of this year because that speed limit is creeping up. And it is creeping up because apparently it is not being enforced.

Mr. Chairman, the purpose of my amendment is to say that the other methods of bringing about safety, for instance, driver education, will not be financed by the Federal Government as long as State and local authorities fail to enforce what we mandated as a national maximum speed limit of 55 miles an hour.

Mr. Chairman, I think we can save lives by this approach, because my guess is that State and local governments would like to have the additional funds to finance safety programs in other fields. If they want to finance those safety programs, I say that we should give them the money only if they enforce one of the best safety programs that we have provided in this Congress over the past few years, and that is the 55-mile-per-hour speed limit.

It makes no sense to grant Federal funds to States for "driver education" and such purposes, in those States that flout the greatest highway safety measure ever enacted.

What could these States possibly teach student drivers that could overcome the horrible example of unrestrained violations of a highway safety law that is at once the most effective measure for conserving motor fuel and human life?

The easing of the fuel crisis has seen motorists eke their speedometers up over the 55 mile-per-hour restraint, and now, all too often, even over the old limits, with prodigal implications for our petroleum resources, but far, far worse, the most evil and disastrous implications for those tens of thousands of people for whom a sane highway speed law had offered a reprieve from execution by automobile.

What a mockery it is if we here today appropriate money for the supposed purposes of promoting safety, to the very State agencies that are a part of this tacit conspiracy to do nothing to restrain the reescalation of this monstrous mayhem on the highways.

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

This amendment does nothing. The law is that the 55-mile-an-hour speed limit must be observed. We passed that law. Every State in the Union is going to say, "Why, we have our law enforcement officers out and they are enforcing the law."

I will say to the Members that it is very difficult to enforce this law. I have been getting mail from my constituents about the enforcement of the law in my State. You cannot enforce a law which nobody pays any attention to. No matter how many highway patrolmen you put on the highways, if people are no longer interested in the 55-mile-an-hour speed limit, the patrolmen are not going to be able to effectively enforce the law.

On the big freeways which we have in every State, with automobiles that can easily go 65 or 70 miles an hour, the temptation is too great to go faster than the law permits.

I do not think this will do anything one way or the other.

Mr. BROWN of Ohio. Will the gentleman yield?

Mr. McFALL. Let me finish my statement first.

I think what we have before us is something we ought to look at very carefully. Probably, we have a situation here now where everybody has automobiles that will go at least 65 to 70 miles an hour on these big freeways, and they just do not see the need for curtailing their speed to 55.

Even though I agree with the gentleman that it will reduce the number of lives lost and that it has conserved fuel, I still believe that to require State highway traffic patrolmen to stop everybody going over 55 miles an hour in the United States today will mean that you will need infinitely more law enforcement officers.

Mr. BROWN of Ohio. Will the gentleman yield?

Mr. McFALL. I yield to the gentleman.

Mr. BROWN of Ohio. What this amendment does is to say the Secretary of Transportation can say that you do not get the money unless you have a law enforcement program and it is operative. It seems to me it puts the Secretary in a good position to encourage law enforcement, and it will also help the States to decide on their own that maybe this is a pretty good safety program, as good as the driver education program is.

I recognize that in many States—and perhaps the gentleman from California is in one of those States—there are safe

drivers, but there are some people who are killing others by driving 70 or 75 miles an hour while the national speed limit is 55.

Mr. McFALL. I do not pretend that we have safer drivers in California than any other place, but I say to the gentleman that the law says 55 miles per hour is the speed limit, and the States will say "We are enforcing the law to the best of our ability." I just do not think you are going to accomplish anything with this. I oppose the amendment.

Mr. CONTE. Mr. Chairman, I join my chairman in opposing the amendment.

As the chairman said, I really feel it does not do anything. We passed a law calling for a 55-mile-an-hour speed limit throughout the country. This amendment says that no State or community shall get any of these funds if they fail to enforce the maximum national speed limit. Who is going to find out whether they are enforcing it? Will we send out the FBI or the Secret Service and try to find out who is complying with the law? And do they comply with it if they enforce it once a year or do they comply if they enforce it 365 days a year?

I am all for the 55-mile-an-hour speed limit. I think it is good and I think it has cut down on accidents. I also believe the daylight saving time law that we enacted has also helped a great deal in cutting down on the growth of deaths on the highways. But I think we are adding words to a bill that already has plenty of words in it now.

Mr. BROWN of Ohio. Will the gentleman yield?

Mr. CONTE. I yield to the gentleman.

Mr. BROWN of Ohio. To respond to the gentleman's question as to who makes the determination in this case, I will say the Secretary of the Department of Transportation will make the determination, and that is the thrust of my amendment.

Mr. CONTE. Yes; but he has to have some supporting evidence. He just cannot accept it *carte blanche* that the State says, "Yes, we have the right amount of enforcement."

They will say they are doing all they can to enforce the law, and every State will say that they are doing that.

Mr. BROWN of Ohio. Will the gentleman yield?

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

Mr. BROWN of Ohio. Mr. Chairman, I would ask the gentleman from Massachusetts whether the gentleman denies that the effect of the amendment I have offered will be to encourage States to enforce the 55-mile-an-hour speed limit so that we can save some lives? That is the thrust of the amendment.

Mr. CONTE. I hope that the amendment is defeated.

The CHAIRMAN. The time of the gentleman has expired.

The question is on the amendment offered by the gentleman from Ohio (Mr. Brown).

The amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk concluded the reading of the bill.

Mr. McFALL. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with



Fraser	McSpadden	Ryan
Frelinghuysen	Madden	Sandman
Frenzel	Madigan	Sarasin
Froehlich	Mahon	Sarbanes
Fulton	Mallary	Satterfield
Fuqua	Mann	Scherle
Gaydos	Maraziti	Schneebell
Gettys	Martin, Nebr.	Schroeder
Gialmo	Martin, N.C.	Sebelius
Gibbons	Mathias, Calif.	Seiberling
Gilman	Mathis, Ga.	Shipley
Ginn	Mayne	Shoup
Goldwater	Mazzoli	Shriver
Gonzalez	Meeds	Shuster
Goodling	Melcher	Sikes
Grasso	Metcalfe	Skubitz
Gray	Mezvinsky	Slack
Green, Oreg.	Michel	Smith, Iowa
Green, Pa.	Milford	Snyder
Grover	Miller	Spence
Gubser	Mills	Staggers
Gude	Mink	Stanton
Gunter	Minshall, Ohio	J. William
Guyer	Mitchell, Md.	Stanton
Haley	Mitchell, N.Y.	James V.
Hamilton	Mizell	Stark
Hammer-	Moakley	Steed
schmidt	Mollohan	Steele
Hanley	Montgomery	Steelman
Hanna	Moorhead,	Steiger, Ariz.
Hanrahan	Calif.	Steiger, Wis.
Hansen, Idaho	Moorhead, Pa.	Stephens
Hansen, Wash.	Morgan	Stokes
Harrington	Mosher	Stratton
Harsha	Moss	Stubblefield
Hawkins	Murphy, Ill.	Stuckey
Hechler, W. Va.	Murphy, N.Y.	Studds
Heckler, Mass.	Murtha	Sullivan
Heinz	Myers	Symington
Helstoski	Natcher	Talcott
Henderson	Nedzi	Taylor, Mo.
Hicks	Neisen	Taylor, N.C.
Hillis	Nichols	Thomson, Wis.
Hinshaw	Nix	Thone
Hogan	Obey	Thornton
Holt	O'Brien	Tierman
Holtzman	O'Hara	Towell, Nev.
Horton	O'Neill	Traxler
Huber	Owens	Treen
Hudnut	Parris	Udall
Hungate	Passman	Ullman
Hunt	Patman	Van Deerlin
Hutchinson	Patten	Vander Jagt
Ichord	Pepper	Vander Veen
Jarman	Perkins	Vanik
Johnson, Calif.	Pettis	Veysey
Johnson, Colo.	Peyser	Vigorito
Johnson, Pa.	Pickle	Waggonner
Jones, Ala.	Pike	Walde
Jones, N.C.	Podell	Walsh
Jones, Okla.	Powell, Ohio	Wampler
Jones, Tenn.	Preyer	Ware
Jordan	Price, Ill.	Whalen
Karth	Price, Tex.	White
Kastenmeler	Pritchard	Whitelhurst
Kazan	Quie	Whitten
Kemp	Quillen	Widnall
Ketchum	Railsback	Williams
King	Randall	Wilson, Bob
Kluczynski	Rangel	Wilson,
Koch	Rarick	Charles H.,
Kuykendall	Rees	Calif.
Kyros	Regula	Wilson,
Lagomarsino	Reuss	Charles, Tex.
Landrum	Rhodes	Wolff
Latta	Rinaldo	Wright
Leggett	Roberts	Wyatt
Lehman	Robinson, Va.	Wydler
Litton	Robison, N.Y.	Wylie
Long, La.	Rodino	Wynan
Long, Md.	Rogers	Yates
Lott	Roncalio, Wyo.	Yatron
Lujan	Young, Alaska	Young, Fla.
Luken	Roncalio, N.Y.	Young, Ga.
McClory	Rooney, Pa.	Young, Ill.
McCloskey	Rosenthal	Young, S.C.
McCullister	Rostenkowski	Young, Tex.
McCormack	Roush	Zablocki
McDade	Rousselot	Zion
McEwen	Roy	Zwach
McFall	Royalb	
McKay	Runnels	
McKinney	Ruth	

## NAYS—4

Crane	Landgrebe	Symms
Gross		

## NOT VOTING—37

Beard	Conlan	Hastings
Brasco	Daniels,	Hays
Buchanan	Dominick V.	Hebert
Burgener	Davis, Ga.	Holfeld
Carey, N.Y.	Diggs	Hosmer
Chamberlain	Dorn	Howard
Clausen,	Frey	Lent
Don H.	Griffiths	Macdonald

Matsunaga	Rooney, N.Y.	Smith, N.Y.
Minish	Rose	Teague
Poage	Ruppe	Thompson, N.J.
Reid	St Germain	Wiggins
Riegle	Sisk	Winn

So the bill was passed.

The Clerk announced the following pairs:

Mr. Hébert with Mr. Davis of Georgia.

Mr. Thompson of New Jersey with Mr. Rose.

Mr. Hays with Mrs. Griffiths.

Mr. Matsunaga with Mr. Ruppe.

Mr. Macdonald with Mr. Conlan.

Mr. Riegle with Mr. Smith of New York.

Mr. Dominick V. Daniels with Mr. Buchanan.

Mr. St Germain with Mr. Frey.

Mr. Howard with Mr. Chamberlain.

Mr. Briscoe with Mr. Hosmer.

Mr. Carey of New York with Mr. Wiggins.

Mr. Reid with Mr. Lent.

Mr. Minish with Mr. Winn.

Mr. Teague of Texas with Mr. Hastings.

Mr. Sisk with Mr. Burgener.

Mr. Diggs with Mr. Don H. Clausen.

Mr. Holifield with Mr. Rooney of New York.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## GENERAL LEAVE

Mr. McFALL. 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 H.R. 15405 and include extraneous matter.

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

There was no objection.

Mr. McFALL. Mr. Speaker, I ask unanimous consent that all Members may have permission to revise and extend their remarks following the colloquy had between the gentleman from Missouri (Mr. BUBLISON) and the gentleman from Missouri (Mr. SYMINGTON) and the gentleman from Illinois (Mr. YATES).

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

There was no objection.

## PERSONAL EXPLANATION

Mr. DON H. CLAUSEN. Mr. Speaker, I was unavoidably detained in my office by a telephone call, and therefore missed the vote on the bill H.R. 15405, the Department of Transportation Appropriation Bill. Had I been here I would have voted "aye," and I would like the RECORD to reflect how I would have voted.

## THE CRISIS OF CONFIDENCE IN CONGRESS

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

Mr. ANDERSON of Illinois. Mr. Speaker, I have taken this special order to discuss the subject, "the crisis of confidence in Congress." Our colleague from Indiana, the distinguished chief deputy whip on the other side of the aisle (Mr. BRADEMAS), recently advised our State Governors that they should start thinking about the prospect of what he termed

"congressional government" in the next 2 years, a situation in which a House of 300 Democrats would confront a much weakened presidency.

I must confess that my own reaction to this prediction was one of ambivalence, for it is cause both for amusement and serious concern. In the first place, I do not accept the speculation that the Democrats will pick up better than 50 seats in the House in the next election. But even if we accept such a prediction for the sake of argument, it is ludicrous to think that it would usher in an era of congressional government. While the Democrats might be stronger in numbers, it does not follow that the Congress will be stronger as an institution.

Surely this Congress has had ample opportunity to reassert itself in the face of a Watergate-weakened executive branch, and yet the evidence does not indicate such a trend. If anything, despite the opportunities, this Democratic-controlled Congress has demonstrated that it cannot effectively and responsibly manage itself, let alone direct the rest of the Government or govern the country. And I think the American people are well aware of this fact. A recent Harris poll indicates that while only 30 percent of the American people approve of the job the President has been doing, an even lower 21 percent are satisfied with the performance of Congress. A more recent Gallup poll shows the Congress enjoying only a slightly higher approval rating than the President, 30 percent to 25 percent.

Mr. Speaker, while one might expect the Congress to at least temporarily fill the power vacuum created by Watergate, the polls clearly indicate the contrary. Congress too is on the skids with the American people, and I think it is fair to characterize this as a "crisis of confidence in Congress." I think it therefore behooves us at this critical juncture in our Nation's political history to conduct a serious self-evaluation of why the people's branch has lost the confidence of the people.

It would be easy to simply attribute this to unwarranted Watergate fallout, but such an assessment would be both simplistic and misleading. The same Harris survey which I earlier cited indicates that even in February of 1973, before Watergate became a major issue, the Congress enjoyed only a tepid 38-percent approval rating with the public. While one could conceivably argue that the subsequent drop of 17 percent in the polls had something to do with Watergate, we must also keep in mind that during this same period both energy and inflation were major issues, as was our inability to grapple with either problem.

## THE ROOTS OF THE CRISIS

No, Mr. Speaker, I think a fair assessment of the crisis of confidence in Congress would clearly reveal that its roots antedate Watergate—that they in fact stretch back to the New Deal era and the emergence of a strong presidency and congressional acquiescence in that development over the past 40 years. Further accelerating this trend was the Congress rubber stamp role in the Great Society era which can best be characterized as

an era of overpromising and underperforming. When the promises of the Great Society went unfulfilled, the American people were not only greatly disillusioned and disenchanted with its presidential architect, but perhaps even more so with its congressional builders.

Finally, Mr. Speaker, the Vietnam war was perhaps the straw that broke the camel's back, for not only did public weariness with this war force a President out of office, but it brought great discredit to a Congress which had acquiesced in this presidential war without attempting to assert its constitutional war powers. I think history will view the Vietnam war as one of the greatest sources of public alienation from Government.

It is true that in this Congress we have taken some steps to redress the balance between the executive and legislative branches. We have passed a war powers bill to restore Congress to its rightful role in this area. We are nearing completion of a budget and impoundment reform bill to restore to the Congress its constitutional prerogatives over the purse-strings. We hopefully will be considering legislation to limit the use of the doctrine of Executive privilege. We are moving ahead, albeit slowly, with our impeachment responsibilities. We have opened our committee deliberations to greater public scrutiny, and we at least began a monumental effort to overhaul our committee system, about which I will say more later.

But all of these reforms will be but mere hollow gestures if we do not demonstrate to the American people that we have the will and determination to implement them and thus to strengthen the Congress as an institution; and, in so doing, to act more responsibly and responsibly in the national interest. On this count, the jury is still out, and while the American people are waiting for us to act, the erosion of public esteem based on our past and present failings continues.

Mr. Speaker, in the time remaining, I want to address myself to what I consider to be a very ominous trend which has already begun in this body, and one which is certain to be accelerated in the next Congress. In our zeal to restore the Congress as a coequal branch, or more, there are some who are charting what I consider to be a wrong course for the Congress and a disservice to the Nation. And I think the time has come to make the American people fully aware of just what is happening in this body so that they will be in a position to make informed and prudent choices at the polls this fall. I am speaking of the trend toward what our colleague from Indiana, the chief deputy whip (Mr. BRADEMAS) has termed "congressional government" and the danger that lurks beneath that development: the reemergence of King Caucus.

#### WOODROW WILSON ON CONGRESSIONAL GOVERNMENT

Mr. Speaker, in 1885, an obscure professor at Johns Hopkins University in Baltimore, a man by the name of Woodrow Wilson, published a book entitled, "Congressional Government: A Study in American Politics." Interestingly enough, at the time the book was published, Wilson had never visited Washington, D.C.,

and the Congress. According to one biographer, this omission was intentional, for he feared his mind might be contaminated by exposure to Congress and its Members.

In that book Wilson, who had long been enamored with the British parliamentary system, made a strong plea for strict party loyalty and discipline, proposing that congressional committees, like the British party model, be composed solely of members of the majority party strictly committed to implementing the party platform.

Central to this proposal was the operation of strong party caucuses. In Wilson's words:

Rather than imprudently expose to the world the difference of opinion threatened or developed among its members, each party hastens to remove disrupting debate from the floor of Congress, where speakers might too hastily commit themselves to insubordination, to quiet conferences behind closed doors, where frightened scruples may be reassured and every disagreement healed with a salve of compromise or subdued with the whip of political expediency.

Wilson went on to write:

The voting and speaking in the House are generally merely the movements of a sort of dress parade, for which the exercises of the caucus are designed to prepare... the silver speech spent in caucus secures the golden silence maintained on the floor of Congress, making each party rich in concord and happy in cooperation.

#### KING CAUCUS SUPERSEDES Czar CANNON

Wilson's prescription for congressional government became a reality when the Democrats took control of the House in 1911, less than a year after the revolution against a powerful Republican speaker, fondly known as Czar Cannon. As George Galloway notes in his "History of the United States House of Representatives":

After capturing control of the House in the congressional elections of 1910, the Democrats promptly erected on the ruins of Cannonism a new political structure based on the secret caucus.

Perhaps not so coincidentally, King Caucus reigned supreme during the administration of President Woodrow Wilson, the author of "Congressional Government."

What kind of monarch was King Caucus? Fortunately, the historical record provides ample documentation as to the answer to that question. The spirit of King Caucus is perhaps best captured in the preamble to the Democratic caucus rules adopted in 1909:

In essentials of Democratic principles and doctrine, unity. In non-essentials, and in all things not involving fidelity to party principles, entire individual independence. Party alignment only upon matters of party faith or party policy. Friendly conference, and whenever reasonably possible, party cooperation.

Unity and alignment on matters of party principles, doctrine, faith, or policy were enforceable through caucus rule 7 under which a two-thirds vote in caucus was binding on the entire Democratic Membership of the House unless a Member had made a contrary prior commitment to his constituents in the previous election or felt a construction of the Constitution was involved.

The man behind the throne of King Caucus during this period was Democratic majority leader Oscar Underwood of Alabama who was also chairman of the Ways and Means Committee. Exemplifying Underwood's rule are two resolutions which he offered in the April 1 and 11, 1911, Democratic caucuses. The first read:

*Resolved*, That the Democratic members of the various committees of the house are directed not to report to the house during the first session of the 62nd Congress, unless hereafter directed by this caucus, any legislation except with reference to the following matters.

The second read:

*Be it resolved*, by the Democratic caucus that we endorse the bills presented by the ways and means committee... and pledge ourselves to support said bills in the house... with our votes, and to vote against all amendments, except formal committee amendments, to said bills and motions to recommit, changing their text from the language agreed upon in this caucus.

George Galloway points out that another instrument of caucus control over legislative action was through the standing committees which were appointed by the Democratic members on Ways and Means, subject to caucus ratification: In Galloway's words:

The caucus often controlled the committees by forbidding reports on other than specified subjects, or by other than specified committees, without its express consent; by issuing instructions to the Rules Committee as to the terms of special rules under which bills could be taken up in the House; and even by developing legislation in the caucus itself and bringing it to the floor after formal committee reference.

What all this means is that the Democratic caucus not only determined what legislation would go to the floor when, but it drafted legislation as well and bound its membership to vote against amendments on the floor.

Mr. Speaker, rather than cite all the instances in which Underwood's rule ran roughshod over the legislative process during the reign of "King Caucus." I think it will suffice to cite but one case history, that of the Underwood tariff bill.

#### SYDNEY ANDERSON ON KING CAUCUS

Mr. Speaker, on September 11, 1913, another Republican by the name of Anderson, Sydney Anderson of Minnesota, stood at this very spot in the well to announce his resignation from the Ways and Means Committee in protest. In his words:

I am induced to resign my membership on the Committee on Ways and Means because the rules of this House and the system of legislation which is in vogue here deprive me of my opportunity for service to the country upon that committee; and because my continuance as a member of the committee must be construed into acquiescence in a fraud upon those who have a right to believe and do believe that I have had or shall have some part in framing the legislation reported by that committee.

Anderson went on to confess:

I have had no part in making the tariff bill which passed the House and is now pending in the Senate. I shall have none. I am overwhelmed, discouraged, disheartened by the uselessness and the terrible fruitlessness of it all.

It is true that I am still permitted to cast my vote, but I do so with the foreknowledge

that it will not count. The votes are counted and the returns made up before my vote is cast.

It is true that I may still offer an amendment, but though that amendment was suggested by the Apostle Paul it could not be adopted.

It is true that I may still lift my voice in argument, but though my logic were as irresistible as the tide of human progress itself, and though I spoke with the voice of the angel Gabriel, I could not change a line or sentence of the bill.

Anderson went on to recount the history of the tariff bill; how, after less than a month of hearings, the Democratic members of the committee went into secret caucus to draft the bill; how they then reported the bill, not to the House, but to the Democratic caucus; how it was debated in caucus and a new version was reported from caucus on a Saturday by Chairman Underwood and then routinely referred to the committee the following Monday; how the committee, after only 30 minutes, with no discussion or opportunity for amendment, reported this massive tariff bill containing 14 schedules with up to 4,000 items affecting every major industry in the United States. Commenting on the development of the legislation up to this point, Anderson said, "it would be humorous if it were not so tragic."

The bill followed a similar course when it reached the floor. Despite the fact that debate on the bill consumed 156 hours, not a single amendment or suggestion offered by any of the 140-odd minority members of the House was adopted.

Commenting on this farce, Anderson said:

It follows as a necessary conclusion that the sum total of human wisdom had been expended upon the bill before it left the Democratic caucus, or that members of the caucus were bound by its rules, written or unwritten, to vote against any amendments offered by the minority, no matter how meritorious. The first proposition is absurd; but if it were not, its falsity is demonstrated by the fact that suggestions and amendments of the minority were adopted and written into the bill by the Finance Committee of the Senate. The undisputed fact is that the whole bill, in form and substance, was determined by the caucus beyond the possibility of change before it came into the House at all.

Anderson went on to observe that, given these events, it was correct to view the caucus not simply as a party organ, but as an institution in its organization and relation to legislation. In his words:

These questions reach the very foundation of representative government, for the effect of the caucus is to deprive the minority wholly of participation in the actual making of legislation.

Amplifying on this observation, Anderson explained how caucus rule strikes at the very heart of representative government by depriving a large body of Members the rights of debate, to offer amendments, and to vote as one's judgment dictates without coercion or restriction. In his words:

The caucus preserves the shadow but destroys the substance of these rights.

And, in a most telling observation, Anderson noted:

The caucus not only destroys the representation of the minority but of a minority

of the majority, for it binds the votes of both majority and minority of the caucus as a unit in the House against all suggestion, amendments and debate.

And he went on to assert that caucus rule destroys another essential element of good legislation, "that the acts of Representatives should be always open to the scrutiny of the public." In his words:

The caucus is the real legislative body and its proceedings are essentially secret. The yeas and nays and the proceedings of the House are valuable records to the public only when they record the real transactions of the House and the real attitude of its membership. The real attitude of the majority party, which under the caucus system is in complete control of legislation, is disclosed only in the caucus, and hence the record provided by the Constitution is a false or at least inaccurate and useless one.

Anderson said it was not enough to justify such caucus rule on the grounds that it was producing some good legislation, for, in his words:

The same reasoning which now attempts to justify a caucus would justify a despotism.

He went on:

I cannot believe in a despotism because I know that despots have done some good in the world. Nor does the right of representation seem less precious because it is denied by this benevolent beast, the caucus.

Anderson also informed his colleagues that he was resigning his committee post to devote his full efforts to reform of the House. In words strikingly similar to remarks which have echoed in this Chamber in recent years, Anderson said:

If a business concern exhibited the same reluctance to establish new and modern methods in the conduct of its business as the House of Representatives does, it would soon be left behind in the march of progress, outstripped in the race of competition. This is exactly what has happened in the House. We have simply failed to revise our methods and to keep the machinery of legislation abreast of the march of civilization.

And what could be closer to home at a time when we are attempting to overhaul our committee structure than Anderson's observation that, and I quote:

We should have the courage to tear down the crazy patchwork we have erected and by reconstruction make it efficient and responsive to popular demand.

Anderson concluded his speech with words which ring just as true to our purpose here today. In his words:

I frankly hope that the action which I have taken will emphasize the situation which exists in the House and that it will arouse the country to a real sense of the iniquity, injustice and inefficiency of the system.

I frankly hope that what I have said will arouse the whole people to protest, to a determination to assert their effective representation. I believe they can be relied upon to act intelligently when they are well informed, and I shall have mistaken their temper if they do not, in the near future, demand the reconstruction of the system which deprives them of the vital right of a free government.

#### APPRAISAL OF KING CAUCUS UNDER UNDERWOOD

Mr. Speaker, George Rothwell Brown, in his book, "The Leadership of Congress," pointed out that the powerful speakerships of Reed and Cannon, while not without their faults and

abuses, at least had the courage of their convictions, were honest and four-square, and at all times were "in the open, exposed to the pitiless glare of publicity." Brown goes on to write:

Every action it committed was instantly known throughout the country. The oligarchy demanded power commensurate with its responsibility, but the people could always hold it to that responsibility.

By contrast, Brown characterized the regime of Underwood and King Caucus as "a system of secret government in the House of Representatives, and in this lies its chief weakness and greatest menace." Continuing his incisive critique, Brown wrote:

It does not operate in the open, but under cover. It does not stand four-square to all the winds that blow, nor does it court publicity. It avoids the light and suppresses all mention of itself.

Brown went on to write:

The members constituting the Committee on Committees and the Steering Committee are not a part of the organization of the House, but of the caucus; they are not responsible to the House itself, or to the American people, but to the caucus or conference. Not being responsible, they cannot be held to accountability.

And Brown concluded:

Obviously, there is a responsible power somewhere in the House, for the country from time to time has evidence that certain bills are put forward, and that others are held back. Where then has gone the power that Reed and Cannon used to wield? That is a question of vital concern. . . . Previously the country could see the wheel go around. Now it cannot.

In attempting to rebut such charges of secret caucus rule on the House floor on September 24, 1913, Speaker Clark said:

All this talk of secrecy is of no avail. . . . The people of the United States want to know what Congress does. They are much more interested in results than in the methods by which those results are worked out.

Congressman Victor Murdock of Kansas responded:

I heard this morning with profound regret the expression of the Speaker of the House. . . . He said to the House that the country was not interested in how Congress did things, but that it was interested only in what Congress did. . . . The country is interested in how this House does things. . . . The unit of representation in this House is not the political party. . . . The unit of representation here is the individual member representing a district, and the individual Member here is responsible not to his party or his party leadership, but is responsible to the people in his district.

Murdock went on to offer a classic definition of King Caucus as it operated at that time:

Now what is the caucus? The caucus is a device by which the leadership hamstrings and hogties its following. How does it work? The formula is simple. A standing committee holds meetings, frames, fashions, forms and adopts a bill. That bill is brought into the caucus under the leadership of that committee. Here in a meeting which is secret from the public, which is out of public surveillance, away from public vigilance, there is some sort of deliberative proceeding. . . . And when they are ready the leaders rise, put on the gag, and force the vote. . . . Every man who goes into a Caucus knows that

when he goes in he ties himself and ties his constituency against his own and against their constitutional rights. It is not a good practice. It is a bad practice. It is not good legislation. It is poor legislation.

## KING CAUCUS TODAY

Mr. Speaker, why bother to review the historical record of King Caucus as it operated in the first part of this century? The answer is very simple. History has a way of repeating itself, and, as Hegel once said, the only lesson we seemed to have learned from history is that "people and governments have never learned anything from history, or acted on principles deduced from it."

One of our colleagues, the gentleman from Missouri (Mr. BOLLING), has written a very learned book entitled, "Power in the House," in which he cautions against a return to either King Caucus or Czar Speaker. In his words:

It would be undesirable to impose the kind of party discipline which has been the rule in the modern British Parliament, whose members are now struggling to break their bondage. Dissent must not be stifled in the Democratic party. No member shall be subject to greater coercion than now exists. This country is too large and diverse to attempt to homogenize either party.

And yet, there is already a considerable evidence accumulating that indicates King Caucus is making a comeback, and in all the worst possible senses of that term, including secrecy, strict party unity and discipline, disregard for minority rights, restraints on the free operation of the legislative process in committees and on the floor, and resistance to meaningful reforms.

Mr. Speaker, just as Congressman Sydney Anderson resigned his committee post in 1913 to protest the ruthless rule of King Caucus and arouse the country "to a real sense of the inequity, injustice, and inefficiency of the system," it is incumbent upon us here today to alert the American people to the dangers inherent in the congressional government which the Democratic leadership in this body projects for the next Congress. It is especially incumbent on us to warn the American people of the undemocratic and secretive nature of King Caucus, for if King Caucus is allowed to reclaim the throne in the House, I fear the crisis of confidence in Congress will only be exacerbated rather than ameliorated.

## SECRET

Mr. Speaker, a Harris survey conducted for the Senate Government Operations Subcommittee on Intergovernmental Relations, released on December 3, 1973, reveals that while Watergate has certainly been a factor in the decline in public confidence in Government, the lack of openness and candor from Government is a major factor in that decline. According to a Congressional Quarterly summary of the results of the Harris poll:

The two chief conclusions drawn by the report were that government secrecy could no longer be excused as an operational necessity and that the key to any kind of successful future leadership must be absolute integrity.

In commenting on the accomplishments of the first session of this Congress, Speaker ALBERT, in a report pub-

lished in the January 14, 1974, CONGRESSIONAL RECORD, made the following statement:

While the executive branch has been growing more closed and secretive, with its excessive claims of executive privilege, the House of Representatives has opened up its workings to closer inspection by the public. Committee meetings are automatically open to the public, and a separate rollcall vote is now required to close any committee meeting or hearing.

The Speaker went on to say, and I quote:

At a time when even such fundamental prerogatives of the Congress as control of the purse have been challenged and the Congress' reaction might well have been to withdraw into greater secrecy, the Congress demonstrated its vitality as an institution by opening up its workings, and growing closer and more responsive to the desires of the people.

It should also be noted that in the 1970 Legislative Reorganization Act, the House for the first time provided for recorded teller votes on amendments in the Committee of the Whole, a major reform in fostering greater openness and accountability. But one must ask to what avail are these so-called "sunshine" reforms if the House returns to a system in which a secretive King Caucus becomes the real legislative body?

At least under the old King Caucus era of 1910-20, rule 11 of the Democratic caucus provided that—

The caucus shall keep a journal of its proceedings which shall be published after each meeting, and the yeas and nays on any question shall, at the desire of one-fifth of those present, be entered on the journal.

And Speaker Champ Clark, a defender of the secret caucus, could still boast:

So far as an open caucus is concerned, the Democratic caucus blazed the way to give publicity to caucus action. The Democratic party established the rule in its caucus that every resolution should be entered in the journal and the journal should be kept open not only to members of the caucus, but to the press and everybody else interested, so that they can inspect it and see what has been done. That journal is kept like the Journal of the House, on the same principle, with all matters of legislation embraced on it.

Clark went on to remark:

Every resolution which is offered in the Democratic caucus is entered in the journal, is open to inspection, and given to the newspapers if they desire to print it. The minutes are examined almost every day by Members of the House and by newspaper reporters and others who desire to examine them. They are open to the public.

And just what is the situation today in the Democratic caucus? The fact is that the caucus has taken a backward step by forbidding anyone other than members of the caucus from examining the caucus journal. This new rule was put forward by the so-called "reform" committee of the caucus, the same committee now studying the committee reorganization proposal. An attempt by the gentleman from Hawaii (Mr. MATSUNAGA) to insure that the journal would be open to public inspection was defeated on a 57 to 72 nonrecord vote on February 1, 1973. According to a Congressional Quarterly report on this supersecrecy reform:

More damaging was the opposition of the House Democratic leadership, especially Ma-

jority Leader Thomas P. O'Neill Jr. (Mass.). O'Neill did not speak against the proposal in caucus, but he had said earlier that he opposed the plan because it would hinder him in rounding up votes on the House floor. He said he often needed votes from Democrats who initially disagreed with him on a piece of legislation, and he would find it harder to persuade them if they were already on record against him in caucus.

Matsunaga did not ask for a record vote on his proposal. "Inasmuch as Mr. O'Neill was opposed to it, I didn't want to embarrass the leadership," Matsunaga told Congressional Quarterly after the vote.

Mr. Speaker, it is ironic at a time when the other party is claiming credit for all the "sunshine" in the House, that it is simultaneously moving to deeper and darker recesses of its caucus to design and dictate the legislative business of the Congress and the country. While some are warning against ever again emulating the King Caucus era of by-gone days, the Democratic caucus today is becoming even more secretive than its predecessor. The American people should take a hard look at this new translucent facade which has been erected in the House, for all it reveals is a closed caucus door behind which increasing business will be conducted in the congressional government of a new King Caucus.

## PARTY UNITY, MINORITY RIGHTS, AND REFORM

Mr. Speaker, rule 7 of the Democratic caucus rules has only been employed once, to my recollection, during my 14-year tenure in this body. That took place in January of 1971 when the caucus by a two-thirds vote, bound its membership to scuttling a one-third minority committee staffing provision contained in the Legislative Reorganization Act of 1970. Here again was an example of King Caucus at its very worst, suppressing the rights not only of the minority party in the House, but those in the majority who had in good faith supported the minority staffing provision in the previous Congress. Here was King Caucus, resistant to change, undermining reform, subverting an honest attempt to strengthen the Congress as an institution. This bald partisan power play left an ugly scar on the Democratic caucus, and it was duly noted in the press and across the land.

While the other party had won a battle, King Caucus had suffered a serious setback in his comeback attempt, and I think this largely explains why rule 7 has not been resorted to since.

But a much more subtle attempt is now being made to revive King Caucus, not through the use of the two-thirds binding provision of rule 7, but rather through the device of caucus instructions to Democratic committee members. It should be remembered that this device was used most effectively during the Underwood era of King Caucus.

The first resort to this device in recent times came in April of 1972 when the caucus instructed the members of the House Foreign Affairs Committee to report legislation setting a termination date for U.S. military involved in Indochina. The committee adopted such an amendment to the foreign assistance authorization on July 25, 1972, calling for an October 1 termination date subject to a cease-fire and release of prisoners.

The amendment was adopted by an 18 to 17 vote, with 5 Democrats of the 20 voting ignoring their instructions. The amendment was later deleted on the House floor by a vote of 299 to 177, including 80 Democrats supporting deletion. No disciplinary action was taken against the five defecting committee Democrats, mainly due to confusion over whether the caucus instructions were actually binding.

The next use of the committee instruction devices came on May 9, 1974, when the House Democratic caucus voted 111 to 95 to send the Bolling-Martin committee reform proposal to its "reform" task force for further study, and instructed the Democratic members of the House Rules Committee to take no action until the caucus had acted on the task force report. Here again King Caucus was acting contrary to widespread pressures for reform in the House. A mere 111 caucus members, or approximately one-fourth of the total House Membership and less than a majority of the Democratic Membership, was thwarting the will of a majority by caucus rule. Even if the Caucus Journal were available for public inspection, which it is not, the public would not know which 111 Democrats were killing committee reform: The vote was taken by secret ballot after a prior nonrecord vote adopting this undemocratic procedure.

Finally, the most recent example of the committee instruction device being employed by the caucus occurred on May 15, 1974, when the caucus by a voice vote instructed both the chairman of the Ways and Means Committee and the Democratic members of the Rules Committee "to seek and vote for, respectively, a modified closed rule" making in order only two Democratic amendments to the Oil and Gas Energy Tax Act of 1974.

Due to a fierce internecine battle now raging within Democratic ranks over the question of whether the instructions are binding, the American people are being deprived of a responsible oil tax bill which was originally promised for House floor action by April. The bill has been on-again, off-again in the Rules Committee several times, and as of the present, no date certain has been set for bringing this bill to the House floor.

#### ARE INSTRUCTIONS BINDING?

The real significance of the battle now being fought over the instructions question is much greater than the immediate issue of an oil tax bill. What is really at stake is whether King Caucus will again be allowed to regain the throne in the House. If those prevail who are arguing that caucus instructions are binding on committee Democrats, with no exception, and that disciplinary action can be taken against those who ignore the instructions, then the way will be paved for a return to Underwood rule under which the caucus dictated committee business and the substantive content of legislation to be reported.

A special report issued by the Democratic Study Group on June 4, 1974, entitled, "Caucus Instruction and Binding Actions" adopts this tough line. According to the DSG report:

Members serve on committees entirely at the discretion of the Caucus, and although it is highly unlikely, the Caucus could decide to not assign a particular Member (or Members) to any committee whatsoever.

The DSG report goes on:

The Caucus therefore has complete control over Members' committee assignments—including that of removing a Member from a committee entirely or stripping the Member of his or her committee seniority. . . . In addition, the Caucus may expel a Member from Caucus Rule No. 2 for "failing to abide by the rules governing" the Caucus.

The DSG brief likens a Member's relationship to the caucus in terms of committee assignments to that of a Member to his district in terms of his status as a Member of the House. Whereas a district elects a Member to the House, the caucus elects the Member to a committee. As Members of the House, they represent their districts; as Members of a committee, they represent the caucus, especially when the caucus gives them specific instructions.

Unlike rule 7 which requires a two-thirds vote to bind Members in voting on the floor, a simple majority of the caucus may instruct Members in committee, according to the DSG report. And, unlike rule 7, which permits exceptions if a prior commitment has been made to constituents or a constitutional question is involved, there can be no exceptions or exemptions from instructions to committee members.

How can such strict and airtight instructions be justified? The DSG report views mandatory committee instruction as a mere procedural device designed primarily to bring party programs and policies to the floor for consideration by the House—as in the case of the Green and Vanik amendments.

One must ask how it is, for the purpose of instructing committee members, that a matter can be considered a party program or policy at the insistence of a majority of those present and voting at a Democratic caucus. For a bare caucus majority could number as few as 63 members—one-half plus one of a quorum, a quorum being 124 Democrats out of a total membership of 247 Democrats—while it takes two-thirds of those present and voting in caucus, providing that two-thirds is at least a majority of the total caucus membership or 124, to determine party policy for the purpose of binding members on the floor. In other words, if a caucus consists only of a bare quorum, as few as 63 members can both determine what is party policy and impose that policy on Democratic committee members with binding instructions and the threat of reprisals for failure to comply with those instructions.

It can readily be seen from this example the great potential for abuse inherent in the reemergence of King Caucus. One-fourth of the total Democratic membership and one-seventh of the total House membership can determine the legislative priorities of the Congress and the country through this allegedly harmless and minor procedural method of dictating to committees what they will and will not consider and what they will and will not report.

How much support does the DSG interpretation of the binding nature of such instructions have? It remains to be seen. At present it is only safe to say that there is great confusion, conflict, and concern about the issue within Democratic ranks.

Perhaps best exemplifying the confusion is the following. In a story by Mary Russell in the May 24 Washington Post, we find the following paragraph:

Rep. Richard Bolling (D-Mo.) considered an expert on the House as an institution, said the caucus action would bind Mills as well as the Rules Committee members.

This of course relates to the caucus instructions on the oil tax bill. And yet, on another matter, the committee reform resolution, again a matter on which the Democratic caucus instructed the members of the Rules Committee, the same interpretation apparently does not apply. In a Rules Committee discussion on the Bolling-Martin committee reform resolution on May 14, 1974, the gentleman from Missouri (Mr. BOLLING) said, and I quote from the transcripts:

My problem is, as a member of that caucus, I am not bound and could not be bound, even by a two-thirds vote on this subject because I have a commitment to my constituents on this matter.

Apparently the Washington Post quote and the DSG brief are "inoperative" in this particular situation.

#### WILL KING CAUCUS PREVAIL?

Mr. Speaker, while there is certainly some amusement to be found in all this confusion and contradiction, I am reminded again of Congressman Sydney Anderson's remarks in 1913 in protesting the ruthless rule of King Caucus. In his words:

It would be humorous if it were not so tragic.

We are discussing a very serious prospect here today, and that is the prospect of a revival of King Caucus and a further exacerbation of the "crisis of confidence" in Congress as the American people awaken to what King Caucus is all about. Instead of more openness, King Caucus promises to bring greater secrecy. Rather than greater direct responsiveness and accountability to the people, King Caucus reduces accountability to only what a simple majority of a majority of all Democrats may dictate at a given moment in time as party policy.

In place of structural and procedural reform of the House, King Caucus portends resistance to change and democratization of the House as an institution. And instead of legislative decisions being arrived at through the open and adversary operation of our committees and the full House, King Caucus promises predetermined results arranged behind closed doors.

Mr. Speaker, such prospects are not mere partisan fantasies or fears, for they strike at the very heart of our representative form of government, and the very nature of the legislative process. They should be cause for concern, not only on the part of the minority party in the House, but on the part of free-

thinking individual Members of the majority party, and especially on the part of the American people.

The Congress does have a revitalized role to play in our system of government. But we will not regain our rightful role and public confidence through a reactionary abdication to King Caucus, and all that connotes.

If we are truly interested in restoring public confidence in the Congress, we must firmly reject King Caucus in favor of greater openness and candor with the American people, of due regard for minority rights, of more urgent and expeditious attention to committee reform, campaign reform, and tax reform, and of more responsible and responsive action on the problems of inflation and energy.

I am convinced that the House is capable of regaining public trust both through a reform of its structure and procedures and by making these reforms work for the enactment of responsible national legislation. While both parties can and must offer their alternate policies and programs, these must be freely openly and vigorously debated, amended and passed upon in full public view, in the rough and tumble arena of our legislative process; we can never again accept Speaker Clark's assertion that the American people are only interested in results and not in how they were arrived at. We can never again allow secret caucuses to impose their will on this process or substitute their judgment for that of the full House. Let us hope we have at least learned this from history.

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

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

Mr. HORTON. Mr. Speaker, I commend the gentleman from Illinois (Mr. ANDERSON) for arranging this special order today to discuss the crisis of confidence in Congress.

Recent public opinion polls have indicated that less than a third of the American people approve of the job Congress is doing. The fact that one major poll showed Congress scoring lower than the White House should dispel any notion that Watergate alone is behind this loss of confidence. Watergate aside, the people sense that Congress is not effectively addressing national problems.

Our colleague, Mr. ANDERSON, began today by warning us of the dangers of having the House of Representatives controlled by the secret deliberations of the caucus of the majority party. I associate myself with those remarks because the dangers are very real. Democracy and good government cannot be served if the will of the House is dictated by a simple majority of the majority party. That such policy determinations are made in secret flies in the face of everything we have done to open up our committee and floor deliberations. They run counter, as well, to our efforts to open

the executive branch to greater congressional and public view.

The most outrageous example of rule by a minority of men from behind closed doors occurred at a meeting of the House Democratic Caucus on May 9. By a vote of 111-95, the Bolling-Martin Committee Reform proposal was pigeonholed in a party organ for further study. Less than one-fourth of the House killed reform by secret ballot.

To my mind, no other proposal holds more promise for improving the ability of the House to respond to the needs of the Nation. The committee system is the heart of the legislative process but we are operating under jurisdictional lines that date back to the 1940's. The Bolling-Martin committee did a valiant job of restructuring jurisdictions so as to provide the best division of labor. They recommended a long-overdue limit on assignments to major committees. And they called for improved mechanisms by which Congress can exert its oversight responsibilities.

That effort appears doomed and the price is great. More bills will languish in committees because of jurisdictional jealousies. Critical issues such as energy will be handled by a host of committees in piecemeal fashion. Committees will fail to get quorums because Members' time and efforts are spread too thinly. Those committees whose workloads are beyond reason will continue to be overtaxed. The social security program, for example, requires drastic reforms but it sits on the back burner.

Mr. Speaker, Congress is not without some accomplishments. The war powers legislation and the budget reform bill nearing completion come to mind as two examples of our ability to right the balance of power between Congress and the Executive. But the list of issues which have gone unanswered is the root cause for our low marks in the public's mind. I will deal with just one because it ranks above all others in terms of rebuilding confidence.

The House has yet to be presented with a major bill to reform campaign financing practices. Many of us have sponsored sweeping bills on this subject and there can be no doubt about the sense of urgency our constituents attach to these efforts. At a minimum, we need to establish stricter ceilings on contributions and spending, stiff disclosure requirements, and an independent regulatory body to enforce our campaign laws. We must give the people reason to believe that their elected representatives are in fact serving the public good rather than special interests. If we fail to do that much, we will never restore the people's faith in Congress.

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

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

Mr. YOUNG of Illinois. Mr. Speaker, I wish to say to the gentleman from Illinois (Mr. ANDERSON) that, as a new Member of the House of Representatives, I am most pleased to join with the gentleman in this discussion concerning the

crisis as it relates to the people's confidence in Congress. I think this is a most timely and a most provocative subject.

I believe that, with the combined thinking of the Members of this House, there is an opportunity presented to us to make improvements which will help erase some of that loss of confidence.

I am particularly indebted to the gentleman for pointing out the dangers that can develop from the "king caucus" system, and I am indebted to my congressional colleague, the gentleman from Illinois (Mr. MICHEL) for the examples that he will provide with respect to the problems of having the Congress enact legislation according to the will of the people. I am hopeful that the Bolling report, the report from the Committee on Committees, for a reform of the operations of our committees will be given an opportunity to be fully debated on the floor of the House so that we can get the benefit of the time and the effort and the money that has been expended by that group in trying to improve our procedures.

Mr. Speaker, I am also hopeful that we will review the procedural matters and the way we attend to business in the Congress, and that we will afford more time for committee work and ample time for consideration of legislative matters in such a way that we will not have committee work infringe on legislative work and legislative work infringe on committee work.

Mr. ANDERSON of Illinois. Mr. Speaker, I thank the gentleman.

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

Mr. ANDERSON of Illinois. I am pleased to yield to the gentleman from California (Mr. KETCHUM).

Mr. KETCHUM. Mr. Speaker, I wish to commend my colleague from Illinois for taking this important and timely special order on "the Crisis of Confidence in Congress." It is high time that the Members of this House not only recognize that confidence in this institution has eroded, but also place the blame for this occurrence squarely on the shoulders of the Democratic leadership—where it belongs.

Last February, I issued a press release stating my frustrations at the haphazard, arbitrary, and irresponsible manner in which legislation was being scheduled for consideration by the House. You may recall that this was the time when the Speaker canceled the Lincoln Day recess claiming that the press of business was too great. Well, here are some times for the House's sessions in that period: January 24—58 minutes; January 28—36 minutes; February 14—17 minutes; February 18—45 minutes. Where was all the pressing business on those days? Scheduling is hardly any better now. On June 4, for instance, the House was in session for 1 hour and 2 minutes. The next 2 days, June 5 and June 6, the sessions lasted for 7 hours and 56 minutes and 8 hours and 10 minutes, respectively. Somebody is doing a masterful job of misplanning.

We were all treated to a special display of absurdity last week. After the defeat of the rule for the Land Use Planning Act, it was apparent that there were huge holes in our calendar where land use was scheduled to have been. There was no reason on Earth why consideration of the International Economic Policy Act authorization had to be postponed from June 12 to June 13. The House adjourned at 2:32 p.m. on June 12. But the leadership obviously decided that having some piece of legislation was necessary on June 13 to preserve the fiction that they are doing an outstanding job in tending to the Nation's business.

While all of this foolishness is going on, a very great deal of legislation remains languishing in committee. We have not touched upon tax reform, or OSHA or farm labor legislation, or scores of other issues of vital concern to the American people. Instead, we find time for things like "Woodsy Owl," or for the most meaningless token sessions. No wonder the people are fed up.

I should also like to say a word about the abysmal shape of some of the bills that the Rules Committee is permitting to reach the floor. More and more often, we find sponsors of legislation offering amendments to clean up their product—the energy bill last December was a classic—on the floor instead of committee where this work should be done. With procedures like this, it should come as no surprise that the legislation that emerges from this House is so often such a mess.

As several of my colleagues are pointing out this afternoon, the American people are waking up and seeing through the clouds of fluff being sent out by the Democratic leadership. They know there are problems and that they are grievous. They demand that their elected officials stop fiddling around up here and do something about them. I hope that sometime soon, when the House leadership takes a break from hurling stones at the executive branch, they turn and take a good long look at their stewardship of Congress. Perhaps then we might see a little responsibility around here.

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

Mr. ANDERSON of Illinois. I am pleased to yield to the gentleman from Pennsylvania (Mr. SHUSTER).

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

I certainly wish to commend the gentleman from Illinois. I believe his remarks have been profound and thoughtful, and indeed I would go so far as to suggest that they may be recorded in time as historic remarks.

They may be looked upon as historic remarks which touch upon a very important issue.

As I read the prepared document which the gentleman from Illinois (Mr. ANDERSON) was kind enough to send around—it was sent to each Member, I presume—and studied the document in preparation for this special order, it struck me that there is perhaps an additional perspective which might be added to the concern over so-called congressional Government, which has been elucidated so clearly by the gentleman from Illinois;

and that is the related problem or, indeed, the outgrowth of the proposal and the majority's desire for a so-called veto-proof Congress. We have heard time and time again that it is the objective of the majority and, as well, the objective of some very powerful special interest groups in this country to achieve a veto-proof Congress.

Mr. Speaker, I would suggest, in the context of the gentleman's remarks tonight, that if we look behind the words, "veto-proof Congress," there is both a general and a specific meaning.

The general meaning of a veto-proof Congress is the elimination of one of the fundamental checks and balances of our Constitution, for a veto-proof Congress will thwart the executive constitutional power, the executive constitutional capability to exercise the veto.

This to me is fundamental, it is pervasive, and it is of enormous concern, and it is the general implication, if we go beyond the code words "veto-proof Congress."

I think the American people should know what the real meaning of that term is. It is nothing more nor less than a blatant attempt to subvert the Constitution by eliminating the effective utilization of that check and balance of the Constitution.

However, there is a specific meaning to these code words "veto-proof Congress" as well, and that specific meaning, if we look at the particular individuals and groups espousing that veto-proof Congress is that they would like to see their programs, the programs which they advocate, adopted without any challenge.

I would suggest that those programs by and large are programs which relate to the so-called welfare state. We have had in this Nation, in my opinion, a creeping welfare state, and if those parties who advocate a veto-proof Congress achieve their goal, we will no longer have a creeping welfare state in this Nation but, rather, we will have a galloping one.

As distasteful as the word is, the word for it, I believe, is socialism. Indeed that is the kind of a battle which we are fighting now. We should face it and recognize it and name it accurately for what it really is. I think the American people should wake up and recognize that we are facing the possibility of a galloping welfare state and indeed of socialism in this country if the specific programs advocated by those who espouse the veto-proof Congress are adopted.

Even more importantly, perhaps, on the general point, if a veto-proof Congress is achieved, we will be in fact eliminating the fundamental check and balance of our Constitution.

Mr. ANDERSON of Illinois. Mr. Speaker, I am deeply indebted to the gentleman from Pennsylvania (Mr. SHUSTER) for remaining on the floor this late in the evening to make what I think is a very valuable contribution to this discussion, because it would be the height of irony indeed if at the very time when we are trying to redress the imbalance in power that has developed between the executive and the legislative branches we should, by electing what he has cor-

rectly designated as a veto-proof Congress, eliminate the very, very important check and balance as far as our whole constitutional system is concerned.

What we want surely is not a veto-proof Congress but, rather, what we want is an accountable, responsible, and responsive Congress that will act with dispatch on the people's business.

I am pleased now to yield to the gentleman from Illinois (Mr. MICHEL).

Mr. MICHEL. Mr. Speaker, I appreciate my colleague yielding.

First may I subscribe to the comments that the gentleman just made but, moreover, to commend my colleague from Illinois (Mr. ANDERSON) for reaching back into the pages of history and bringing us up to date on the dangers inherent in the King Caucus, for here we are today in a kind of situation with an energy tax bill languishing in the wings and with all of the uncertainties surrounding our consideration of that measure as a result of an action by the King Caucus.

Mr. Speaker, as a member of the Appropriations Committee, I too believe there is a crisis of confidence in the Congress and would like to say something here today about spending, taxes, and mounting deficits, and its bearing upon the terrible plague of inflation. During this week and next week we are considering a number of our appropriations bills on the floor of the House. Figures are tossed around carelessly in the hundreds of millions and billions of dollars, as if Uncle Sam had access to an unlimited charge account.

The fact is that the Nation's bank account is badly overdrawn and a good measure of the responsibility for this financial mess rests right here with the Congress.

All during my 18 years here in this House I have been a member of the minority and the Democratic majority has rolled up one budget deficit after another that in the aggregate totals \$218 billion during the past 20 years spending spree. This has added \$234 billion to the national debt.

Notwithstanding the talk we hear from the other side of the aisle relative to our Appropriations Committee cutting the President's budget, we should not lose sight of the fact that the Democratic majority is responsible for enacting many of the new programs which have forced additional spending upon the administration. As a matter of fact, when the administration has attempted in the past to withhold funds from a program—impounding if you please—members of the Democratic majority have been the first ones on their feet to condemn the practice, and have instigated the court cases forcing the President to spend additional sums which he would prefer not to spend. The House Judiciary Committee is actually exploring the possibility of trying to impeach the President for his efforts to impound Federal funds.

There is another outrageous legislative gimmick that has come into vogue in recent years and that is back-door spending. Our Appropriations Committee is completely bypassed in these cases and there is really no way of maintaining Federal control over expenditures of this

kind. Back-door spending plus mandatory programs enacted by the Democratic-controlled Congress have added \$19 billion to the budget outlay since the fiscal year 1970.

A few weeks ago when we were debating the increase in the national debt ceiling, we were hearing all kinds of talk—principally from those who vote for every spending proposal that comes down the pike—about how tragic it was that we were forced to raise the national debt ceiling again. It was a day of demagogue's delight. I had occasion after that episode to check the record with respect to this issue of spending and a glance at the 1973 votes taken here in the House shows very clearly how the vast majority of Democrats by their votes reject the economy efforts and vote for increased spending. Democratic members provided the margin of victory on the following 1973 votes:

No. 10. Approved spending \$210 million for rural environmental assistance.

No. 25. Defeated a more economical version of the vocational rehabilitation bill.

No. 27. Defeated a more reasonable substitute to provide authorizations of \$501 million for programs for older Americans in fiscal 1973 and 1974—instead of \$1.4 billion for 3 years.

No. 46. Voted to force the spending of all money appropriated for rural water and sewer grant programs. This increased Federal spending by \$300 million over a 3-year period.

No. 90. Voted to increase funding for Category B Federally Impacted Area School Assistance Aid from 54 to 68 percent of entitlement.

No. 153. Defeated effort to cut authorization for arts and humanities from \$145 to \$81 million.

No. 204. Defeated an amendment to cut \$632 million from the \$1.2 billion increase over the budget in the Labor, HEW Appropriations bill.

No. 298. Tried unsuccessfully to cut funds proposed for Office of Management and Budget, which rides herd on Federal spending.

No. 349. Pushed through increase in Federal contribution to Federal workers' health insurance cost from 40 to 75 percent by 1977.

No. 366. Voted down an amendment to cut out \$800 million proposed for urban mass transit operating subsidies.

No. 407. Defeated an effort to allow closing of eight public health service hospitals which have proved to be obsolete.

No. 461. Defeated a budget reform amendment that proposed limiting spending authorization to not more than three years except where there is funding through user taxes.

A few weeks ago in the Supplemental Appropriation bill we had another quarter of a billion dollars added by the Democrat majority to the public service jobs program and next week we will probably see another effort to add several hundred million more to the regular bill for the same program.

This Congress can no longer go on its merry spending spree as though the day of financial reckoning will never come.

It is time for Congress to make a serious examination of how to remedy its bad spending habits. Hopefully, the budget reform measure finally approved yesterday will have some impact on the confusion that so often surrounds congressional expenditures.

With the stranglehold the Democrat majority has on the machinery of both Houses of Congress, I would say to my friends on the other side of the aisle that you cannot escape the responsibility.

Instead of automatically adding to budget requests in every area of domestic spending, the majority party needs to use some of its expertise in helping us hold the line on Federal spending. It would be refreshing to see the Democrat majority making the same effort to cut spending in the nondefense areas as it does in defense.

A battle between the two political parties to reduce Federal spending would be a victory for the American people.

But instead of this kind of contest, we hear Democrats calling for a tax cut, one of the most self-defeating forms of political expediency that the majority party could propose as a cure for inflation. We cannot afford to cut our income, until we cut our spending habits. A tax cut now would be a cruel hoax on the American public, because it would fan the fires of inflation and reduce further the purchasing power of their dollar.

There can be no arguments over national priorities until we tackle the first major priority—an end to extravagant Federal spending.

A man with debts is not free—and neither is a nation. Economic stability is vital to our democracy, and we cannot buy financial security or prosperity with unlimited spending.

Mr. ANDERSON of Illinois. Mr. Speaker, I thank the gentleman from Illinois for his contribution. Indeed, I think the remarks made by the gentleman from Illinois are entirely germane to the subject that we have been discussing here this evening.

Mr. Speaker, I am now pleased to yield to the gentleman from California (Mr. VEYSEY).

Mr. VEYSEY. Mr. Speaker, I thank the gentleman in the well for yielding to me, and I want to congratulate the gentleman for bringing before us this important matter for consideration here today.

I think he has ventured into an area that is very controversial, and of course has its partisan overtones. But I am sorry that this special order is not participated in and not attended by more, including some of our colleagues from the other side of the aisle who, I think, could very well consider some of the matters that have been laid before us here today.

The concept of King Caucus dominating this House of Representatives is shocking. Especially is it sinister if we have a closed or secret caucus dominated by one particular group with one type of philosophical orientation within the caucus, and that group implements its instructions and desires by means of a gag rule, or by the terrible leverage of removal of seniority or of committee

status, this is indeed an appalling concept, and I truly recoil from that idea. Yet that is the direction in which the majority party is taking us.

I agree with the gentleman in the well that the Congress has serious deficiencies and we have had serious omissions in our ability to tackle some of the problems that we should have solved.

Just today the gentleman from Illinois (Mr. ANDERSON) and I were discussing some details of inadequate procedure here on the floor of the House in terms of having amendments clearly in writing and available to all Members at the time that they are brought up.

The minority staffing commitment has been sloughed off, as the gentleman has so ably pointed out. The great drive for committee restructuring, long overdue, has been apparently sidetracked and diffused in some other way.

Closed committee meetings are still taking place. I find in my own Appropriations Committee meetings our friends from the other side of the aisle voting consistently to close those markup meetings, which should not be done. It is an action contrary, I think, to the hope and expectation of most Americans that these meetings should be open for public inspection. The public's business should be conducted openly.

The fact that we have not had action on oil depletion legislation in the House has been a great disappointment to all of us, and to most Americans.

As we review these things, I have to project ahead to the November election and consider this concept of a veto-proof Congress. A Congress heavily dominated by one political party. I view that as an extreme hazard. But I know that out in every Republican-held district throughout America there must be men and women grooming themselves as congressional candidates who are going to stand up and say, "If I am elected, I will be independent; I will exercise my independent judgment based on my own knowledge of what the people in this district really want in Washington."

And they will be wrong, because if elected as Democrats they will not be able to do that. They will be under the rule and the domination of King Caucus. They will be over-promising to the people of their districts when they make that statement. If they are elected they will find that they are under sanctions and under a gag rule implemented by slightly more than 100 Members in the Democrat caucus. They will not be independent.

I think it is time on both sides of the aisle that we begin to pay attention to what is good for America, not to what is good for the straight partisan politics in either of the parties.

I thank the gentleman very much.

Mr. ANDERSON of Illinois. The gentleman from California (Mr. VEYSEY) in his usual thoughtful and very succinct manner has literally addressed himself to, I believe, what is the very heart and core of the argument that I am proceeding to make here in the well this evening.

I am enormously grateful to him for his contribution.

Mr. Speaker, I am pleased to yield

now to the gentleman from Indiana (Mr. DENNIS).

Mr. DENNIS. Mr. Speaker, my own preoccupation necessarily with the current impeachment inquiry has been so exclusive that I am not sure that I have a great deal to contribute this evening. Certainly I have nothing carefully prepared such as the gentleman from Illinois prepared, and I have read his remarks.

I have read his remarks. But I came over nonetheless for just a few minutes because I sincerely felt that the gentleman in the well had raised such an important question and had taken the trouble to schedule a special order on such a vital matter that really a concerned Member of this Congress ought to make some effort to take part. It is unfortunate that our general situation here, as in so many cases, leaves practically a corporal's guard or less on the floor even for matters of this kind. I sympathize with the gentleman because on the one occasion when I ever took a special order so far it was on the vital question of war powers and I did not get any more people here than the gentleman has here this afternoon.

But, Mr. Speaker, when I first came to the Congress I heard a statement made over and over again and we have all heard it attributed to the late and distinguished Speaker, the Honorable Sam Rayburn, that "the way to get along is to go along." I do not dispute of course that there is some truth in that statement. No one wants to unnecessarily antagonize his fellows and heads have never been improved so far as I know by running them indiscriminately into stone walls.

Yet I think the fact that the statement is quoted so often in this Chamber and is quoted to newcomers and is quoted always as if it were the epitome of wisdom and a standard perhaps, and perhaps it is in its way, indicates in a thumbnail description what is wrong with the Congress because actually just to get along and to go along, whatever practical wisdom it may have, cannot be considered to be the highest principle of action in this Chamber or any other. It ignores completely the matter of belief, principles, courage, conviction, and a few other small things of that kind which also have their proper place in this body, it would seem to me.

There are just a few of the things which occurred to me and which occurred to me now as I go along, which I think are just criticisms of this body, and I have a great deal of respect and affection for this body, as I think almost everyone does who serves here. We get our share of unfair criticism. People do not know about a great many of the good things about this organization, but we are talking about some of the others tonight.

One of the things that annoyed me a great deal when I first came here and still does, is the closed rule. What is the excuse? If a man came from Mars and he was told we could not get up on the floor of this Congress and offer an amendment to a bill, what is the ex-

planation? It is ridiculous. The people who elect me think I can get up and offer an amendment to any bill, and I ought to be able to.

I do not say there is never any excuse. I suppose everybody has sat here and voted for a modified rule at times. One bill for instance is the tax bill which always has a closed rule and some say we always have to have a closed rule and there may be some merit to that for the tax bill. But there are four or five issues in any different tax bill that amount to anything and they could be made in order to be debated. We could have a sensible modified rule. There is no excuse ever for completely closing a tax bill in my judgment.

The seniority system is pure baloney. I think I will believe that if I stay here for 20 years and gain some seniority, which, incidentally, I doubt I will do. Seniority has a good point. Seniority is important. Experience is valuable. But nobody can suggest it is the sole criterion of leadership. And we have begun to change that a little but it is so slow one can hardly see the molasses in January move. As a matter of fact the theory has begun to change and in practice it has not changed much at all. We could say the committee chairman could be elected from the three senior Members. It would be easy to do if we had the will to do it.

Budget reform is something we have finally done and that is one of the things we can credit ourselves with. I do not know how well it is going to work but at least we are trying.

The gentleman from Illinois has been here, I think, 14 years, and some Members longer than that. Everybody knows we ought to do something about that. It takes too long.

We are still trying to get some campaign reform. I am not quite sure just what form it ought to take, but I know we ought to have some. Everybody knows we ought to have some, but even in the wake of Watergate we cannot get a bill out of the committee. We cannot get the committee together to have a quorum. That is the kind of thing that loses confidence in this body.

There is too much general demagogery that goes on. We, of course, want votes. I want them, we all want them. It is the essence of the system; but we cannot justify all the things we do. Somebody says when a man does something for principle there is also usually some good reason. Well, that is too true in this body too often.

Just to mention my own committee right now, and I am not going to go into the merits of what we are considering or anything of that kind; I think our chairman, although I disagree with him on a lot of things, has tried to conduct a fair inquiry from where he sits; but we cannot keep our Members from running out and making headlines by our own rules. This is supposed to be done in confidence. We are doing it every day. Can we expect to have respect for a body like that? I do not even respect my own committee in that respect. It has done a lot of good work and I like the people.

I say again, it is not the chairman's fault. He does not want that to happen, but there are some Members of our committee willing to do that right along all the time, just for a headline, just because they think the rule should be different and the way to get it changed is to act in that fashion. That is very irresponsible and there is too much of that going on in this whole body.

We do not come to grips with the things we ought to come to grips with. We do too many little things on the shoddy side as that.

I appreciate the gentleman from Illinois taking the time. My remarks are somewhat disorganized, but I thought I would like to take the opportunity to make them and especially to thank the gentleman for raising a question, which whether I have said anything worthwhile or not, ought to be raised.

Mr. ANDERSON of Illinois. Mr. Speaker, I am deeply grateful to the gentleman from Indiana, who has had a very arduous day, I know, in connection with his service on the House Committee on the Judiciary. I am honored that he would take the time to come here this evening and make a very important and very valiant contribution to this discussion.

Mr. KEMP. Mr. Speaker, I commend the gentleman from Illinois (Mr. ANDERSON) for offering Members an opportunity this afternoon to address themselves and the Nation on the crisis of confidence in Congress.

The gentleman's record in these Halls attests to his deep concern over this matter throughout his entire tenure here.

I too am deeply concerned over the growing—the mushrooming—lack of confidence in the Congress.

Lest we go astray, however, and thereby ascribe the wrong reasons to this phenomenon, I think it is important—and instructive—for us to take stock of why there is this growing lack of confidence.

Is it directed at the institution of Congress—the first branch of government? Or, is it directed at the controlling leadership? Or, is it directed at isolated Members or the postures they maintain?

I think it is probably a combination of all of these factors, and each—and all—should deeply concern all of us as we have the responsibility of doing our best to restore faith and credibility to our institutions.

I think the people are beginning to see the Democrat leadership of Congress as engaging in the smoke-filled backroom, bossism politics which we thought—and had hoped—had disappeared from mid-20th century politics.

Decisions are not being made on the floor of the Congress—decisions for all Members to participate in and for the Nation's press and people to witness. Rather, the important decisions are now being made in the backrooms.

As the gentleman from Illinois (Mr. ANDERSON) has indicated, we have returned to the era of King Caucus—where the backroom, closed door caucus of the

controlling party reigns over the people's will. The epitome of political bosses, Speaker—"Czar"—Joe Cannon—who reigned over this House many years ago would be thrilled with what we are witnessing today.

One of the most important and most significant congressional reforms in years—the proposed reform of the congressional committee system and structure—has been pigeonholed by the Democrat caucus. Members—Republicans and Democrats—were denied outright the opportunity to debate this matter on the floor—to fully air the issues. Excuses are offered that the reform has been merely postponed by the caucus—sidetracked as the case may be—but many believe it may be dead.

Campaign reform—truly one of the most pressing needs of our day to restore confidence in our system—has yet to come from committee—a committee, like all others, chaired by a Democrat chairman and governed by the Democrat majority on the committee.

Are partisan motivations now dominant over the people's general welfare?

How else can one reasonably explain the inordinate delay in moving to the floor many crucially important matters now before committees?

How else can one explain why there is so much talk about our Nation's problems and so little action?

How else can one explain deferring action on some major proposals from this Congress to the next—from this year to next—if it is not from a belief that the Democrat majority expects to have more partisan votes next year than this year?

How else can one hear so much talk before the television cameras on the problems of inflation and soaring prices, and yet not have a concerted effort amongst the Democrat leadership to help us balance the budget, require stopping paper money issuance when there is no increased productivity commensurate with it, and hold the line on spending?

Maybe there are other answers. But, I cannot find any answer which responds adequately to these questions except that partisan politics is reigning supreme among the Democrat majority.

I have always felt that a Member serves his party best by serving his Nation and community first.

I had hoped when I came to Congress two terms ago that that opinion was shared by the Democrat leadership.

I think one of the unfortunate characteristics of public service in our time has been its reorientation, among far too many, away from the primacy of character and toward, instead, a primacy of personality.

We do not now live in a time when the essential quality of character is foremost in what people—the electorate—are seen to follow. Rather, the politics of personality has become dominant.

Instead of paying careful attention to the genuine character of a man and the ideals he espouses, the people too often follow those personalities who live under the camera's lights and before the microphones often it seems, to advance themselves in the people's minds more than

to advance ideas in which they might believe.

Ideas and substance is subsumed when this happens—made to take second place to such considerations as what ought to be said to garner the most votes, what can get one on national television and before the public's eye, what can become sufficiently newsworthy or catchy to get front page coverage.

There was a time in our Nation's history when character was the chief determining factor for public office. It seems to me that at a time when we witness almost daily the abuse of office which arises—naturally—from the lack of character, that we should insist—that the people should insist—that character be once again made a governing factor in the selection of public officials. Personality is superfluous. In many ways it actually detracts from the substance of the man or woman. It is that substance to which we should redirect our mind's eye.

The people would be better served if they paid more attention to what their elected officials do than what they say. How many times have we seen officials decry excessive spending when back home among their constituents, only to return to Washington where they are known as big spenders?

When promises are made without conscious regard for whether they can be kept or not, dispair is bound to set in among the people. Our institutions are threatened by this gap in confidence caused by the lack of performance in matching the political promises of something for nothing.

Is there any doubt but that they are discouraged when they hear—time after time—that something is going to be done and yet it is not done?

Every public leader, elected or otherwise, has a specific, affirmative obligation to tell the people the truth, not just what they perceive the people might want to hear. The time has come to tell the people the whole truth, no matter how much that may be in disagreement with prevailing public opinion and no matter how much the telling of the truth may hurt at the voting booth. We can no longer afford superficial solutions and foolish promises which can neither be fulfilled nor are expected to be fulfilled by those who make them. Words and promises are not deeds.

There are no painless nor cheap solutions to defeating inflation, providing adequate energy resources, restoring our environment, providing an adequate national defense, helping to assure peace. Promises made in a vacuum resolve none of our Nation's ills. Truth alone provides the premises upon which real world answers can be espoused and effectuated.

The frustration of mandates given to the programs of elected leaders by the people is nothing new to our system or to our Nation, yet it has been accentuated in recent years.

Consider what happens with most Federal programs today. The Congress levies taxes and authorizes expenditures, but the crucial operating decisions are often made by anonymous bureaucrats who are directly accountable neither to elected officials nor to the public at large.

Government talks more and taxes more, but too often it fails to deliver. It grows bigger and costlier, but our problems only seem to get worse. The result has been a widening frustration in America and the mounting fear, as I have pointed out in the entirety of these remarks, that our institutions will never again be equal to our needs. This must not be allowed to continue.

The people work and vote for a candidate pledged to a change in the direction of programs. The people, by majority vote, give to that candidate a mandate for such change. He comes to office and strives to achieve his plurality-endorsed mandate, but too often nothing, or little, happens.

The American people perceive the ways in which bureaucracy committed to old programs and special interests committed to their own particular interests, often over and against the interests of the whole, are able to frustrate their—the people's—intent, expressed through the ballot box.

There can be little wonder why these frustrated voters often call into question the capacity of government to perform. One answer lies in making the structure and people within the government more accountable. An additional answer lies in removing from government the power over peoples' lives, so that they may, individually and collectively, make the decisions which affect them most directly.

Mr. Speaker, the time has come for a reassertion of genuine leadership in America. Misdirected programs—resting upon ill-conceived or inadequately documented premises, arising from the central yet fallacious notion that government alone can perform best for the people—have contributed mightily to the breakdown in our institutions, public and private. We see daily manifestations of this breakdown, but they are the results, not the causes, of our problems and of my concern.

Abraham Lincoln, before he came to the Presidency, lamented:

If we could first know where we are, and whither we are tending, we could better judge what to do, and how to do it.

I think we, who look coldly at the truths of history and their relationship to our present crisis, know exactly where we are and where we should tend. I think it is time for this Nation and Members of this body to give to the Nation the quality of leadership which it and its institutions now require.

Mr. MIZELL. Mr. Speaker, I rise today to add my voice to those who are participating in this special order on "The Crisis of Confidence in Congress." My colleagues have cited extensively the findings of recent public opinion polls indicating that public confidence in the Congress is at an alarming low point. It behoves us all—Democrat and Republican alike—to heed the warnings of the people and take definitive, effective action to insure that the Congress can and does execute the primary duty assigned it by the Constitution—representing the will of the people who have elected us.

The answer to the question, "What can

we do?" is not difficult. In my opinion, there are three things which we may do. First, it is imperative that the Congress stop regulating the people to death. Our task is responsive and responsible government, not total regulation of the details of the lives of every American citizen. Second, we must halt excessive, wasteful Government spending. Through repeated delegation of broad, unrestricted authority to the Federal bureaucracy, the Congress has permitted the proliferation of numerous Federal spending programs which frequently do not answer legitimate needs, do not attack problems in a rational, feasible manner, but simply throw money haphazardly at problems accomplishing little besides increasing inflationary pressures and placing higher tax burdens on the American wage earner.

Finally, if we are to restore confidence in this institution, we must not permit the re-emergence of "King Caucus" as effective, representative Congress. If we permit the establishment of rule in the House by party caucus—binding Members to vote the party line, perhaps against their convictions or against the wishes of their constituents, we cannot expect the people to believe that we are legislating in their best interests. We are first and foremost the representatives of the people—not of party or some vague ideology. We are answerable to the people in the first instance and always—not to some ill-defined party line.

In our hands is the awesome responsibility of the public trust. An important part of that trust is the assurance of an effective, representative Congress. If we fail to honor that trust, we will rightly be turned away by the voters at the polls. The results of recent elections across the country indicate that the voters are dissatisfied with "business as usual" in the Nation's Capitol. The message is clear: either we act to reform our own procedures and to make Government responsive and responsible, or we will no longer enjoy the privilege of representing the people.

We should not—we cannot—turn our backs on the call to return power to the people. The people want effective power returned to the State and local levels. When we passed the general revenue sharing program, we took a first step in the right direction. But, it took this Democrat-controlled Congress almost 4 years to enact that legislation. Now, we hear rumblings that a "veto proof" Congress will do away with revenue sharing over the objections of the people. Such irresponsible action will not restore the confidence of the people in the Congress.

Is it any wonder that the people do not trust us? Not only did the Congress drag its feet on revenue sharing, it permitted massive forced busing of children to continue when every available poll indicated that between 70 and 90 percent of the public opposed busing. The House finally acted on this issue, but for too long it ignored the cry of the people. If the Senate continues in its obstinate refusal to heed the people's voice, public trust and confidence in the Congress will surely sink even lower.

The best way to end the crisis of con-

fidence in the Congress is to reform the Congress. And to reform now. Not tomorrow. Not next week. And most certainly not in the next Congress. We have the mandate of the people, and we must act on that mandate now. We are obligated to get moving in a positive direction. We must show the people of this Nation that we can and will take the initiative. We will be negligent if we are forced by the people to act. We must act to reduce the regulation of the lives of the people. We must act to curtail unnecessary Federal spending. And we must insure that this body functions openly and honestly with the views of the people considered the most important factor in the decisionmaking process.

My colleague, the distinguished chairman of the House Republican Conference, JOHN ANDERSON, has today presented the facts in his usual eloquent manner, and I think his words bear repeating:

If anything, this Democratic-controlled Congress has demonstrated that it cannot effectively and responsibly govern itself, let alone govern the rest of the government or the country.

The arguments we frequently hear these days about the merits of party rule in the House need to be examined in the light of their real potential for the minority in the House and for the Nation. It is significant that the Democrats have controlled the Congress for 36 out of the last 40 years. During this time, the power of the Congress has been drastically reduced, the number of Federal categorical grant-in-aid programs has increased in almost geometric proportions, the power of the Federal bureaucracy has grown at astronomical rates, and the voice of the people in the affairs of Government has been sadly reduced. If we could be assured that the will of the majority in the Democratic caucus would always correspond to the will of the people, we would have little about which to be concerned. But, this assurance is not ours. I have only to cite the action of the Democratic caucus on May 9, 1974, of effectively tabling indefinitely the Bolling-Martin committee reform proposals, to provide proof of my contention. It bears repeating that this action was done in secret—done in secret so that those opposed to reform would not be embarrassed by their votes. I urge my Democrat colleagues to quickly bring this issue before the House and the people. The action of the majority party blocking these reforms, which would benefit the entire Nation, is sad indeed.

Mr. Speaker, the people of this Nation are tired of the influence which special interests groups exert over the legislative process. The people resent the power of a few powerful labor bosses over the House Education and Labor Committee. They resent the inordinate power of a few members of certain strategic and powerful committees over the legislative process. The people are angry because big business can demand and get special treatment from certain committees. The people desire—the people demand—effective changes.

The people of this Nation need to be told the facts of this matter. The Re-

publicans in the House have endorsed the Bolling-Martin Committee reform proposals through their Policy Committee. The Republicans have gone on record, openly, in favor of making this body once more representative of the will of the people. The Democrats in the House—acting in secret to refer the reform proposals to a task force of the Democratic Caucus for further study—have effectively told the American people: "We are not going to act to reform the antiquated committee system in the House. We are, instead, acting to protect our power and to continue and extend the tired and cumbersome jurisdictional jungle inherent in the present committee structure."

I need not repeat at length here the numerous examples of overlapping committee jurisdictions. We are all well aware of the extent of the problem, and the hearing record of the Select Committee on Committees is replete with examples. The testimony of Members and private citizens alike shows that there is little dispute over the fact that in recent years the House of Representatives has become less capable of discharging the myriad intricate duties imposed upon it by the ever-increasing needs of our complex society. There is also general recognition of the fact that if Congress is to assume a vigorous and effective role in the conduct of the Federal Government, the committee structure of the House must be reformed.

Not only must we revamp the jurisdiction of the major committees of the House, but we must insure that the House is capable of exercising adequate oversight of the administration of congressionally authorized program by the Executive. In his testimony before the Select Committee on Committees, my distinguished colleague, the gentleman from Minnesota (Mr. AL QUIE) noted that the Federal Government has some 264 programs in force in the field of education. Most of the authorizing legislation requires the administering agency to report on these programs annually to the House Education and Labor Committee. As the co-chairman of the Select Committee on Committees, Representative DAVE MARTIN, rightly noted:

These reports come to the committee—and I think this is generally true of all the legislative committees—maybe some of the staff takes a look at them, glances through a couple of pages and they put them back in file 13 . . . No one pays any attention to the reports. To me, that is a primary reason why once a Federal program is started it is never eliminated, because no one pays any attention to it.

Congressman MARTIN is certainly justified in being concerned about the lack of adequate and responsible congressional oversight. This is a major reason why Federal spending is out of control. Wasteful programs laid on top of wasteful programs—that has been the drift of our legislative action since the New Deal. Adequate oversight is absolutely essential if we are to halt this trend—and halting it is what the American people want us to do.

In a society where needs are as complex and rapidly changing as those of our society, it is necessary that the Con-

gress be equipped to review our own action and the implementing actions of the Executive in order that we may alter, and when necessary, eliminate antiquated, inefficient and wasteful programs which do not meet the new and different needs which arise in the course of the life of the Nation. Is it reasonable to expect a Member of Congress to know what is going on in 264 educational programs in the country when his time, energy, and attention are divided between the needs of his own constituents and the further demands imposed by the duties of more than one major committee and subcommittee assignment which may deal with several hundred more related and unrelated programs? Specialization is necessary and natural in the conduct of our affairs. This is a strong argument for the adoption of the proposals of the Select Committee.

The House has just taken a significant step in the right direction by approving the establishment of a centralized mechanism for formulation and review of the Federal budget. I gladly supported this effort because of the need to establish firm congressional control over the Federal budget. Since my first term in the House, I have been urging action to bring Federal spending under control and to make the Congress once more a co-equal branch with the Executive in the fiscal policy of the Nation. We need these separate budget committees in the House and Senate to look over all proposals for Federal spending. We now have the opportunity for the Congress to take the lead in insuring a rational, reasonable Federal fiscal policy. We can now fix an overall target for Federal expenditures. We can now set a responsible ceiling on the Federal budget. We can now assign reasonable priorities to the increasing number of programs which are proposed each session, and we should be better able to weed out unnecessary programs. These budget committees must have access to the technical capabilities now available to the Executive which will enable them to adequately review the programs in existence, many of which are playing havoc with the tax dollars of the American citizen. Congress needs and must have the same capabilities now possessed by the Executive in the Office of Management and Budget. I have said before that the essential need of our Government is to have both a strong Executive and a strong Congress, working together, to insure the maintenance of sound fiscal policy.

It is worth emphasizing that we must end our futile habit of passing individual spending bills which in total far exceed amounts dictated by economic prudence and which feed inflationary fires. The American housewife is tired of ever-increasing food and medical costs. The American businessman is just fed up with decreasing profits and rising costs.

The responsibility of the Congress is to halt these lamentable tendencies in Federal policy—not to encourage them. We can see from experience that relying solely on the Federal bureaucracy to formulate and administer national

fiscal policy cannot and does not insure a responsible policy which accurately reflects the needs and desires of the people. We can see from experience that the present system of divided authorization and appropriation in the Congress serves only to add deficit to deficit—a patently ridiculous and disastrous approach. I am encouraged therefore that we have recognized the need for fiscal reform and have taken this step toward insuring that the taxpayer can keep more of his hard-earned dollars in his own pocket.

Mr. Speaker, it is imperative that we add to this small beginning a strong effort to effectively restructure and reform the committee system in the House of Representatives. My colleague, the gentleman from Illinois (Mr. ANDERSON) has given us a concise and poignant summary of the evils of King Caucus. I would admonish my Democratic colleagues to heed his words. The people will no longer tolerate lip service to reform. The people want and demand action. If the Democratic majority in the House acts to thwart meaningful and effective reform, they will surely answer for their negligence at the polls this fall. The American people simply will not buy the story that the Republican Party is responsible for the excesses of Watergate and all the excesses of Government. What the American people will buy is this: It is the Democrats who in the 93d Congress blocked efforts to reform the House of Representatives—efforts to make this body responsive and responsible to the people. The American public will be made aware that it is the Democrats who would prevent Congress from making itself capable of adequate oversight of rampant Federal spending. The American people will not elect a "veto proof" Congress because the people are not fools. They do not want a Congress that will continue a fiscal policy which will burden them with higher taxes, which will not halt inflation and which will perpetuate Federal programs which do not answer legitimate needs in a responsible fashion. The people want responsible representation—representation which will make every conceivable effort to control the growing and unresponsive bureaucracy, representation which will make every possible human effort to halt runaway inflation.

We are charged with providing our constituents with good Government. Today, we have outlined the opportunities, which lie at our doorstep, to meet the challenge of good Government and to end the crisis of public confidence in the Congress.

Gentlemen, we have only to act.

Mr. MALLARY. Mr. Speaker, I am delighted that the gentleman from Illinois has taken this time to discuss the present precarious state of our legislative processes. I would like in these moments to discuss briefly the inadequate performance of the Congress in the energy field.

Mr. Speaker, the energy crisis, along with inflation, is uppermost in the minds of my constituents. And when I travel to Vermont, a number of my constituents ask me: Has Congress done anything about the energy crisis? Has Congress

done anything about gas and oil prices? Has Congress done anything to see that next winter we do not have an oil shortage worse than last winter, and that we do not have longer gas lines?

I have a hard time answering those questions. I can point to various pieces of legislation in various stages of progress in the legislative process—hundreds of "energy crisis" bills have been introduced in this Congress—but has all of this really amounted to anything?

In the spring of 1973, it became clear to anyone who cared to study our energy situation, that the United States was already involved in an energy crisis, which would soon become critical. In various public statements, I cautioned Vermonters to conserve gasoline, because there would be a gas shortage that summer. On April 18, the President sent to the Congress his energy message, which described the serious nature of our energy supply and demand picture, and outlined actions, which could only be taken with legislative authorization, which should be taken to relieve our energy problems.

The congressional leadership seemed to take little note of that message. By summer, when the gasoline shortage hit much of this country, and a number of small, independent nonbranded or independent branded gasoline retailers were forced out of business, the House leadership again seemed to be little concerned.

Significant energy legislation was not cleared by the Congress last year until almost a month after the Arabs announced their oil embargo. By that time, the United States had plunged into an energy crisis and energy shortages of critical proportions. By then, it was too late to do anything about immediate shortages except to see that everyone got a fair share of the energy supplies that were available.

The first piece of major energy legislation cleared by the Congress last year was the bill authorizing construction of the trans-Alaska oil pipeline. It was not cleared by the Congress until November 13, more than 7 months after the Supreme Court affirmed a lower court decision that congressional authorization was necessary before the Alaska pipeline could be built. Alaska oil is our primary new domestic source of oil. Of course, even if the bill had been passed immediately after the Supreme Court decision, the pipeline could not be built fast enough to help increase our oil supplies last year, or this year. But a delay of even a few months in tapping these reserves which the United States desperately needs is unconscionable. Despite the great importance of this bill, we witnessed a curious delay—it was not referred to a conference committee until more than a month after it had been passed by both houses. And a conference report was not filed until 2 months after that. One wonders why the leadership condoned, or encouraged, this kind of procrastination.

One day after the Congress cleared the pipeline bill, it cleared the Emergency Petroleum Allocation Act. Of course, 2 weeks earlier, the administration had already implemented a mandatory alloca-

tion program for middle distillate fuels. By that time, hundreds of small gasoline retailers had already gone out of business. And the bill had by that time been subjected to some bewildering legislative shenanigans. In the Senate, the provisions of that bill, along with a rollback of the beef price ceiling, were attached to the Hobby Protection Act. The obvious guess as to why this was done in the Senate was because the Senate hoped that the House would get around to considering petroleum allocation. The Senate passed an allocation bill on June 5, and by August 2, when they tacked allocation on to the Hobby Protection Act, the House still had not seen fit to consider the problem of petroleum allocation. It was not until October 17, when the Arabs announced the oil embargo, that the House finally passed an emergency allocation bill. The ultimate congressional passage of the bill was of little comfort to businesses that had already gone out of business for lack of adequate petroleum supplies.

Only two other significant energy bills were cleared by the Congress in 1973. On December 14, a bill providing for year-round daylight savings time was cleared. On December 21, a bill providing for a 55 miles-per-hour speed limit on the Nation's highways, was passed. Both of these bills were subject to intense opposition in some quarters, but they are examples of how the Congress can, within a matter of weeks, swiftly act on urgently needed legislation. With these bills, it was clear from the beginning, however, that they received the full support of the House leadership—and by that I mean the Democratic leadership.

An Energy Emergency Act never was enacted. Of course, the Democratic leadership can point to the fact that the bill was vetoed by the President, and the veto was sustained primarily by Senate Republicans. But the bill was not finally approved by the Congress until 4 months after it was requested by the President. By that time, the bill included everything but the kitchen sink—including an oil price rollback. We can spend hours debating the question of whether oil price rollback legislation would provide more than political hay for Members seeking reelection, but it is clear that such a provision would be more appropriately considered on separate legislation, not attached to legislation providing, among other things, authorization for gasoline rationing. If leadership had been exerted in the House and Senate, the act could have been approved by the Congress in December, instead of allowing the act to languish during an extended recess, only to be subjected to oil price rollback language.

This Democratic-controlled Congress has failed to enact legislation needed to deal with our energy problems on a long term basis. The only bill thus far enacted with a view to the long term is the bill to establish a Federal Energy Administration, which had substantially already been created by the Executive. We have yet to send to the President legislation to establish an Energy Research and Development Administration. Coordination of all Federal energy research programs,

and a substantial injection of research funds, could well be the most important investments we can make in our country's future.

Millions of citizens across the country are frustrated and angered by high prices for petroleum products. At the same time, they are receiving reports of tremendous increases in oil company profits. The Congress has done nothing to defuse the highly emotional charges of monopolistic activities of oil companies and profiteering. The Congress had not initiated or authorized funds for a full-scale investigation of these charges. In order to deal with this problem, and to retain any public confidence in our system, we need to know the facts about competition in the energy industries, allocation of energy supplies, and calculation of prices.

The Federal Trade Commission did initiate a study of the oil companies, and has initiated a suit against major oil companies for alleged anticompetitive practices in the refining stages on the east and gulf coasts. There are questions as to whether the FTC has the resources to handle this suit, and this does not begin to address the issues presented in 1973 and 1974.

The only "investigations" which have been launched as a result of the shortages we faced last summer and winter have been congressional hearings, orchestrated for the purpose of committee leaders receiving maximum public exposure while castigating oil company officials. This has resulted in political gain for certain individuals, but has not constructively contributed to solving our energy problems.

Many House Republicans are anxious for a significant investigation. Until the congressional leadership sees fit to act on this type of legislation, we must content ourselves with the necessarily limited investigations such as that to be conducted by the Task Force on Anticompetitive Practices and Monopolistic Powers, sponsored by the House Republican Conference.

We are watching the Democrats play political football with the issue of oil company profits. The House Ways and Means Committee has reported legislation providing for a gradual elimination of the oil depletion allowance, and the imposition of a windfall profits tax on excessive profits which are not plowed back into exploration, research and development. The House Democrats have retreated into the Caucus, to vote in secret that the percentage depletion allowance should be eliminated immediately, not gradually. Members of the leadership are declaring that all Democratic Members of the House are bound by this vote, and must vote for immediate elimination. Other Democratic Members are understandably recalcitrant, believing that they are representing their home districts and add the people of this Nation and not the National Democratic Party. Therefore, the House has not yet had a chance to vote on the Oil and Gas Energy Tax, not only because the Democrats do not agree on the provisions, but because they do not agree on the prerogatives of the "King

Caucus." It is unfortunate, to say the least, that this issue has to slow up progress on energy tax legislation. It is also unfortunate that the Democrats are not prepared to iron this out in public, and simply have a rollcall vote on the House floor to determine whether a majority of the House supports immediate or gradual elimination of the depletion allowance. That is how our schoolchildren are taught the democratic legislative process works.

There is a great deal of urgently needed energy legislation pending before this Congress. Let us not play party politics with it.

Mr. DU PONT. Mr. Speaker, the more I travel around and the more I listen to the people of Delaware and to the people all around the country, the more it becomes obvious to me that the issues of ethics and integrity in government has swept aside all other issues.

To restore confidence in Congress, we must deal not only with the problems of this country, but we must begin to practice what we preach.

What is Congress preaching? Why reform, of course. Response to Watergate; Cleaning up America's political system so that we will not have this corruption.

Never in the history of our young country, has there been such an outpouring of righteous indignation from the Congress as there has been recently over the activities surrounding the Watergate affair. Everyone is investigating the scandal from Senator ERVIN to the Washington Post to the House Judiciary Committee.

As the inquiry proceeds on all fronts, we witness daily statements by all sorts of Members of Congress, condemning the abuses of the administration, expressing shock and outrage, and pointing the finger of accusation at the other end of Pennsylvania Avenue.

I am one of those people who has spoken out—rather forcefully—against the abuses represented by the scandal that is broadly being referred to as Watergate.

I too have pointed out need for reforms—that never has opportunity been better for reform—that now is time to act—to strike while the iron is hot.

But is the Congress acting? Are we striking while the iron is hot?

The answer is that Congress is not doing one thing to pass the reforms which are so necessary to ensure that the same things do not happen again. Not one single thing. Never has so little been done about so much.

Wouldn't it be a tragedy if our country gained nothing from the agonies and frustrations we are going through now? Wouldn't it be a tragedy to have gone through a traumatic investigation of everyone from the President to the milkman in vain?

Regardless of the final fate of Richard Nixon, I truly believe that the lasting impact we receive from our efforts can only be the passage and enactment of meaningful, comprehensive reforms to modernize Congress, to make it more accountable to the people and not to special interests—to change the god-awful manner in which we finance our cam-

paigns, and to bring a new candor and honesty to the political institutions of our country. By doing these things we begin to restore confidence in government and its leaders.

But are we progressing?

The Clean Elections Act, of which I am a sponsor, has been before the House Administration Committee for over 16 months. During these 16 months, the committee has somehow managed, in its laborious struggle, to go over a dozen pages of the bill—out of 30. The leadership has absolutely killed the bill. They keep saying, "Oh, it is going to come out for a vote pretty soon," but I do not believe a word of it. Already, it is too late for the 1974 election. And at the current rate of progress, they probably can stall past the 1976 election, as well. The Clean Election Act is a major piece of legislation to bring campaigns and politics out in the open. It puts limits on contributions and expenditures. It requires full disclosure. It sets up effective enforcement procedures. And the House Administration Committee would not even let it come up for a vote.

That is one of the reasons why I decided to take matters into my own hands with Pete's 3000. I am not accepting any contributions over \$100 because I believe it's time someone did something about the problem, rather than keep coming up with the same tired, old excuses. And frankly, I did not relish going back to Delaware telling the people we might have some legislation passed by 1976. It is clear to me that the people of Delaware and this Nation are tired of a lot of political excuses. They want action now—not in 3 years.

There can be no question where the responsibility lies—it lies in the Democrat Congress. There can be no question who bears the burden of getting a bill to the floor of the House—the Democrat leadership of this Congress bears that burden.

But it is a safe year for the majority party, as the popular wisdom goes, so there is absolutely no pressure to enact the types of reforms which are going to cost anyone one iota of their power. "We're going to coast in, so why worry?" is the comment you hear. I hope this advice is not needed, and that we get a chance at reform.

We have plenty of political scandals in Washington—one in the White House, another in the Capitol. The message for 1974 is that they must be cleaned up—both of them—and reform enacted now. Perhaps the best reform of all would be to vote all the backroom politicians out—then maybe some of us who have been trying to enact reforms would have a chance.

Mr. STEELMAN. Mr. Speaker, I commend the gentleman from Illinois for bringing to this House's attention the crisis of confidence in Congress.

Never has this been brought to the fore as it was 6 weeks ago when the Democrats buried the Committee Reform Amendments. This is an intolerable delaying tactic, and it is no wonder the American people's confidence in government has eroded to an all-time low.

Over 50 of my colleagues have joined me in cosponsoring a resolution to indicate to the Rules Committee that this much-needed reform must be considered immediately, and I call on more of my colleagues to join us in urging that this very important piece of legislation be brought to the floor so it can be debated in public on its merits. We must show the American people that self-interest and pressure politics do not rule in the legislative process. The public is demanding reform, and only if we move forward with the first internal committee reform in 28 years can we demonstrate that we are capable of meeting this challenge.

Mr. CLEVELAND. Mr. Speaker, I welcome the opportunity to join in this most timely discussion of what I see as one of the most dangerous long-term political trends of our time: the disastrous decline in public confidence in and respect for the Congress as an institution.

I find this most deeply disturbing, as Members who know of my long-time position on congressional reform hardly need be told. We hear, I know, that the Congress merely shares in a more general decline in the prestige of all our institutions. I take no comfort from that. The strength and stability of our system of government cannot be taken for granted. They demand that the Congress—and particularly the House, the branch closest to the people—stand out and represent something a little more, a little better, and offer at least one source of credible confidence to the people when so much else seems to be coming apart at the seams.

But what should be infuriatingly frustrating to all of us as it is to me is that we bring it on ourselves. And do so knowingly. At best what we are and what we do will often be misunderstood. Unlike the other two branches, with their decorum and conformity, we are diverse in the philosophy, traditions, geography, and particular interest of those whom we represent.

Our conflicts are largely out in the open. Compromise—which leaves no interest or group at either extreme of a dispute totally satisfied—is the rule rather than the exception. As it should be. Legitimate balancing of interests is too often mindlessly broadcast as a sell-out. Legitimate concern for the means we employ, as well as the objectives they are intended to reach, is misinterpreted as a mere cover for negativism. The inevitably time-consuming job of getting the facts on increasingly complex problems and giving them due deliberation is seen as foot-dragging. Changes in legislation to remove needless coercion are often reported as "weakening," "watering down," "gutting," "ripper amendments." So our job is untidy and poorly understood. This is inherent in what we do. If it is not inspiring to those who don't understand the process, that's something we have to live with.

#### OPPORTUNITY FORFEITED

What we are not obliged to endure is the loss of real opportunities to equip ourselves to do our job better, improve our performance and thus restore the much-eroded public confidence in us as

a representative institution. And that is exactly what happened last month when the Democratic Caucus sidetracked the most important proposal for real reform to come along in two decades.

Mr. Speaker, a recent editorial page piece in the Washington Post, discussing the caucus treatment of the Select Committee on Committees' reform package, began by saying:

While House members last week, after reading the presidential transcripts on Watergate, were decrying the President's lack of concern for anything except protecting himself, they were proving on the House floor and in the Democratic caucus that they weren't much better at putting the public interest above self interest.

I would submit that the real relevance of those transcripts to the caucus action can be found in a significant exchange between the President and John Dean on February 28, 1973:

D I spent some years on the Hill myself and one of the things I always noticed was the inability of the Congress to deal effectively with the Executive Branch because they have never provided themselves with adequate staffs, had adequate information available—

P Well they have huge staffs compared to what we had.

D Well they have huge staffs, true, as opposed to what they had years ago. But they are still inadequate to deal effectively—

P (Expletive deleted) Don't try to help them out!

This highlights the supreme irony of the caucus majority's action in this of all years; a year of controversy over war powers, impoundment of funds, budget control, determination of priorities, campaign reform, grappling with an energy crisis we should have anticipated and dealt with decades ago. And inflation.

#### DEMOCRATIC CAUCUS OBSTRUCTION

With cynical calculation, the caucus has deliberately left the Congress crippled in its capacity to deal with the problems facing the Nation and to cope with the executive branch. What is more, it was done in closed session by secret ballot through a partisan political procedure which has absolutely no place in this bipartisan reform effort.

I do not join in this special order to belabor my colleagues on the other side of the aisle. At least not all of them. The fact that the vote to sidetrack the reform resolution to a caucus subcommittee was 111 to 95 suggests strong minority support within the caucus for these reforms. Nor will I burden my colleagues with a full recitation of my comments issued on the day of the vote, except to cite one observation:

I can only conclude that a majority of House Democrats, and the leadership which made reform a partisan matter, are more interested in their prerogatives than progress; when real reform threatens the power relationships developed over decades of domination in the House, they close the doors, draw the drapes, turn down the lights and break out a stacked deck.

Our friends on the majority side have been dining out for some time on the reforms enacted—with minority support, I might add—in the way of more open committee hearings, mark-up sessions, fewer closed rules. Now we have turned

tail and gone the other way—to minority government. Not government by the minority party but one faction of the majority party. A majority of House Democrats can dictate to this body. They can call the tune in closed session, determining whether legislation gets sent to the floor, held back or shunted over to a caucus subcommittee for rewrite. What is more, half of the Democratic membership can bind all 247 Democratic House members—and the one Member-elect once seated—to their will provided that that half constitutes two-thirds of those present and voting in a caucus session. That comes down to 124 Democrats, by binding all 247 or 248, being able to railroad anything they want through a membership of 435. That is less than 30 percent of the House. Let us not forget that it has happened before, and happened in this same area—congressional reform. If the Republican Party did that, the liberal media would be absolutely cyanotic. They would be setting some kind of record for sustained apoplexy.

I have dwelt at some length on the fact of the reform package in the context of confidence in Congress for two reasons: First, the entire range of reforms—realignment of committee jurisdictions, staffing provisions, scheduling, legislative oversight—was produced by a completely open process accessible to all Members for more than a year. The Bolling-Martin committee effort was a completely bipartisan operation, equally representing both parties and launched with the support of the leadership on both sides of the aisle. Thus, it contrasts starkly with the treatment given by the caucus, which treats its findings as a partisan political preserve. And second, and more importantly, the reforms proposed by the select committee would go a long way toward meeting many of the problems at the root of public disenchantment with the Congress.

#### RECORD SUPPORTS REFORM

I say this not just on the basis of my own convictions in this department. We have a record precisely to this effect in the Joint Committee on Congressional Operations, on which I serve as ranking minority member. The joint committee has not reported its findings yet, so I would like to share with Members some highlights of testimony directly relating the need for reforms to the image and public posture of the Congress. The subject of our extended series of hearings was "Congress and Mass Communications." We explored exhaustively the question of procedures to facilitate more extensive and perceptive coverage of Congress as an institution—as distinct from the communications operations of individual Members—as a means of generating improved public understanding of congressional operations.

In my own statements for the record and questioning of witnesses, moreover, I sought to concentrate on procedural reforms which would enable us to do our jobs better, improve our ability to meet our responsibilities, and as an inherent and inevitable consequence also make the Congress more intelligible to press and public by earning more extensive and perceptive coverage. Throughout, my prin-

cipal thrust was: "To improve its public image, Congress must improve its public performance."

The response was most gratifying.

#### MUSKIE, HUMPHREY, MONDALE

Our leadoff witness, the senior Senator from Maine (Mr. MUSKIE) documented the devastating decline in public confidence in the Congress, presenting the results of survey work done for his Intergovernmental Relations Subcommittee of the Senate Committee on Government Operations. After discussing the need for concern over communications viewed narrowly, he agreed that there is a broader need to reorganize ourselves to concentrate our attention and resources on problems facing the country in their overall dimensions.

Significantly, the Senator also touched on a problem that has long concerned me and which related specifically to the Bolling-Martin Committee's recommendation concerning legislative oversight. Part of our problem is that we have overpromised in selling our programs. I share this concern. We discover a problem, whip up concern, propose a program guaranteed to solve it and float it out on the country. Then we go on to other crises and repeat the process, failing to monitor the progress of what we have created.

Parenthetically, I would point out that the experience of our Public Works Investigations Subcommittee in examining the chaos besetting the Clean Water Act of 1972 sheds light on the problem of congressional credibility. We enacted a massive new program, promised the public a great leap forward in cleaning up our rivers and streams, and let the whole thing bog down in a morass of red tape. But I take encouragement from the oversight hearings we have held that some real improvements can realistically be expected.

While I am digressing here, I also would like to cite in this connection the comments of Ralph K. Winter, Jr., in the American Enterprise Institute study: "Watergate and the Law: Political Campaigns and Presidential Power," issued earlier this year:

The inconclusive results of the social programs of the 1960's may be a cause of the present flap over campaign financing. Frustrated over the failures of these programs to produce the expected results, their proponents may automatically assume that something must be wrong with the political process.

That such considerations should be raised in the context of Watergate should surprise no one. Abuses, like reforms to prevent their recurrence, are closely related in the public mind, and rightly so.

The senior Senator from Minnesota (Mr. MONDALE), also called for specific reforms which hopefully would help the public understand what we are doing and the imbalance of our position in relation to the executive branch.

Citing a "growing arrogance which has characterized the White House in recent years," the Senator continued:

This arrogance is not a phenomenon only of this Administration, but is the culmination of a trend which began decades ago. Unless we end the misuse of Executive power and gain public respect for and understand-

ing of Congress' role in increasing the accountability of government, we will never reverse the loss of confidence which the polls are now reflecting.

In colloquy with joint committee members the Senator specifically endorsed procedures to improve not merely the visibility of what we do but the substance of what is visible, the reality of what the Congress does. Procedures including strengthening committees, reform of committee jurisdictions, budgetary processes, and the like.

#### ENERGY DEBACLE CITED

Another welcome contribution came from former Vice President HUMPHREY, now junior Senator from Minnesota, who also zeroed in on the structural inadequacies of Congress. With some insight, he cited examples of ways in which the communications problem of media coverage is inherently related to substantive performance:

Scatteration of responsibility for energy matters—which, incidentally the Bolling-Martin select committee's recommendations address constructively—means that the media have an almost impossible job of covering congressional action relating to energy. Implicit here is the fact that it is almost impossible for Members as well as newsmen to keep on top of this problem without any clear focus of responsibility and information resources.

Confusion in scheduling—also dealt with somewhat by the select committee—also tends to blur the image of Congress, as indeed it hampers our ability to function effectively.

And finally, the Senator suggested that the same loose organization which hampers our work also tends to set up barriers to public attention and scrutiny, which I submit tends to reinforce public suspicion of Congress.

I could go on in the same vein, Mr. Speaker, citing other specific expressions of support for reforms from Members of both Houses, including several members of the joint committee, and outside witnesses. I commend the hearings and report to you upon their publication.

In view of his saving scheduled this special order, I do want to note that my friend from Illinois (Mr. ANDERSON) also contributed to our joint committee deliberations to the effect that the way to make news is to make news. He pointed out that the administration gains attention from the media because it is more powerful than Congress—as a result of congressional acquiescence in the process. His conclusion, and I could not agree more is:

The way to redress the balance is to redress—by action.

#### POLITICAL BACKFIRE SEEN

Writing in a recent issue of the New York Times, John W. Gardner, chairman of Common Cause, reflected commendable outrage at the caucus action to sidetrack the reforms:

This is going to be a hard year for Republicans on the campaign trail. But observers are saying that it may also prove to be a tough year for incumbent Democrats. Some of the voter sentiment is indiscriminately anti-incumbent.

Given that consideration, one can only register astonishment at the arrogant be-

havior of leading Democrats in the House of Representatives. They are writing a record that will hang around their neck like the Ancient Mariner's albatross.

No. 1 item was the House Democratic Caucus action of which he said:

A strange coalition of entrenched, aging chairmen and younger more liberal party members joined hands with outside special-interest groups to block the measure.

Mr. Speaker, I welcome this most well-founded expression of concern. Indeed, there are grounds for political challenge to incumbent Democrats on this ground alone. I would say to my Democratic colleagues that you have handed Common Cause and other reform advocates, and to me and my colleagues on this side of the aisle a real issue. This is an issue the people already recognize. And it is ours.

While this gives me—I hope understandably—a certain amount of partisan relish, I would gladly swap this particular issue for real reforms, which I have advocated ever since serving as chairman of the Republican Task Force on Congressional Reform and Minority Staffing a decade ago. So I reject the lure of an issue rather than a bill—or in this case a resolution. That is business as usual, politics as usual. And that is exactly what I have been deplored here. Caucus business as usual, politics as usual. At least in this area of bipartisan reforms, I would prefer to go before the public and say with some credibility that Congress really cares, it has bitten the bullet and taken the painful steps necessary. There will be plenty of credit to go around.

#### SMOKE OUT OPPOSITION

I commend to caucus members' attention other provisions of the rules, provisions which allow 50 members to call a meeting, 50 members to place an item on the agenda of a caucus meeting. I urge those who voted not to delay action on the Bolling-Martin Committee's proposals to reassert that position publicly, smoke out the opposition, and go on record for reform. Just as it would be unfair for House Members of my party to take the rap for Watergate, it would be unfair for you to be tarred with the brush of obstructionism.

For openers, you have it within your power to call for open sessions of the subcommittee's deliberations on the reform package.

Now, certainly, the caucus will have a role; so will the Republican conference. Legitimate concerns of both parties include the need to recognize Members' prior service on committees, pieces of whose jurisdiction go elsewhere; seniority, leadership positions as committee and subcommittee chairmen and ranking minority members. These are all difficult matters to be worked out by the respective parties. But only after the reforms have been approved, in the process of putting them into effect.

The Bolling-Martin committee's recommendations are now in the hands of the subcommittee headed by the gentlelady from Washington (Mrs. HANSEN). On the occasion of the announcement of her impending retirement from this body, I joined many colleagues in expressing deserved tribute to her service.

That was not routine rhetorical boilerplate.

I urge the subcommittee chairman, membership, and Members at large on both sides of the aisle to join in supporting the Bolling committee reforms. We act not for the next session or the next Congress alone; we act for the long-term needs of the country.

Mrs. HOLT. Mr. Speaker, I am pleased to join my colleague from Illinois (Mr. ANDERSON) in addressing ourselves to the growing dissatisfaction of the American people in their Congress.

Certainly one area of genuine concern to us should be our tendency to condemn the executive branch for usurping our powers, and then turn around and hand those powers back to the executive on a silver platter. It is no wonder Americans are bewildered. We certainly have not dealt with the country's problems in a positive and constructive manner. We have failed to come to grips with inflation or the energy crisis, we await responsible legislation on pension reform, relief for the middle income taxpayer remains in committee, catastrophic medical insurance is being approached on the occasional Friday, and even the much overdue veterans' educational benefits have yet to be brought to the Senate floor, with the already extended deadline only 11 days away. Our method of dealing with national problems of crisis proportions appears to be to study them to death, and hope they will go away before we have to get a report out. Our national legislature appears to be unwilling and unable to conduct its business promptly and efficiently, and this lethargy does not sit well with Americans, who expect real answers to their very real problems. The majority leadership has hamstrung the legislative process by blocking key programs without offering alternatives, and by passing ill-conceived and budget-breaking programs which add more Federal agencies but few solutions.

We are deeper in debt than ever—the interest alone on our national debt is almost 27 billion annually—and we are no closer to responsible solutions for basic issues of concern. And how do we respond to this spiraling economic mess? We very simply increase the debt ceiling from \$475 to \$495 billion.

Now we are told that the answer to congressional responsibility and a reinstatement of national confidence is to insure that the American people are served, next November, by a veto-proof Congress. I know that the American voter is too smart to fall for that reasoning. Thirty-eight of the past 42 years with Democratic control of Congress bears reliable witness to the real reason for this national crisis in confidence.

Mr. Speaker, I urge my colleagues, on both sides of the aisle, to reexamine their roles as responsible legislators, to divest themselves of self-interest, and to respond to the genuine concern of the American people before it is too late.

Mr. ZION. Mr. Speaker, the last time we had a Republican-controlled Congress was in 1953. By any measure, it must be considered one of the most successful Congresses in our history. That Repub-

lican Congress balanced the budget, paid off part of our national debt, lowered taxes, and got us out of the Korean war. With a record like that, why is it that the Republican Party is unable to enjoy the support of the majority of the people?

One probable cause is that the majority party in power has taken advantage of its numerical superiority and its support by special interest groups to dominate the political picture. One such special interest group is organized labor. The contributions by organized labor of \$189,000 to Democrat members of the Judiciary Committee could well dictate the results of the impeachment inquiry. When a member is counting on \$20,000 to \$30,000 in campaign funds from this source, he can hardly ignore the feelings of the people providing the money.

There is little question but what we desperately need campaign reform in order to reduce the power of the special interest groups. Why is it, then, that no meaningful campaign reform legislation has come to us from the House Administration Committee? Victor Riesel, veteran labor reporter, notes, if you apply cost accounting to what the unions do in a political way, the noncash contributions consist of staff time of union officials assigned to campaigns for months on end, to printing costs, postage, telephone bills, and various other support services financed from union dues and fees. Riesel estimated big unions spent in cash and in kind \$60 million in the 1968 Federal elections and \$50 million in the 1972 elections, mostly to aid Democratic congressional candidates. Labor aid to Democrats in the special elections so far this year is estimated to be well into six figures.

All of this union effort and money is expended in spite of the fact that vast numbers of workers vote contrary to the union's endorsements. In fact, all too often, a union worker's money is used to support the candidacy of someone he personally opposes.

It is certainly no secret that the chairman of the committee responsible for reform legislation is also chairman of the Democrat congressional committee. As he looks forward then to some \$50 to \$60 million to help keep his party in control of the Congress, he can hardly be expected to introduce legislation that would reduce this influence.

It would appear then that the people who perpetuate themselves in power through special influences are the same people who for the past 20 years have gotten us into wars, have greatly increased the national debt, have—through reckless and irresponsible spending as requested by their benefactors—produced the greatest inflation in history, and have permitted us to become slaves to Arab oil interests.

It is interesting to note that in the 1972 election Democrat members of the House Administration Committee received over \$137,000. It is time the American people recognized the truth. As long as they continue to support a party whose only interest is perpetuating themselves in power at the public's expense, we will continue to have these serious problems. There has never been a period of peace-

time prosperity under a Democrat-controlled Congress. Our only chance to balance the budget, to reduce our national debt, to lower taxes, to stay out of wars is to return this Congress to the one party that has accomplished these objectives in the past and is capable of doing it again.

Mr. BIESTER. Mr. Speaker, I would like to commend our distinguished colleague, Mr. ANDERSON, for the opportunity to discuss the crisis of confidence in Congress, and personally acknowledge the leadership he has so ably demonstrated in both word and action in his capacity as Republican conference chairman.

The crisis of confidence in Congress need not be viewed solely in partisan terms. I believe we should be forthright enough to admit there is guilt to share on both sides of the aisle. All of us, leadership and membership alike, have contributed in varying degrees and ways to where we find ourselves today in the eyes of a public which rates our performance so negatively.

It becomes a value judgment as to what has contributed to the crisis of confidence, but over the past several weeks a number of events has underscored for me the distressing failure of leadership in this Congress aggressively to address the problems facing us.

On May 8 the House refused even to consider the post card registration bill when it voted down the rule, 197-204. Unless a rule is blatantly unfair, it is a disservice to the honest efforts of Members who wish to debate the merits of a bill for others to use the rule as the easy way of avoiding open discussion and voting on the substance of a bill. In this case, the rule specifically allowed a substitute version to the committee-reported bill to be considered. Most recently, the House consideration when a fair, open land-use bill—amendments, substitute and all—never saw the light of full rule was defeated, 204-211. I do not dispute the argument that rules are sometimes inappropriate and should be modified. I do, however, believe it is a most questionable practice to kill legislation by hiding behind a rule. On one of the most critical issues facing this Nation, after lengthy hearings and much public discussion, we have to tell our constituents that the House lacked the wherewithal to give this legislation a fair chance on the open floor. Because this legislation was so controversial, proponents and opponents should have had the opportunity to address themselves to the arguments which had been set forth.

Can we sincerely believe that Congress deserves its rightful place as a co-equal partner in Government if we, as Members, are so reluctant to consider a controversial piece of legislation in the open, vote our convictions and stand by that decision before the voters on election day?

How can we expect the public to have confidence in Congress when we do not seem to have confidence in ourselves?

Can we be that unsure of ourselves that we turn away from facing issues squarely and refuse to vote up or down on an important piece of legislation? If

so, and it increasingly seems to be the case, then this is a sad commentary on the state of the House. The public is looking to Congress with hopeful anticipation that the legislative branch will reassert itself as a responsive and responsible initiator. We cannot assume that Congress will fulfill these expectations merely by continuing a business-as-usual attitude. Congress must earn that respect and trust by positively and constructively addressing itself to those matters deserving our attention.

David Broder, in his Washington Post column this past Sunday entitled "A City of Actors, Waiting," comments:

The House, mesmerized by the impeachment impasse, has become a death trap of legislation . . . long nurtured measures . . . are being sidetracked or killed by legislators fearful of the future, imprisoned by the past.

Case in point. After years of calling for reform, the House has finally reached the point where a comprehensive, thoughtful and far-reaching set of committee reform proposals has been readied for our consideration. Now, when our goal of substantive reform is in sight, the Democratic leadership has capitulated to those of its own members who are selfishly more concerned with preserving their own personal power centers than making Congress a more effective body. I doubt whether any one Member in this Chamber is in total agreement with all the recommendations of the Bolling committee, but I believe we must recognize that if we are ever to change an outmoded and outdated system each of us will have to concede some of our special interests for the good of the entire body and the good of the nation. Again, we are witnessing lack of responsibility as the Democratic caucus has slammed the door in the face of full House consideration of a most critical matter.

Another example. When the abuses and imperfections of our political system have been brought four-square to the attention of virtually every citizen of this Nation and the public is outspoken for reform, the House is jeopardizing passage or even floor consideration of a campaign reform bill. The Senate first passed a version of election reform on July 30, 1973, again on November 27 and most recently April 11, but the House Administration Committee has yet to complete its mark-up of campaign financing and other reforms and we can not be certain how strong or effective a bill will emerge. As a result, with this session well over half completed, we are far away from where we should be on an issue of such overriding significance. It may very well be that we will be going into this November's elections—the first nationwide elections since the magnitude of Watergate became apparent—having failed to come up with a legislative response to the most obvious deficiencies of the present way of conducting our elections.

There are numerous other things—large and small—which, taken together, contribute to the erosion of confidence of both Members and the public in the capacity of Congress to perform. I find personally frustrating and disappointing

such things as committee hearings unprinted long after the hearings have concluded, floor programs which are embarrassingly light in both time and substance and our failure regularly to work a full 5-day week, and the defeat of very important measures—such as metric conversion and international development association bills—for narrow and short-sighted reasons. These are personal observations, but I am certain everyone shares similar thoughts on other incidents which disillusion and dismay.

Observers have commented that Watergate and associated revelations hold out the possibility for some important changes in Government which otherwise might not have occurred or would have been a long time in coming. Election reform and strengthening the position of the Legislative branch vis-a-vis the executive are examples which come readily to mind, but ironically the House is resisting the impetus to move ahead in these two areas.

The budget reform legislation we passed yesterday and the opportunity we will have to reverse our earlier vote on IDA do demonstrate we have the ability to move ahead and to change. Unless this attitude becomes the rule rather than the exception and there is a noticeable change of attitude in the House reflecting a commitment to act which is translated into tangible results, we should not expect—nor do we deserve to receive—the approval of the public.

Mr. VANDER JAGT. Mr. Speaker, early in the 93d Congress, by a decisive, bipartisan vote of 282 to 91, the House approved House Resolution 132, establishing a 10-member select committee to thoroughly study the House committee system. Speaker CARL ALBERT and then minority leader GERALD FORD were instrumental in launching this initiative, the first study of committee jurisdictions and practices since 1946. The support which Members gave the proposal demonstrated a common belief that committee reform is vital if the House is to fulfill its responsibilities. As Representative DAVID MARTIN said, the goal was "a more efficient operation of the committees of the House which are the heart and soul of the legislative process."

Unlike customary practice, each party was to be represented equally on the committee. Its funds were to be equally available to the Democrats and Republicans in support of the inquiry. This bipartisan, professional approach was strengthened in early committee decisions to minimize partisan distinctions in staffing and to designate the ranking minority member as its vice chairman.

In precedent-breaking recognition of the study's importance, Speaker ALBERT and Representative FORD were the first witnesses to appear before the committee. The panel achieved a vast amount of insight by conducting interviews and hearing testimony from Members, as well as through extensive interviews with committee staffs and significant research projects. Political scientists and groups interested in congressional organization also offered their views. A full year of study, debate, drafting and revising re-

sulted in the introduction on March 19, 1974 of House Resolution 988, proposing changes in committee structure and jurisdiction and modifications of committee procedure.

The committee proposed that Members generally should have only one committee assignment, thus fostering expertise and minimizing schedule conflicts. Second assignments would extend only to a few minor committees whose workloads would not interfere with major legislative proceedings. In an effort to equalize the stature of the 15 recommended major committees and to overcome existing jurisdictional problems, the select committee proposed a number of jurisdictional shifts, thereby increasing some committees' responsibilities and decreasing others.

Major attention was given to the intensification of Congress oversight of laws it has enacted. The select committee recommended further professionalization of the House through increased committee staffing, and proposed that the minority party should control one-third of the staff posts. Proxy voting in committees was to be banned, removing a procedural obstacle to serious consideration of amendments on controversial issues, as exemplified by the Consumer Protection Agency legislation.

Change almost inevitable yields some hardship and inconvenience. Like other reform proposals, these recommendations were viewed by some Members as a threat. They affected the career patterns of Members and jeopardized power relationships both within Congress and between it and lobby groups and Federal agencies.

Under the proposals, more than 100 Members including myself would have to surrender a committee assignment, something one might be expected to do only reluctantly.

But in order to strengthen any social institution, individuals must sacrifice. At the core of democracy is the premise that the process by which decisions are made is more important than either the decisions themselves or the persons who make them, both of which are temporary. Thus, I am extremely disappointed in the Democratic caucus, which voted last week to bar the select committee's plan from coming to the House for debate and consideration.

In the wake of solid GOP approval, the Democratic caucus instead referred the plan to an opposition-laden party committee. This is an ironic result of another well intentioned reform effort strengthening the caucus' power in relation to that of the floor leaders. I call on the caucus to awaken to its responsibility.

Our country today is in great need of positive congressional leadership. We cannot afford to permit selfishly motivated establishment Democrats to derail this vital bipartisan attempt to strengthen the House of Representatives for the tasks before it.

Mr. ROBISON of New York. Mr. Speaker, I am joining today in this discussion because of a strongly held feeling that Congress—rather than rising to the challenge laid before us because of a crisis in national leadership—has dis-

graced itself by failing to come to grips with national problems and important internal reforms, today's vote in favor of "budgetary reform" being a rare, and welcome, exception.

One of the reasons the House of Representatives, in particular, has become even less responsive to national needs is the increasing use by the majority party of its caucus as a means of running the House. This is a deplorable state of affairs. The House Democratic caucus is not the House of Representatives. Those who would make the two synonymous do our system of government a great disservice. A majority in the Democratic caucus—even two-thirds of that caucus—does not constitute a majority in the House of Representatives. It is undemocratic for an obstructionist minority of the House acting in the Democratic caucus to thwart the will of the House in the manner, for instance, used to prevent consideration of the committee reorganization proposal, something I believe to be of equal importance as budgetary reform.

Such use of the caucus violates any standard of responsive and open government. It operates behind closed doors—most often with secret votes.

I find a bit incongruous the views of those of my colleagues who are calling for complete candor and openness on the part of this administration with respect to Watergate—as I have done—but who at the same time stand by lamely and silently when an instrument of their own party violates those principles of openness and candor.

The inconsistency would be amusing if it were not so serious.

Presently, the House has been unable to consider the Oil and Gas Tax Energy Act because of a dispute over the action of the Democratic caucus.

Is it democratic for the Democratic Party of the House to reserve for itself the only opportunity to decide under what conditions any bill can come to the House floor? The Democratic caucus presumes to act for the House in deciding whether or not amendments to tax legislation will be permissible on the House floor. Why, I ask, should that decision not be that of all Members of the House? Why should a minority of the House preclude action by a majority?

Mr. Speaker, the most tragic result, so far, of this reemergence of "King Caucus" has been this scuttling of committee reform. I have spoken to the House before on this matter. That action of the caucus affronted and angered me. It had been my hope to be able to help make Congress more responsive before I retired at the end of this year. Now it appears that a minority—even of the Democratic Party in the House—will deny me that opportunity. This is a travesty of the democratic process. It subverts the legislative process. More importantly, it denies the House the chance it needs to fully enter the 20th century.

Mr. Speaker, I fully realize that the debate over party responsibility—which really lies at the bottom of this discussion—has been raging for decades. Our discussion today will not resolve the issues in that debate, but I hope I will be

forgiven some philosophical comments on the nature of our system of government and the characteristics that have given it greatness.

Ours is a republican form of government that depends heavily on an informed and literate electorate. If there is a discernible thread that runs through our development as a democracy, particularly in this century, it is the broadening of the voting franchise. Universal suffrage has largely been achieved. Direct election of Senators, suffrage for women, 18-year-old voting, and aggressive enforcement of antidiscrimination voting laws have enhanced participation in our system of government. One man, one vote as a concept in State and local government has been slowly, but surely, realized. "King Caucus" violates all of the principles that undergird the significant advances we have thus made. It signifies a retrogression from those remarkable words of Jefferson "that all men are created equal." For "King Caucus" breeds inequality. It unduly weights the votes of all those people who are constituents of majority party members. It denies my constituents the kind of representation guaranteed them under the Constitution.

"Let the House work its will" has been the byword of these Halls for a good many years. And that is all we ask. The work of the House as expressed through its duly constituted committees should not be subverted by either a majority or an obstructionist minority—either in the House itself or in the caucus or conference of its two political parties.

We take great pride in being a government "of the people, by the people, for the people." The people are not the Democratic caucus. It cannot claim to represent "the people." It should stop acting as if it can.

Mr. COUGHLIN. Mr. Speaker, public confidence in this body and the Congress as a whole stands at low ebb. A recent Gallup poll reveals that only 30 percent of the American people approve of the job Congress has been doing. If 7 out of 10 Americans believe that the legislative branch has failed to represent their views and respond to their needs, then the onus for this massive alienation must be laid to the Democratic leadership of the House and Senate.

For many years, the Democrats have maintained control of both Houses of the Congress. Yet, the record of performance is only too clear—this leadership has proven inept, insensitive and incapable. Time and again the Democratic leadership has delayed or blocked progressive legislation. It is this pattern of negativism, postponement, and lack of initiative which has earned Congress the reputation as an unresponsive institution, incapable of dealing effectively with the challenges before the country. While this reputation may not be entirely deserved, there is enough evidence in the legislative record of the Democratically controlled 93d Congress to account for the loss of prestige and confidence in public opinion.

No where is this lack of initiative more evident than in the critical areas of anti-inflationary measures and tax reform, perhaps our most urgent national needs

about which the American public has consistently expressed concern and repeatedly urged strong legislative solutions. It is failing to deal with these pocketbook issues that the Congress has appeared most timid and lethargic, qualities with which the American people have little patience and rightly so.

In a stunning display of legislative short-sightedness, the House Banking and Currency Committee moved earlier this year to end antiinflationary economic controls by allowing the Economic Stabilization Act to expire. The result was an end to the only existing machinery to restrain spiraling wages and prices while nothing was offered to take its place. The overworked Ways and Means Committee has been slow to respond to the need for greater equity in the tax structure, especially for individuals and families of moderate means and the elderly.

Likewise, urgently needed campaign reform legislation, which could have a positive impact on the public's assessment of Congress, has also been delayed in committee by Democratic leaders. Stricter campaign spending laws as well as reporting and disclosure requirements should have been enacted by now and implemented uniformly for the 1974 elections. It should not have been necessary for candidates like myself and others to adopt proposed campaign financing standards and regulations which the Democratically controlled Congress has failed to enact. Every day that campaign reform is not taken up in the House, the public's suspicions that this is not a serious issue in Congress grow stronger. Passage of meaningful and comprehensive campaign reform legislation this year would be a significant first step toward restoring public trust in and respect for Congress.

In an even more blatant move to head off reform that would replace the House's outmoded committee structure with one more responsive to current national needs, the House Democratic caucus voted in secret to sidetrack the modernization scheme for further study. The committee reorganization proposal recommended by the Select Committee on Committees would enable Congress to deal more effectively with the issues of greatest concern to Americans and should be brought to the House floor for a vote immediately. Until it is, Congress will be hard put to convince the American public that it is either forward-looking or seriously reform-minded.

In other areas, the Democratic Congress has been equally reluctant to take the initiative to enact innovative legislation which enjoys broad public support and which has been under careful preparation for years. Most notably, the House recently rejected an important land use planning proposal, delaying any prospects for enactment of legislation in this vital area until the next Congress. Earlier this year, the Democratically controlled House similarly defeated a modest proposal to encourage conversion to the metric system.

If the Congress is to raise its public image and to restore the faith and respect of the American people which is

essential to our representative system of government, then the Democratic leadership must be willing to make the hard decisions and, in some cases, personal sacrifices, which are necessary to update House organization and to legislate further against campaign financing abuses. In addition, the Democratic leadership must no longer shirk from its responsibility to move the House toward creative solutions to the difficult problems confronting the Nation. Only in this way can public confidence in Congress ever be reestablished.

Mr. HOSMER. Mr. Speaker, little can be expected from an organization grown old and tired. All organizations need an infusion of new blood occasionally to keep them moving at a productive pace.

That is true of the Congress and it is especially true of those who serve the Congress in key staff advisory positions on its various committees. They often give those committees their basic complexion.

Yet for 40 years these needs have been denied.

Up until that time the political leadership of Congress changed occasionally. Deadwood on the congressional staffs was flushed away. New faces and new ideas appeared. A revitalization of the institution took place.

But only twice in 40 years have the positions of minority and majority in the political leadership of the House been reversed. Those occasions have been so infrequent and so brief that the flushing out process really never took hold. The last one was all of 20 years ago.

I have nothing against age, I am getting old myself and I am also leaving the Congress. But when I look around at some of the staff people who are still around the Congress and who were old, at least in ideas, old liberals and old conservatives when I came here 22 years ago, I am compelled to think about the situation.

And, my conclusion is that the country would be benefited greatly by a change in controlling parties in the two bodies of the Congress at sufficiently frequent intervals to clean out the intellectual and philosophical cobwebs that abound amongst the staffs of many committees.

This is intended as no universal damnation of congressional staff members. By and large they are fine and dedicated people. But some of them have been around much too long. Some of them have the idea they run the place rather than the elected representatives.

A new political party in control once in a while to turn out these characters and replace them with people of fresh outlook would do much to help restore the tarnished image of the Congress.

Surely, the Congressmen themselves are not totally and solely to blame for it all.

Mr. HANRAHAN. Mr. Speaker, there is no doubt in my mind that the public is dissatisfied with the Congress. The events of the past year have been extremely disillusioning to the American people. The low voter turnout in the primaries across the country bears this out. Faced with an energy crisis, economic uncertainty, moral decay, and political cor-

ruption the American people face an uncertain future. At this time of crisis the Congress should be providing leadership. Instead, a few radical elements have taken an unfortunate incident and blown it up out of proportion with its importance. With the constant barrage of Watergate many voters are not only wondering whether their vote is worth anything but if anything can be done to restore some responsibility in government. These things became obvious to me after the results of my last district questionnaire came in.

We are faced with the problem of imminent economic collapse, a touchy situation in the Middle East, an energy crisis, and high crime. With these things it is a shame that these radicals are content with taking cheap political potshots over a much exaggerated incident. The public demands leadership and action to solve the problems that face our Nation. The current Democratic controlled Congress is not supplying that leadership. As Republicans, we must stay above this cheap political game playing. The American people demand dynamic action and as Republicans and Members of Congress, it is our duty to supply the leadership and initiative to help bring this Nation back on its feet.

I have cosponsored bills to legalize the private ownership of gold and to place a limit on Federal spending so that it does not exceed Federal revenues, as well as to pay back the national debt. These measures were all aimed at curbing and eventually eliminating monetary inflation. Both of these measures were defeated. With Government deficit spending as the cause of our current inflation it is not surprising to me that the public would have little confidence in the Congress.

I am now sponsoring H.R. 14995 to amend the Federal Election Campaign Act of 1971. The purpose of this amendment is to place a limit on the amount of money that can be spent on any campaign for Federal office. The purpose of placing such a limit is to put an end to the practice of buying elections. As it now stands it is usually the man with the most money who gets elected to office, not the man who is best qualified for the job. This reform would also do much to bring an end to the practice of private interests buying elected officials by limiting campaign contributions from individuals and groups. I strongly feel that if this amendment were passed by the Congress that it would be a great step toward restoring public confidence in our Government, and in particular, the Congress.

What we are faced with today is not merely a political crisis. It is a moral crisis. It was noted almost two centuries ago by the English historian, Edward Gibbon, that governments reflect the society in which they exist. A people not confident in themselves or their future cannot be confident in their government. Back room deals, underhanded campaign tactics, hollow political promises, and partisan political power struggles are not going to contribute to the rebuilding of this confidence. As Republicans we are faced with the difficult task of bringing

some stability and responsibility back to a free spending and do nothing Democratic controlled Congress. However, only until we are able to restore the moral values that had once made this Republic great can we begin the arduous task of restoring public confidence in the Congress.

Mr. FRENZEL. Mr. Speaker, I am pleased that the gentleman from Illinois (Mr. ANDERSON), the chairman of the House Republican caucus, has taken this time to point out to his colleagues and to the people of America that there are two cancers eating at the Congress.

The first is the public lack of confidence in Congress, caused in part by conditions external to us, but also in part by our own ineptitude and unwillingness to perform.

The second cancer is the reemergence of what the gentleman from Illinois calls "King Caucus." It is, of course, a clumsy reaction to crisis of confidence, intended to staunch the gaping wounds of distrust. But in fact, its Draculian return from the grave has exactly the opposite effect.

First, the crisis of confidence: the unbelievably low esteem into which the Congress has fallen, 21 percent approval rating, Harris poll, early 1974, is, thankfully, not uniform. In my own district, Congress' rating is much higher. But even if public confidence were to double, and thereby send the Harris rating skyrocketing to 40 percent, it must be remembered that 40 percent is still a failing grade.

Conceding that factors other than the Congress, and its failures do affect its unfavorable public ratings, I still believe that Congress itself is most responsible for its own low estate. Arthur Schlesinger, writing in the *Wall Street Journal* of May 1, 1974 expresses the idea like this:

What is Congress' trouble? Why after Watergate should it linger in this condition of impotence? . . . The post-Watergate Congress, though controlled by the opposition party, seems rather less consequential than the so-called "rubber stamp".

Mr. Schlesinger answers his own question in just about the same terms I would use:

Congress can have all the staff, expertise, information it needs. What it lacks is the will to use the power it has.

I concur in the Schlesinger thesis that our basic defect is that we lack the will to tackle tough issues. More than that, our leadership, our Democratic majority, is unwilling to clean up its own procedural and organizational mess. The failure of jurisdictional reform, the Bolling-Martin resolution, is the most dramatic example of the Democratic majority's unwillingness, or inability, to unfoul its own nest. Rather than make our procedures up to date and effective, the House Democrats have voted by secret ballot not to inconvenience any of their members. They were, however, unconcerned that our obsolete organization inconveniences the public.

More and more our image is taking a shape described by such adjectives as disorganized, decision-deferring, slow, unresponsive, antireform, leaderless, seniority-dominated, unbusinesslike and obsolescent. The image may not be wholly

descriptive of our efforts, but it is prevalent. In general, the old "windbag" image was more flattering, and certainly more comfortable.

The responsibility for congressional responsiveness and effectiveness lies with both the majority and minority, and with each Member. But it is undeniable that the majority caucus bears the prime responsibility, and the public has given it a failing grade—21 percent. In the unlikely event it would magically become a majority, the minority group might not do much better, but it could not do worse.

Next the reemergence of King Caucus: The gentleman from Illinois (Mr. ANDERSON) has identified and described this aberration of political representation better than I can.

If the fact that freely elected Members of Congress allow themselves to be bound by unit rule votes in their caucuses were widely known, I believe the American people would be horrified. How much more outraged would they be if they knew binding votes were taken by secret ballot in closed meetings?

The problem for us in Congress is that the Democrat unit-rule caucus allows a minority of the Congress, a bare majority of a caucus quorum, to exercise absolute control over the Congress. Like the seniority system, it makes a few of us more equal than all the rest of us. Obviously it can be used, and has been used, to frustrate the will of the majority of the people's representatives in this House.

The willingness of the Democrat majority to surrender its responsibilities to those of the caucus poses still another problem to those Members who think their first responsibilities are to their constituents and to the Constitution. That problem is that we are governed by the rules of the Democrat caucus in which we have no inputs and about which we have no information. Even these rules which are revealed to us in discussions on the floor of the House are subject to amendment and change from time to time.

The effect of this phenomenon, which some Democrats have apologetically described as a return to party responsibility is in fact simply a different way to keep the cloak of secrecy on the key decisions of the House. The House has been rightly applauded editorially for opening a large percentage of the meetings at which it does legislative business to the public. Of course, it could and should open most of them. However, at the same time the House is taking credit for this wonderful improvement, it has buried its most important decisions behind the closed doors of its caucus meetings where unit rule decisions are made by secret ballot. I would hope that all Members who love and respect the House of Representatives, and who have confidence in its ability to represent the will of all the people, would rise up against "King Caucus" and help the gentleman from Illinois thrust the stake back into the monster's heart.

Mr. CULVER. Mr. Speaker, the gentleman from Illinois and his colleagues deserve praise for arranging this special order. It is timely and deals with a matter

of the most genuine urgency. The twin issue of congressional and campaign reform ought to be at the very top of the current House agenda. Yet each has been thwarted until now.

There was no warrant for sidetracking the reform proposals of the Select Committee on Committees. There was even less justification for the manner in which it was done—by a secret vote in a closed caucus and by referring the proposals to a subcommittee which is proceeding silently without any public record. As a member of the caucus and of the select committee, I am appalled how the treatment of this issue is unnecessarily inflicting damage on one party and on the institution whose performance and legislative mechanisms we are seeking to improve.

However, I urge my friends on the Republican side of the aisle to take note that the fight for committee reform is not yet over. The opportunity for meaningful reform in this Congress is not yet lost. The Democratic caucus will vote again on these proposals, and I am confident that our caucus membership will not again permit a secret ballot. We will put our members on record, and there is good prospect that we can secure for the House an opportunity to vote on this measure—and to amend it—since we are under no illusion that it is a perfect document.

The members of the Republican Party have every justification for holding our feet to the fire. The actions of the Democratic caucus—on close votes—have properly yielded a wide and resonant outcry from many citizen groups and the press. The opportunity to vote on the reform proposals, stemming from the careful and painstaking work of a genuinely bipartisan enterprise, is fully merited. It would be unconscionable simply to discard these proposals without their full ventilation and debate.

When the House does vote on congressional reform, I am sure we shall rediscover the fact that this is an objective which has adherents on both sides of the political aisle. There is a readiness among many Democrats to put aside personal self-interest and inconvenience when the overall effectiveness of our institution can be advanced. There is a clear majority in this body ready to act and to join the issue on the floor. I know that there are many Democrats who are determined that full debate be assured so that the House as a whole, rather than one or another faction, can resolve this issue so clearly worthy of our best efforts as well as the individual accountability of each Member.

Mr. Speaker, I ask unanimous consent to append a letter which I sent to the chairman of the Democratic caucus and to the chairman of the caucus committee, Mrs. HANSEN on May 17, 1974.

MAY 17, 1974.

Hon. OLIN TEAGUE,  
Rayburn House Office Building,  
Washington, D.C.

DEAR MR. CHAIRMAN: As a member of Congress and of the Democratic Caucus, I am writing to express my deep concern about the manner in which we are dealing with fundamental issues of institutional reform within Congress. Thus far we have managed only to bring a series of self-inflicted wounds upon

ourselves—by treating committee reforms as primarily an intra-party issue, by taking caucus decisions on them in secret and without individual accountability, and by referring the whole matter to a caucus sub-committee which itself appears to be operating on the basis of confidentiality and secret bargaining. I am not surprised that these procedures are being lampooned by many Republicans, by the press, and particularly by those citizen organizations seriously interested in having the bipartisan Bolling proposals openly considered and voted on.

Whatever views there may be about the individual recommendations of the Select Committee, I believe that the Committee adhered to an unprecedented extent to principles of openness—in its hearings, in its solicitation of views from all colleagues, in its markup sessions, in its accessibility to press and public. In its own operations, in its staff procedures, and in its mandate from Speaker Albert and then Minority Leader Ford it sought to find solutions which would commend themselves to the whole membership and bring about the fullest measure of confidence in the House of Representatives. Those of us who served on the Select Committee were under no illusions that there was a painless or politically facile way of reaching such a result.

With the actions of the caucus these large purposes may well be lost. If there is an impression created that the Hansen Committee is administering a few pain-killers or is accommodating itself to the lowest common denominator of internal and external Congressional pressures, then the Democratic membership as a whole will suffer needlessly.

For these reasons I urgently recommend that the Hansen Sub-committee forthwith adopt rules and procedures consistent with those which the Bolling Committee has had—all hearings public, all communications from members available to all, open markup sessions, and full documentation. I shall further propose at the appropriate time recommendations to the Caucus that during the consideration of the Hansen report, all sessions and votes pertaining to it be open and accountable.

I hope that you find these suggestions reasonable and that you can respond to them at an early date.

Sincerely,

JOHN C. CULVER,  
Member of Congress.

#### GENERAL LEAVE

Mr. ANDERSON of Illinois. 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 I have just taken.

The SPEAKER pro tempore (Mr. McFALL). Is there objection to the request of the gentleman from Illinois?

There was no objection.

#### A NATIONAL TRANSPORTATION POLICY

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

Mr. ALEXANDER. Mr. Speaker, I am pleased to be joined by a number of our colleagues in the sponsorship of this proposal to strengthen the Nation's transportation system and to establish a national transportation policy.

Joining in this effort are Mr. BOWEN, Mr. LOTT, Mr. BRECKINRIDGE, Mr. ZWACH,

Mr. BROWN of California, Mr. DAVIS of South Carolina, Mr. THORNTON, Mr. BAUMAN, Mr. FINDLEY, Mr. ICHORD, Mr. MONTGOMERY, Mr. McEWEN, Mr. HILLIS, Mr. SIKES, Mr. LONG of Louisiana, Mr. ANDREWS of North Dakota, and Mr. ANDREWS of North Carolina.

The proposal which we are supporting is, we recognize, not the complete solution to the transportation problems facing our Nation. But, if enacted we will be taking steps in the right direction.

Transportation systems are like pieces of a jigsaw puzzle. Put together in the proper proportion and balance they make a national transportation policy as a jigsaw puzzle makes sense. In our Nation today there are truck, car, bus, and highway pieces to the puzzle. There are pieces marked "railroads," "barge lines," "airlines," and "mass transit."

Each has its useful role to play. But, without an established national transportation policy they can not, I believe, fulfill their potential for service to the citizens of our country.

Unfortunately our transportation systems have been allowed, even encouraged by Government actions at all levels, to develop without a great deal of thought for coordination with other modes of transportation. For instance at the present time in Congress we are at various stages of considering legislative proposals for railroads, highways, and mass transit.

This present round of consideration began with President Nixon's transportation message containing two pieces of proposed legislation—UTAP and TIA—which was sent up to Congress on February 13 of this year. As chairman of the House subcommittee responsible for rural development legislation and activities I have been concerned for more than a year about the impact of the Federal transportation policies on community development in the countryside.

My efforts to study this subject have persuaded me that we as a nation can no longer afford to go along with separate policies for each of the transportation modes.

UTAP, as the Unified Transportation Assistance Act has been nick-named, was basically a highway and mass transit bill. It was assigned to the House Committee on Public Works. TIA, the alphabetic shorthand for Transportation Improvement Act, deals with railroads—particularly liberalizing abandonment policies—and was sent to the House Committee on Interstate and Foreign Commerce.

Despite the fact that each proposal would impact on the operation of the transportation network the other affects, under the traditional method of congressional consideration UTAP and TIA would be reviewed as items separate and apart from each other. It would be difficult for the committees with legislative jurisdiction over them to review, for instance, the potential impact of these proposals—should one or both of them become law—on community development in rural areas. Taken together or separately they seemed inevitably to mean a reduction of the highway and railway resources available to rural areas.

For that reason the subcommittee of which I am chairman conducted 4 days of hearings into the impact of Federal transportation policy on the countryside, and specifically the anticipated effect of UTAP and TIA.

The story told by the witnesses we heard was one of a nation ignoring the transportation needs of a small minority of its citizens living on and struggling to cultivate and harvest the potential of a vast, rural land area in order to do the fundamental job of providing food for the hungry cities and essential manufactured items for metropolitan-based industries.

It was a story of heartland road systems shortsightedly allowed to deteriorate as State and Federal resources were pumped into Federal highway systems, particularly those interstate systems designed to serve major cities of the Nation. Because of the heavy and increasing demands on limited resources available for transportation uses it is not difficult to understand how some persons might find it easy to forego equity and justice and overlook the needs of this minority.

A reduction of any element of transportation service in the rural areas has implications for the whole Nation. Without transportation the tools of food production, for instance, cannot get to the countryside and the food can not get to the cities to feed the hungry or to the export markets to aid our Nation with its balance-of-payments problems.

Such stresses as those I have mentioned are, I believe, a direct result of the failure of the Congress and the executive branch of our Federal Government to enact and implement a national transportation policy which takes fully into account the interdependence of both the cities and the countryside and the interrelationships of all modes of transportation.

Mr. HILLIS. Mr. Speaker, I commend the gentleman from Arkansas for his recognition of the transportation needs of our countryside areas and for his introduction of the Rural Highway Act, the provisions of which will go far in solving many of the existing problems in our rural areas. The Alexander bill has already captured the interest of Hoosiers in government, industry, farming, and the news media. Interest is being generated by those who recognize the dire needs of rural area primary and secondary highway systems, bridge improvement, and safety projects for high hazard areas. The Alexander bill provides adequately and rightly for these areas.

Due in part to the development of the Interstate Highway System, the real needs of countryside areas have been neglected. Revenue demands for maintaining and constructing adequate countryside roads and bridges are growing along with a greater national dependence on rural roads due to the movement of record farm crops and continual abandonment of railroad lines. Countryside bridge and road needs become more obvious when we note that the Federal Highway Administration has estimated that only 14 percent of our country's rural roads are adequate for safely han-

dling the tonnage necessary to move heavy loads of commodities to and from farm areas.

As an example of countryside needs, I would like to bring out the problems presently being encountered in Fulton County, Ind. There are 82 rural bridges in Fulton County. A recent inspection of these bridges brought out the fact that six of these bridges require immediate replacement. If this was not enough, 10 of the bridges should be replaced within the next 2 years, 12 of the bridges will be worn out within the next 5 years, and 6 more bridges must be replaced within the next decade.

Furthermore, immediate repair has been recommended for 64 of the county bridges not due for replacement for 5 or more years. The citizens of Fulton County are frankly worried about where they are going to get the money to finance their bridge needs much less their highway needs.

Fulton County is not alone. Many counties throughout our Nation are experiencing similar problems. Passage of the Alexander bill can help our rural areas solve these critical problems at no additional cost to the taxpayer. This would be done by establishing countryside needs as a priority allocation of highway trust fund moneys. The Alexander bill would further provide for the distribution of these moneys on a more equitable basis to the States.

We owe it to our Nation to make a national transportation policy out of what now appears to be an urban mass transit policy. This can be accomplished without diminishing the goals of mass transit through adoption of the Alexander bill.

I urge the serious and rapid consideration of the Rural Highway Act.

Mr. FINDLEY. Mr. Speaker, many roads in rural America are outdated, unsafe, and, in some cases, completely unusable in bad weather. Little has been done as special Federal aid for rural roads in past years.

But the future demands improved roads. Highways in rural areas of the United States are a vital part of this Nation's transportation system. The products of agriculture and mining begin their move to market on these roads.

As the railroads threaten abandonment of thousands of miles of trackage, industry and agriculture are looking to the Nation's roads as the only alternative by which to move their products to market. The United States depends on agricultural exports, yet the very arrival of these products at terminals is threatened if adequate transportation is not available.

Rural families are often barred from simple trips to town because of obsolete bridges and almost impassable roads.

Unsafe rural roads are a special threat to millions of children each year as thousands of schoolbuses pass each day over roads which are barely suitable to cars.

This bill, while not requiring an increase in taxes, would finance the improvement of a too long ignored, but vital, cog in the machinery of U.S. industry, agriculture, and recreation.

#### GENERAL LEAVE

Mr. ALEXANDER. Mr. Speaker, I ask unanimous consent that all Members may be permitted to have 5 days in which to revise and extend their remarks and include extraneous material on the subject of my Special Order that I have asked for in the House today.

The SPEAKER pro tempore (Mr. McFALL). Is there objection to the request of the gentleman from Arkansas?

There was no objection.

#### JOSEPH ALSOP'S WARNING ON THE PRESIDENT'S PENDING TRIP TO THE SOVIET UNION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. KEMP) is recognized for 15 minutes.

Mr. KEMP. Mr. Speaker, we have heard much during the past several weeks about varying concerns over the President's pending trip to the Soviet Union.

Unfortunately, I believe, much of that concern has come from quarters wherein repose political agenda unsupportive of virtually any actions which the incumbent President might pursue.

There has been, therefore, at least among many on this side of the aisle, a tendency to discount that concern.

There has appeared today, however, a disturbing—yet enlightening—commentary on the President's pending trip and the specific agenda points apparently agreed upon between him and the Soviet leadership.

This article can be disturbing because—as it expresses deep reservations as to the substance which might arise in the form of agreements limiting strategic nuclear arms between the United States and the Soviet Union—we are mindful that it is authored by Joseph Alsop, one of the most accurate, perceptive commentators on international and military affairs.

Joseph Alsop, to my knowledge, has absolutely no political agenda to be served by such a warning. His only agenda is national security. Therefore, credence must be given to the concerns he has voiced.

In discussing the reasons presumed to be behind the recent resignation of one of our Nation's most knowledgeable strategic arms negotiators, Paul Nitze, Mr. Alsop comments:

Whenever this country has looked weak... the Kremlin has always moved with great brutality to exploit the supposed advantage.

The Berlin blockade, the Korean war, the second Berlin crisis that was only liquidated in the confrontation over the Cuban missiles—these have been the consequences when the Kremlin has yielded to such temptations in the past. Not unnaturally, Dr. Kissinger therefore fears the consequences of the spectacle of this city in the Watergate summer, with a U.S. Government all but paralyzed.

I will not join rank, Mr. Speaker, with those who urge the President not to go to Moscow or to postpone indefinitely that trip.

But I do urge the President and the Secretary of State to enter into no agreement which gives any advantage to our potential Soviet adversary.

I do not believe that the President would, but I do feel compelled to at least share this warning of Mr. Alsop's with my colleagues.

Mr. Alsop's column follows:

[From the Washington Post, June 19, 1974]

#### THE IRONY OF PAUL NITZE'S RESIGNATION

(By Joseph Alsop)

Take any deeply somber event that ought to constitute a storm warning. In this town today, you can be certain that the event will then be thoroughly, even willfully misunderstood. This rule has been proven once again by the recent resignation of Paul H. Nitze from the U.S. team negotiating strategic arms limitation with the Soviets.

In his resignation statement, this brilliant veteran of the public service referred to the paralyzing influence of the Watergate mess. Nitze did so, however, in guarded, carefully general terms. Hence all and sundry instantaneously concluded that this was another "protest" resignation—a drawing aside of clean skirts from the prevailing dirty business.

In reality, however, Paul Nitze resigned solely because he now expects President Nixon to make a new SALT agreement in Moscow that will be dangerously favorable to the Soviets. As he told friends, he has always believed in speaking his piece and then leaving if he got no hearing. He had spoken his piece. He had got no hearing. So he left.

The reference to the Watergate mess in Paul Nitze's resignation therefore needs to be explained. Rightly or wrongly—and almost certainly rightly, alas!—Nitze is further convinced that the President wants to go dangerously too far in Moscow for two linked domestic-political reasons.

On the one hand, a squishy SALT agreement can hardly be attacked by the anti-Nixon leaders in U.S. politics today. These are in fact the men with chief responsibility for eroding America's defense posture. On the other hand, even a dangerous SALT agreement will give President Nixon "something to show" for his coming visit to Moscow, and will therefore let him pose as a peace-bringer when he desperately needs any advantage he can get.

The ironies of all this are considerable. Not very long ago, and again because of Watergate, President Nixon let Sen. Barry Goldwater and other ultra conservative Republicans veto Nitze's transfer to a major post in the Defense Department. The President urgently needed those conservatives' support.

The conservatives vetoed Nitze on the ludicrous ground that he was too soft, too little tough-minded in his assessments of the world situation and the American role. Now, however, Nitze has left the SALT negotiating team because he foresees that President Nixon is going to be too soft, too little tough-minded in Moscow, in order to make a domestic political gain.

Yet the ironies are the least part of the grim lesson taught by Nitze's resignation. It is known that the man to whom he spoke his piece before resigning was Secretary of State Henry A. Kissinger. So the question here is why the Secretary should allow the President to play games with this country's long term security for domestic political reasons.

The answer is that the Secretary is doing nothing of the sort, at least in the well-informed opinion of Paul Nitze. That was the reason for the guarded language of Nitze's resignation statement, and also for his state-

ment's applause for all those—meaning those like Secretary Kissinger—"who are continuing to maintain the orderly process of government."

If you examine Secretary Kissinger's motives, however, you again find that they are both deeply somber and totally misunderstood. In brief, the spectacle of seeming-weakness in Washington has always proved an irresistible temptation to the Kremlin. Whenever this country has looked weak, in other words, the Kremlin has always moved with great brutality to exploit the supposed advantage.

The Berlin blockade; the Korean war; the second Berlin crisis that was only liquidated in the confrontation over the Cuban missiles—these have been the consequences when the Kremlin has yielded to such temptations in the past. Not unnaturally, Dr. Kissinger therefore fears the consequences of the spectacle of this city in the Watergate summer, with a U.S. government all but paralyzed.

Perfectly rationally, too, Dr. Kissinger is further convinced that the tougher Kremlin policy-makers would be greatly strengthened by U.S. withdrawal from the SALT negotiating-table. We have gone too far down that road to make breaking off the SALT talks anything but very risky.

In sum, Dr. Kissinger and Paul Nitze disagree on a subtle issue: whether it is a greater risk to break off SALT, or to accept a squishy agreement in order not to break off SALT. But here, once again, the Watergate mess enters in, like an all pervading poison gas.

#### PUBLIC DISGUSTED WITH IMPEACHMENT PROCEEDINGS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Missouri (Mr. BURLISON) is recognized for 15 minutes.

Mr. BURLISON of Missouri. Mr. Speaker, I believe the leadership of the House and the Judiciary Committee are not aware of the intense disgust of the public with what it feels is unwarranted delay of the impeachment proceedings. Of course, I can speak only for my people, but I believe they are representative of the entire country.

I realize a strong case can be made that the President has not been cooperative and has refused to provide tapes, documents, and other evidence, and has thus delayed the proceeding. It is my view, however, that our constituents would prefer us to give consideration to that action as an impeachable offense in itself in preference to plodding through the courts in time-consuming efforts to enforce our subpoenas.

Many of Missouri's 10th District voters feel Mr. Nixon has flagrantly betrayed his public trust and must be removed from office. Many others believe, in varying degrees, that he has committed improper or illegal acts, but that to remove him from office would not be in the best interest of our Nation. There are yet others who say that the President is innocent and that the charges are contrived by the press and others bent on destroying him.

In spite of the polarization of the three above described viewpoints, virtually all of the people are united in their almost emotional insistence that the Congress

get busy now and conclude the impeachment process. The suggestion that it could be after the election or even next year before the Senate acts is totally unacceptable. What the final verdict may be is far less important to our citizens than that there be a verdict soon.

There are a number of cogent reasons why our decision should be expedited. Suffice it to say that our total governmental process is in a state of partial paralysis. So I say to you, Mr. Speaker, and to my good friend, Chairman RODINO, we should put this malady behind us by facing the problem, making a decision, and then uniting to move our country forward as we prepare to celebrate the 200th birthday of the greatest Government and Nation recorded in the annals of time.

#### THE PENNY POST CARD

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. GONZALEZ) is recognized for 5 minutes.

Mr. GONZALEZ. Mr. Speaker, today I offered an amendment to S. 411 that would have provided Americans with the penny postcard. It was ruled out of order.

I have introduced a similar bill in the past several Congresses including the 93d, and in light of the U.S. Postal Service's increase in rates this year I strongly feel that the penny post card is needed now more than ever.

I am aware that many, including the U.S. Postal Service, believe that a penny post card in these times of rising costs is unthinkable. But when we stop to realize that since postal reorganization took place 3 years ago first-class postage rates have gone up to 66 2/3 percent, and since March of this year first class rates have gone up 25 percent, we must provide some relief for the common man. We must provide those living on a fixed income and the poorest of the poor with an avenue of communication within their meager budgets.

Postal service is one of the fundamental services provided by the Government, and there should not be an economic bar to this service. There should always be one rate available to every citizen regardless of his financial circumstances.

I believe that it is within the realm of reason to have a Postal Service that is efficient enough to handle postcards for a penny—and, if it cannot do that then perhaps we should consider subsidizing it. After all, no matter how poor a person is he could still afford a penny post card, and this would enable him to stay in touch with his family.

Many people feel that we should not subsidize postal rates, but I doubt if post card subsidies would cost as much as has been spent on other largesses—and certainly would provide far greater benefits to many of our citizens.

The U.S. Postal Service, when asked for executive comments on my bill introduced in this Congress, protested that a penny post card rate would be used by businesses and other commercial enterprises and that any subsidy involved

would be largely enjoyed by business firms. Therefore, my amendment includes a provision that precludes the use of the penny post card when it is related to a trade or business, and is not available for commercial use.

The purpose of the penny post card is to serve people who need to tell someone easily, conveniently, reliably, and at very little cost, that everything is all right, or everyone is OK, and perhaps even communicate with their Congressman by using this inexpensive means of communication.

On previous occasions when I have introduced penny post card bills I have been contacted by people from all over the country who support this idea, so I hope that the Members will agree with my amendment to bring back the penny post card—perhaps it will bring us back together.

#### WHERE HAVE ALL THE PROFITS GONE?

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, yesterday, it was announced that Mobil Oil Corp. plans to buy 51 percent interest in Marcor, Inc.—the parent corporation of Montgomery Ward & Co. and Container Corporation of America.

This proposed acquisition of Mobil highlights the fundamental fact of the energy industry today: The oil companies cannot possibly reinvest all the money they are making. As a result, Mobil is attempting a massive diversification outside the energy field. Mobil is not alone. Last October, Gulf Oil Co. attempted to buy Mattel Inc.'s Ringling Brothers Barnum & Bailey Circus and CNA Financial Corp.

This is not the first indication that Mobil is rolling in money with which it does not know what to do. Just over a month ago, Mobil announced to its employees that they would be getting a special 1-month bonus. To its 37,000 domestic employees, Mobil distributed over \$39,500,000 in revenues.

This bonus plan was financed directly from the windfall revenues Mobil has been reaping from the American consumer. In 1972, Mobil paid \$17,300,000 in taxes to the Federal Government according to data compiled by the Joint Committee on Internal Revenue Taxation. In other words, in 1 month Mobil distributed to its employees over twice as much money as it paid in taxes to the Federal Government in 1972.

Tax reform in the oil industry is needed now.

#### THE HOUSING AND URBAN DEVELOPMENT ACT, H.R. 15361

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Minnesota (Mr. FRASER) is recognized for 10 minutes.

Mr. FRASER. Mr. Speaker, the Hous-

ing and Urban Development Act, H.R. 15361, is scheduled to reach the House floor on Thursday.

In general, this legislation represents a useful effort to streamline and consolidate a collection of HUD categorical programs aimed at combating urban blight. But H.R. 15361 is clearly a mixed blessing for many communities now actively involved in urban renewal and/or model cities programs. With one hand the bill gives these cities new administrative flexibility, but with the other hand it takes away their ability to use these new administrative tools effectively.

Under the formula funding system authorized in title I of H.R. 15361, nearly 200 cities over 50,000 population can look forward to 6 years of steadily diminishing Federal support for their community development efforts. If authorization levels are substantially increased during the latter years of the program, it is true, the impact of the funding cuts will be softened somewhat. But many communities, including my own, will still find that their annual funding level has been cut in half by the sixth year of the program, even if authorizations increase at a yearly rate of 10 percent.

This legislation is really penalizing those cities that have been most energetic in dealing with their community developing needs. In effect, it is telling them that the time for progress on the community development front is over. From now on, they must look for ways to cut back rather than expand local programs.

For many of us, this bill may come to be called the "worse" communities act, unless major changes are made in the funding allocation system.

At this point, I would like to include in the RECORD a list of the metropolitan cities whose automatic entitlement is reduced over the 6 years of the new block grant program:

*Metropolitan cities (over 50,000 population) whose automatic entitlement is reduced over the 6-year period for community development block grants under the provisions of H.R. 15361 which phase out hold-harmless protection*

[Dollars in thousands]

	Year 1	Year 6
Alabama:		
Florence	\$1,023	\$653
Hunstville	2,492	1,918
Tuscaloosa	1,571	1,445
Arizona (2):		
Scottsdale	1,832	677
Tucson	5,626	4,825
Arkansas (6):		
Springdale	770	272
Little Rock	6,193	2,566
No. Little Rock	2,952	1,229
Pine Bluff	2,271	1,531
Texarkana	752	511
Fayetteville	853	530
California (16):		
Fresno	9,560	3,210
Compton	5,128	2,084
Pasadena	2,581	1,698
Oxnard	1,584	1,362
Ventura	1,325	683
San Bernardino	3,108	2,007
Seaside	1,724	673
Berkeley	2,836	2,207
Oakland	12,504	7,004
Richmond	2,736	1,389

	Year 1	Year 6		Year 1	Year 6
San Francisco	\$28,601	\$12,784	Mississippi (2):		
San Jose	6,472	6,043	Biloxi	\$3,933	\$903
Santa Maria	860	542	Gulfport	2,338	834
Santa Rosa	1,821	673	Missouri (4):		
Napa	2,244	459	Kansas City	9,464	8,170
Vallejo	1,277	1,026	St. Joseph	1,715	1,266
Colorado (1): Denver	16,086	8,380	St. Louis	15,196	15,115
Connecticut (11):			Springfield	2,781	1,998
Bridgeport	4,107	2,613	New Hampshire (1): Manchester	2,494	1,275
Bristol	1,060	642	New Jersey (10):		
Danbury	1,198	631	Atlantic City	3,358	1,078
Hartford	10,275	3,283	Jersey City	6,481	4,961
New Britain	4,181	1,184	New Brunswick	1,402	700
New Haven	17,078	2,646	Perth Amboy	1,306	662
West Haven	727	624	East Orange	2,522	1,124
New London	6,418	465	Newark	20,565	10,009
Norwich	1,478	570	Paterson	4,266	3,058
Stamford	2,034	1,376	Camden	5,502	2,283
Waterbury	5,679	1,607	Trenton	5,075	1,985
Delaware (1): Wilmington	4,463	1,738	Vineland	1,512	692
District of Columbia:			New Mexico (1): Albuquerque	7,195	4,288
Washington, D.C.	42,574	16,427	New York (15):		
Florida (3):			Albany	2,090	1,793
Titusville	958	371	Schenectady	1,477	996
Sarasota	965	768	Troy	1,414	984
Boca Raton	408	315	Binghamton	5,414	926
Georgia (2):			Buffalo	11,716	7,665
Savannah	7,194	3,103	Niagara Falls	1,579	1,267
Atlanta	18,967	11,393	Elmira	1,609	681
Hawaii (1): Honolulu	12,753	6,284	Mt. Vernon	2,596	1,127
Idaho (1): Boise	5,276	1,011	White Plains	3,712	594
Illinois (5):			Yonkers	5,245	2,623
Bloomington	2,168	555	Poughkeepsie	10,831	505
Rock Island	2,481	728	Rochester	14,613	4,505
Peoria	2,115	1,911	Syracuse	11,852	3,070
Rockford	2,607	2,012	Rome	1,523	646
Springfield	4,501	1,392	Utica	1,551	1,408
Indiana (5):			North Carolina (8):		
Evansville	2,871	2,293	Ashville	3,238	1,124
East Chicago	2,160	965	Burlington	1,338	509
Gary	7,217	3,713	Charlotte	10,564	4,356
Indianapolis	13,928	10,967	Gastonia	1,402	875
South Bend	3,547	1,720	Fayetteville	1,444	1,314
Iowa (3):			High Point	4,021	1,153
Des Moines	3,593	2,844	Winston-Salem	5,675	2,643
Sioux City	3,929	1,266	Durham	2,382	2,038
Waterloo	1,180	1,159	North Dakota (1): Fargo	1,726	705
Kansas (2):			Ohio (12):		
Kansas City	5,899	2,992	Akron	10,978	4,063
Wichita	12,512	4,140	Cincinnati	18,834	9,432
Kentucky (2):			Cleveland	16,091	14,506
Covington	1,566	1,167	Columbus	9,186	8,741
Louisville	8,662	7,505	Dayton	4,509	4,206
Maine (3):			Middletown	5,353	745
Lewiston	2,936	667	Elyria	1,380	673
Portland	3,644	1,121	Lorain	1,264	1,221
Auburn	699	366	Steubenville	1,411	521
Maryland (1): Baltimore	33,185	18,555	Toledo	8,154	5,447
Massachusetts (13):			Warren	913	887
Cambridge	4,119	1,601	Youngstown	3,692	2,362
Boston	23,687	11,860	Oklahoma (3):		
Lynn	3,234	1,317	Lawton	6,661	1,475
Malden	4,561	694	Oklahoma City	8,217	6,305
Fall River	5,470	1,654	Tulsa	9,435	4,925
Haverhill	1,976	615	Oregon (2):		
Lawrence	1,637	1,021	Portland	8,574	5,578
Lowell	3,461	1,445	Salem	3,182	899
New Bedford	10,125	1,766	Pennsylvania (16):		
Pittsfield	1,339	666	Allentown	2,426	1,338
Holyoke	2,943	883	Bethlehem	1,175	869
Springfield	9,109	2,571	Easton	3,104	504
Worcester	6,038	2,429	Altoona	1,224	978
Michigan (11):			Erie	4,587	1,875
Ann Arbor	2,475	1,365	Harrisburg	2,482	1,340
Bay City	1,317	720	Johnstown	1,187	743
Detroit	34,101	26,982	Lancaster	4,318	938
Pontiac	3,197	1,550	Scranton	7,982	1,481
Flint	5,832	3,236	Wilkes-Barre	8,339	902
Grand Rapids	4,762	2,985	Chester (City)	2,274	1,200
Jackson	1,062	701	Philadelphia	56,522	34,076
Lansing	6,967	1,871	Pittsburgh	16,429	9,150
Muskegon	1,107	720	Reading	4,186	1,237
Muskegon Heights	676	394	Williamsport	1,405	636
Saginaw	3,608	1,614	York	1,234	823
Rhode Island (2):			Minnesota (3):		
Duluth	2,080	1,458	Pawtucket	5,901	1,167
Minneapolis	16,710	6,341	Providence	7,143	3,457
St. Paul	18,822	4,228			

	Year 1	Year 6
South Carolina (2):		
Greenville	\$2,205	\$1,356
Spartanburg	4,434	1,040
South Dakota (1): Sioux Falls	3,064	987
Tennessee (5):		
Chattanooga	6,526	3,024
Bristol	365	357
Kingsport	675	546
Knoxville	4,053	3,453
Nashville-Davidson	9,609	7,370
Texas (7):		
Port Arthur	1,324	1,291
Grand Prairie	3,298	751
Lubbock	5,310	2,983
Edinburg	4,195	729
Texarkana	1,168	649
Waco	3,308	2,060
Austin	7,974	4,820
Utah (1): Salt Lake City	4,604	2,990
Virginia (7):		
Lynchburg	1,537	924
Norfolk	14,053	5,949
Portsmouth	4,536	2,336
Hopewell	750	348
Richmond	10,067	4,912
Roanoke	2,091	1,543
Alexandria	1,751	1,434
Washington (1): Seattle	7,003	6,927
West Virginia (3):		
Huntington	1,513	1,416
Wheeling	1,533	837
Charleston	1,385	1,324
Wisconsin (2):		
Green Bay	1,757	1,201
Milwaukee	13,291	11,130

## AMENDMENT TO H.R. 15361

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from the District of Columbia (Mr. FAUNTRY) is recognized for 5 minutes.

Mr. FAUNTRY. Mr. Speaker, during consideration by the House of H.R. 15361, the Housing and Urban Development Act of 1974, I intend to offer the following amendment which will extend and adequately until 1977 the 235 and 236 housing programs of this Nation:

On page 62, strike lines 3 through 12 and insert in lieu thereof the following:

SEC. 207(a)(1) Section 235 of the National Housing Act is amended by adding the following new subsection (n):

Notwithstanding any other provision of this section, no mortgage shall be insured under this section unless the property involved is located in an area referred to in Section 220(d)(1) or in an area designated as an urban renewal area in an approved housing assistance plan submitted by a unit of general local government or combinations of such units assisted pursuant to sections 106 and 107 of the Housing and Urban Development Act of 1974.

(2) Section 235(m) of such Act is amended by striking out "October 1, 1974" and inserting in lieu thereof "June 30, 1977."

(3) Section 236 of such Act is amended by adding the following new subsection (p):

Notwithstanding any other provision of this section, no mortgage shall be insured under this section unless the property involved is located in an area referred to in Section 220(d)(1) or in an area designated as an urban renewal area in an approved housing assistance plan submitted by a unit of general local government or combinations of such units assisted pursuant to sections 106 and 107 of the Housing and Urban Development Act of 1974.

(4) Section 236(n) of such Act is amended by striking out "October 1, 1974" and inserting in lieu thereof "June 30, 1977."

(b) (1) The second sentence of section 235(h)(1) of such Act is amended by striking out all that follows "1970," and inserting in lieu thereof the following: "by \$200,000,000 on July 1, 1971, by \$115,000,000 on July 1, 1972, and by \$120,000,000 on July 1, 1975, \$12,000,000 on July 1, 1976, and \$120,000,000 on July 1, 1977."

(2) The second sentence of section 236(i)(1) of such Act is amended by striking out all that follows "1970," and inserting in lieu thereof the following: "by \$200,000,000 on July 1, 1971, by \$225,000,000 on July 1, 1972, by \$180,000,000 on July 1, 1974, and by \$200,000,000 on July 1, 1975, \$200,000,000 on July 1, 1976, and \$200,000,000 on July 1, 1977."

## HIGH COSTS DRIVE POOR TO PET FOOD

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Massachusetts (Mr. BURKE) is recognized for 5 minutes.

Mr. BURKE of Massachusetts. Mr. Speaker, again I take the floor of the House to bring to the attention of the Members of the U.S. Congress conditions that exists throughout the Nation as the result of the fast escalation of food prices and the dire effects on our American citizens. I have mentioned before my bill to authorize the Secretary of Agriculture to provide free garden seeds to home gardeners for the promotion of a back-to-the-soil movement in America.

At a cost not to exceed \$6 million the U.S. Government can return to its former policy of distributing free garden seeds upon request, a policy that was in effect prior to 1936. With the predicted shortages in food in the years to come now is the time for our Government to act. Give the poor of this Nation and those of low income a chance to grow nutritious vegetables in our urban areas of the country. A lot 30 by 30 can produce enough vegetables for a family of four. My bill has been heard by the Subcommittee on Agriculture chaired by Congressman JOSEPH VIGORITO, of Pennsylvania. This legislation while costing very little can produce up to \$380 million in food.

Last week I offered an amendment to the tax reform bill that would provide a 7-percent investment credit to home gardeners who raise vegetables for their own use on the purchase of gardening tools on purchases up to \$100. After listening to the tax shelters enjoyed by hobby farmers and the tremendous tax breaks given to the large corporate farms in the country, I felt that something should be done for the little man to help him fight inflation and help him provide a balanced diet for his family.

I ask unanimous consent to include an article that appeared in today's Washington Post entitled "High Costs Drive Poor to Pet Food," written by Jack Anderson.

## HIGH COSTS DRIVE POOR TO PET FOOD

(By Jack Anderson)

Soaring prices are driving the poor, particularly old people with fixed incomes, to eating cheap dog and cat foods. This is the stark finding of a confidential Senate nutrition study.

My associate Les Whitten tried some of the

pet foods, which suddenly are selling big in the ghettos and communities for the impoverished elderly.

He found the canned pet foods, though edible, had a rank taste which made him queasy. The dry foods, sold in bulk quantities, were coarse tasting and hard to swallow.

When he mixed them with water and salted them, they were at least palatable. Peanut butter or cheese spread made dry dog foods easier to get down, he found. But the poor seldom can afford these tasty spreads.

The confidential study, prepared by nationally known experts for the Senate Nutrition Committee, reports that high costs are increasing the demand for cheaper foods even among the better-to-do.

"For the poor, however, who already are consuming generally the lowest cost and lowest quality food items, there is virtually no flexibility to switch to lower cost food items," the study declares.

Therefore, they "eat less . . . and switch to foods that are not designed for human consumption, that is, pet foods." The world population expansion makes the plight of the poor even more precarious, contends the report.

The nutrition experts found that chicken and beef are vanishing from the diet of the poor. At the same time, "the sale of pet food rose by 12 per cent over the first nine months of 1973."

Estimates the study: "As much as one-third of the pet foods sold in ghetto areas are being used for human consumption. For areas with high proportions of elderly poor, the estimates (are) even higher."

The proud but poor, embarrassed over their poverty, are furtively buying pet foods to feed themselves and their families, indicate the study.

Wage increases only tighten the squeeze on the truly poor by driving up the demand and, therefore, the cost of meats. For those on fixed incomes, the struggle to stay alive is becoming more difficult.

Senate Nutrition Chairman George McGovern (D-S.D.) and ranking minority member, Sen. Charles Percy (R-Ill.), will explore the world food problem at hearings beginning this week.

## OUR CONGRESSIONAL RECORD CLERK, RAYMOND F. NOYES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Kentucky (Mr. NATCHER) is recognized for 5 minutes.

Mr. NATCHER. Mr. Speaker, I rise to pay tribute to my friend, Raymond F. Noyes, CONGRESSIONAL RECORD Clerk, who will be retiring on June 22d after 39 years with the Government Printing Office.

Raymond F. Noyes began work at the Government Printing Office on April 26, 1935. He was detailed to the Capitol as an assistant to the CONGRESSIONAL RECORD Clerk in May 1953, promoted to Assistant RECORD Clerk 2 months later, and on January 1, 1958, was promoted to his present position as CONGRESSIONAL RECORD Clerk since that time.

The position of the CONGRESSIONAL RECORD Clerk was created in the 1880's, and there have been only four CONGRESSIONAL RECORD Clerks. During his service as the CONGRESSIONAL RECORD Clerk for more than 16 years Raymond Noyes has been responsible for the processing of all orders by the Members of Congress for reprinting portions of the CONGRESSIONAL RECORD, ordering public docu-

ments, such as franks, envelopes, extracts of hearings, reprints of bills, reports, and other documents that are paid for by the individual Congressman or Senator. He also has been responsible for the handling of correspondence in regard to the mailing of the CONGRESSIONAL RECORD to the constituents of the Members.

Mr. Noyes has received many letters over the years from Members of Congress commanding him on the performance of his duties, and justifiably so. He has always been extremely pleasant while efficiently conducting the business of his office. I might add that Raymond Noyes also has a perfect attendance record, having never been late or absent during his 39 years of Federal service.

Born and raised in the District of Columbia, Raymond Noyes served in the District of Columbia National Guard from January 22, 1931, to January 21, 1934; and July 14, 1936 to November 25, 1940. On January 27, 1942, he enlisted for active duty in the U.S. Army and on January 13, 1946 he was discharged after serving in the Asian-Pacific theater with the combat engineers. He reenlisted in the District of Columbia National Guard on August 29, 1946 and served continuously until January 31, 1958. He was discharged from the National Guard shortly after becoming CONGRESSIONAL RECORD Clerk and at that time he was sergeant major of the 260th AAA Group. He retired from the U.S. Army as a first sergeant on February 1, 1974, after over 22 years of service.

Raymond Noyes is married and presently resides in Wheaton, Md. He has two children and four grandchildren.

Mr. Speaker, Raymond F. Noyes has been a dedicated public servant and he will long be remembered and admired for the excellent manner in which he has served as our CONGRESSIONAL RECORD Clerk. I want to wish him and the members of his family all the very best in the future.

#### REFLECTIONS ON ISRAEL—I

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. PODELL) is recognized for 10 minutes.

Mr. PODELL. Mr. Speaker, I recently returned from my fourth trip to Israel, and I would like to share some of my observations and thoughts.

All of us who have been to Israel have usually had one feeling resulting from the trip—a combination of hope and excitement. Israel somehow never fails to stir something in the souls of men. But this time, something was different.

The Yom Kippur war has worked a drastic change on Israeli society. Israel has always had many problems, economic, political, and social. Sometimes it seems that every major problem a nation could have is present in one form or another in Israel. But before last October, there was a feeling that they could manage, and overcome all their difficulties.

Now, however, the people seem to be tiring of this continuing struggle. There

is inflation that makes our own pale by comparison, there is a 22-percent interest rate, there is the highest tax burden in the world, there is a government for which people want to have great hopes but in which there is not an abundance of confidence, and there is a growing dissatisfaction with the quality of life in general.

These are all observations I gleaned from walking the streets, and meeting with and talking to Israelis. This attitude may partly be blamed on the natural growing pains in the life of any nation, and partly on the outcome of the Yom Kippur war. When a war ends in victory, the people are jubilant, hopeful, confident that they can overcome any obstacle. This was the prevalent feeling in Israel until last October.

But a war need not end in a total defeat to take the heart out of the people. A stalemate can do that just as easily. Kissinger's activities in Egypt and Syria, his negotiations with the various leaders, were designed to create a stalemate and force Israel to face up to the necessities of ending the fighting and working toward peace. Perhaps in the long run this may prove to be the wisest course. Only time can tell. But in the short run, it may well have been disastrous for Israel's national morale. The Israelis suffered a severe blow when they were attacked by Egypt and Syria, and they were not permitted to regain their former military advantage.

I visited housing built for Russian immigrants. In a number of ways, this was one of the high points in my visit to Israel. It demonstrated as clearly as anything could, that despite all her troubles, Israel is still an active, growing, and open society. I found it personally rewarding, because it showed that all the work I have done on the Vanik freedom of emigration amendment has had a tangible impact on people's lives. I was most impressed when I learned that even during the worst of the fighting, Israel was still sending empty planes to Vienna to bring the Russian emigrants to their new homes, and that in spite of the incredible costs incurred because of the Arab attack, Israel was still spending as much money as possible on assimilating the new arrivals into a free, democratic society.

The Israeli people in general, I noticed, are particularly encouraged by what Henry Kissinger has done to achieve disengagement and get peace talks underway. They believe in the possibility of peace. But deep down, many of them fear that genuine peace cannot be achieved without unacceptable compromises on the return of occupied lands or the creation of a Palestinian state. There is no doubt in my mind that the Israelis want peace. But they feel that including a sovereign Palestinian state as part of a peace settlement would be like asking them to point a loaded gun at their own hearts.

While the Israelis approve of the agreement that Kissinger worked out between Israel and Egypt and Syria, they look with disfavor on President Nixon's plans to send massive amounts

of aid to Egypt, Syria, and Saudi Arabia. While ostensibly this is economic aid, many Israelis feel that the money, if not used directly for military purposes, will free other funds in Arab countries for military expenditures. And these funds, while they might not go to direct action against the Israelis, could very easily find their way into the coffers of Palestinian terrorist organizations, so long as there is no provision in the peace settlement for the control and settlement of the Palestinian question.

On the whole, I found a strong desire for peace. The Yom Kippur war used up Israel's gross national product for the next year. Israel simply cannot afford another war. While offering the Arabs dollars in exchange for their cooperation in peace talks is a gamble, many Israelis, including the country's leadership, feel that the prospect of peace makes the gamble worth while.

In the meantime, Israel is still sorely beset by many problems. The Israelis feel that they did not suffer a military defeat so much as a moral loss. They fear that they are losing American support. The average Israeli worries that our current efforts to buy friendship with the Arabs is not motivated so much by interest in Israel's future well-being, as by our desire to ensure future uninterrupted oil supplies from Saudi Arabia. They do not fully trust the Nixon administration to be "even-handed" and each new overture and gift to the Arabs increases this distrust.

This sense of fear and distrust have been increased by the recent upswing in terrorist activities. The long-run costs, both economic and emotional, of the war against the Palestinian terrorists, may prove greater than the costs of the "formal" wars against the Arab States. The people cannot lie easy in their beds at night. It is not known when and where the terrorists will strike next, and how many will be killed the next time they attack.

The high point of this trip, as it was of my other visits to Israel, was seeing Jerusalem. To me, it is the most beautiful city in the world. Its beauty is more than just physical. It contains the beauty of Jews, Christians, and Arabs living together harmoniously, and all working for the same basic goals. Jerusalem still symbolizes the hope that there can be genuine peace and cooperation between Jew and Arab.

I found complete democracy in Israel. Everyone has an opinion, and voices it proudly. Dissent is encouraged, and is not branded a subversive attack on the Government. To me, this is a healthy sign, for as long as people can talk and argue about their difficulties and the best solutions to their problems, there is the hope that they will find a way to work things out.

There was so much to see, and so many observations to be made. It is difficult for me to relate everything I saw and did. One thing, however, came through clearly. In spite of everything, Israel is still a country consumed with the goal of continuing growth. In spite of the costs of the war, Israel is still looking

toward a future in which she will be at peace and able to direct her energies toward meeting the needs of her people.

The Israelis are blunt about their hatred for the Soviet Union. It is not a clash of economic ideologies, but rather this hatred stems from Russia's treatment of the Jews and from Russia's pivotal role in prolonging the conflict in the Middle East by supplying the Arabs with weapons and shoring up their resistance against Israel. Although there are grave misgivings about the new Arab-American friendship, the Israelis fear this far less than they fear a resurgence of the Soviet hegemony in the Middle East.

I must admit, Mr. Speaker, that at times it was difficult for me to understand how these people were able to keep up the struggle. There are so many difficulties.

There is still so much land waiting to be developed, so much desert waiting to blossom and bear fruit. The war has taken away precious time, money and manpower. The war has placed so many burdens on Israel, and yet the people keep on fighting to build a homeland they can be proud of. The guts and determination of this small nation are truly awe inspiring.

The most important thing I learned in my visit is that American support of Israel is more important now than ever before. A demoralized Israel will be easy prey for the Arabs and their Russian mentors at the Geneva peace talks. We must support Israel with grants of economic and military aid, with assurances from Dr. Kissinger and President Nixon that there will be no "sell out."

I think it is time now, Mr. Speaker, to demonstrate to Israel that the American people and the American Government still offer her their support, and that the Israeli people need not worry about our actions and motivations. We must not purchase friendship with the Arab States at the expense of ending our traditional good relations with Israel.

#### PERSONAL STATEMENT

(Mr. DULSKI asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. DULSKI. Mr. Speaker, because of business in my congressional district, I have missed some rollcall votes. I would like to have the RECORD show that had I been present and voting on June 3, 1974, I would have voted "yea" on Roll No. 261 and No. 262; on June 10, 1974, I would have voted "yea" on Roll No. 284 and No. 285; on June 17, 1974, I would have voted "yea" on Roll No. 297 and No. 298.

June 11, 1974, I was detained in my office and unable to reach the floor in the allotted time; had I made it, I would have voted "yea" on Roll No. 289.

#### SUPPORT FOR A NATIONAL DEVELOPMENT BANK

(Mr. PATMAN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PATMAN. Mr. Speaker, it is gratifying to know that the governing body of one of the largest urban areas of the country has endorsed my proposal to establish a National Development Bank to allocate low-cost credit to priority areas of the economy.

The Board of Supervisors of Los Angeles County, through its legislative office here in Washington, issued the following letter June 11:

"DEAR CONGRESSMAN: Our staff recently analyzed your bill H.R. 13637 (Establishment of a National Development Bank). The Los Angeles County Board of Supervisors is vitally concerned with this bill and is pleased to be able to offer its support for this legislation.

Thank you very much for the interest and concern you have invested in this bill.

Sincerely,

JOSEPH M. POLLARD,  
Legislative Consultant."

A brief analysis of H.R. 13637 to establish a National Development Bank accompanied the letter and it reads as follows:

H.R. 13637 (Patman). *"Establishment of National Development Bank."*

This bill would establish a National Development Bank for purposes of achieving a full employment economy both in urban and rural America. The Bank would make long-term loans to states and local governments for public works and facilities, to individuals and corporations to establish new businesses, and to public agencies, private corporations and limited dividend corporations for construction of low- and moderate-income housing providing that qualifying regulations are met."

3/20/74. Referred to House Committee on Banking and Currency.

County Position: Favor. The bill, if enacted, would provide for long-term financing for construction purposes to combat nationwide unemployment particularly in those depressed urban and rural areas where the loss of industry and business has produced an unemployment crisis. Loan funds if acquired by the County under this bill, must be used to provide medical, social, educational, transportation, production control, or recreational services. The bill indicates that it may be necessary to provide job training and unskilled and semi-skilled unemployed and underemployed workers. It would appear that the County could only acquire funds under the heading (Projects) as indicated on Page 11, Section 16 of the proposed bill. This section seems to be the only section that does not require the 6% or above unemployment rate as a prerequisite to obtaining loan funds. Relative to the Department of Urban Affairs, the bill would afford another means to finance low and moderate income housing.

Mr. Speaker, I must point out that the restriction cited in this otherwise very good analysis, namely that an unemployment rate of 6 percent or more governs when and where Development Bank loans are made in all instances except low- and moderate-income housing, is in error. Under the bill, the Development Bank could provide credit for industrial development and public works projects in areas threatened by unemployment and for other reasons, which in the judgment of the Bank's board of directors, would qualify communities for assistance.

But aside from this point, the attention given this legislation by the Los

Angeles County Board of Supervisors, is a reflection of the growing need for establishment of a National Development Bank. The high unemployment that exists in southern California and across the Nation and the lack of credit and exorbitant interest rates that prevail throughout our economy, are the strongest arguments I know of for congressional approval of the bill.

There is an excellent precedent for such action. The National Development Bank which would be established in this legislation, to a large extent, parallels the structure of the Reconstruction Finance Corporation which Congress created in the 1930's.

The Reconstruction Finance Corporation—RFC—was a major economic force in the Nation during much of the 1930's and all throughout the 1940's, particularly during World War II when it provided the financial resources by which the Nation swiftly expanded its defense production capacity. It provided billions of dollars of low-cost credit and helped establish and sustain millions of jobs. In short, the RFC provides us with a powerful example of how a financial vehicle can be fashioned to address the priority credit needs of the Nation.

It is true that in some important respects, the economic problems facing the Nation today are different than those which confronted us 20 and 30 years ago. But the need to respond to current problems is no less great and the concept and potential for achievement that was demonstrated in the operation of the Reconstruction Finance Corporation can in large part be duplicated through establishment of a National Development Bank.

#### SECURITY AT THE FEDERAL RESERVE

(Mr. PATMAN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PATMAN. Mr. Speaker, last month, the House had an opportunity to peel back some of the secrecy which exists in the Federal Reserve System.

By passing a measure which called for auditing of the administrative expenses, the House took a step forward but there is a great deal more to be done in opening up this agency to the Congress and the public. We still need to require a full-scale audit by the General Accounting Office—the same kind of audit which is required of all major agencies of the Federal Government.

The problems of Federal Reserve secrecy are at long last becoming recognized around the Nation. On June 7, the Christian Science Monitor, in an article by David R. Francis, described the Federal Reserve as one of the most secretive government organizations in Washington, listing it right alongside the Central Intelligence Agency and the Federal Bureau of Investigation.

Mr. Speaker, I place in the RECORD a copy of Mr. Francis' article which quotes extensively from Dr. William Wolman, an economist at Argus Research Corp.

THE FED—IT'S RIGHT UP THERE WITH THE CIA AND FBI IN TERMS OF SECRECY  
(By David R. Francis)

BOSTON.—Among the most secretive government organizations in Washington are the CIA, FBI, and the Fed.

Yes, the Federal Reserve System, the nation's central bank. Probably more than Congress or the President, the Fed determines the level of economic activity in the nation. In setting monetary policy it often has a dominant influence on interest rates and even the level of employment.

By controlling the amount of money introduced into the banking system, the Fed plays a large indirect role in setting interest charges on mortgages and car loans, in deciding whether industry cuts its payrolls or adds to them.

Yet the Fed makes its key decisions in utmost secrecy.

Is this policy right in a democracy? Should there not be public debate over Fed decisions?

"Money policy," argues Dr. William Wolman, an economist at Argus Research Corporation, "should be made on the basis of open covenants openly arrived at."

THE ECONOMIC SCENE

"Although this is an age that seems to be hung up on the occult, it is high time for the mystique of central banking to be exorcised. Let the Fed then state what its policy is and state it clearly."

At present the Fed releases the minutes of its Federal Open Market Committee (FOMC), the 12-man body that sets monetary policy, 90 days after its meetings.

If it were to announce immediately its monetary targets for the four weeks to the next FOMC meeting, it would give the money market sophisticates an advantage, the Fed maintains.

"You have to consider how much money you want to let a few favorite people make," held a spokesman.

Dr. Wolman's rebuttal is that a relatively few money-market firms are already making money through their expertise. They can quickly detect the nature of Fed policy changes—whether to tighten or loosen money—and make profits.

"I am extremely skeptical that the distortion of profits and losses would be more skewed than it is now," he says.

Interestingly, West Germany's central bank, the Bundesbank, does as a rule announce its policy decisions immediately after meetings of its governing council. This policy apparently causes no major harm.

The Fed, too, has been moving gradually in the direction of less secrecy. For the first time, it gave actual targets for interest rates and money growth when it released the minutes for the January and February meetings of the FOMC.

At this time, however, it remains one of the great games of economic journalism to try to sniff out at least the direction of the Fed's monetary policy changes.

A Fed governor will not specifically state such policy changes. That would be considered malfeasance. But sometimes he will indicate them indirectly by presenting his opinions of the economic scene.

New York's bond houses seek the same information, usually by following closely Fed actions in the money market. They often hire former Fed employees with an intimate knowledge of the manner in which the central bank operates in buying and selling government bonds, Treasury bills, or other money-market instruments.

The trend in the United States is to full disclosure by private corporations.

"The largest public corporation [the Fed] should take the lead in disclosure," asserts Dr. Wolman.

The 12 men on the FOMC have an extraor-

dinarily difficult task. Before deciding monetary policy, they must first figure out which direction the economy appears to be moving. And economic forecasting is an imprecise art at any time.

It is a particularly risky occupation at the moment because of the unusual factor of an exceptionally high rate of inflation.

Economists at the Federal Reserve Bank of St. Louis are counseling the FOMC that it restrain the rate of growth of the money supply to 5 or 6 percent. That compares with an annual rate of 8.1 percent for the approximately seven months since the oil embargo was imposed.

In fact, the money supply has been restricted to a 5.5 percent growth rate in the past two months. That explains the credit squeeze.

Others argue, however, that the Fed should be more generous, taking account of inflation. The central bank, they say, should consider to some degree "real" money stocks. Otherwise money will become too tight and shove the economy into a recession.

Economists cannot agree among themselves on this issue. The FOMC must make up its collective mind on the basis of such imperfect knowledge.

But a democracy is based on the concept that a public debate of important policy decisions is healthy. Public disclosure by the Fed of its decisions would certainly feed the debate on monetary policy. It would also take some of the mystery out of government.

THE FOOD RESEARCH AND DEVELOPMENT ACT OF 1974

(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, I am today introducing a bill to deal with what I think can be justifiably labelled the most critical problem the world is now facing—the world food shortage. This problem is affecting millions of people all over the world, from the American housewife who is struggling to keep up with rising food prices to the African peasant who is struggling to keep alive.

This bill attempts to deal with this problem by establishing a Government-sponsored research and development program to focus on new methods of protein production, fertilizer production, and the processing of vegetable protein. Additionally, this bill would provide for an education program to encourage market acceptance of the products produced by such methods.

It is a sad commentary on our notion of "progress" that in the 20th century when we have developed the technology to send men into outer space and the depths of the oceans that we have not applied our technological know-how to adequately meet our most basic need—the need for food. The technology is available. The problem is that we are not using it. We have not had to use it, until now. American agriculture, aided by the "green revolution," has always been able to keep one step ahead in the race between population and food production. Our food for peace program—Public Law 480—has done a superb job in that respect, until now.

Now we are losing the race. While the global demand for food has increased by half in the past two decades, world grain

reserves have dropped by half. New constraints are making themselves felt on our food supplies aside from population. These constraints include the growing demand of the newly affluent nations for better food—mainly more meat and dairy products—exhaustion of our fisheries in the oceans, changing climatic conditions, and the natural limits of our land resources.

Experts on the world food situation estimate that we will have to double food production in the next generation in order to maintain current per capita consumption levels.

Fortunately, scientists have already discovered many new methods of producing protein which have the potential for meeting our future food needs. Some of the most promising methods include the use of waste materials such as newspapers, corncobs, citrus pulp, manure, and petroleum to grow protein-producing microorganisms. While these innovations may not whet the appetite of most Americans, they can be used in livestock production, freeing massive quantities of grain for direct human consumption. We must launch a major effort to develop these new food techniques.

I have discussed this proposal in more detail in testimony submitted today to the Senate Select Committee on Nutrition and Human Needs. The committee, cochaired by Senator GEORGE McGOVERN and Senator CHARLES PERCY, is conducting a series of hearings on the need for the establishment of a national nutrition policy.

My testimony before the McGovern committee and a copy of the proposed bill follow these remarks.

THE WORLD FOOD CRISIS

(By Congressman JOHN F. SEIBERLING)

Mr. Chairman, I am pleased to present this statement to your distinguished Committee and panel of guests on a subject which is of critical importance to so many millions of people throughout the world—the increasing shortage of food. Your committee deserves applause for undertaking the consideration of a subject of such urgency and complexity.

I don't feel it is necessary for me to reiterate the well-known facts about the tragic dimensions of the world food crisis or debate its causes. This Committee is fully aware of the massive number of lives being threatened by starvation and malnutrition throughout the world and is familiar with the problems at the root of this crisis.

I would like to take this opportunity instead to offer a modest proposal to deal with the food shortage. My proposal is contained in a bill I am today introducing in the House of Representatives entitled "The Food Research and Development Act of 1974." This bill would establish a government-sponsored research and development program to focus on new methods of protein production, fertilizer production, and the processing of vegetable protein. In addition, it would provide for an education program to encourage market acceptance of the products produced by such methods. Such programs are essential to the establishment of any effective national or international food policy.

The technology of the Green Revolution, which played such an important role in averting a major food disaster in the 1960s, is no longer adequate to meet the world's growing demands for food. Demographic experts say that our food supplies will have to double within the next generation in order

to keep pace with population growth. The Green Revolution cannot perform that kind of a miracle. We must seek a new technology and develop a new food policy that can.

A central concept in any policy designed to meet our future food needs must be a reduced reliance on animal protein in our diet. Animal protein is an extremely inefficient way of supplying food energy. It takes 21 pounds of vegetable protein to produce one pound of animal protein. Yet, most of the protein in the American diet comes from animals, in the form of meat and dairy products.

Vegetable sources supply protein of equal quality, particularly soybeans (the Japanese have made soybeans a staple of their diet for years.) Yet, in this country about half of our annual crop of vegetable protein is used to feed livestock. Right now, the average American eats the equivalent of five times as much grain as the average person living in India due to the preponderance of meat and dairy products in our diet. At a time when people are starving by the hundreds of thousands in the impoverished areas of the world, we must reassess our own eating habits.

The Food Research and Development Act would encourage greater consumption of vegetable protein as an alternative to animal protein by providing funds for the development of methods of processing vegetable protein into "imitation" meat and dairy products. Some success has already been made in this direction with the introduction of vegetable oil as a substitute for animal fat, most notably as margarine. Margarine has established itself so well as a competitive product to butter that it is no longer considered an "imitation" product by many people. Soybean meat extender also became popular last summer when meat prices skyrocketed, but most people still consider it no more than a meat supplement. In the future, however, "meat" made totally from soybeans may be the rule. As Agriculture Secretary Earl Butz recently noted, "We have the technology to make better hamburgers out of soybeans than out of cows." Indeed, modern technology has made it possible to duplicate the flavor, texture, appearance, and nutrition of nearly every existing meat product—from bacon to pork chops—and many dairy products as well.

Many of these products are already commercially available, although not at prices the average consumer can afford. The Food Research and Development Act would help find ways to market these products at low cost, hopefully much lower than the products they imitate, and to expand their production.

By using more of our grain supply directly to supply human food instead of animal food, we would have not only a bigger grain surplus to share with the rest of the world, but a better balance of payments and lower food prices. Additionally, greater human consumption of vegetable protein may produce a healthier population since it contains none of the saturated fat and cholesterol found in meat and dairy products which doctors warn their heart patients to avoid.

As another alternative to animal protein—or at least an alternative method of producing it—the Food Research and Development Act would promote the development of "single-cell" protein. Single-cell protein is produced by single-celled microorganisms, known as "microbes" for short. Microbes are the tiny organisms such as bacteria, yeasts, and molds used to ripen cheese, ferment wine, and produce penicillin. People have been eating them for ages, but only recently has their full potential as a plentiful source of protein been discovered. The possibilities for their use as food are amazing.

Scientists working at the U.S. Army Laboratories in Natick, Massachusetts have discovered a way of using microbes to produce protein from old newspaper, clothes, and other organic materials. Their discovery in-

volves the use of a special enzyme to break down the cellulose in these materials into glucose, a type of sugar which is used to feed protein-producing microbes. The scientists have set up a small pilot plant which is designed to convert 100 pounds of waste paper into 50 pounds of glucose a day. Their work has fantastic possibilities not only for easing the world food shortage, but for solving many of our waste disposal problems as well.

Other scientists working in laboratories for British Petroleum have put microbes to work producing protein from petroleum. In fact, they have already begun marketing it as a feed supplement for livestock. According to British experts, all of the world's protein needs could be met by using only one percent of the oil and gas now being consumed as fuel throughout the world.

Microbes can also be used to produce fertilizer. Scientists at the University of Wisconsin think they have developed a super microbe that can turn the nitrogen in the air into fertilizer eight times as fast as normal microbes. At a time when critical shortages of chemical fertilizer are threatening to reduce existing crop yields, the success of their research could be revolutionary.

The Food Research and Development Act would provide funds for this type of research and any other research designed to increase agricultural output. To help put the results of these and other research efforts into practical use, the bill would direct the Secretary of Agriculture to take all possible steps to assure that full and complete information about them is made available to industry, the general public, and federal, state, local, and international authorities, through demonstration projects and other means.

Of course, developing new types of food won't help the world food problem unless people eat them. This won't pose any problem in the starving nations of the world where people must eat any food they can get in order to survive. But it may pose a problem in countries like the United States where the people have very fixed tastes and eating habits and might not relish the thought of eating protein made from soybeans or newspapers.

To help promote market acceptance of new food products in the advanced nations, the Food Research and Development Act would direct the Secretary of HEW to set up an education program for schools and nonprofit organizations relating to the preparation and use of such products. The program would include the preparation of course outlines, visual materials, classroom teaching aids, food samples, and the training of teachers to conduct courses in the preparation and use of such food products. The bill also directs the Secretary of Agriculture to make such new food products available for school lunch programs.

The possibilities I have mentioned for improving the use of our agricultural resources and developing new types of protein and fertilizer are only some of the alternatives available. Other new ways of producing food are being explored. New discoveries may be imminent. The future of the world's population depends on the willingness of the industrialized nations to take the initiative to develop these new food sources and to make the best possible use of existing agricultural techniques. As the world's greatest producer and per capita consumer of food, the U.S. is in a unique position to take this initiative.

Right now, the portion of the federal agricultural budget being devoted to the discovery and practical application of new ways of increasing food production is minuscule in comparison to the size of the hunger problem the world is facing. It is going to take an effort comparable to the energy R & D effort we launched in response to the energy crisis in order to meet the food crisis. If we

don't begin this effort now, the situation could become catastrophic.

The bill I am offering today is, of course, only one of many different steps which must be taken to deal with the growing scarcity of food. The world food crisis is a complex problem related to an intricate web of economic, political, and social issues. It is not going to be cured overnight. My bill is intended not as an immediate solution, but as an intermediate and long-term program for helping to meet the growing demand for food.

As your Committee studies the world food crisis and begins to lay the groundwork for a national food policy on this critical issue, I hope the concepts presented in my bill will be helpful.

*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 "Food Research and Development Act of 1974".*

Sec. 2. (a) The Congress finds and declares that—

(1) a more efficient use of our agricultural resources and the development of new techniques of protein production and of increasing crop yields is necessary to alleviate the present worldwide shortage of protein;

(2) the large amount of grain required to produce meat and dairy products and the high cost of such products requires the development of new methods of processing vegetable protein to produce low cost substitutes for such products of comparable nutritional value.

(b) It is the purpose of this Act to encourage the development and demonstration of new methods of protein production, fertilizer production, and processing vegetable protein and to encourage market acceptance of the products produced by such new methods.

Sec. 3. (a) The Secretary of Agriculture (hereinafter in this Act referred to as the "Secretary") shall conduct research and development relating to the following:

(1) New methods of protein production, including the treatment of waste materials with micro-organisms.

(2) New methods of improving the protein content of cereals and grains, including combining different types of these products to create the amino acid balance required for "complete" protein.

(3) New methods of fertilizer production, including microbiological techniques.

(4) New methods of processing vegetable protein into low cost substitutes for meat and dairy products.

(5) The effect of existing public policy, including Federal and State regulation of food products, on the utilization of new methods of protein production, fertilizer production, and processing vegetable protein.

(b) The Secretary may conduct demonstration projects to test and demonstrate the new methods of protein production, fertilizer production, and processing vegetable protein developed under subsection (a) of this section.

(c) In carrying out the provisions of this section, the Secretary shall make grants to public or nonprofit entities and individuals for research, development, and demonstration projects, and provide for the conduct of research, development, and demonstration projects by contract with public or private entities, or persons without regard to sections 3648 and 3709 of the Revised Statutes (31 U.S.C. 529; 41 U.S.C. 5). Any such contract shall be made in accordance with, and subject to the limitations provided with respect to research contracts of the military departments in, section 2353 of title 10 of the United States Code, to except that the determination, approval, and certification required under such section shall be made by the Secretary.

SEC. 4. The Secretary shall take all possible steps to assure that full and complete information with respect to the research, development, and demonstration projects conducted under section 3 of this Act is made available to Federal, State, local, and international authorities, industry, and the general public with the objective of promoting and facilitating the use of the new methods of protein production, fertilizer production, and processing vegetable protein developed under section 3 of this Act.

SEC. 5. The Secretary shall take all possible steps to make the products developed under section 3(a) of this Act available for school lunch programs.

SEC. 6. The Secretary of Health, Education, and Welfare shall develop and make available to educational and other nonprofit institutions an educational program relating to the preparation and use of the food products produced by the methods developed under section 3(a) of this Act. Such program shall include the preparation of course outlines, visual materials, classroom teaching aids, food samples, and the training of teachers to conduct courses in the preparation and use of such food products.

SEC. 7. The Secretary of Agriculture shall submit annual reports to the President and the Congress on the results of the research, development, and demonstration projects conducted under section 3 of this Act, together with such recommendations (if any) as the Secretary deems advisable. The first such report shall be submitted within six months after the date of the enactment of this Act.

SEC. 8. For the purpose of carrying out the sections of this bill, there are authorized such sums as may be necessary through fiscal year 1978.

#### RADIATION PROTECTION FOR HEALTH AND SAFETY

(Mr. KOCH asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. KOCH. Mr. Speaker, I would like to bring to the attention of the House S. 667, the Radiation Health and Safety Act introduced by Senator JENNINGS RANDOLPH. I have been most pleased to be the House sponsor of the companion bill, H.R. 673, which provides Federal minimum standards for the training of radiologic technologists, for the accreditation standards of schools training radiologic technologists, and for the licensure of radiologic technologists. These standards would be the national minimum required in these fields. The bill would make it unlawful for an education institution not accredited to conduct such training and would make it unlawful for an individual to apply radiation to a patient for diagnosis or treatment unless he or she is a licensed medical practitioner, a licensed dentist, a licensed dental hygienist, or a licensed radiologic technologist or technologist-in-training.

State standards consistent with the Federal criteria and minimum standards under this act will be the standards that will apply in that State. It is my understanding that New York is one of only three States in the Nation that license radiologic technologists, the others being New Jersey and California. To encourage such responsible regulation, the Public Health Service has prepared model legislation for State licensure. There is a need

to insure that radiologic technologists have reached a degree of proficiency and thus can perform competently. A voluntary certification program is not sufficient as it is only voluntary and cannot require more than the most minimum standards.

The problem of not having competent personnel is most serious to the patient. So often, the operator of X-ray equipment is not qualified to handle the equipment. A Nebraska news item which I have seen reported that in a small community close to a large metropolitan area, qualified technologists were turned down for positions at a hospital. It was felt that the maintenance man was capable of doing the radiography.

I have been advised by X-ray technologists that often a physician will train his receptionist, secretary, medical assistant, part-time student or person with no professional background to operate the X-ray equipment. Yet, as Dr. Richard Chamberlain of the American College of Radiology stated at the 1968 congressional hearings, that every physician had, on an average, only 4.4 hours of his entire medical training devoted to lectures on radiological protection and techniques. He has probably relied on the salesman for basic knowledge about the working of the X-ray equipment. Often too, the physician will not supervise the number of X-rays the incompetent operator of the equipment might be giving the patient in order to get a better quality image, thus exposing the patient to unnecessary X-radiation.

A safe level of X-radiation has not been established and people are being subjected to unnecessary radiation exposure. The U.S. Public Health Service found that X-radiation levels lower than previously realized can cause genetic damage. In most danger is a fetus in early pregnancy. Small amounts of radiation can also cause birth defects, damage to the reproductive organs and cell damage to adults.

The National Academy of Sciences National Research Council released its study last year on "The Effects on Populations of Exposure to Low Levels of Ionizing Radiation." The conclusions reached in this study were that 1,300 to 6,000 cancer deaths annually are caused by exposure of the American public to present levels of diagnostic X-rays. In addition, ill health results from genetic damage caused by the exposure. The NAS-NRC study further shows that present exposure of the population to X-rays and the associated toll in lives can be significantly reduced through simple improvements in X-ray techniques.

For example, present genetic damage from X-rays can be reduced by up to 50 percent through improved techniques such as gonad shielding, particularly on male patients and restricting the size of the X-ray beam to the area of clinical interest. This is especially important during those X-ray procedures in which the reproductive organs are in the direct X-ray beam, as during examinations of the lower back, lower abdomen, and hip. In view of the known leukemogenic effect of X-rays, avoiding needless exposure of

the bone marrow is also of special significance. Because of the increased radiosensitivity of embryonic tissue, special prudence should be exercised in prescribing X-ray examinations for pregnant or potentially pregnant women.

Another cause for concern has been the recent discovery reported in the New England Journal of Medicine that as many as 5 percent of all children may be more susceptible to the leukemia inducing effects of allegedly safe diagnostic X-radiation than other children are.

Joel Griffiths and Richard Ballantine state in their book "Silent Slaughter," that a child exposed to X-rays during the first 3 months of pregnancy is 10 times more likely to develop cancer than a child not exposed. One study conducted by Dr. Brian MacMahon of the Harvard School of Public Health in 1962 indicated that there is a 40 percent higher cancer mortality rate among children X-rayed in the womb. A study published in May 1973 in the American Journal of Epidemiology found that the total mortality experience of the white children during the first 10 years of life who had been exposed to intrauterine X-rays was almost twice that of children not exposed. The death rate from leukemia was about three times higher for the exposed population than for the controls.

Untrained, unqualified personnel cannot be permitted to handle X-ray procedures that have the potential for inflicting harm on so many people. We must assure that the personnel be trained as well as possible—and that only those licensed to practice be permitted to practice.

There is no evidence to suggest that there is a radiation exposure level so low that the probability of damage is zero. Indeed, there are those who believe that the present American population and generations yet unborn are and will be adversely affected by unnecessary X-radiation exposure, all of which is cumulative in its effect. The International Commission on Radiological Protection had indicated that present medical X-ray exposure is causing 3,000 deaths per year in the United States from various forms of cancer and genetic damage and may be introducing each year into future generations approximately 30,000 deaths from malignancies, stillbirths, and spontaneous abortions because of genetic damage. It has been found that exposure to varying amounts of X-radiation can increase the likelihood of cancer, leukemia, cataracts and damage to reproductive cells.

Yet, the most sophisticated and modern of X-ray systems cannot protect the health and safety of patients unless the technicians operating the equipment are adequately trained and licensed. In some States, we license car mechanics and TV mechanics. Does it not make sense that we license X-ray technologists who handle the most sophisticated of equipment—equipment which can provide extended life if properly used or shorten life when improperly used.

I became interested in the problems of excessive X-radiation and the practices of administering diagnostic X-rays when

my sister took her son to a local hospital for a diagnostic X-ray of his ankle and the doctor refused to cover the rest of his body with a protective shield. I had a similar experience when I went to the dentist for a check-up. My dentist indicated that he draped the patient with a lead shield only if requested. My dentist is a good dentist and a friend. Unfortunately, he labored under the misconception, which is typical of so many dentists and technicians, that excess radiation is negligible from his machine, and that nothing could be wrong with that machine. He felt that the dental X-ray machine has so little penetrating power and does not scatter radiation to other parts of the body, that excess exposure would be harmless.

It is a fact that 95 percent of the radiation to which the American public is exposed comes from medical X-ray exposure. Only 2 percent of man's exposure comes from the nuclear power industry which is stringently regulated, while strangely medical and dental X-ray usage is not, in most cases, subject to control. By 1970, 130 million Americans had at least one medical or dental X-ray examination—up from 108 million in 1964. The total number of medical and dental X-ray examinations in that year was 212 million. K. Z. Morgan, former Director of the Health Physics Division of the Oak Ridge National Laboratory has stated that medical X-ray exposure could be reduced to less than 10 percent of its present level by the use of better equipment, improved techniques and protective shielding while at the same time improving X-ray diagnosis.

Of course, some medical X-rays are unavoidable. Medical X-rays are often necessary and have been responsible for the successful diagnostic and treatment of many ailments. However, unnecessary X-radiation is causing death and suffering to untold numbers of unsuspecting persons, as reported by the International Commission on Radiological Protection. We must do what we can now to control the X-ray machines and license the persons who use them.

No matter how technically excellent a machine is, a physician or user of an X-ray machine can still give unnecessary overexposure to the patient. It is of utmost importance that the physician or radiologic technologist be educated to the techniques of radiologic safety.

In order to develop an X-ray film, dentists have to take 5 minutes in the darkroom to develop a film. But, by increasing the dose to the patient, he can remain in the darkroom only 2½ minutes. Decreasing his time in the darkroom means increasing the exposure to the patient; techniques like this must be eliminated. I would like to append a press release from the New York City Department of Health announcing that New York City has voluntarily amended its health code to require that only the lower exposure dental films be used.

I would also like to mention a companion bill I have introduced, H.R. 672. This bill amends the Public Health Service Act to direct the Secretary of HEW

to prescribe radiation standards for, and conduct annual inspections of diagnostic and other X-ray systems in use. This bill would require that existing dental and medical diagnostic X-ray machines meet new performance standards mandated by the Radiation Control for Health and Safety Act, Public Law 90-2, standards which are now required after August 1, 1974 for all newly manufactured machines, wherever feasible.

The diagnostic and medical X-ray machines currently in use and manufactured before August 1, 1974 do not have to meet the already established Federal performance standards for diagnostic X-ray equipment mandated by the Radiation Control for Health and Safety Act. And, these machines will continue to be used for the foreseeable future without being subject to these standards.

Basically, these standards for machines manufactured after August 1, 1974, will cause a substantial reduction in the beam size of the X-ray exposure to the size of the film or fluoroscopic screen, and will render a far better image quality, thus reducing the need for re-taking photographs and consequent repeat X-ray exposure.

I have been advised by X-ray technicians that it is technically feasible for the faulty collimation of an old machine to be upgraded to meet the stated Federal performance standards. If performance standards currently exist for new diagnostic X-ray equipment because they are necessary to protect the public from dangerous X-ray exposure, there seems to be no valid reason why the great percentage of machines currently in use should not be subject to the same controls in the public interest, wherever this is feasible.

The average life span of an X-ray machine is about 15-20 years, with some lasting 30-40 years and probably only 5 percent of that equipment is replaced yearly. It has been estimated by Prof. Hanson Blatz, chief of the New York City Office of Radiation Control that 50 percent of the X-ray equipment sold in New York is second hand. In a survey of owners of secondhand X-ray machines, the Public Health Service ascertained that of the 765 secondhand X-ray machines inspected, 595 deficiencies were identified.

An investigation conducted in Suffolk County, N.Y., to determine the number of diagnostic and therapeutic X-ray machines that were in violation of the New York State Ionizing Radiation Regulation found that in 1962 75 percent of the machines did not comply. A follow-up survey in 1972 found that about 34 percent did not comply—demonstrating that with careful supervision by a local health unit and cooperation by professional practitioners, progress can be made to reduce the X-radiation exposure to the public.

No individual should be required to submit to X-radiation by a machine which does not meet the established performance standards set by the Secretary of HEW. I submit that the Congress require all diagnostic machines to meet the performance standards mandated by

Public Law 90-602 wherever feasible. And further, that there be annual inspections of the existing machinery to ensure their continued operation at the stated Federal performance level.

Mr. Speaker, in 1968, the Senate passed an amendment calling for the licensure of radiologic technologists, but the provision was dropped in conference by the House.

With each passing year, 3,000 people are dying from cancer due to X-ray exposure. They would not all be saved—but some will be if we pass legislation this year.

Hopefully, S. 667 will pass the Senate shortly. I would urge Members of the House who are supportive of this measure to urge Hon. PAUL ROGERS to do what he can to see that this legislation is speedily considered by his committee.

#### AMENDMENT TO BE OFFERED TO H.R. 15361

(Mr. KOCH asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. KOCH. Mr. Speaker, I intend to offer an amendment to the Housing and Urban Development Act, H.R. 15361, when the bill is on the floor, and I intend to use the 5 minutes allowed for this purpose. The text of the amendment is as follows:

AMENDMENT TO H.R. 15361, AS REPORTED,  
OFFERED BY MR. KOCH

Page 48, lines 22 and 23, strike out "not less than 20 per centum nor more than 25 per centum" and insert in lieu thereof "not less than 15 per centum nor more than 20 per centum".

#### WILL PRESIDENT NIXON'S MOSCOW TRIP UNDERCUT OUR STRATEGIC POSTURE?

(Mr. BLACKBURN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. BLACKBURN. Mr. Speaker, euphoric over his administration's diplomatic triumphs in the Middle East, President Nixon will travel to Moscow in late June. The exact outcome of his visit is still in doubt, but it is no secret that the President hopes to score a fresh breakthrough in the disarmament area.

While admiring the administration's Mideast diplomacy, many astute analysts of the international scene are by no means sanguine that a successful outcome will be the result in Moscow. In fact, signs point increasingly to the likelihood that the President will grant new concessions to the Kremlin on the same order as those associated with SALT I.

A number of defense experts point to conspicuous flaws in the SALT I agreement on offensive missiles negotiated by the administration in 1972.

In areas where the Soviets are superior, the agreement guarantees the Soviets existing superiority, such as in heavy missiles. In regard to the most important

area in which the U.S. enjoys superiority, multiple warheads—MIRV's—the agreement does nothing to prevent the Soviets from passing us.

With respect to the other area in which we are now superior, the number of submarine-based missiles, the pact includes an incredible provision which not only permits the Soviets to surpass us in numbers of missile-firing nuclear powered submarines, but to achieve superiority by about one third.

Still another way of looking at this agreement is to look at the numbers given to both sides in the agreement. The maximum number of long-range, land-based missiles that the United States is permitted to retain is 1,054. The maximum number of long-range, land-based missiles that the U.S.S.R. is permitted to retain is 1,618.

The maximum number of submarine-launched ballistic missiles that the United States is allowed to deploy is 710; the Soviets can deploy 950. The total permissible number of American missile-firing subs that can be deployed is 44; the Soviets can deploy 84. The United States is allowed "zero" heavy intercontinental ballistic missiles—but the Soviets can deploy 313 with the equivalent "throw weight"—or payload—of our entire 1,000 Minuteman missile force.

At present, the Soviets have developed four new missiles which, even under SALT I constraints, could be deployed to replace "lighter" missiles—thus magnifying the Soviet's already considerable payload advantage. In his posture statement of this year, Defense Secretary James Schlesinger warned that Soviet deployment of these new missiles would give the Soviets an "impermissible" lead.

In exchange for extending the lopsided SALT I advantages given the Soviets, the United States is said to want an "agreement in principle" to limit the number of multiple independently targeted warheads—MIRV's—that each side's missile force could hurl. An "agreement in principle," however, is not a bird in the hand; there is no way of knowing how long it would take for such an agreement to be translated into reality. In addition, many experts believe that our capacity to detect MIRV violations, except through on-site inspection which is not even being considered, is extremely limited.

#### HERB HOFFMAN TO SERVE THE PUBLIC IN ANOTHER CAPACITY

(Mr. MANN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. MANN. Mr. Speaker, Herb Hoffman has this month completed a period of outstanding service as a member of the staff of the House Judiciary Committee. I view his departure with mixed emotions, because he is moving to a position of great opportunity and importance, that of Director of the Governmental Relations Office of the American Bar Association.

As a member of the Subcommittee on Criminal Justice of the House Judiciary Committee, I have come to know Herb

Hoffman well. In his position as subcommittee counsel, Herb has demonstrated skill as an attorney, an innovative mind for suggesting compromises for getting past potential impasses, and an abundance of vitality and cheerfulness. During the 93d Congress the subcommittee moved two very difficult and controversial pieces of legislation, in large measure because of the staff work.

The committee will miss the talent and personality of Herb Hoffman. Frankly I think the American Bar Association needs someone with the talent and ability of Herb Hoffman and his position as Director of the Governmental Relations Office of ABA here in Washington should be mutually beneficial and rewarding to all concerned. Since his work will keep him in close contact with the Congress we can expect to benefit from his work and his abilities in his new capacity as he responds on behalf of his constituency to the problems that confront our society.

At a recent reception in his honor I met most of his lovely family—wife, daughters, son-in-law, and grandson. They, and his lawyer-son in Arizona, are entitled to be proud of his record of service.

#### CONTINUING FOOD STAMPS

(Mr. PEPPER asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PEPPER. Mr. Speaker, I would like to note with much pleasure the passage of H.R. 15124 by the Senate today by a vote of 90 to 0, thereby supporting the House action of yesterday. This bill extended food stamp eligibility of supplemental security income recipients until July 1, 1975. When the President signs this bill into law, SSI recipients will be assured continuation of financial assistance particularly necessary in today's economic situation.

The needy SSI recipients of this country have a difficult time coping with inflation while living on their fixed benefits. The passage of the bill was imperative in order to enable these disabled, blind, and aged Americans to receive this assistance which they so urgently need.

The Congress now has the obligation to consider permanent legislation along with other urgently needed Federal proposals, to continue to provide for the health, independence, and security of these Americans.

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. ESCH (at the request of Mr. RHODES), for the week of June 24, on account of official business.

Mr. HOSMER (at the request of Mr. RHODES), for June 19 and 20, on account of official business.

Mr. BRASCO (at the request of Mr. O'NEILL), for an indefinite period, on account of a necessary absence.

Mr. MATSUNAGA (at the request of Mr. O'NEILL), for today through June 21, on account of official business.

#### SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. HECHLER of West Virginia, for 30 minutes, tomorrow.

(The following Members (at the request of Mr. VEYSEY), to revise and extend their remarks, and to include extraneous matter:)

Mr. BLACKBURN, for 10 minutes, today.

Mr. KEMP, for 15 minutes, today.

(The following Members (at the request of Mr. RYAN) to revise and extend their remarks and include extraneous matter:)

Mr. BURLISON of Missouri, for 15 minutes, today.

Mr. GONZALEZ, for 5 minutes, today.

Mr. VANIK, for 5 minutes, today.

Mr. OWENS, for 5 minutes, today.

Mr. FRASER, for 10 minutes, today.

Mr. FAUNTRY, for 5 minutes, today.

Mr. BURKE of Massachusetts, for 5 minutes, today.

Mr. BINGHAM, for 5 minutes, today.

Mr. NATCHER, for 5 minutes, today.

Mr. PODELL, for 10 minutes, today.

Mr. HARRINGTON, for 60 minutes, on June 26.

#### EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. WYLIE, his remarks during general debate in the Committee of the Whole today, immediately following the remarks of Mr. GROSS on S. 411.

Mr. CLAY, to follow the remarks of Mr. SYMINGTON in the Committee of the Whole today on H.R. 15405.

Mr. RANDALL in the Committee of the Whole today, following the remarks of Mr. YATES, on H.R. 15405.

Mr. SKUBITZ following the remarks of Mr. SHOUP.

(The following Members (at the request of Mr. VEYSEY) and to include extraneous matter:)

Mr. HANRAHAN in three instances.

Mr. WYMAN in two instances.

Mr. QUIE in two instances.

Mr. PEYSER.

Mr. ZWACH.

Mr. LANDGREEB in 10 instances.

Mr. WYDLER.

Mr. ROUSSELOT.

Mr. DERWINSKI in two instances.

Mr. MINSHALL of Ohio.

Mr. KEMP in three instances.

Mr. McCLOSKEY.

Mr. SARASIN.

Mr. GOLDWATER.

Mr. RHODES.

Mr. CARTER in five instances.

Mr. ARENDS.

Mr. DENNIS in two instances.

Mr. DEL. CLAWSON.

(The following Members (at the request of Mr. RYAN) and to include extraneous matter:)

Mr. GONZALEZ in three instances.

Mr. RARICK in three instances.

Mr. DELANEY.

Mr. MATSUNAGA.

Mr. DINGELL in three instances.

Mr. KOCH in five instances.

Mr. REES.

Mr. EDWARDS of California.

Mr. WON PAT.

Mr. LEGGETT.

Mr. HARRINGTON in three instances.

Mr. ANDERSON of California in two instances.

Mr. GREEN of Pennsylvania in two instances.

Mr. EVINS of Tennessee.

Mr. ROGERS in two instances.

Mr. FAUNTRY in four instances.

Mr. VANIK in three instances.

Mr. BROWN of California in 10 instances.

Mr. MOSS.

Mr. EVANS of Colorado.

Mr. POAGE.

Mr. BEVILL.

Mr. LUKEN.

Mr. FORD.

Mr. ANDREWS of North Carolina.

#### SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 2201. An act to provide for the settlement of damage claims arising out of certain actions by the United States in opening certain spillways to avoid flooding populated areas; to the Committee on the Judiciary.

#### 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. 8586. An act to authorize the foreign sale of the passenger vessel steamship Independence; and

H.R. 14354. An act to amend the National School Lunch Act, to authorize the use of certain funds to purchase agricultural commodities for distribution to schools, and for other purposes.

#### SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 1585. An act to prevent the unauthorized manufacture and use of the character "Woody Owl," and for other purposes.

#### BILLS PRESENTED TO THE PRESIDENT

Mr. HAYS, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, bills of the House of the following title:

H.R. 1961. An act for the relief of Mildred Christine Ford;

H.R. 8586. An act to authorize the foreign sale of the passenger vessel steamship Independence; and

H.R. 14354. An act to amend the National School Lunch Act, to authorize the use of certain funds to purchase agricultural commodities for distribution to schools, and for other purposes.

#### ADJOURNMENT

Mr. BURLISON of Missouri. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 32 minutes p.m.) the House adjourned until tomorrow, Thursday, June 20, 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:

2463. A letter from the Deputy Assistant Secretary of the Interior (transmitting a copy of a proposed contract with FMC Corp., San Jose, Calif., for a research project entitled "Development of a Miner/Bolter System," pursuant to section 1(d) of Public Law 89-672; to the Committee on Interior and Insular Affairs.

2464. A letter from the Deputy Assistant Secretary of the Interior, transmitting a copy of a proposed contract with the BENDIX Corp., Denver, Colo., for a research project entitled "Development of a Miner/Bolter System," pursuant to section 1(d) of Public Law 89-672; to the Committee on Interior and Insular Affairs.

2465. A letter from the Deputy Assistant Secretary of the Interior, transmitting a copy of a proposed contract with Ingersoll-Rand Research, Inc., Princeton, N.J., for a research project entitled "Development of a Miner/Bolter System," pursuant to section 1(d) of Public Law 89-672; to the Committee on Interior and Insular Affairs.

2466. A letter from the Deputy Assistant Secretary of the Interior, transmitting a copy of a proposed contract with Jeffrey Manufacturing Co., Columbus, Ohio, for a research project entitled "Development of a Miner/Bolter System," pursuant to section 1(d) of Public Law 89-672; to the Committee on Interior and Insular Affairs.

2467. A letter from the Deputy Assistant Secretary of the Interior, transmitting a copy of a proposed contract with Joy Manufacturing Co., Pittsburgh, Pa., for a research project entitled "Development of a Miner/Bolter System," pursuant to section 1(d) of Public Law 89-672; to the Committee on Interior and Insular Affairs.

2468. A letter from the Deputy Assistant Secretary of the Interior, transmitting a copy of a proposed contract with Tally-Frac Corp., Mesa, Ariz., for a research project entitled "Chemical Explosive Fracturing Field Demonstration," pursuant to section 1(d) of Public Law 89-672; to the Committee on Interior and Insular Affairs.

2469. A letter from the Deputy Assistant Secretary of the Interior, transmitting a copy of a proposed contract with Petroleum Technology Corp., Redmond, Wash., for a research project entitled "Chemical Explosive Fracturing Field Demonstration," pursuant to section 1(d) of Public Law 89-672; to the Committee on Interior and Insular Affairs.

2470. A letter from the Secretary of Commerce, transmitting the report of the Department of Commerce on its administration of the Marine Mammal Protection Act of 1972 for the period June 22, 1973, through April 30, 1974, pursuant to section 103(f) of the act; to the Committee on Merchant Marine and Fisheries.

2471. A letter from the Assistant Secretary of Defense (Comptroller), transmitting a report on grants for basic scientific research made by the Department of Defense to nonprofit institutions during calendar

year 1973, pursuant to section 3 of Public Law 85-934 (42 U.S.C. 1893); to the Committee on Science and Astronautics.

#### 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. PATMAN: Committee on Banking and Currency. H.R. 13044. A bill to amend the Defense Production Act of 1950; with amendment (Rept. No. 93-1121). Referred to the Committee of the Whole House on the State of the Union.

Mr. PATMAN: Committee on Banking and Currency. H.R. 15264. A bill to further amend and extend the authority for regulation of exports (Rept. No. 93-1122). Referred to the Committee of the Whole House on the State of the Union.

Mr. MAHON: Committee of conference. Conference report on H.R. 14434 (Rept. No. 93-1123). Ordered to be printed.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

[Omitted from the Record of June 18, 1974]

By Mr. WHITTEN:

H.R. 15472. A bill making appropriations for agriculture-environmental and consumer protection program for the fiscal year ending June 30, 1975, and for other purposes.

[Submitted June 19, 1974]

By Mr. ALEXANDER (for himself, Mr. LOTT, Mr. BRECKINRIDGE, Mr. ZWACH, Mr. BROWN of California, Mr. DAVIS of South Carolina, Mr. THORNTON, Mr. BAUMAN, Mr. FINDLEY, Mr. ICHORD, Mr. MONTGOMERY, Mr. MC-EWEN, Mr. HILLIS, Mr. SIKES, Mr. LONG of Louisiana, Mr. ANDREWS of North Dakota, and Mr. ANDREWS of North Carolina):

H.R. 15473. A bill to amend title 23, United States Code, the Federal-Aid Highway Act of 1973, and other related provisions of law, to increase safety on the Nation's highways; to the Committee on Public Works.

By Mr. CAREY of New York:

H.R. 15474. A bill to amend section 6056 of the Internal Revenue Code of 1954; to the Committee on Ways and Means.

By Mr. GUNTER:

H.R. 15475. A bill to amend the Federal Water Pollution Control Act to increase the penalties for discharging oil and hazardous substances; to the Committee on Public Works.

By Mr. HAWKINS (for himself and Mr. REUSS):

H.R. 15476. A bill to establish a national policy and nationwide machinery for guaranteeing to all adult Americans able and willing to work the availability of equal opportunities for useful and rewarding employment; to the Committee on Education and Labor.

By Mr. PATTEN:

H.R. 15477. A bill to establish a National Commission on Supplies and Shortages; to the Committee on Banking and Currency.

By Mr. SANDMAN (for himself, Mr. BURGNER, Mr. FLOOD, and Mr. McCLOSKEY):

H.R. 15478. A bill to provide property tax relief to low-income elderly homeowners through direct reimbursements; to the Committee on Ways and Means.

By Mr. SEIBERLING:

H.R. 15479. A bill to authorize research, development, and demonstration projects relating to new techniques of protein production, fertilizer production, and processing vegetable protein, and an education program to encourage market acceptance of products produced by such methods; to the Committee on Agriculture.

By Mr. THOMSON of Wisconsin:

H.R. 15480. A bill to amend section 5051 of the Internal Revenue Code of 1954 (relating to the Federal excise tax on beer); to the Committee on Ways and Means.

By Mr. VANDER VEEN:

H.R. 15481. A bill to amend the Internal Revenue Code of 1954 to include certain joint hospital laundry ventures among the cooperative hospital service organizations entitled to tax exemption thereunder; to the Committee on Ways and Means.

By Mr. ABDNOR:

H.R. 15482. A bill to establish the Great Prairie Lakes National Recreation Area in the States of South Dakota, North Dakota, and Nebraska, and for other purposes; to the Committee on Public Works.

By Mr. BLATNIK:

H.R. 15483. A bill to provide for additional Federal financial participation in expenses incurred in providing benefits to Indians, Aleuts, native Hawaiians, and other aboriginal persons, under certain State public assistance programs established pursuant to the Social Security Act; to the Committee on Ways and Means.

By Mr. BYRON:

H.R. 15484. A bill to repeal the Emergency Daylight Saving Time Energy Conservation Act of 1973; to the Committee on Interstate and Foreign Commerce.

H.R. 15485. A bill to amend section 5051 of the Internal Revenue Code of 1954 (relating to the Federal excise tax on beer); to the Committee on Ways and Means.

By Mr. CRONIN:

H.R. 15486. A bill to amend title II of the Social Security Act to provide for voluntary agreements between clergymen and their employers to treat clergymen as employed persons; to the Committee on Ways and Means.

By Mr. CULVER (for himself, Mr.

ZABLOCKI, Mr. WOLFF, Mr. YATRON, Mr. DAVIS of Georgia, Mr. HARRINGTON, Mr. RYAN, Mr. BURKE of Florida, Mr. VANDER JAGT, Mr. STEELE, Mr. WHALEN, and Mr. GILMAN):

H.R. 15487. A bill to authorize the Secretary of Commerce and the Secretary of the Treasury to conduct a study of foreign direct and portfolio investment in the United States, and for other purposes; to the Committee on Foreign Affairs.

By Mr. CULVER (for himself, Mr.

Winn, Mr. CONTE, Ms. ABZUG, Mr. SEIBERLING, Mr. COUGHLIN, Mr. STEELMAN, Mr. MANN, Mr. OBEY, Ms. HOLTZMAN, Mr. DIGGS, and Ms. BURKE of California):

H.R. 15488. A bill to authorize the Secretary of Commerce and the Secretary of the Treasury to conduct a study of foreign direct and portfolio investment in the United States, and for other purposes; to the Committee on Foreign Affairs.

By Mr. GAYDOS:

H.R. 15489. A bill to prohibit the military departments from using dogs in connection

with any research or other activities relating to biological or medical warfare agents; to the Committee on Armed Services.

By Mr. GUDE (for himself, Mr. OWENS, and Mr. RIEGLE):

H.R. 15490. A bill to amend section 502(b) of the Mutual Security Act of 1954 to reinstate specific accounting requirements for foreign currency expenditures in connection with congressional travel outside the United States, and for other purposes; to the Committee on Foreign Affairs.

By Mr. HUNGATE:

H.R. 15491. A bill to extend the Emergency Petroleum Allocation Act of 1973; to the Committee on Interstate and Foreign Commerce.

By Mr. KASTENMEIER (for himself and Mr. STEELMAN):

H.R. 15492. A bill to establish administrative and governmental practices and procedures for certain kinds of surveillance activities engaged in by the administrative agencies and departments of the Government when executing their investigative, law enforcement, and other functions, and for other purposes; to the Committee on the Judiciary.

By Mr. KOCH (for himself, Ms. BURKE of California, Mr. HARRINGTON, Ms. HOLTZMAN, and Ms. MINK):

H.R. 15493. A bill to amend the Federal Food, Drug, and Cosmetic Act to authorize the Secretary of Health, Education, and Welfare to halt the sales and distribution of food, drugs, and cosmetics adulterated or misbranded in a manner which presents an imminent hazard to the public health and to require their recall or destruction, as may be appropriate; to the Committee on Interstate and Foreign Commerce.

By Mr. MELCHER:

H.R. 15494. A bill to amend chapter 1 of title 23 of the United States Code to provide for construction of access highways to rural areas substantially impacted by accelerated mining activities to meet national energy demands; to the Committee on Public Works.

By Mr. MOLLOHAN:

H.R. 15495. A bill to authorize the disposal of tin from the national stockpile and the supplemental stockpile; to the Committee on Armed Services.

By Mr. RARICK (for himself, Mr. CRANE, Mr. EDWARDS of Alabama, Mr. DENHOLM, Mr. MILFORD, and Mr. MINSHALL of Ohio):

H.R. 15496. A bill to amend title XI of the Social Security Act to repeal the recently added provision for the establishment of Professional Standards Review Organizations to review services covered under the medicare and medicaid programs; to the Committee on Ways and Means.

By Mr. ROSENTHAL:

H.R. 15497. A bill to provide for the development and implementation of programs for youth camp safety; to the Committee on Education and Labor.

By Mr. THONE:

H.R. 15498. A bill to amend the Regional Rail Reorganization Act of 1973 in order to expand the planning and rail service continuation subsidy authority under such act, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. YOUNG of Illinois:

H.R. 15499. A bill to improve the regula-

tion of Federal election campaign activities; to the Committee on House Administration.

H.R. 15500. A bill to amend the Internal Revenue Code of 1954 to increase the maximum deduction allowable with respect to contributions to candidates for public office, and to exempt certain political organizations from the payment of income tax; to the Committee on Ways and Means.

By Mr. ZWACH:

H.R. 15501. A bill to amend section 502(b) of the Mutual Security Act of 1954 to reinstate specific accounting requirements for foreign currency expenditures in connection with congressional travel outside the United States, and for other purposes; to the Committee on Foreign Affairs.

[Omitted from the Record of June 18, 1974]

By Mr. MAHON:

H.J. Res. 1062. Joint resolution making continuing appropriations for the fiscal year 1975, and for other purposes; to the Committee on Appropriations.

[Submitted June 19, 1974]

By Mr. BIAGGI:

H.J. Res. 1066. Joint resolution barring nuclear technology agreements without the expressed consent of Congress; to the Joint Committee on Atomic Energy.

By Mr. BYRON:

H.J. Res. 1067. 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 Mr. DU PONT:

H.J. Res. 1068. Joint resolution to prevent the abandonment of railroad lines; to the Committee on Interstate and Foreign Commerce.

By Mr. THOMSON of Wisconsin:

H.J. Res. 1069. Joint resolution to create a farmer to consumer price index; to the Committee on Education and Labor.

By Mr. WIGGINS:

H.J. Res. 1070. Joint resolution authorizing the President to proclaim the period of September 15, 1974 through October 15, 1974, as "Johnny Horizon 1976 Clean Up America Month"; to the Committee on the Judiciary.

By Mr. BROOMFIELD:

H. Con. Res. 549. Concurrent resolution designating June 6 of each year as "Liberation Day"; to the Committee on the Judiciary.

By Mr. KETCHUM (for himself, Mr.

SEBElius, Mr. HANRAHAN, and Mr. GROVER):

H. Res. 1186. Resolution expressing the sense of the House regarding the reclassification of servicemen listed as missing in action in Southeast Asia to presumptive finding of death status; to the Committee on Armed Services.

## PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII,

Mr. STAGGERS introduced a bill (H.R. 15502) for the relief of Gopal Pardasani, his wife Kavita, and child Kamlesh, which was referred to the Committee on the Judiciary.

## SENATE—Wednesday, June 19, 1974

The Senate met at 10 a.m. and was called to order by Hon. FRANK E. MOSS, a Senator from the State of Utah.

### PRAYER

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

O Lord by whom the meek are guided in judgment, grant us a goodly measure of humility. Show us that nothing is low save that which is wrong; that greatness is never hurt, but rather enriched by little ministries; that the pride that fears to stoop is more defiled than the humility that takes a towel and washes men's

feet. Save us from thinking more highly of ourselves than we ought to think. As we are kept close to Thee, keep us ever close to the warm heart of humanity in all its variety. Give us the mind and spirit of Jesus Christ, who made himself of no reputation, but whose name is now above every name. Amen.