Congressional Record Index

PROCEEDINGS AND DEBATES OF THE 93d CONGRESS, SECOND SESSION

HOUSE OF REPRESENTATIVES—*Monday, June 24, 1974*

The House met at 12 o'clock noon.

Dr. Shlomo Goren, the chief rabbi of Israel, offered the following prayer:

Our Father in Heaven, who keepest covenant and mercy with Thy servants that walk before Thee with all their heart, Thou hast decreed that out of Zion shall go forth the law and the word of the Lord from Jerusalem, may Thou therefore endow me as a messenger of Zion with the grace of Thy majesty that I may invoke Thy blessing upon the illustrious head of state, the President of the United States, and this august body, Members of the U.S. House of Representatives.

With courage and vision the President inaugurated an era of peace and with wisdom and understanding, the lawmakers sustained his foundation of peace. Bless, therefore, the peacemakers for they shall inherit the Earth. Bless those who made these United States a land of freedom and opportunity and a beacon of light for all our persecuted brethren in countries of oppression. Above all, Heavenly Father, sustain them in their conviction that all men are created equal "for in the image of God made He man" and by Thee endowed with the inalienable right to life, liberty, and the pursuit of justice and happiness.

Vouchsafe unto them, O Lord, wisdom equal to their strength, and courage equal to their responsibilities that the peoples of Israel in the Holy Land and her neighbors, and the people of the United States and the peoples of the world may be united in the bond of brotherhood and freedom before Thee, the Father of all.

The Lord will give strength unto his people; the Lord will bless his people with peace. Nation shall not lift up sword against nation, neither shall they learn war any more. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Without objection, the Journal stands approved.

There was no objection.

MESSAGE FROM THE SENATE

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

H.R. 8747. An act to repeal section 274 of the Revised Statutes of the United States relating to the District of Columbia, requiring compulsory vaccination against smallpox for public school students.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 12412) entitled "An act to amend the Foreign Assistance Act of 1961 to authorize an appropriation to provide disaster relief, rehabilitation, and reconstruction assistance to Pakistan, Nicaragua, and the Sahelian nations of Africa."

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 12799) entitled "An act to amend the Arms Control and Disarmament Act, as amended, in order to extend the authorization for appropriations, and for other purposes."

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

H.R. 29. An act to provide for payments by the Postal Service to the Civil Service Retirement Fund for increases in the unfunded liability of the Fund due to increases in benefits for Postal Service employees, and for other purposes.

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. 3389. An act to amend the act entitled "An act to incorporate the American University," approved February 24, 1893.

RABBI SHLOMO GOREN, CHIEF RABBI OF ISRAEL

(Mrs. HECKLER of Massachusetts asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. HECKLER of Massachusetts. Mr. Speaker, I want to thank you for graciously acceding to my request to have Rabbi Shlomo Goren, Chief Rabbi of Israel, offer the opening prayer at today's session of Congress.

A renowned Hebrew scholar and author, Rabbi Goren was born in Poland and settled in Israel in 1925. He was educated in various Talmudical institutions as well as the Hebrew University of Jerusalem. For 20 years, he was Chief Chaplain of the Israeli Army, holding the rank of major general.

He then became Chief Rabbi of Tel Aviv, and later was elevated to Chief Rabbi of Israel.

We are honored to have such an outstanding scholar and religious leader open our deliberations here today.

During Israel's wars of independence, this remarkable man served in the front lines, tending to the religious needs of the Israeli soldiers in the heat of combat.

He symbolizes for many of us the spirit of determination, of dedication and idealism that—more than tanks and jet aircraft—are the true strength of the Israeli people. He represents a people who struggle and suffer and die so that others may live free.

The struggle for freedom for the Jewish people rages not only in the Middle East but in many parts of the world. As President Nixon prepares to fly to Russia for another summit meeting with Soviet officials, Jewish leaders in that country are being rounded up to be silenced.

I have been to the Soviet Union, and I have been to Israel. My heart goes out to the Soviet Jews who are not being permitted to join their brothers and sisters in Israel.

Their struggle goes on, in many ways and in many places. And we all have a stake in the outcome of that struggle. For if one person, anywhere, is denied his precious right to live free—then are any of us truly free?

I think not: The fight to free people's minds and spirits and souls is universal, and in one way or another, we are all involved.

For this reason, our prayers join those of Rabbi Goren for a lasting peace in the Middle East, and for freedom and prosperity for the tiny democratic State of Israel.

PERMISSION FOR COMMITTEE ON APPROPRIATIONS TO FILE PRIVILEGED REPORT ON DISTRICT OF COLUMBIA APPROPRIATIONS, 1975

Mr. NATCHER. Mr. Speaker, I ask unanimous consent that the Committee on Appropriations may have until midnight tonight to file a privileged report on the District of Columbia appropriation bill for the fiscal year 1975.

Mr. MYERS reserved all points of order.

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

There was no objection.

PERMISSION FOR COMMITTEE ON APPROPRIATIONS TO FILE PRIVILEGED REPORT

Mr. FLOOD. Mr. Speaker, I ask unanimous consent that the Committee on Appropriations may have until midnight tonight to file a privileged report on the bill making appropriations for the Department of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1975, and for other purposes.

Mr. MICHEL reserved all points of order on the bill.

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

There was no objection.

CALL OF THE HOUSE

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

The SPEAKER. Evidently a quorum is not present.

Mr. McFALL. 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. 320]

Alexander	Fraser	Murphy, Ill.
Anderson, Calif.	Frey	Murphy, N.Y.
Andrews, N.C.	Ginn	Nelsen
Ashbrook	Grasso	O'Hara
Ashley	Gray	O'Neill
Badillo	Green, Pa.	Pepper
Baker	Griffiths	Pickle
Beard	Gunter	Podell
Bell	Hanna	Powell, Ohio
Biaggi	Harsha	Reid
Blatnik	Hawkins	Rhodes
Boland	Hébert	Riegle
Brasco	Heinz	Rodino
Burke, Calif.	Hillis	Roncallo, N.Y.
Burke, Fla.	Holifield	Rooney, N.Y.
Burlison, Mo.	Hosmer	Rosenthal
Byron	Howard	Rostenkowski
Carey, N.Y.	Huber	Roy
Chisholm	Hutchinson	Roybal
Clark	Johnson, Calif.	Ruppe
Clay	Jones, Tenn.	St Germain
Cochran	Ketchum	Snyder
Conyers	Kuykendall	Staggers
Coughlin	Kyros	Stanton, James V.
Culver	Landrum	Steed
Daniels, Dominick V.	Litton	Steele
Davis, Ga.	Luken	Steiger, Ariz.
Dellums	McCormack	Stratton
Diggs	McKinney	Symington
Donohue	McSpadden	Treen
Dorn	Macdonald	Udall
Downing	Martin, Nebr.	Walsh
Dulski	Mathias, Calif.	Williams
Eckhardt	Mayne	Wilson, Charles H., Calif.
Esch	Meeds	Wyman
Fascell	Milford	Young, Ga.
Flynt	Mills	Young, S.C.
Ford	Mitchell, N.Y.	
	Mollohan	
	Mosher	

The SPEAKER. On this rollcall 318 Members have recorded their presence by electronic device, a quorum.

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

REQUEST FOR COMMITTEE ON BANKING AND CURRENCY TO FILE A REPORT ON H.R. 15465

Mr. PATMAN. Mr. Speaker, I ask unanimous consent that the Committee on Banking and Currency may have until midnight tonight to file a report on the bill H.R. 15465, to provide for increased participation by the United States in the International Development Association, and to permit United States citizens to purchase, hold, sell, or otherwise deal with gold in the United States or abroad.

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

Mr. ROUSSELOT. Mr. Speaker, I object.

The SPEAKER. Objection is heard.

MEMBERS OF TRADE UNIONS SHOULD BE REASONABLE IN NEGOTIATING WAGE INCREASES

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

Mr. BLACKBURN. Mr. Speaker, it is becoming more and more evident that some members of the construction trades are demanding and receiving some very large wage increases this year.

Mr. Speaker, as I recall, the last great surge of inflation in 1970 and 1971, and the thing that finally brought about the imposition of wage and price controls was a similar move in the construction trades industry.

Mr. Speaker, I think the country should be reminded that the Members of Congress, themselves, rejected a wage increase last year in order to set an example for the rest of the country.

Mr. Speaker, unless members of these trade unions wish to force another imposition of wage and price controls, with the distortions and hardships which inevitably result on our economy, I would urge them to be reasonable in their negotiations to avoid the creation in our country of those problems that will be brought about by a new imposition of wage and price controls.

CONFERENCE REPORT ON H.R. 14434, RESEARCH AND DEVELOPMENT ACTIVITIES APPROPRIATIONS—1975

Mr. MAHON. Mr. Speaker, I call up the conference report on 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, and ask unanimous consent that the statement of the managers be read in lieu of the report.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the statement.

(For conference report and statement, see proceedings of the House of June 19, 1974.)

Mr. MAHON (during the reading). Mr. Speaker, I ask unanimous consent that further reading of the statement be dispensed with.

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

There was no objection.

Mr. MAHON. Mr. Speaker, it was determined earlier this year that in light of the energy crisis the Congress would undertake to respond by taking early and decisive action on energy appropriation matters. Instead of having the energy appropriations spread through seven appropriation bills as would have been the normal procedure we would have only one comprehensive energy appropriation bill. We would bring them all together in one package and pass the appropriation prior to the beginning of the fiscal year July 1, 1974, in order that the various agencies and the departments of Government might proceed as rapidly and efficiently as possible with these energy programs.

Also, by providing these appropriations in a single bill, rather than in seven bills as would otherwise be the case, we could gain an overview of the thrust of the Federal energy research and development effort.

The subcommittee of the Committee on Appropriations developed this bill, and they have done an excellent job in the conduct of hearings, the review of budget estimates, and the recommendation of funding levels. They have had to increase the speed of their hearings and to work much harder and longer, on top of an already crowded schedule, in order to have this bill before you at this early date.

The seven subcommittees that developed this bill are as follows: The Agriculture, Environmental, and Consumer Protection Subcommittee headed by the gentleman from Mississippi (Mr. WHITTEN), the ranking minority member being the gentleman from North Dakota (Mr. ANDREWS);

The HUD, Space, Science, and Veterans Subcommittee, headed by the gentleman from Massachusetts (Mr. BOLAND), the ranking minority member on that subcommittee being the gentleman from California (Mr. TALCOTT);

The Interior Subcommittee, headed by the gentlewoman from Washington (Mrs. HANSEN), the ranking minority member being the gentleman from Pennsylvania (Mr. McDADE);

The Public Works, AEC Subcommittee, headed by the gentleman from Tennessee (Mr. EVINS), the ranking minority member being the gentleman from Wisconsin (Mr. DAVIS);

The State, Justice, Commerce, and Judiciary Subcommittee, headed by the gentleman from New York (Mr. ROONEY), the ranking minority member being the gentleman from Michigan (Mr. CEDERBERG);

The Transportation Subcommittee, headed by the gentleman from California (Mr. McFALL), the ranking minority member being the gentleman from Massachusetts (Mr. CONTE); and

The Treasury, Postal Service and General Government Subcommittee, headed

by the gentleman from Oklahoma (Mr. STEED), the ranking minority member being the gentleman from New York (Mr. ROBISON).

Mr. Speaker, the programs in this bill relate to research in various fields of energy such as nuclear power, coal gasification and liquifaction, solar energy, and accelerated leasing and improved management of offshore gas and oil areas. The House passed this bill on April 30 and the other body passed it June 12. We have been to conference and we have agreed on the provisions of the bill in conference. I know of no controversy about the bill.

I think the legislative branch of the Government is entitled to take some pride in the action which we are taking today and which the other body will take before this legislation becomes effective on July 1 of this year.

Mr. Speaker, this conference report provides $2,236,089,000 for energy research and development. This is an important bill and will significantly accelerate our Government's efforts to provide additional energy in the years to come. This bill will not solve our Nation's energy problems but it is an essential step in moving toward that objective.

Major items included in the conference report include the following: $1,486,660,000 for energy research and development efforts of the Atomic Energy Commission, including funds for accelerated research for the liquid metal fast breeder reactor, nuclear reactor safety research, development of nuclear materials, space nuclear systems, nuclear fusion, biomedical and environmental research and safety, and plant and capital equipment; $543,166,000 for the Interior Department which includes significantly expanded coal research activities including gasification and liquefaction and mining research efforts and $69,590,000 for the Office of Petroleum Allocation; $101,800,000 for the National Science Foundation which includes major funding for solar and geothermal energy research and also basic research involving energy conservation, automotive propulsion, and oil, gas, and coal resources; $54,000,000 for the Environmental Protection Agency to develop methods to control pollutants associated with energy extraction, transmission, production, conversion, and use; $19,000,000 for the Federal Energy Office for the overall management of national energy policy; $8,935,000 for the National Aeronautics and Space Administration for energy research and development projects which utilize capabilities developed in the space program; $6,630,000 for the National Oceanic and Atmospheric Administration; and $6,400,000 for the Department of Transportation to continue and accelerate its program of improving the efficiency of energy utilization of the Nation's transportation system.

Under the Interior Department for the Bureau of Mines the conference action compared to the amount proposed by the House includes the following changes:

Plus $3,000,000 for the Hydrane high-Btu gasification project at Morgantown, W. Va.

Minus $4,000,000 for research on stimulation of petroleum and gas production.

Minus $1,000,000 for research on tar sand and heavy oil production.

Minus $10,000 for GSA space costs.

For the Office of Coal Research, the conference action compared to the amount proposed by the House includes the following changes:

Plus $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.

Minus $27,100,000 for "pioneer plant" projects.

Minus $22,000 for GSA space costs.

How do we come out with respect to the House bill and with respect to the Senate bill and in relation to the budget request? We are $32 million above the budget as a result of additions by the House and the Senate mainly for nuclear energy research. We are $33 million below the House and $16 million above the Senate bill.

Mr. Speaker, under leave to revise and extend my remarks and include extraneous material, I insert at this time a summary of the energy situation which was contained in the House report to the energy bill and also a summary table of budget estimates and House, Senate, and conference action on items in the bill:

ENERGY AS THE NATION'S CORNERSTONE

Abundant, secure, and cheap energy has been one of the key factors in the building of this nation. First wood, then coal, then petroleum and natural gas all made human and industrial expansion in the United States possible with an ease and convenience that no other nation of the world had ever experienced.

By 1958, these factors began to change, as the nation for the first time became a net importer of energy.

By 1973 the United States was importing over 6 million barrels of oil a day. This represented about 33% of U.S. oil consumption and about 17% of total U.S. energy demands. Two million barrels per day were coming from the Middle East.

INCREASED DEMAND FOR ENERGY

Energy consumption in the United States has grown at a rapid rate since World War II. Since 1950 energy consumption increased about 3.5% per year through 1970 and then increased to a rate of about 4.5% through the first half of 1973.

ENERGY SUPPLY

During these same years—from 1950 to 1970—domestic production of energy, mainly from oil and gas, grew at about 3% per year. By 1970 the growth in domestic energy production had virtually come to a halt, with the only gains coming from small increases in nuclear energy that could be used only for electrical power purposes.

Reasons for the decline in production growth are many, but involve factors of governmental policy at both the State and Federal level, environmental considerations, and economic considerations which prompted many oil and gas producers to shift their activities outside the United States.

THE ARAB OIL EMBARGO

Regardless of the causes, by 1973 the U.S. was dependent on foreign sources for 17% of its total energy supply, or 6 million barrels of oil per day.

With the outbreak of the Mideast War in October of 1973 and the resulting oil embargo, the United States found itself in serious economic difficulty of unknown dimensions.

A NATIONAL CONSENSUS FOR ENERGY INDEPENDENCE

The Arab oil embargo caused, almost overnight, a national consensus which called for energy independence as soon as possible. That consensus remains today although probably not with the same degree of intensity, now that gasoline is more easily available.

If U.S. energy growth continued at its pre-oil embargo rate and domestic production did not significantly change, it is estimated that by 1980 the U.S. would be required to import 19 million barrels of oil per day and the equivalent of 2 million barrels per day of natural gas in liquified form.

CONSEQUENCES OF DEPENDENCE ON FOREIGN ENERGY

Such dependence on foreign energy is untenable for two reasons.

First, the U.S. would be forced to rely on the volatile Middle East for a very large portion of its energy requirement, and secondly the price for this imported energy would represent a very serious balance of payments problem. Estimates in October of 1973 showed the U.S. paying by 1980 $25 to $35 billion a year for imported energy. Later estimates suggest an imbalance as high as $45 billion a year.

These deficits are clearly unacceptable, particularly when the United States possesses the resources to develop domestically much greater amounts of energy that would make these large import requirements unnecessary.

Between now and the mid and late 1980's, energy shortages and dependence on energy imports will still be a problem of significant degree. The severity of the problem will depend on conservation measures practiced by the American people and the degree to which oil and gas production is increased and coal can be used at an acceptable environmental cost.

The success of the energy research and development recommended in this bill is inextricably linked with other factors in the energy industry such as environmental policy, tax policy, and the overall political climate.

To achieve the goal of energy independence, more than Federal efforts will be necessary. In fact, a rich mixture of public and private research and development efforts must exist. Some assurance of economic stability in the energy field will be necessary to enable the energy industry to make the required investment in research and development.

LONG LEADTIME REQUIREMENTS FOR ENERGY RESEARCH AND DEVELOPMENT

Much of the research and development which this bill provides, as absolutely essential as it is, will not have productive, usable results on a significant scale for 10 years or more. Thus, an energy problem and a need for foreign imports will continue to exist for many years to come.

INTERIM MEASURES TO MEET IMMEDIATE ENERGY NEEDS

In the short run—between now and the mid-1980's—it will be essential that the American people continue and even expand their energy conservation practices.

Additionally, it is essential that more oil

and gas be discovered and produced as rapidly as possible in the United States and that coal be used wherever reasonably possible and acceptable. The immediate need is to use less energy and to set about providing more.

THE ENERGY FUTURE FOR THE UNITED STATES

Although the U.S. faces difficult energy problems in the years ahead, the Committee is confident that in the long run this nation will solve its energy problems.

Fortunately, sizeable reserves of oil and gas still exist in the U.S. along with huge reserves of coal and oil shale. Immediately increased production of oil and gas is crucial. In fact this, along with disciplined conservation practices, offers the only hope for short term solutions to the energy problem.

Once the environmental problems associated with coal and oil shale and their extraction are resolved, these energy sources can play a very important role in the energy production of the U.S.

In order to utilize fully all of these resources—oil, gas, coal and oil shale—it will be necessary for Government policy to stimulate production.

In the long run, new developments associated with nuclear energy and later with geothermal and solar energy should make the U.S. energy-independent to a degree that promotes a sound and healthy economy and enhances our national security. Energy independence does not mean a total removal of the United States from the world energy market, but it does mean a sufficient degree of independence on which we could become self-reliant if world conditions so warranted.

NEW ENERGY SOURCES MEAN HIGHER PRICES

The price of energy produced from new sources which require innovative, sophisticated techniques, will undoubtedly be higher than in the past because of the greatly increased problems involved with their extraction, and distribution.

Indeed, one of the results of achieving energy independence will be higher energy costs. It should be recognized that securing our energy independence will mean that the days of relatively cheap energy are gone forever.

THE FEDERAL RESPONSIBILITY

The Federal Government is in a unique position of responsibility with respect to the future availability of energy to sustain the growth and strengthen the economy of our nation. Public lands account for about 36 percent of the nation's petroleum resources, 43 percent of the natural gas, 50 percent of the coal, 40 percent of the uranium, 60 percent of the geothermal, and 85 percent of the oil shale reserves. These resources constitute a national trust of massive proportions.

From a resources standpoint—both those in private hands and on public lands—we are in an excellent position relative to the other developed nations of the world. Furthermore, the scientific and managerial capabilities within the business, academic, and governmental sectors of our society are enormous. If we as a nation are to meet the challenges of the energy crisis, this potential must be marshalled, organized, and oriented in a skillful, dedicated manner. The role of the Federal Government in our energy future is crucial. This bill will contribute to the effort by providing adequate funding for the Federal energy research and development programs for the coming fiscal year in a timely manner.

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL—SUMMARY

	Budget estimates	House bill	Senate bill	Conference action	Conference action compared with— Budget estimates	House bill	Senate bill
TITLE I							
I. Agriculture: Environmental and Consumer Protection, environmental Protection Agency, Energy Research and Development	54,000,000	54,000,000	54,000,000	54,000,000			
II. HUD, Space, Science, Veterans:							
National Aeronautical Space Administration, Research and Development	4,435,000	8,935,000	4,435,000	4,435,000		4,500,000	
National Science Foundation: Salaries and Expenses	101,800,000	101,800,000	101,800,000	101,800,000			
Total, chapter II	106,235,000	110,735,000	106,235,000	106,235,000			
III. Interior:							
Geological Survey: Surveys, Investigation, and Research	43,125,000	43,125,000	43,125,000	43,125,000			
Bureau of Mines: Mine and Minerals	137,108,000	144,308,000	137,298,000	142,298,000	+5,190,000	−2,010,000	+5,000,000
Office of Coal Research: Salaries and Expenses	283,400,000	283,400,000	258,378,000	261,278,000	−22,122,000	−22,122,000	+2,900,000
Fuel Allocation, Oil and Gas Programs: Salaries and Expenses	70,100,000	59,700,000	69,590,000	69,590,000	−510,000	+9,890,000	
Office of the Secretary: Energy Conservation and Analysis	27,900,000	27,400,000	26,875,000	26,875,000	−1,025,000	−525,000	
Total, chapter III	561,633,000	557,933,000	535,266,000	543,166,000	−18,467,000	−14,767,000	+7,900,000
IV. Public Works, AEC:							
Atomic Energy Commission:							
Operating Expenses	1,009,890,000	1,043,790,000	1,032,690,000	1,032,690,000	+22,800,000	−11,100,000	
Plant and Capital Equipment	432,570,000	463,970,000	433,970,000	453,970,000	+21,400,000	−10,000,000	+20,000,000
Department of the Interior:							
Bonneville Power Administration:							
Construction	5,500,000	5,500,000	5,500,000	5,500,000			
Office of the Secretary: Underground and other electric power transmission research	8,500,000	8,500,000	8,498,000	8,498,000	−2,000	−2,000	
Total, chapter IV	1,456,460,000	1,521,760,000	1,480,658,000	1,500,658,000	+44,198,000	−21,102,000	+20,000,000
V. State, Justice, Commerce, and Judiciary: Department of Commerce, NOAA: Surveys, Investigations, and Research			19,157,000	6,630,000	+6,630,000	+6,630,000	−12,527,000
VI. Transportation: Department of Transportation, Office of the Secretary: Transportation Planning, Research and Development	6,400,000	6,400,000	6,400,000	6,400,000			
VII. Treasury, Postal Service, General Government, Federal Energy Office	19,000,000	19,000,000	18,000,000	19,000,000			+1,000,000
Grand total, NOA	2,203,728,000	2,269,828,000	2,219,716,000	2,236,089,000	+32,361,000	−33,739,000	+16,373,000

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

Mr. MAHON. I yield to the distinguished gentleman from Iowa.

Mr. GROSS. Mr. Speaker, so the $32,361,000 over the budget is allegedly due to nuclear experimentation, research, or what?

Mr. MAHON. The conference report provides $44.1 million above the budget for nuclear research and experimentation and $6.6 million for the National Oceanic and Atmospheric Administration. The report on these matters when we passed the bill is still available and it goes into great detail on these matters.

Mr. GROSS. The figure in the conference report is $33.5 million less than was contained in the bill which was approved by the House. In other words, the Senate becomes the economy body in this case. Is that correct?

Mr. MAHON. I think we would have to say that they were more tight-fisted with respect to the energy program than we were but we made certain compromises and changes and reduced some items that were added in the Senate.

It was mainly, as I have stated, the item dealing with the Atomic Energy Commission that caused the increase over the budget.

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

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

Mr. GROSS. I regret to see this $32 million over the budget, as badly as we need in this Government to save every possible dollar. I regret seeing this bill increased $32 million over the budget.

Mr. MAHON. In view of the fact that the cost of energy is throwing the world in an economic tailspin, I do not think it is unreasonable for the Congress to try to meet the crisis which is striking at the economic heart of every family in America in the best manner it can. I would

point out that the development of nuclear power represents the most promising short term and intermediate term answer to the objective of dealing with our national energy crisis.

We, of course, will continue to ride herd on all these programs and make reductions and additions wherever such action appears to be in the best public interest.

Mr. GROSS. Am I correctly informed that the Environmental Protection Agency, which has a substantial amount of money in this bill, now has 9,000 employees and is growing by the hour and the day?

Mr. MAHON. The gentleman is correct in that EPA does have 9,000 employees.

This appropriation is made, however, not to make the Environmental Protection Agency more meddlesome in the everyday life of the American citizen and American industry, but in order to facilitate the energy bill. The $54 million for the Environmental Protection Agency will be used mainly for contractual work and will provide few additional positions for EPA itself.

Mr. DAVIS of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from Wisconsin (Mr. DAVIS).

Mr. DAVIS of Wisconsin. Mr. Speaker, I suppose that since about half of these funds do come from the Atomic Energy Commission, a few comments relating to two specific provisions that are to be found in this conference report are in order. One of them is the language which does appear with respect to the ban on the use of funds in this bill for field testing of nuclear power in certain areas in the Rocky Mountain States of the country.

The conferees of the House did go along with the ban that was written in the other body primarily because insofar as we could tell there were no plans for such nuclear explosive tests during the fiscal year 1975; but at the same time, and I direct the attention of the members of the committee here to the language that appears on page 5 of the conference report and the statement of the managers, there is a well-expressed intent on the part of the conferees that this ban in 1975 not reflect the opinion of the conferees that this type of testing should be permanently banned. The House conferees accepted the language, but did express the belief that this is technologically and potentially viable and may sometime in the future contribute to alleviating the energy supply situation in this country.

We certainly did not want to foreclose this possibility for further research and development in the years ahead because of our belief that this does represent an opportunity for future breakthroughs in solving our energy problems.

Second, in the atomic energy portion of the conference report, while not spelled out, there was a deletion of some $4 million for coal liquefaction in the atomic energy portion of it. This has been put in the House, not because it was in the budget, but because the joint committee had expressed strong feelings in support of it, but I think it was clear that this compromise amount did represent a substantial duplication of work which is the primary responsibility of other agencies of the Government. So, for that reason, we did acquiesce in the deletion of these funds. So much for that part of it.

Mr. Speaker, I did express my exception with amendment No. 17, which appears in the conference report, relating to the reactivation of three research vessels. While they are not within the cognizance of the jurisdiction of the subcommittee on which I serve, I think the discussion did point out that this was merely taking advantage of our present energy situation to accomplish something which had been sought to be accomplished ever since 1969 without success. So, I could not let the matter rest without making it clear that I did except from that portion of the conference report.

Mr. Speaker, I think this is a good conference report, and one that deserves to be adopted by this body.

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

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

Mr. CEDERBERG. Mr. Speaker, the conference report as reported by the chairman of the committee is one with which we are in agreement. I think I might just go into a little more detail in regard to the matter the gentleman from Wisconsin referred to.

As the Members will note on page 6 of the conference report, the Senate had placed in the bill $19,157,000 for the reactivation of these research vessels. We felt, after some strong language and discussion in the conference, that we could go along with the reactivation and equipping and allowing 63 days of operation. Then, if it was necessary as reported by the Senate committee, these vessels would be used for making the base-line studies in the Outer Continental Shelf and in the Gulf of Alaska regarding exploration for oil.

This is a matter which should be handled by the Department of the Interior under the jurisdiction of the gentlewoman from Washington (Mrs. HANSEN). I think, after discussions with her, we have agreed that this is the best way to do it. If Interior wants to take this responsibility, which is really theirs, they can contract with NOAA for the use of these vessels. As a result, this is a compromise we worked out. I would have probably preferred to do it the other way, but I think this is satisfactory.

Mr. ALEXANDER. Mr. Speaker, in view of the nature of the research and development activities which this bill will finance it can reasonably be anticipated that much of these funds, if not a large majority, will be spent in metropolitan areas.

That is because much or most of our Nation's capacity for conducting highly sophisticated research and development is located in metropolitan areas. However, this bill is one which will have national implications and benefits. In fact, the technology which we develop through the programs this legislation would fund can reasonably be expected to be of international concern and benefit.

In a large number of instances the research and development projects deal directly with elements or factors which are, by their very nature, located in nonmetropolitan areas. Therefore, it is to be hoped that the programs which we vote to support today will, wherever possible, allocate the funding in such a way that it is used in nonmetropolitan areas whenever that is the most effective and efficient place for the project and in metropolitan areas when these best suit the purposes of the program involved.

Mr. MAHON. Mr. Speaker, I would like to inquire of the gentleman from Michigan if he wishes any more time.

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

Mr. MAHON. Mr. Speaker, I have no further requests for time, and this is a unanimous report of the conferees.

Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

A motion to reconsider was laid on the table.

AMENDMENTS IN DISAGREEMENT

The SPEAKER. The Clerk will report the first amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 1: Page 2, line 10, insert the following: "including hire of passenger motor vehicles; hire, maintenance, and operation of aircraft;".

MOTION OFFERED BY MR. MAHON

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

The Clerk read as follows:

Mr. MAHON moves that the House recede from its disagreement to the amendment of the Senate numbered 1 and concur therein.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 17: Page 9, line 14, insert the following:

CHAPTER V

DEPARTMENT OF COMMERCE

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

SURVEYS, INVESTIGATIONS, AND RESEARCH

For necessary expenses of the National Oceanic and Atmospheric Administration to reactivate, equip, and operate certain oceanographic research vessels to extend the operating season and research capability of vessels currently in operation, and to support scientific and environmental research for the purpose of conducting assessments of energy-related offshore environmental problems associated with the development of oil and gas leases on the outer continental shelf, $19,157,000, to remain available until expended.

MOTION OFFERED BY MR. MAHON

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

The Clerk read as follows:

Mr. MAHON moves that the House recede from its disagreement to the amendment of the Senate numbered 17 and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment, insert the following:

CHAPTER V
DEPARTMENT OF COMMERCE
NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION
OPERATIONS, RESEARCH, AND FACILITIES

For necessary expenses of the National Oceanic and Atmospheric Administration to reactivate, equip, and operate certain oceanographic research vessels for the purpose of conducting assessments of energy-related offshore environmental problems associated with energy activities, $6,630,000, to remain available until expended.

The motion was agreed to.

A motion to reconsider the votes by which action was taken on the several motions was laid on the table.

GENERAL LEAVE

Mr. MAHON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the conference report just agreed to, and that I be permitted to insert extraneous and suitable statements.

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

There was no objection.

MAKING FURTHER URGENT SUPPLEMENTAL APPROPRIATIONS FOR VETERANS' ADMINISTRATION FOR FISCAL YEAR ENDING JUNE 30, 1974

Mr. MAHON. Mr. Speaker, pursuant to the order of the House of June 21, 1974, I call up the joint resolution (H.J. Res. 1061) making further urgent supplemental appropriations for the fiscal year ending June 30, 1974, for the Veterans' Administration, and for other purposes, and I ask unanimous consent that it be considered in this House as in the Committee of the Whole.

The Clerk read the title of the joint resolution.

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

There was no objection.

The Clerk read the joint resolution, as follows:

H.J. RES. 1061

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending June 30, 1974, namely:

VETERANS' ADMINISTRATION
COMPENSATION AND PENSIONS

For an additional amount for Compensation and Pensions, $100,000,000, to remain available until expended.

READJUSTMENT BENEFITS

For an additional amount for Readjustment Benefits, $77,000,000, to remain available until expended.

GENERAL OPERATING EXPENSES

For an additional amount for General Operating Expenses, $2,500,000.

With the following committee amendment:

On page 2, line 6, strike "$2,500,000" and insert "$2,000,000".

The committee amendment was agreed to.

Mr. MAHON. Mr. Speaker, I move to strike the last word.

Mr. Speaker, this House joint resolution provides $179 million in additional urgent appropriations for veterans' programs.

These funds are mainly for the following three programs:

COMPENSATION AND PENSIONS

The sum of $100 million is provided for compensation and pensions pursuant to the Veterans Disability Compensation and Survivor Benefit Act of 1974—Public Law 93-295—signed May 31, 1974. This legislation provides for the following changes in benefits: 15 to 18 percent increase in disability compensation; 15 percent additional allowance for dependents; 17 percent increase for dependency and indemnity compensation for widows and children; and 17 percent increase in aid and attendance allowances.

This new legislation will benefit some 2.2 million veterans in receipt of disability compensation and approximately 375,000 widows, children, and parent cases receiving death compensation and dependency and indemnity compensation benefits in fiscal year 1974.

READJUSTMENT BENEFITS

The budget estimate of $77 million is recommended for readjustments benefits pursuant to Public Law 93-293, also signed May 31, 1974. This legislation provided a 30-day emergency extension of the eligibility period for certain training activities for veterans discharged prior to June 1, 1966. An estimated 285,000 trainees, whose eligibility would have expired on May 31, 1974, will benefit from this extension. This legislation permits those whose spring enrollment period extends into June to receive payment for that full period of enrollment.

GENERAL OPERATING EXPENSES
MAN-ON-CAMPUS PROGRAM

The resolution also includes $2 million to place veterans benefits counselors on college campuses to help resolve the problems some veterans have been having in receiving benefit checks promptly.

Mr. Speaker, this resolution was supported by the committee last Friday and it is important that the House act promptly so the measure can be sent to the other body and cleared for signature.

TOTAL VETERANS APPROPRIATIONS

On Wednesday the Appropriations Committee will bring to the House the HUD-Space-Science-Veterans appropriation bill for the year beginning July 1. It will contain some $13.4 billion for the Veterans' Administration but the figure will undoubtedly be something over $15 billion before the fiscal year is over because of new benefit increases and other factors. For fiscal year 1969 appropriations for the Veterans' Administration totaled some $7.4 billion, so the cost of our veterans programs will have more than doubled in this short period of time.

PROVIDING FOR VETERANS BENEFITS AND SERVICES

Mr. Speaker, in the report accompanying the appropriation bill for the Veterans' Administration for fiscal 1975 there is a statement which I shall quote at this time:

The funds recommended will provide benefits and services to 29,100,000 veterans, the 65,800,000 members of their families, and the 3,800,000 survivors of deceased veterans. These benefits include compensation payments for 2,600,000 veterans and survivors of deceased veterans for service-connected disabilities and death; pension payments for 2,300,000 non-service-connected disabled veterans, widows and children in need of financial assistance; educational and training assistance to 2,000,000 veterans and 76,000 sons, daughters, wives, and widows of deceased or seriously disabled veterans; housing credit assistance in the form of 350,000 guaranteed and 2,600 direct loans; supervision of a life insurance program covering 8,500,000 veterans and active duty servicemen; inpatients care and treatment of some 1,189,000 beneficiaries in the 170 hospitals, 18 domiciliaries, 87 nursing homes and other facilities; outpatient medical treatment involving nearly 15,000,000 visits; and the operating costs for the National Cemetery System transferred to the Veterans Administration on September 1, 1973.

Mr. Speaker, it is essential that we provide adequate benefits and services to those men who have so nobly and valiantly served our Nation. We have done so in the past and will continue to do so.

For this reason I urge the adoption of the measure before us.

Hearings were held in connection with this matter by the subcommittee headed by Mr. BOLAND of Massachusetts, the Hud-Space-Science-Veterans Subcommittee.

Mr. BOLAND is here with other members of the committee, and I will be glad to yield at this time to the gentleman from Indiana (Mr. ROUSH) a member of the subcommittee, for further comment in regard to the content of the bill which is before us.

Mr. ROUSH. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, this resolution providing $179,000,000 of supplemental funds, is due largely to veterans' legislation passed this year. Public Law 93-295, which was effective May 1, provided 15- to 18-percent increases in disability compensation for some 2.2 million veterans and 375,000 widows and children. This resolution will appropriate $100,000,000 to cover the cost of these increases for the last 2 months of fiscal year 1974. A total of approximately $566,000,000 will be required to fund these increases in 1975. Although these increases are large, with the present skyrocketing rate of inflation, they will only barely permit our disabled veterans and widows to maintain their current standard of living.

The resolution also provides supplemental funds of $77,000,000 for readjustment benefits. These funds reflect the cost of Public Law 93-293, which provides for a 30-day emergency extension of the delimiting period for veterans discharged prior to June 1, 1966. This 30-day extension averts a hardship for an estimated 285,000 trainees whose eligi-

bility would have expired on May 31. It will permit those veterans whose spring enrollment extends in June to receive payments for the full period of the enrollment—and it will allow veterans with unused entitlement to enroll in the summer session.

Finally, Mr. Speaker, the resolution provides $2,000,000 for a new veterans' representative on campus program. These funds were requested by the VA as part of an effort to clear up, once and for all, the ongoing problem of getting GI benefits checks to students on time. This problem has plagued the VA for some time, and, as most of you know, it has received a good deal of adverse publicity in the press.

In all fairness, I think it is important to point out that the problem is not solely the fault of the Veterans' Administration. The fact is that the VA delivered 697,000 advance payment checks last year. But the VA is only one leg of the stool. The school and the veteran make up the other two-thirds of the triangle—and unless the veteran fills the forms out properly and the school promptly certifies he is a student—the check just is not going to get to the veteran.

The committee is recommending these funds in an effort to cut through the problem and get these payments back on track. The money will provide for 1,327 veteran representatives on campus—one at each school having 500 or more veterans. The vet rep will assure that forms are filled out correctly, that certifications are filed, and that the check gets to the student.

The full year cost of this program in 1975 is approximately $24 million.

While the committee has approved these funds, it has done so with some reservations. To begin with, the veterans cost of instruction program, funded under the Labor-HEW bill, provides grants to institutions for counseling veterans covering a broad range of student-school relationships. On the surface this program should be able to handle most veteran student problems, but the committee learned that because of the way the formula is applied, most of the counselors are at small community colleges. On the other hand, the committee considers this new effort strictly a temporary program. Within a year these veteran representatives should have the problem solved and the VA should have in place a simple procedure that any high school—let alone college student—should be able to follow. The House can be assured that the committee will monitor this problem carefully, and I urge your support of the resolution.

Mr. CEDERBERG. Mr. Speaker, I move to strike the requisite number of words.

Mr. Speaker, as has already been stated, this is an urgent supplemental appropriations, and it is brought about by actions which have previously been taken in the Congress.

We recognize the necessity for this joint resolution. We support the joint resolution, and we urge its prompt adoption.

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

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

Mr. TALCOTT. Mr. Speaker, today we are considering House Joint Resolution 1061 making further urgent supplemental appropriations for the Veterans' Administration for the current fiscal year. This is required by a series of congressional actions which have increased the amounts paid under compensation and pensions, and readjustment benefits. These changes are necessitated by passage of Public Law 93–295 and Public Law 93–293 on May 31, 1974.

Our committee is recommending $100,000,000 for compensation and pensions which will provide funds for the following increases in benefits: 15 to 18 percent increase in disability compensation; 15 percent additional allowance for dependents; 17 percent increase for dependency and indemnity compensation for widows and children; and 17 percent increase in aid and attendance allowances.

This new legislation will benefit some 2.2 million veterans receiving disability compensation, and an additional 375,000 widows and children receiving benefits from the Veterans' Administration.

We are also providing $77,000,000 to fund the emergency 30-day extension of eligibility for veterans receiving readjustment benefits. Nearly 285,000 veterans who were discharged prior to June 1, 1966, whose eligibility would have expired on May 31 have benefited from this extension. Enactment of the legislation prevents a real hardship for these veterans and allows those enrolled for the spring semester which extends into June to receive benefits for the entire period. As you know, the Congress has already reached agreement to extend this eligibility period from 8 years to 10 years, and final passage is expected any day now.

We are also including $2,000,000 for general operating expenses. The majority of these funds for a new Veterans' Administration program to put a veterans representative on our college campuses. Under the VA proposal they will provide one man day per week for each 100 veterans enrolled in an institution. A campus with 500 or more veterans will have a full-time vet rep, those with less than 500 veterans will receive part-time service from VA regional and area offices.

This program is in response to the severe problems the VA ran into last fall when they found many veterans failing to receive their benefit checks promptly. Our committee considers this to be a temporary program which will serve to indoctrinate both schools and veterans so that the major problem areas will be corrected. We have already indicated to the VA that if the problems persist we will explore other alternative solutions.

This is a good measure, Mr. Speaker. It provides funds necessitated by new laws passed by the Congress, and it also funds a new program aimed at solving a major problem that the VA has been troubled with. I urge my colleagues to support the resolution.

Mr. HAMMERSCHMIDT. Mr. Speaker, I rise in support of House Joint Resolution 1061, a bill to authorize an urgent supplemental appropriation of funds for the Veterans' Administration.

Just a few short weeks ago, Mr. Speaker, Members of this body agreed unanimously to extend for 30 days the May 31 termination date of educational benefits for almost 300,000 veterans attending school under the GI bill. We also agreed unanimously to authorize cost of living increases in monthly payments to service-connected disabled veterans and to survivors of those who died while in service or as the result of service-connected disability.

This legislation will provide the Veterans' Administration with sufficient funds to operate these programs for the balance of the current fiscal year.

Additionally, Mr. Speaker, the measure will permit the Veterans' Administration to implement a new program that will include the assignment of full-time VA personnel to the campuses of schools having a heavy concentration of veterans enrolled therein.

It is expected that the new program will facilitate the administration of educational benefits and expedite the delivery of monthly checks.

I strongly support this bill and wish to commend the chairman and the members of his committee for their promptness in reporting this extremely important measure.

Mr. KEMP. Mr. Speaker, I rise in support of House Joint Resolution 1061—further urgent supplemental appropriations for Veterans' Administration.

This vital legislation will provide a total of $179 million in supplemental appropriations for the Veterans' Administration to carry out the provisions of two laws we have recently enacted.

One law raised disability and indemnity payments, effective May 1. This law will affect some 2.2 million veterans who receive disability compensation and approximately 375,000 of their dependents who receive death, dependency, or indemnity compensation benefits. The resolution before us today will provide $100 million to cover the cost of these benefits for the last month of the current fiscal year.

The other law covered by this supplemental appropriation was enacted earlier this year granting educational readjustment benefits. The law provides a 30-day emergency extension of eligibility, effective May 31, 1974, for veterans discharged prior to June 1, 1966, permitting this group of veterans to receive payment for their full period of spring enrollment. The resolution before us requests an additional $77 million for the purposes of implementing these benefits.

Mr. Speaker, I emphatically supported both pieces of legislation which would be carried out by this resolution.

Additionally, I strongly favor provisions in this resolution to fund the place-

ment of veterans' benefits counselors on college campuses, a program formulated to assist veterans who have encountered serious delays in receipt of their benefit checks.

This past weekend marked the 30th anniversary of the original GI bill. I feel it is appropriate for this body to pause to consider the strengths of the original GI bill—and the serious deficiencies in educational assistance currently accorded our 9.9 million Vietnam-era and post-Korean veterans.

Today's vet is clearly not treated as well as the post-World War II vet. It is incumbent upon us to rectify this situation immediately—and to allow no other issue before us to deflect attention from the hard fact that those who fought the hardest for peace are frequently being denied the real benefits of peace—education and jobs.

The post-World War II GI bill paid a vet's tuition, fees, and book costs up to $500 a year. At 1946–50 prices, vets could go to the college of their choice, anywhere in the country. In addition to the direct tuition payment, the single WWII vet received a $75 living allowance which was equal to 35 percent of the average U.S. monthly earnings, as computed by the Department of Labor.

Today's vet receives no tuition assistance, unless he is disabled. What he does receive—$220 per month, which is again equal to the 35 percent of the average U.S monthly earnings—is grossly inadequate to cover the costs of attending an institution of higher education today. The inadequacy of benefits is cogently highlighted by the fact that only 13.4 percent of eligible married vets are now studying under the bill.

While it is true that the GI bill has been increased twice in the past 5 years, the fact remains that these increases have been inadequate to meet the increases in private and public college tuition.

Mr. Speaker, it will be a major indictment of this Congress if Vietnam- and Korea-era veterans are not granted opportunities equal to WWII vets to pursue their education. I have introduced legislation which would provide a $1,000 direct tuition payment per school year, in addition to the current educational assistance allowance. My bill will provide vets with a flexibility in planning educational programs—and will correct the current situation where vets are being grossly shortchanged.

Mr. ALEXANDER. Mr. Speaker, the proposal which we consider today—House Joint Resolution 1601—to provide for urgent supplemental appropriations for the Veterans' Administration for this fiscal year can be considered a bill which will benefit the Nation as a whole. Its provisions are designed to aid men and women who earned their right to use VA facilities and services in service to their country.

It is a chancy thing to try to estimate how the funds will be distributed between metropolitan and nonmetropolitan areas since program benefits follow the veteran. But, from the pattern shown in fiscal year 1973 we can say if the distribution of veterans participating in the Veterans' Administration compensation and pensions programs remains the same approximately 26.3 percent of the funds would be used in nonmetropolitan counties. Of the $100 million provided under that program category in this bill that would mean $26.3 would be spent in nonmetropolitan counties.

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

The previous question was ordered.

The SPEAKER. The question is on the engrossment and third reading of the joint resolution.

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

The SPEAKER. The question is on the passage of the joint resolution.

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

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

The SPEAKER. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 337, nays 0, not voting 96, as follows:

[Roll No. 321]

YEAS—337

Abdnor	Clark	Forsythe
Abzug	Clausen, Don H.	Fountain
Adams	Clawson, Del	Fraser
Addabbo	Cleveland	Frenzel
Anderson, Ill.	Cochran	Froehlich
Andrews, N. Dak.	Cohen	Fulton
Annunzio	Collier	Fuqua
Archer	Collins, Ill.	Gaydos
Arends	Collins, Tex.	Gettys
Armstrong	Conable	Giaimo
Ashbrook	Conlan	Gibbons
Aspin	Conte	Gilman
Bafalis	Conyers	Goldwater
Barrett	Corman	Gonzalez
Bauman	Cotter	Goodling
Bennett	Crane	Green, Oreg.
Bergland	Cronin	Gross
Bevill	Daniel, Dan	Grover
Biester	Daniel, Robert W., Jr.	Gubser
Bingham	Danielson	Gude
Blackburn	Davis, S.C.	Guyer
Boggs	Davis, Wis.	Haley
Boland	de la Garza	Hamilton
Bolling	Delaney	Hammer-schmidt
Bowen	Dellenback	Hanley
Brademas	Dellums	Hanrahan
Bray	Denholm	Hansen, Idaho
Breaux	Dennis	Hansen, Wash.
Breckinridge	Dent	Harrington
Brinkley	Derwinski	Hays
Brooks	Devine	Hébert
Broomfield	Dickinson	Hechler, W. Va.
Brotzman	Dingell	Heckler, Mass.
Brown, Calif.	Donohue	Heinz
Brown, Mich.	Drinan	Helstoski
Brown, Ohio	Duncan	Henderson
Broyhill, N.C.	du Pont	Hicks
Broyhill, Va.	Edwards, Ala.	Hillis
Buchanan	Edwards, Calif.	Hinshaw
Burgener	Eilberg	Hogan
Burke, Mass.	Erlenborn	Holifield
Burleson, Tex.	Eshleman	Holt
Burton	Evans, Colo.	Holtzman
Butler	Evins, Tenn.	Horton
Camp	Findley	Hudnut
Carney, Ohio	Fish	Hungate
Carter	Fisher	Ichord
Casey, Tex.	Flood	Jarman
Cederberg	Flowers	Johnson, Colo.
Chamberlain	Foley	Johnson, Pa.
Chappell	Ford	Jones, Ala.
Clancy		Jones, N.C.
Jones, Okla.	Obey	Spence
Jordan	O'Brien	Staggers
Karth	O'Hara	Stanton, J. William
Kastenmeier	Owens	Stark
Kazen	Parris	Steelman
Kemp	Passman	Steiger, Ariz.
King	Patman	Steiger, Wis.
Kluczynski	Patten	Stephens
Koch	Perkins	Stokes
Lagomarsino	Pettis	Stubblefield
Landgrebe	Peyser	Stuckey
Latta	Pike	Studds
Leggett	Poage	Sullivan
Lehman	Powell, Ohio	Symms
Lent	Preyer	Talcott
Long, La.	Price, Ill.	Taylor, Mo.
Long, Md.	Price, Tex.	Taylor, N.C.
Lott	Pritchard	Teague
Lujan	Quie	Thompson, N.J.
McClory	Quillen	Thomson, Wis.
McCloskey	Railsback	Thone
McCollister	Randall	Thornton
McDade	Rangel	Tiernan
McEwen	Rarick	Towell, Nev.
McFall	Rees	Traxler
McKay	Regula	Treen
McKinney	Reuss	Ullman
Madden	Rinaldo	Van Deerlin
Madigan	Roberts	Vander Jagt
Mahon	Robinson, Va.	Vanik
Mallary	Robison, N.Y.	Veysey
Mann	Rodino	Vigorito
Maraziti	Roe	Waggonner
Martin, Nebr.	Rogers	Waldie
Martin, N.C.	Roncallo, Wyo.	Walsh
Mathis, Ga.	Rooney, Pa.	Wampler
Matsunaga	Rose	Ware
Mazzoli	Rosenthal	Whalen
Melcher	Roush	White
Metcalfe	Rousselot	Whitehurst
Mezvinsky	Runnels	Whitten
Michel	Ruth	Widnall
Miller	Ryan	Wiggins
Minish	Sandman	Wilson, Bob
Mink	Sarasin	Wilson, Charles, Tex.
Minshall, Ohio	Sarbanes	Winn
Mitchell, Md.	Satterfield	Wolff
Mitchell, N.Y.	Scherle	Wright
Mizell	Schneebeli	Wyatt
Moakley	Schroeder	Wylie
Montgomery	Sebelius	Yates
Moorhead, Calif.	Seiberling	Yatron
Moorhead, Pa.	Shipley	Young, Alaska
Morgan	Shoup	Young, Fla.
Moss	Shriver	Young, Ill.
Murtha	Shuster	Young, Tex.
Myers	Sikes	Zablocki
Natcher	Sisk	Zion
Nedzi	Skubitz	Zwach
Nichols	Slack	
Nix	Smith, Iowa	
	Smith, N.Y.	

NAYS—0

NOT VOTING—96

Alexander	Ginn	Murphy, N.Y.
Anderson, Calif.	Grasso	Nelsen
Andrews, N.C.	Gray	O'Neill
Ashley	Green, Pa.	Pepper
Badillo	Griffiths	Pickle
Baker	Gunter	Podell
Beard	Hanna	Reid
Bell	Harsha	Rhodes
Biaggi	Hastings	Riegle
Blatnik	Hawkins	Roncallo, N.Y.
Brasco	Hosmer	Rooney, N.Y.
Burke, Calif.	Howard	Rostenkowski
Burke, Fla.	Huber	Roy
Burlison, Mo.	Hunt	Roybal
Byron	Hutchinson	Ruppe
Carey, N.Y.	Johnson, Calif.	St Germain
Chisholm	Jones, Tenn.	Snyder
Clay	Ketchum	Stanton, James V.
Coughlin	Kuykendall	Steed
Culver	Kyros	Steele
Daniels, Dominick V.	Landrum	Stratton
Davis, Ga.	Litton	Symington
Diggs	Luken	Udall
Dorn	McCormack	Vander Veen
Downing	McSpadden	Williams
Dulski	Macdonald	Wilson, Charles H., Calif.
Eckhardt	Mathias, Calif.	Wydler
Esch	Mayne	Wyman
Fascell	Meeds	Young, Ga.
Flynt	Milford	Young, S.C.
Frelinghuysen	Mills	
Frey	Mollohan	
	Mosher	
	Murphy, Ill.	

So the joint resolution was passed.

The Clerk announced the following pairs:

Mr. Rooney of New York with Mr. Luken.
Mr. Fascell with Mr. Dorn.
Mr. Dulski with Mr. Young of Georgia.
Mr. Charles H. Wilson of California with Mr. Eckhardt.
Mr. Rostenkowski with Mr. Carey of New York.
Mr. Murphy of New York with Mr. Landrum.
Mr. Riegle with Mr. Roy.
Mr. Podell with Mr. Steele.
Mr. O'Neill with Mr. Wydler.
Mr. Biaggi with Mr. Snyder.
Mrs. Burke of California with Mr. Ginn.
Mr. Burlison of Missouri with Mr. Mathias of California.
Mr. Brasco with Mr. Hunt.
Mr. Howard with Mr. Ruppe.
Mr. Kyros with Mr. Baker.
Mr. Macdonald with Mr. Mayne.
Mr. McSpadden with Mr. Hutchinson.
Mr. James V. Stanton with Mr. Kuykendall.
Mr. Roybal with Mr. Beard.
Mr. Reid with Mr. Mosher.
Mr. Pepper with Mr. Bell.
Mr. Murphy of Illinois with Mr. Hosmer.
Mrs. Grasso with Mr. Roncallo of New York.
Mr. Diggs with Mr. Culver.
Mr. Mollohan with Mr. Burke of Florida.
Mr. Stratton with Mr. Clay.
Mr. Hawkins with Mr. Gray.
Mr. Hanna with Mr. Coughlin.
Mr. Badillo with Mr. Esch.
Mr. Alexander with Mr. Frelinghuysen.
Mr. Green of Pennsylvania with Mr. Harsha.
Mr. Jones of Tennessee with Mr. Huber.
Mrs. Chisholm with Mr. Blatnik.
Mr. Davis of Georgia with Mr. Frey.
Mr. Dominick V. Daniels with Mr. Hastings.
Mr. Meeds with Mr. Nelsen.
Mr. Anderson of California with Mr. Williams.
Mr. Gunter with Mr. Wyman.
Mr. Litton with Mr. Young of South Carolina.
Mr. Ashley with Mr. Andrews of North Carolina.
Mr. Byron with Mr. Flynt.
Mr. Downing with Mrs. Griffiths.
Mr. Johnson of California with Mr. Mills.
Mr. McCormack with Mr. Milford.
Mr. Pickle with Mr. St Germain.
Mr. Steed with Mr. Symington.
Mr. Udall with Mr. Vander Veen.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. MAHON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the joint resolution just passed, and that I be permitted to insert extraneous material and tables.

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

There was no objection.

DEFENSE PRODUCTION ACT EXPIRATION DATE EXTENSION

Mr. PATMAN. Mr. Speaker, I ask unanimous consent for the immediate consideration of the joint resolution (H.J. Res. 1056) to extend by 30 days the expiration date of the Defense Production Act of 1950.

The Clerk read the title of the joint resolution.

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

There was no objection.

The Clerk read the joint resolution as follows:

H.J. RES. 1056

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the first sentence of section 717(a) of the Defense Production Act of 1950 (50 U.S.C. App. 2166(a)) is amended by striking out "June 30" and inserting in lieu thereof "July 30".

Mr. PATMAN. Mr. Speaker, I ask unanimous consent for the immediate consideration of House Joint Resolution 1056, to extend by 30 days the expiration date of the Defense Production Act of 1950.

Mr. Speaker, a rule has been requested on the basic legislation which, if enacted, would extend the Defense Production Act for 1 year. It is anticipated that we will be before the Rules Committee on this matter in the near future.

The basic legislation to extend the Defense Production Act this time would renew the existing authority under the act until June 30, 1975. Further, the bill as reported would terminate the borrowing authority mechanism which basically is a back-door spending device and put in its place conventional appropriation processes for future operations for financing stockpiles under the act.

Finally, the legislation would require the Office of Management and Budget to report to the Congress by March of 1975 with recommendations for an overall comprehensive strategic stockpile and inventory policy.

Mr. Speaker, as noted, we hope to have the basic Defense Production Act legislation to the floor for debate in the very near future and this 30-day legislation would merely tide us over until that time.

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

GENERAL LEAVE

Mr. PATMAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the joint resolution just passed.

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

There was no objection.

EXTENDING EXPIRATION DATE OF EXPORT ADMINISTRATION ACT OF 1969

Mr. PATMAN. Mr. Speaker, I ask unanimous consent for the immediate consideration of the joint resolution (H.J. Res. 1057) to extend by 30 days the expiration date of the Export Administration Act of 1969.

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

Ms. ABZUG. Mr. Speaker, reserving the right to object, as I understand it the gentleman is asking for a 30-day extension before expiration of this act.

Mr. PATMAN. Yes.

Ms. ABZUG. Would the gentleman be good enough to indicate his intention about when this legislation will be before the House for consideration?

Mr. PATMAN. It should be soon. We have a request for a rule and we are expecting the rule within 10 days, something like that.

Ms. ABZUG. Will the gentleman indicate to us what the nature of that rule might be?

Mr. PATMAN. It would be just an open rule. That is the only kind our committee has ever had.

Ms. ABZUG. An open rule which will allow the bill to be subject to amendment on the floor of the House?

Mr. PATMAN. That is correct.

Ms. ABZUG. The reason I asked that question is because I am concerned about Mr. Nixon's proposal to transfer strategic materials; namely, nuclear materials to the Middle East.

Under present law, there is no requirement that an agreement providing for the transfer of nuclear materials or nuclear technology to a foreign nation be submitted to the Congress, except where such materials are to be used for military purposes. The Export Administration Act, which we are considering today deals with the export of strategic materials and technical data, and provides for the curtailment or prohibition of such exportation where it would prove detrimental to the national security of the United States.

But this Act does not require congressional approval either to prohibit or to permit the transfer of such strategic materials to a foreign power. In view of the President's recent announcement of agreements to send nuclear materials to Egypt and to Israel, I feel that congressional review is imperative.

Naturally all countries agree to use the material for peaceful purposes but we have just had an example of India's peaceful atoms being turned into bombs. Scientists warn us of the incredibly lethal effect of inhaled plutonium, the product of fission reactors.

Even domestic safeguards are admittedly far from adequate. International safeguards include such monstrous notions as carrying nuclear wastes back to the United States for recycling, thus inheriting nuclear garbage from some 25 countries.

To imperil our global future without even a country-by-country review of these agreements would be to abdicate our responsibility.

Accordingly, I am planning to offer an amendment to the Export Administration Act to require congressional approval of all agreements providing for the export of nuclear materials or nuclear technology to any foreign nation.

Mr. PATMAN. We are not asking for

a closed rule. We are asking for an open rule. It will not foreclose amendment.

Ms. ABZUG. I see. I thank the chairman. I withdraw my reservation of objection.

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

Mr. ROUSSELOT. Mr. Speaker, reserving the right to object, would the chairman of our committee describe to us what the result will be if this Export Administration Act is not continued as it relates to scrap steel and iron, and so forth?

Mr. PATMAN. It would be a rather disastrous result. Upon expiration, all exports could commence immediately, without restriction.

Mr. ROUSSELOT. Is there still a shortage of steel scrap in this country today?

Mr. PATMAN. I am not fully informed about that, but we have not had enough scrap for a number of years and obviously it is not in plentiful or surplus supply at this time.

Mr. ROUSSELOT. The point is there are several people who have concerns about the continuation of this act. Will the gentleman assure the Members of this body that there will be the opportunity to offer amendments to the Act before it is passed?

Mr. PATMAN. I can assure the Members of this body that we will not ask for any closed rule.

Mr. ROUSSELOT. In other words, there will be a full and open rule?

Mr. PATMAN. I have never known the Committee on Banking and Currency to ask for a closed rule, and I do not think we will break the precedent here.

Mr. ROUSSELOT. Mr. Speaker, I have reservations even about extending this for 30 days, but if the gentleman from Texas can assure us we will have a full and complete and open debate on this act when it does reach the floor, I will accept his word. How long will it take for this legislation to come to the floor, and when does the gentleman expect it to arrive?

Mr. PATMAN. We expect a rule within the next 10 days. We have had an application on file and have had that ever since the bill was voted on by the committee and we are not going to ask for a closed rule.

Mr. ROUSSELOT. I notice the chairman of the Rules Committee is here. Could he give us any assurance as to how rapidly the committee could move this rule to the floor inasmuch as this legislation expires at the end of this month?

Mr. PATMAN. Mr. Speaker, I yield to the gentleman from Indiana for that purpose.

Mr. MADDEN. Mr. Speaker, the Rules Committee will follow its general committee practice of scheduling this just as quickly as possible.

Mr. ROUSSELOT. I hope that is a little faster than some legislation, but in view of these assurances I withdraw my reservation of objection.

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

Mr. DENT. Mr. Speaker, further reserving the right to object, I object for a very specific reason, one that I know will not be acceptable to many, but one that is correct because of the many years of experience I have had.

H.R. 15264 is up before the Committee on Rules. It was held up in committee for months. There is no reason on Earth why that bill could not come before this House in time, even now, to forestall the final date of this action on the books.

What does the particular bill do? First, it extends the Export Administration Act, but it extends it with some amendments, we hope; second, the amendments would expressly require firms and individuals to report written understandings likely to result in the export to a Communist territory of certain U.S.-origin technical data which could affect national security; third, amend foreign policy provisions of the act to authorize retaliation against nations which unreasonably restrict U.S. access to their supply of a particular commodity; and, fourth, establish consultation, forecasting, and petition procedures to protect the domestic economy from the excessive drain of scarce materials or reduce the inflationary impact of foreign demand.

Why the 30-day extension? Because they have not yet the votes in hand to defeat these amendments. Give them 30 days extension and our good will ambassador-at-large, as well as being Secretary of State, Mr. Kissinger, will have the votes to forestall these amendments.

Without these amendments, I will say that the Export Administration Act will continue to create the serious difficulty it has created in this country. Just until recently we had a very severe time in trying to get any kind of a small restriction on the export of ferrochromium and ferrochromium alloys.

Why? Because of the fact that this is no longer a part of the economic policy of the American Nation, it is now a part of the global strategy, a global strategy that is making us the most dependent nation in the world for raw materials.

I object, and I object at this point.

The SPEAKER. Did the gentleman from Pennsylvania object?

Mr. DENT. Mr. Speaker, I did object.

The SPEAKER. Objection is heard.

EXTENDING THE EXPIRATION DATE OF THE EXPORT-IMPORT BANK ACT OF 1945

Mr. PATMAN. Mr. Speaker, I ask unanimous consent for the immediate consideration of the joint resolution (H.J. Res. 1058) to extend by 30 days the expiration date of the Export-Import Bank Act of 1945.

The Clerk read the title of the joint resolution.

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

Mr. ROUSSELOT. Mr. Speaker, I object.

The SPEAKER. Objection is heard.

Mr. LONG of Maryland. Mr. Speaker, reserving the right to object——

The SPEAKER. Objection has been heard. That forecloses all other action.

Does the gentleman from California insist on his objection?

Mr. ROUSSELOT. I insist on the objection, Mr. Speaker.

The SPEAKER. Objection is heard.

AMENDING FEDERAL RAILROAD SAFETY ACT OF 1970 AND THE HAZARDOUS MATERIALS TRANSPORTATION CONTROL ACT OF 1970

Mr. MADDEN. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1187 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 1187

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 15223) to amend the Federal Railroad Safety Act of 1970 and the Hazardous Materials Transportation Control Act of 1970 to authorize additional appropriations, 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 Interstate and Foreign Commerce, 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 Indiana is recognized for 1 hour.

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

Mr. Speaker, House Resolution 1187 provides for an open rule with 1 hour of general debate on H.R. 15223, a bill amending the Hazardous Materials Transportation Control Act of 1970 and the Federal Railroad Safety Act of 1970 to provide authorization for appropriations in the amount of $38 million for fiscal year 1975.

H.R. 15223 limits the authorization to $18 million for the Office of Safety in the Federal Railroad Administration. This amount is intended to include the hiring of additional inspectors to bring the force up to a minimum of 350. The bill also authorizes up to $3.5 million for salaries and expenses of the Federal Railroad Administration and up to $10 million for conducting research and development activities.

Mr. Speaker, the news media give special prominence to auto and truck accidents on our highways, but the public overlooks the fact that in 1973 railroad accidents reached a 16-year high and increased by 24.7 percent over the number of accidents in 1972.

Statistics reveal that, in 1973, railway accidents killed 1,913 and injured 17,718. The casualty rate increased by 11.3 percent in 3 years. For the first quarter of this year, 1974, the accident rate is running ahead of the 16-year high of 1973.

In 1973, the number of train miles operated was 542 million, the highest since 1968. In 1974, the number of train miles operated promises to be even higher. The energy crisis has produced not only an upsurge in rail carrying of freight, but also an increase in passenger traffic. In 1973, Amtrak carried 16,848,000 passengers, a 6.6 percent increase over 1972. There were 11 Amtrak passenger train accidents, injuring 189 and killing 3. This year there have been 12 accidents during the first 4 months, injuring 88 and killing 1. Defective equipment and bad track conditions account for most of these accidents.

This bill makes a number of changes in existing railway safety statutes and established safety enforcement priorities on an equal footing with safety research programs, and more effective control of interstate and foreign shipment of hazardous materials by rail, and other transportation duties.

Inflation certainly has made the cost of repairs enormous for the rail industry. Five years ago, the cost of maintaining a modern signal track was $12,000 per mile, and $5,000 per mile for unsignaled track. The cost today has soared greatly on account of unbridled inflation.

The Committee on Interstate and Foreign Commerce held extended hearings on this legislation, and during the debate ample information will be recorded for members to learn the necessity for the pending legislation.

Mr. Speaker, I urge the adoption of House Resolution 1187, in order that the House may discuss, debate, and pass H.R. 15223.

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

Mr. Speaker, as previously explained, House Resolution 1187 is an open rule providing for 1 hour of general debate on H.R. 15223, the Federal Railroad Safety and Hazardous Materials Transportation Amendments of 1974.

H.R. 15223 amends the Federal Railroad Safety Act of 1970 and the Hazardous Materials Transportation Control Act of 1970 to authorize appropriations for fiscal 1975. In addition, the bill modernizes existing railroad safety statutes to keep Congress better informed, to establish safety enforcement priorities on an equal footing with safety research programs, and to broaden Federal regulatory control over interstate and foreign shipments of hazardous materials by rail and other modes of transportation.

This bill authorizes $35,000,000 for fiscal year 1975 to carry out programs under the Federal Railroad Safety Act of 1970. In addition $3,000,000 is authorized to carry out programs under the Hazardous Materials Transportation Control Act of 1970.

I understand the administration has no objection to the passage of this bill.

Mr. Speaker, I support the resolution.

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

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. STAGGERS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 15223) to amend the Federal Railroad Safety Act of 1970 and the Hazardous Materials Transportation Control Act of 1970, to authorize additional appropriations, and for other purposes.

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

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. 15223, with Mr. ANNUNZIO in the chair.

The Clerk read the title of the bill.

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

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

The Chair recognizes the gentleman from West Virginia.

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

Mr. Chairman, the bill authorizes $35 million for fiscal year 1975 appropriations for programs under the Federal Railroad Safety Act of 1970. In addition, it authorizes $3 million for fiscal year 1975 for the Harzardous Materials Transportation Control Act of 1970.

We have found a lack of vigorous enforcement of the safety laws and regulations by the Federal Railroad Administration The committee stipulated how much they could spend on various programs in order to assure that more inspectors are hired to enforce the laws. We found a situation where the tracks are getting worse—and more trains and heavier trains are moving over these tracks

The bill provides up to $18 million for the FRA to hire 350 inspectors and 80 clerical employees. It provides $35 million for the States to participate in the Federal safety effort. We provide $10 million for research—but we stipulate that there can be no more spent on research than there is on enforcement We provide $3.5 million for salaries of FRA personnel in the administrative capacities.

The bill also requires a special report on State participation in the Federal program, to be transmitted to Congress in 1976.

We provide for civil penalties for violations of the safety statutes in addition to the criminal sanctions.

We provide for expanded authority by the Secretary of DOT to issue regulations for hazardous materials transportation for both manufacturing, shipping, and transportation of these materials.

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

Mr. Chairman, I rise in support of H.R. 15223.

The subcommittee and the committee were almost unanimous in supporting this bill. The need for improvement in rail safety is clear because of the rising rate of rail accidents in the past few years due principally to deteriorating track conditions and the increase in carriage of hazardous materials by all modes of transportation.

As the chairman has explained, the first part of the bill, sections 1 through 4, focuses on railroad safety. Testimony before the subcommittee indicated that in 1973 railroad accidents rapidly increased and reached a 16-year high. The evidence indicates that the real problem of railroad safety is the deterioration of roadbed and track; of the almost 10,000 railroad accidents last year, the great proportion of which were derailments, 37 percent were due to roadbed or track deficiencies. H.R. 15223 attempts to deal with the safety problem by providing for increased funds for research and for increasing the size of the inspector force in the Federal Railroad Administration.

We should not fool ourselves into thinking that the hiring of a few more inspectors is going to help the serious deterioration of the track. An inspector can only find deficiencies, he cannot fix them. In my view, the real problem is the financial difficulty in which the railroads find themselves. This is particularly true in the Northeast where the track problem is the greatest. The Penn Central, for example, has been deferring maintenance in the last few years to the point where almost 7,000 of the 20,000 miles of Penn Central track cannot meet even the minimum DOT safety standards, and as a result derailments have recently reached a level as high as 650 monthly.

What is really needed to solve these problems is rapid progress toward implementation of programs with similar goals as found in the Regional Rail Reorganization Act. With respect to this, let me point out that our Subcommittee on Transportation and Aeronautics recently held oversight hearings on the failure of the Government to adequately defend the constitutionality of that act. I want to reiterate our subcommittee's great concern that the intent of Congress in enacting this legislation be accurately presented to the courts so that there will be no delay in reorganizing the bankrupt railroads in the Northeast.

This does not mean that the financial difficulties of the railroads and the problem of equipment and track deterioration is limited to the Northeast part of the country. These are nationwide problems; for this reason it is essential that we move expeditiously to adopt the transportation improvement legislation currently pending, legislation which will provide much needed regulatory reform and make available financial assistance to all our Nation's railroads.

The second part of this bill deals with

the regulation of hazardous materials transportation. There are three basic purposes of section 5 of H.R. 15223. First, the present authority to regulate the shippers and carriers of hazardous materials is expanded to cover manufacturers of the containers and packages in which such substances are transported; second, civil penalties and injunctive relief are added to the criminal penalties to which violators of hazardous materials regulations are subject under present law; and third, certain specific statutory delegations of authority to entities—the Federal Aviation Administration, the Federal Railroad Administration, and the Federal Highway Administration—within DOT are eliminated and such authority is consolidated in the Secretary of Transportation.

The basic intent of the committee was to retain intact the authority over hazardous materials transportation that presently exists under statutes such as the Federal Aviation Act, the Department of Transportation Act, and the provisions of 18 U.S.C. 831–835. The committee felt that the authority to promulgate regulations for movement of hazardous materials by different modes should be centralized in the Secretary of the Department of Transportation so that such regulations will be uniform. Enforcement of such regulations should, in the view of the committee, be in the hands of the various administrations under DOT having authority over the different modes.

This restructuring of regulatory authorities and the addition of civil penalties and coverage of manufacturers will greatly improve the present program for dealing with hazardous materials transportation.

I urge enactment of H.R. 15223.

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

Mr. SHOUP. I am happy to yield to the gentleman from Iowa.

Mr. GROSS. Mr. Chairman, I thank the gentleman from Montana for yielding.

By what amount is this figure for railroad safety above last year's appropriation?

Mr. SHOUP. Mr. Chairman, in this particular bill, I say to the gentleman from Iowa, the appropriation for safety is $35 million, as compared to slightly over $20.4 million last year. The problem that was found by the subcommittee was that the money was being spent for research and development, but nothing was being done toward actually getting inspectors out on the ground and finding out specifically why the accidents were happening, and nothing was done toward recruiting some of them.

Mr. GROSS. So that this represents an increase of $15 million?

Mr. SHOUP. It does.

Mr. GROSS. This involves that much of an increase over the amount of money that was allocated last year toward safety?

Mr. SHOUP. It does.

Mr. GROSS. Mr. Chairman, if the gentleman will yield further, does this amount to some kind of a panacea, or are these safety inspectors given authority to issue orders in cases where they find trackage and rails that have not been kept under proper maintenance? Do they recommend slow orders and provide enforcement, for instance?

Mr. SHOUP. They may not enforce them; they do recommend them. When they find a violation, it is reported, and at that time the slow order or the cease-and-desist order is put out and promulgated by the FRA.

Mr. GROSS. Who issues the orders?

Mr. SHOUP. The Federal Railway Administration.

Mr. GROSS. The safety inspectors recommend, and someone else issues the orders; is that correct?

Mr. SHOUP. This is true. In certain cases the inspector may hang a tag right on the piece of equipment if there is found to be danger to life and an accident is imminent. They may hang a tag right on it, and that piece of equipment will not move.

Mr. GROSS. Mr. Chairman, if the gentleman will yield further, I believe the gentleman stated the main cause of accidents nowadays is the lack of maintenance of roadbeds and rails?

Mr. SHOUP. The gentleman is correct.

Mr. GROSS. Rather than equipment; is that correct?

Mr. SHOUP. The gentleman is correct.

Mr. GROSS. But these safety inspectors inspect rolling stock as well as trackage; is that correct?

Mr. SHOUP. They do.

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

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

Mr. SHOUP. I yield to the gentleman from Minnesota.

Mr. ZWACH. Mr. Chairman, I wish to follow up a little on the maintenance end of this issue.

Much of my congressional district is located in the territory of the Chicago & Northwestern Line. For many, many years practically no money has been returned for maintenance, and the situation is impossible.

Mr. Chairman, does the gentleman's committee find that generally the railroads have returned what they could of earnings to maintenance, or has the committee found a lot of siphoning off of income into conglomerate and other sideline areas? What has the committee found in this area?

Mr. SHOUP. I will say to the gentleman from Minnesota we have found that in very specific instances, as the gentleman described, there has been a siphoning off of railroad funds to other uses that we feel is rather irresponsible. Particularly we found this to be so in the Northeast and certainly with the Penn Central there is quite a history on that. I hesitate to say all railroads are guilty, but it is a problem.

Mr. ZWACH. Would not the gentleman say it is to a certain extent the Congress' responsibility to see to it that the railroads give the service and make service their first priority of business rather than the second or third or fourth in a conglomerate type of structure?

Mr. SHOUP. I would say yes most definitely to the gentleman. It has been suggested that the transportation industry be restricted to transportation activities only.

Mr. ZWACH. I agree with the gentleman very strongly.

Mr. COLLIER. Will the gentleman yield?

Mr. SHOUP. I yield to the gentleman.

Mr. COLLIER. The gentleman from Minnesota happened to select a railroad which could hardly be guilty of disbursing its funds for other operations, because the Chicago & Northwestern Railroad, which was mentioned, happens to be the one railroad in the country which turned over its operations to its employees on a stock basis. Today it is being run by the employees of the railroad. I am sure this is a unique situation, but I mention it only because the gentleman named this particular railroad which is in this very unique position.

Mr. ZWACH. I named this railroad because for at least 25 years they siphoned off all of the funds under Ben Heineman & Associates and transferred it to the Northwestern Industries group. Our whole transportation system is bankrupt out in that great grain-producing area of the Midwest. That is why I am asking. I think the Congress has been very derelict and the Interstate Commerce Commission, too, to let this type of thing occur in the transportation industry.

Mr. COLLIER. I am not questioning that that was the condition, because I am not familiar with it, but I am really pointing out in this instance under the present structure it would be virtually impossible for any income from the Chicago & Northwestern Railroad operation to be disbursed into a conglomerate type of operation. That is all.

Mr. GUDE. Will the gentleman yield?

Mr. SHOUP. I am happy to yield to the gentleman.

Mr. GUDE. I certainly want to commend the committee for bringing out this legislation. It is significant at this time and its significance is hard to minimize because of the increased commuter rail traffic that we have in so many metropolitan areas, as well as the increase in the Amtrak traffic. We are aware that more and more equipment which is rather aged is being brought into service. This bill is most timely. I do want to commend the committee for bringing it forth.

The committee's report on this legislation has very clearly spelled out the great need for beefing up rail safety operations. The fact that there are some 300,000 miles of track, but only 12 track inspectors in the country with the FRA is alone most disturbing. However, as the figures clearly show, Americans are turning more and more to rail travel, both intercity, and commuter rail travel in our urban areas. The gross figures indicating the overall numbers of accidents, injuries, and deaths due to rail accidents are up, but equally disturbing is that the accident rate per passenger mile, is also increasing, according to the Federal Railroad Administration.

Another deeply troublesome aspect of the rail safety question is the fact that the number of rail accidents due to track failure is on the increase. In 1972, the number of accidents caused by track de-

fects accounted for 33 percent of all rail accidents. In 1973, that percentage had increased to some 37 percent, and indications for 1974 are that track defects will continue to increase as a prime cause for rail accidents.

In light of the increased ridership, which in our urban communities is heavily due to more and more citizens turning to the conveniences of commuter rail services, it is incumbent upon the Congress to take steps to see to it that increased Federal safety efforts are immediately forthcoming. This legislation is clearly a step in the right direction. It will not solve all the problems, to be sure. But it is a necessary first step for us to take, and I urge the full support of the House.

Mr. SHOUP. Mr. Chairman, I yield back the balance of my time and I have no further requests for time.

Mr. STAGGERS. Mr. Chairman, I yield such time as he may consume to the chairman of the subcommittee, my distinguished colleague the gentleman from Oklahoma (Mr. JARMAN), who reported out the bill.

Mr. JARMAN. Mr. Chairman, as chairman of the subcommittee which reported this bill to the full committee, I urge my colleagues to support its passage.

Congress passed the Federal Railroad Safety Act of 1970 amid a period when rail accidents were sharply increasing. Today, rail accidents are at a 16-year high.

What alarmed our committee is that with the advent of the energy crisis, we have more freight and passenger trains operating, carrying the highest tonnage in years—over tracks which have suffered more than a decade of neglect.

We found a general lack of commitment by the Federal Railroad Administration to emphasize enforcement of safety rules and laws—and a deemphasis of inspection of rail property.

In this legislation we double the authorization for safety and hazardous materials control over the last year figure. But we go further by stipulating that the FRA cannot spend more for research than they do for inspection and enforcement. We have found that the FRA is studying problems at the expense of correcting known situations which endanger the public safety.

Furthermore, we provide an authorization for up to 350 inspectors. We found that by mid-April, the FRA had only 18 inspectors for more than 300,000 miles of track and 50 inspectors for over 1.3 million freight cars and locomotives. In 1973, equipment inspections were half of what they were in 1972.

We found a general increase in incidents involving the transportation of hazardous materials, and we have put some teeth in the laws to regulate the carriage of such goods.

Our committee has decided to monitor the safety programs on an annual basis rather than our usual 3-year authorization—until we are satisfied that the Federal Railroad Administration complies with the intent of Congress in vigorously enforcing safety regulations, and rearranging their priorities in regard to inspectors and research efforts.

Mr. STAGGERS. Mr. Chairman, I yield myself such time as I may consume, for the purpose of yielding to the distinguished gentleman from Texas (Mr. GONZALEZ) so that he may ask some questions.

Mr. GONZALEZ. Mr. Chairman, as I stated a while ago, I wanted to raise a couple of questions.

First, in and around my district for a period of about 2 years I have been receiving letters from railroad workers—some residing within my district and some residing outside of my district, all saying essentially the same thing, that they were getting overloaded in their work assignments, working beyond a reasonable period of time, to the point of fatigue and danger, and that they were being compelled to use questionable and sometimes somewhat dangerous equipment. Also they report that the reduction by the railroad companies in the number of their employees has reduced the operating level of these companies to a point of danger from the standpoint of safety.

Some of these letters, particularly those from my constituents, I have referred to the administration of these companies, and one or two others to colleagues who are on this committee.

But subsequent to the reception of these letters the whole thing was dramatized by three very serious accidents in and around my area. One was in the inner city of San Antonio, where a locomotive ran off the tracks and went into the street. Fortunately, nobody was hurt because it occurred at a time when there were no people on that particular street.

One, a more serious accident than that, occurred outside of my district, a few miles outside of San Antonio. And this did result in a loss of life. I am not quite sure if it was one or two employees who lost their lives.

And then the third one, more recently, was a headon collision north and east of our area in the fringes of east Texas.

So I would ask the distinguished gentleman from West Virginia (Mr. STAGGERS) as to what this bill will do, if anything, to bring about some kind of an adequate supervision and some kind of action with respect to the complaints that these railroad workers have registered with me.

Mr. STAGGERS. Mr. Chairman, let me say to the distinguished gentleman from Texas that that is one of the reasons that we have changed this bill from a 3-year authorization to a 1-year authorization, so that we can look at this problem each year. We think it is serious enough that the Congress ought to take a look at it on a regular basis insofar as the increased amounts of money for inspectors are concerned. We want these inspectors to get out in the field to find out what is needed in the way of repairs instead of the F.R.A. emphasizing research and development, which they have been doing in the past. We also insist upon the Department submitting to the Congress a special report, showing what they have done, and what has occurred.

We think by doing this on a 1-year basis we will have much firmer control over this problem. We especially make it very strong to the Department of Transportation that we expect them to put the inspectors in the field, and watch over the railroads and penalize them when necessary.

Mr. GONZALEZ. Mr. Chairman, I would further ask the gentleman from West Virginia whether such letters have been received from his constituents and constituents of other Members in other portions of the country in reference to the conditions that are existing on the railroads, and the conditions and situations that these constituents are trying to bring to our attention?

Mr. STAGGERS. We occasionally get them in the committee, and we know that the deferred maintenance situation has been getting worse.

Mr. GONZALEZ. The gentleman from West Virginia would then say that these complaints that I have been receiving are not isolated examples?

Mr. STAGGERS. The answer is no; further, they are from people who know about what they are complaining.

Mr. KAZEN. Mr. Chairman, if the gentleman will yield, I notice on page 12 of the report, in citing from the report of the National Transportation Safety Board, they say that rail failure is the No. 1 cause of accidents.

Mr. STAGGERS. That is right.

Mr. KAZEN. And that rail failures could be reduced by better maintenance of the entire track structure.

My question to the chairman is, What are we doing about that situation in this bill, if anything?

Mr. STAGGERS. We are putting on a lot more inspectors and saying, We want you to report to the DOT. And the DOT has the power right then to make that railroad maintain its tracks as they should to come up to a certain standard. They set the standards, and we are saying that they shall be rigid on these.

As I said before, we are only giving them a 1-year authorization now instead of a 3-year authorization, so that we can watch over them each year to see that they are doing that job that we are telling them to do in this bill.

Mr. KAZEN. But, Mr. Chairman, if it is already known that certain tracks and beds are unsafe, what do we need more inspectors to tell us the same thing for?

The CHAIRMAN. The time of the gentleman has expired.

Mr. STAGGERS. Mr. Chairman, I yield myself 1 additional minute.

I will say this: We need men who can go over the tracks. We want them to be on the job all over this land, and to report back and say to the DOT—this should be, as our colleague on the other side said—there are certain conditions, and put a tag on them saying they shall not run if they are that bad.

Mr. KAZEN. Mr. Chairman, I think Amtrak is the thing of the future.

Mr. STAGGERS. That is right.

Mr. KAZEN. More and more people want to ride it.

Mr. STAGGERS. That is right.

Mr. KAZEN. But until we can insure a good safety record, ontime schedules, and better equipment, we are not going

to encourage the people to use it as much as they want to use it.

There is one instance that I can tell the chairman about in my district. The roadbeds are so bad that the train cannot pick up enough speed to charge their batteries in order for the air-conditioning to work in 105° and 110° weather. People are not going to ride those trains under those conditions.

Mr. STAGGERS. We understand that, and that is the reason why I say we are making this a stronger bill and putting more inspectors on and telling the Federal revenue inspector to do his job.

Mr. SHOUP. Mr. Chairman, I have no further requests for time.

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

The CHAIRMAN. 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 this Act may be cited as the "Federal Railroad Safety and Hazardous Materials Transportation Amendments of 1974".

SEC. 2. (a) Section 212 of the Federal Railroad Safety Act of 1970 (45 U.S.C. 441) is amended to read as follows:

"SEC. 212. AUTHORIZATION FOR APPROPRIATIONS.

"(a) There are authorized to be appropriated to carry out the provisions of this title not to exceed $35,000,000 for the fiscal year ending June 30, 1975.

"(b) Except as otherwise provided in subsection (c) of this section amounts appropriated under subsection (a) shall be available for expenditure as follows:

"(1) Not to exceed $18,000,000 shall be available for expenditure by the Office of Safety, including salaries and expenses for up to three hundred and fifty safety inspectors and up to eighty clerical personnel.

"(2) Not to exceed $3,500,000 shall be available to carry out section 206(d) of this title, relating to Federal grants to carry out State safety programs.

"(3) Not to exceed $3,500,000 shall be available for salaries and expenses of the Federal Railroad Administration, not otherwise provided for in this title.

"(4) Not to exceed $10,000,000 shall be available for conducting research and development activities under this title.

"(c) The aggregate of amounts obligated and expended in fiscal year 1975 for conducting research and development activities under this title shall not exceed the aggregate of amounts expended in such fiscal year for the investigation and enforcement of railroad safety rules, regulations, orders, and standards prescribed or in effect under this title.".

(b) The Secretary of Transportation shall prepare and submit to the President for transmittal to the Congress by March 17, 1976, a report which shall contain—

(1) a description of the areas of railroad safety for which Federal safety standards have been issued under authority of the Federal Railroad Safety Act of 1970 and which are in force as of June 30, 1975;

(2) identification of any area of railroad safety for which Federal railroad safety standards have not been issued under authority of the Federal Railroad Safety Act of 1970 as of June 30, 1975;

(3) identification of the areas of railroad safety, listed in paragraphs (1) and (2) of this subsection, which involve, or may involve, State participation under section 206 of the Federal Railroad Safety Act of 1970;

(4) a description of the railroad safety program underway or planned in each State as of June 30, 1975, including the following:

(A) State program development;

(B) State plans to participate in program areas listed in paragraph (1) of this subsection, not covered by State certification or agreement;

(C) State interest in participating in each program area listed in paragraph (2) of this subsection, following issuance of the applicable safety standards;

(D) annual projections of each State agency's needs for personnel, equipment, and activities reasonably required to carry out such State's program during each fiscal year from 1976 through 1980 and estimates of the annual costs thereof, with projections under subparagraph (B) of this paragraph listed separately from projections of each program area under subparagraph (C) of this paragraph;

(E) the source or sources of State funds to finance such programs; and

(F) the amount of State funds and Federal assistance needed annually, with amounts needed under subparagraph (B) of this paragraph listed separately from amounts needed under subparagraph (C) of this paragraph.

(5) a discussion of the number and qualification of personnel for service as safety inspectors by the industry, and by the Federal and State governments, needed for reasonable safety program performance, including information on the availability of such personnel in relation to their needs, and the salary levels of such personnel in relation to applicable pay scales of the industry and of the Federal and State governments;

(6) an evaluation of alternative methods of allotting Federal funds among the States that desire Federal assistance, including recommendations, if needed, for a statutory formula for apportioning Federal funds;

(7) a discussion of other problems affecting cooperation among the States that relate to effective participation of State agencies in the nationwide railroad safety program; and

(8) recommendations for additional Federal and State legislation needed to further the objectives of the Federal Railroad Safety Act of 1970.

The report shall be prepared by the Secretary after consultation with the national associations representing railroad employee unions, the carriers, the cooperating State agencies, and the national organization of State commissions, and shall include a statement of the views of the national association representing railroad employee unions, of the carriers, and of the national organization of State commissions on the content of the report as prepared in final form.

SEC. 3. Section 2 of the Act of May 6, 1910 (45 U.S.C. 39), relating to the penalty for failure to make timely reports under the Act commonly referred to as the Accident Reports Act, is amended by adding at the end thereof the following: "In lieu of the penalty provided for by the first sentence of this subsection, the Secretary may assess a civil penalty in an amount not less than $250 nor more than $2,500 for each violation, as the Secretary deems reasonable. Each day of violation shall constitute a separate offense. The civil penalty is to be recovered in a suit or suits to be brought by the Attorney General on behalf of the United States in the district court of the United States having jurisdiction in the locality where the violation occurred. The civil penalty may, prior to referral to the Attorney General, be compromised by the Secretary for any amount, but not for an amount less that the minimum provided in this section. The amount of a civil penalty, when finally determined or the amount agreed upon in compromise, may be deducted from any sums owing by the United States to the person charged. All penalties collected under this subsection shall be covered into the Treasury as miscellaneous receipts.".

SEC. 4. Section 303 of the Hazardous Materials Transportation Control Act of 1970 (49 U.S.C. 1762) is amended to read as follows:

"SEC. 303. AUTHORIZATION FOR APPROPRIATIONS

"There are authorized to be appropriated to carry out the provisions of this title not to exceed $3,000,000 for the fiscal year ending June 30, 1975.".

SEC. 5. (a) The Hazardous Materials Transportation Control Act of 1970 is amended by adding at the end thereof the following new section:

"SEC. 304. REGULATION OF HAZARDOUS MATERIALS TRANSPORTATION.

"(a) As used in this section—

"(1) The term 'carrier' means any person engaged in the transportation of passengers or property by land, as a common, contract, or private carrier, or freight forwarder as those terms are defined in sections 1(3), 203(14–17), and 402(a)(5) of the Interstate Commerce Act, as amended (49 U.S.C. 1(3), 303 (14–17), and 1002(a)(5)), and the officers, agents, and employees of that person.

"(2) The term 'shipper' means any person who ships, offers for shipment, or packages for shipment any hazardous material, and the officers, agents, and employees of that person.

"(3) The term "interstate and foreign commerce" means commerce between a point in one State and a point in another State, between points in the same State through another State or through a foreign country, between points in a foreign country or countries through the United States, and commerce between a point in the United States and a point in a foreign country or in a territory or possession of the United States, but only insofar as such commerce takes place in the United States.

"(4) The term 'United States' means all the States and the District of Columbia.

"(5) The term 'State' includes the District of Columbia.

"(b) Whenever the Secretary finds that the transportation of a material in interstate and foreign commerce may pose a hazard to public health and safety, he may designate the material to be a hazardous material. The materials so designated shall include, but shall not be limited to any explosive, radioactive material, etiologic agent, flammable liquid or solid, combustible liquid or solid, poison, oxidizing or corrosive material, or compressed gas.

"(c) In order to assure safe transportation of hazardous materials in interstate and foreign commerce the Secretary may prescribe regulations applicable to—

"(1) the manufacture, fabrication, marking, maintenance, reconditioning, repair, testing, and distribution of packages or containers which may be used for such transportation of hazardous materials; and

"(2) any carrier who engages in interstate or foreign transportation and who transports hazardous materials and any shipper who transports hazardous materials by carrier. The regulations may cover any aspect of the transportation of hazardous materials which the Secretary deems necessary or appropriate and shall include, but are not limited to, regulations covering the packing, handling, labeling, marking, placarding, and routing of hazardous materials.

"(d) In carrying out this subsection, the Secretary may issue orders, conduct investigations, make reports, issue subpenas, require production of documents, records, and properties, take depositions, prescribe recordkeeping and reporting requirements, and conduct or contract for research, training, and development. The Secretary may authorize any officer, employee, or agent to enter upon, inspect, and examine, at reasonable times and in a reasonable manner, the records and properties of persons to the

extent such records and properties relate to—

"(1) the manufacture, fabrication, marking, maintenance, reconditioning, repair, testing, or distribution of packages or containers for use in the transportation of hazardous materials in interstate and foreign commerce; or

"(2) the transportation or shipment of hazardous materials in interstate and foreign commerce.

Any such officer, employee, or agent shall, upon request, display proper credentials.

"(e)(1) Whoever violates any regulation issued under subsection (c)(1) of this section shall be subject to a civil penalty of not more than $10,000 for each violation.

"(2) Whoever violates any regulation issued under subsection (c)(2) of this section shall be subject to a civil penalty of not more than $2,000 for each violation. If the violation is a continuing one, each day of violation constitutes a separate offense.

"(3) Such civil penalty may be recovered in an action brought by the Attorney General on behalf of the United States in the district court of the United States having jurisdiction in the locality where the violation occurred or, prior to referral to the Attorney General, such civil penalty may be compromised by the Secretary. The amount of penalty, when finally determined (or agreed upon in compromise), may be deducted from any sums owing by the United States to the person charged. All penalties collected under this subsection shall be covered into the Treasury as miscellaneous receipts.

"(f) The United States district courts shall have jurisdiction, subject to rules 65 (a) and (b) of the Federal Rules of Civil Procedure, to restrain violations of regulations issued under this subsection, upon petition by the appropriate United States attorney or the Attorney General on behalf of the United States.".

(b)(1) The first sentence of section 901 (a)(1) of the Federal Aviation Act of 1958 (49 U.S.C. 1471(a)(1)), relating to civil penalties, is amended by inserting immediately before the period at the end thereof the following: ", except that, if the violation is of a rule, regulation, or order relating to the transportation of hazardous materials, the penalty may not exceed $2,000 for each violation.".

(2) Section 902(h) of such Act (49 U.S.C. 1472(h)), relating to criminal penalties in connection with transportation of hazardous materials, is amended by striking out "$1,000 and inserting in lieu thereof "$2,000".

(c) Section 6(c)(1) of the Department of Transportation Act (49 U.S.C. 1655(c)(1)) is amended by inserting "(other than those authorizing the Secretary to issue regulations relating to the transportation, packaging, marking, or description of hazardous materials)" immediately after "aviation safety".

(d)(1) Subparagraph (A) of section 6(f)(3) of the Department of Transportation Act (49 U.S.C. 1655(f)(3)) is amended by striking out the period at the end of such subparagraph and inserting in lieu thereof the following: "(other than subsection (e)(4)). The Secretary shall delegate to the Federal Railroad Administrator all functions, powers and duties of the Secretary with respect to the enforcement of regulations pertaining to the transportation of explosives and other dangerous articles; and may delegate to such Administrator such other functions, powers, and duties of the Secretary pertaining to the transportation of explosives and other dangerous articles as the Secretary may deem appropriate.".

(2) Subparagraph (B) of section 6(f)(3) of the Department of Transportation Act (49 U.S.C. 1655(f)(3)) is amended by striking out the period at the end of such subparagraph and inserting in lieu thereof the following: "(other than subsection (e)(4)). The Secretary shall delegate to the Federal Highway Administrator all functions, powers, and duties of the Secretary with respect to the enforcement of regulations pertaining to the transportation of explosives and other dangerous articles; and may delegate to such Administrator such other functions, powers, and duties of the Secretary pertaining to the transportation of explosives and other dangerous articles as the Secretary may deem appropriate.".

(c)(1) All orders, determinations, rules, regulations, permits, contracts, certificates, licenses, and privileges issued, made, granted, or allowed to become effective under any provision of law amended by this section which are in effect at the time this section takes effect, shall continue in effect according to their terms until modified, terminated, superseded, set aside, or repealed by the Secretary, by any court of competent jurisdiction, or by operation of law.

(2) The provisions of this section (including any amendment made by this section) shall not affect any proceedings relating to functions vested in the Secretary by this section (including any amendment made by this section) pending at the time this section takes effect. Orders shall be issued in those proceedings, appeals taken therefrom, and payments made pursuant to those orders, as if this section (including any amendment made by this section) had not been enacted. Orders issued in those proceedings shall continue in effect until modified, terminated, superseded, or repealed by the Secretary, a court of competent jurisdiction or by operation of law.

(3) Except as otherwise provided in this paragraph—

(A) the provisions of this section (including any amendment made by this section) shall not affect suits commenced prior to the date this section takes effect, and

(B) in all such suits proceedings shall be had, appeals taken, and judgments rendered, in the same manner and effect as if this section (including any amendment made by this section) had not been enacted.

No suit, action, or other proceeding commenced by or against any officer in his official capacity as an officer of any agency shall abate by reason of the enactment of this section (including any amendment made by this section). No cause of action by or against any agency, or by or against any officer thereof in his official capacity shall abate by reason of the enactment of this section (including any amendment made by this section). Causes of actions, suits, or other proceedings may be asserted by or against the United States or such official or agency as may be appropriate and, in any litigation pending when this section takes effect, the court may at any time on its own motion or that of any party, enter an order which will give effect to the provisions of this paragraph. If before the date on which this section takes effect, any agency or officer thereof in his official capacity is a party to a suit, the suit shall be continued by the Secretary.

SEC. 6. The Secretary of Transportation shall, as soon as practicable after the date of enactment of this Act, issue regulations governing the rail transportation of explosives (classified as Explosives A) requiring—

(1) the use of railroad cars with roller bearing and with either composition brakeshoes or spark shields;

(2) the placement of such spacer cars not containing hazardous materials (as designated by the Secretary) between cars containing such explosives en route between origin and destination in rail transportation service, or the establishment of reasonable linear distance between locations of such explosives in other reasonable ways, the Secretary finds to be necessary or prudent; and

(3) inspection of railroad car selection, and of the loading of each such car, to be used in the rail transportation of explosives and the periodic inspection of each such car en route between origin and destination in rail transportation service.

The Secretary may, in his discretion, suspend, in whole or in part, the application of any regulation issued under this section whenever he finds that conditions of national necessity so warrant.

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

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

There was no objection.

The CHAIRMAN. If there are no amendments, under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. ANNUNZIO, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 15223) to amend the Federal Railroad Safety Act of 1970 and the Hazardous Materials Transportation Control Act of 1970 to authorize additional appropriations, and for other purposes, pursuant to House Resolution 1187, he reported the bill back to the House.

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

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

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

GENERAL LEAVE

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill just passed.

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

There was no objection.

TIGHT MONEY POLICY OF NIXON ADMINISTRATION CRITICIZED

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

Mr. BARRETT. Mr. Speaker, in yesterday's issue of the New York Times, John R. Bunting, the chairman of the board of the First Pennsylvania Bank of Philadelphia, presented a very thoughtful article suggesting alternatives to the tight money, high interest rate policy of the Nixon administration. Mr. Bunting rightfully disposes of the oldtime Republican monetary policy of tight money, high interest rates, and balanced budgets as, "that oldtime religion." He points out that this easy answer to our current inflation is attractive and perhaps easy to administer and more important understandable by many of the public.

This oldtime Republican policy, Mr. Bunting charges, ignores our changed

structure of the economic system. What must be done, it is suggested, is to transfer resources from the consumer sector to the producer sector of our economy over the next 2½ years. Mr. Bunting states:

Energy limitations and other constraints on growth make it essential that the means of production go where they are most needed.

What is most needed now is more savings by the consumers and more spending in the right places by producers.

The major source of savings in this country today is the average income wage earner. Mr. Bunting suggests that this person be encouraged to save by making his interest tax exempt on the regular savings accounts and on certificates of depits of up to $20,000 at the commercial banks. Higher income taxpayers, those earning over $40,000, could be encouraged to save 10 percent of their income a year for the next 3 years.

Finally, Mr. Bunting forcefully argues for the need to channel credit into our paralyzed housing industry. This could be done by permitting banks to receive reserve credit for certain types of lending to certain types of builders, and certain other needs, such as financing new energy sources or mass transit.

Mr. Speaker, I commend Mr. Bunting's analysis to the Members for their consideration:

[From the New York Times, June 23, 1974]

TIGHT MONEY IS NOT ENOUGH: NEW APPROACHES URGED FOR A SLOW-GROWTH ERA

(By John R. Bunting)

There is a growing realization that the 4 per cent growth rate to which the United States has become accustomed is going to have to be slashed to an average 2 or 2.5 per cent for this year and the two following years.

Such a low level of real economic growth is necessary because we have moved from an economy propelled by abundant and cheap energy to one constrained by scarce and expensive fuel supplies.

Also, faster growth—at the 4 per cent rate—would probably involve a continuation of the present double-digit inflation rates. Only slowed consumer demand can relieve the pressure of strained capacity in many of the nation's big basic industries.

The question then comes to be how to slow economic increases in the most equitable way possible and in concert with the emerging energy realities.

At present, there seems to be just one answer on the table. Chairman Arthur F. Burns, of the Federal Reserve Board, with some help from William E. Simon, Secretary of the Treasury, is going to lead us back to the practice of "that old time religion"—tight money, high interest rates and perhaps even a balanced Federal budget.

The attractiveness of such a policy is enormous. It is simple, impersonal, easy to administer and understandable.

I envy those who sincerely believe it can work.

The plan ignores the changed structure of our economic system; is oblivious to the social consequences of its adoption, and does not bring about a solution to the real problem that confronts us.

What we have to do while slowing growth is to continue to transfer resources, on a relative basis at least, from the consumer sector to the producer sector of our economy over the next two and a half years.

Energy limitations and other constraints on growth make it essential that the means of production go where they are most needed. We have to invest in new equipment that utilizes energy more efficiently (new small cars, energy-efficient machinery), and we should shift to new energy sources or more development of existing sources (conversion to coal, new mines, gasification plants, drilling rigs and pipes). Financing, therefore, has to be channeled to the most productive uses.

Such a situation begs for a more selective approach. Policies have to be developed which cope with inflation by insuring that there is a sufficient supply of the materials that feed the industrial machine. This will occur only if growth is provided to those uses which give us the maximum benefit from our limited resources, at the expense of other users of credit whose activities can be delayed.

Although this requires that policy makers have to start making hard decisions about resource allocation, surely that is preferable to slowing everything indiscriminately and thereby postponing needed adjustments to the new energy realities.

Specifically, we need more savings by consumers and more spending in the right places by producers. Saving is prerequisite to investment.

The major source of savings in America is the average-income earner. He could be encouraged by making interest tax exempt on regular savings accounts and on retail certificates of deposit up to $20,000 at commercial banks, mutual savings banks and savings and loan associations.

Higher-income taxpayers—perhaps with annual earnings of $40,000 and over—could be encouraged to save 10 per cent a year for the next three years, if this were returned with its original purchasing power intact at the end of that period. The dollar increment required to restore purchasing power would be measured against the Consumer Price Index.

We need to channel credit to areas of greatest need. I am not suggesting some sort of national credit allocation committee. Rather, we should go the route of putting incentives to work. Having increased savings incentives along the lines suggested, we should use the existing system for allocating investment resources to provide incentives to move money where it is most needed.

Just last week some thinking along these lines by the Treasury Department was revealed, although it is anybody's guess how Mr. Simon's ideas for stimulating investment will fare in Congress.

Why not go a step further? Monetary policy should be able to help channel investment, too. Housing is one possibility.

It used to be, only a few years ago, that the problem was low-income housing. Now it is how to induce builders to make homes for middle- to upper-middle-income families as well. Is it too much to suggest selective incentives, or even direct controls, to make credit more accessible for this sort of building?

It seems eminently reasonable that banks should receive reserve credit for certain types of lending—to a certain type of builder or for construction of new capacity in hard-pressed industries such as the providers of new energy sources or mass transit. Reserve debits against lending for essentially speculative or consumption-stimulating projects also could be a possibility.

The net result would be to reduce the cost of credit extended for desired purposes through the stimulus of the profit-incentive system. No new bureaucracy need be created.

The Federal Reserve System once administered a Regulation W, which has not been in effect for over 20 years now. It specified, among other things, the down payment and duration of loans to finance automobiles. A similar regulation, instituted now, could fit loan terms to the kind of car financed—low payments and extended terms for energy-efficient cars, the reverse for gas-guzzlers.

The same kind of thinking could be extended to other kinds of consumer lending, discouraging the sorts of spending we do not need now and encouraging the kinds we do need: less for luxury condominiums, more for basic, energy-efficient housing.

The new reality of the nineteen-seventies is that resources are not unlimited. Generalized monetary restrictiveness is not enough to effect the shift from consumption to investment that we must have. It denies credit indiscriminately, no matter who bleeds.

If someone must bleed, certainly it should not be the industries and entrepreneurs whose contributions we need most.

Indiscriminate credit restrictiveness threatens the enterprise system. It is promoting the socialization of industries—rails, utilities, soon perhaps other transportation and energy suppliers—that had been regarded as bulwarks of the private economy.

It is time to face more creatively the need to slow growth and contain inflation while we add capacity where it will do the most good in view of new limitations on resources we can bring to the task.

THE PROBLEM OF PHYSICIAN DISTRIBUTION

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

Mr. CARTER. Mr. Speaker, at the present time there are over 366,000 practicing physicians in the United States. Our medical schools are graduating over 12,000 students each year.

The ideal ratio of physicians to the population is estimated to be 1 to 1,000. Since we now have a ratio of 1 to 680, we can see that we actually have an adequate supply of physicians. A significant problem, however, is one of distribution. The tendency over the years has been for physicians to locate in affluent areas amid pleasant surroundings. As a result, our ghetto and rural areas are not adequately supplied with physicians. As the number of physicians has grown, an increasing number have been choosing rural areas. I submit that, if we continue with the present assistance to medical schools, and with our present loan and scholarship plans, in a few years there will be an overflow of physicians into rural and deprived areas. This is occurring today. In my own home county two young physicians have entered into practice as of this year. In the neighboring county of Barren, two or more physicians have located there; and, in Clinton County, two new physicians have entered into the practice of medicine.

I submit, Mr. Speaker, that we should accent this program of supplying physicians to rural and deprived areas by scholarships such as those given under the Berry plan. For the National Health Service Corps, the scholarship amounts to $9,000 per year and requires after graduation, interning, or residency, practice in a rural or deprived area for 1 year for each year of scholarship received.

Mr. Speaker, an alternate method of securing more physicians in rural and deprived areas is to preselect from these areas students who want or who will agree to return to such areas. This can be accomplished at a much smaller cost

than the plan submitted by one of my conferees in the House and two Members of the other body which would provide loans of $12,500 per year to all medical students who desired them—and it is estimated that 85 to 90 percent of all medical students would accept this loan—with the qualification that those students serve in the rural or deprived areas on a salary of $25,000 per year, at the end of which time the $50,000 loan would be forgiven. It is my sincere belief, Mr. Speaker, that this cost would be tremendous and inordinately onerous to the taxpayers of this country. It is my feeling that more than 90 percent, I should say in the neighborhood of 98 percent, of our medical students would accept such a magnificent loan and this would cost our taxpayers $2.744 billion each year.

In summation, more than likely, pursuing our present program we will be able to supply physicians to rural and deprived areas, and if we wish to go further by giving incentives to the National Health Service Corps and a modest number of medical students under a plan similar to the Berry plan, we can accomplish our purposes in seeing that every American has access to a physician without other unnecessary and enormous expenditures.

FREEDOM OF INFORMATION ACT AMENDMENTS OF 1974

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. STEELMAN) is recognized for 5 minutes.

Mr. STEELMAN. Mr. Speaker, secrecy in a democracy can never be better than a necessary evil. Ours is an open society, and our foreign policies can never succeed for long if they lack public understanding. There is no inherent virtue in secrecy, and much danger. Danger posed not alone in the hiding of bureaucratic incompetence, inefficiency, or administrative error, but more ominously, secrecy threatens the very foundations of our constitutional democracy when it becomes a cult and addiction of those in high office. It deafens leaders to dissenting opinions voiced by those who lack access to secret information and is used to exclude dissenters from critical policy debates.

Therefore, I am today introducing legislation designed to change our present security classification system, one "rooted in outdated concepts, doctrines, and methods," and institute one rooted in the belief that openness is right, and secrecy when clearly vital, is indeed a necessary evil.

Recent events provide us with a natural pause to collect our criticisms of the past and present uses, abuses, and problems of secrecy in government, and translate them into a hard-hitting reform effort. The impetus provided by these abuses and practices should inspire us to action, and I hope there will be a united effort to achieve this reform.

Though the origins of the present security classification system can be traced back before World War I, the present Executive Order 11652 now controlling classification and declassification of national security information, was fathered in 1940 by President Franklin D. Roosevelt. President Roosevelt was the first President to make use of an Executive order to establish an executive classification system. Presidents Truman, Eisenhower, Kennedy, and Nixon, apparently relying primarily on implied constitutional powers of the office and selected statutes, either issued their own Executive orders or amended existing ones to suit their views of how a security classification system should be conducted. However, the mere de facto operation of this executive security classification system is not evidence of its wisdom nor does it bestow a de jure basis for such an executive system.

One of the notions associated with governmental secrecy has been the idea that administrative regulation of secrecy practices within the executive branch is uniquely the concern of the Executive. This proposition has never been substantiated and as the May 22, 1973, report on "Executive Classification of Information," by the House Committee on Government Operations, pointed out on page 11:

> The extent of the President's constitutional power to control the disclosure by persons in the executive branch of Government and to withhold information from the Congress and the public has long been in controversy and has never been fully settled.

In fact, in view of the constitutional duties resting on Congress to provide for the common defense, it can be persuasively argued that the Congress has not only a right, but a duty to devise a system to control and guide what should and should not be withheld in the national security interest. Congress has never provided a basis in law, with applicable constitutional restrictions, for the President as the Commander in Chief, to control and protect an item or type of information if he determines that public access at a particular time would damage the national defense.

Instead, Congress has permitted this Nation's security classification system to be left entirely to one man—the President. In a time when we are recognizing the implicit dangers of an "imperial Presidency" Congress must reassert its rightful place as an equal branch of Government representing the people, by giving them a say in what type of security classification system they must live under. Congress should meet this obligation by creating a statutorily based security classification system that is tightly controlled, thoroughly inspected, and continually challenged

This legislation proposes just such a system by providing a simple, straightforward and workable alternative to the present discredited security classification system. Senator HATHAWAY has already introduced identical legislation in the Senate and my effort today will complement his current efforts.

Mr. Speaker, there is abundant proof today that the Executive order secrecy system has failed completely to achieve its stated purpose. In the words of the Air Force's former Deputy Assistant for Security and Trade Affairs, the—

> Use of broad national security interests as a basis for secrecy invites people to classify massive volumes of information the disclosure of which would not damage the national defense. This has weakened and discredited the system to the point where significant information is subjected to the same loose handling as unimportant information.

Because of this the bill attempts, in a clear, uncomplicated way to set out a procedure and system that will be effective by first authorizing classification of information in a single category only—"Secret Defense Data." The bill further outlines in both a positive and a negative way what information can legitimately be classified. The bill provides for the automatic declassification of materials after 2 years, although there are mechanisms in the bill for specific deferral of declassification for secret defense data that should remain classified for longer than 2 years.

The bill limits the list of people who may originally classify information as "Secret Defense Data," and will thus insure a final responsibility for overclassification.

And a final major provision of the bill will charge the General Accounting Office with the monitoring of the implementation of this new congressionally authorized system. I am sure my colleagues in the House of Representatives and the public are aware of the tradition of tenacity and veracity GAO has developed over the years in faithfully carrying out assignments from the Congress, and I feel that this is a good, balanced approach. The GAO will be directed to review agency implementing regulations, periodically inquire as to the need for assignment or retention of a secret defense data designation, conduct periodic on-the-job checks, pursue inquiries if needed, and transmit reports of their findings to both the Senate and the House.

This issue is of pressing concern to each Member of Congress, and as we approach our Bicentennial, I trust our commitment to the concept of an open government that opposes all but absolutely necessary secrecy will be no less firm than was our Founding Fathers' commitment.

RAILROAD SAFETY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Connecticut (Mr. MCKINNEY) is recognized for 5 minutes.

Mr. MCKINNEY. Mr. Speaker, the question of railroad safety enforcement is of particular concern to me as I represent approximately 33,000 commuters who daily ride the Penn Central Railroad into New York.

Because of the rising incidence of rail accidents, deaths, and injuries on the New York-Connecticut commuter lines, the Federal Railroad Administration held hearings in New York on July 28, 1973, to hear testimony and gather evidence. In my statement I discussed various complaints which had come to my attention and which, I believed, warranted investigation. These complaints ranged from the continual elimination

of jobs by the Penn Central, short-manned crews, alienation of operating personnel by mid- and lower-management, poor equipment inspection, improper training of important personnel in key areas involving train movements, lack of track maintenance, to the question of safety on the new Cosmopolitan cars.

This was the first such hearing the FRA had ever held and surely presented that agency with the opportunity to demonstrate their interest, their concern, and their commitment to enforcement of rail safety standards.

However, FRA's disinterest, unconcern, and lack of commitment have been demonstrated by the fact that here it is, almost a year later, and their report on safety conditions on the New York-Connecticut commuter lines has yet to be issued. I am continually told that because this was the first such hearing ever held, the process requires extensive evaluation. But does it really take a year to prepare a report on such an urgent and deteriorating situation?

I was promised the report would be issued last month. That timetable was of paramount importance to Connecticut commuters because our State had an application pending before the Urban Mass Transportation Administration for the purchase of 100 additional commuter cars, cars which many of my constituents fear to ride because of the questions of safety that have been raised repeatedly since the cars first took to the tracks. Prime concern centers on the question of the combustibility of the cars' interiors and safe exiting from the cars in case of emergency. The funding for the purchase of 100 additional cars was approved last week but the commuter fears remain. Are these Cosmopolitan cars safe? Is the Federal Government providing funds for identical cars which the FRA report may deem dangerous?

What order of priorities does the Department of Transportation and the Federal Railroad Administration adhere to? Should not the safety of railroad passengers have the highest priority? How can we attract more of our citizens to rail service if the questions of safety cannot be addressed and fears alleviated?

The Commerce Committee's report on H.R. 15223, Federal Railroad Safety Act authorization, confirms my constituency's belief that the Department's record is "at best, poor," that "the weight of evidence gathered * * * indicated the FRA simply was not living up to either the spirit of the Federal Railroad Safety Act of 1970 nor, in some cases, the letter of the law."

Indeed, the FRA's delay in issuing their report on safety conditions on the New York-Connecticut commuter lines can only reemphasize the committee report conclusion that there is "a conscious effort * * * to deemphasize inspection of rail carriers."

I support the legislation before us today for it again reaffirms Congress commitment to rail safety and earmarks the 1-year authorization funds for specific programs. If the Department fails to change priorities, the committee threatens stronger action in 1975. This legislation should put the Department of Transportation and the Federal Railroad Administration on notice that Congress wants and expects decisive action in the field of railroad safety. The issuance of the long overdue report on railroad safety conditions on the New York-Connecticut commuter lines could well serve as the first indication that DOT and FRA will respond to this congressional mandate.

UDALL PROPOSES ALTERNATIVE TO A THRESHOLD TEST BAN

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Arizona (Mr. UDALL) is recognized for 10 minutes.

Mr. UDALL. Mr. Speaker, I rise today to discuss for a few minutes a subject which should be a matter of immediate concern to every American citizen. Tomorrow, the President and the Secretary of State leave for the summit conference in Moscow, where among other things, they will be attempting to reach agreement on a new treaty to further limit nuclear testing. All of us should be aware of how much is at stake in these negotiations—they go to the very heart of our future national security.

Over the past weeks and months there have been disturbing indications that the American negotiating team will be working toward an agreement on a so-called threshold treaty rather than on a comprehensive ban of all nuclear testing. This would be a sad, perhaps even a tragic error.

For more than a decade, ever since the signing of the Limited Test Ban Treaty in 1963, the United States has been publicly committed to striving for a complete end to nuclear testing. In 1968, with the signing of the Nuclear Nonproliferation Treaty, we restated our "determination * * * to seek to achieve the discontinuance of all test explosions of nuclear weapons for all time and to continue negotiations to this end."

The single issue which stood in the way of a comprehensive agreement in 1963, was the need for on-site inspections to prevent one nation or the other from from cheating. This problem no longer stands in our way. Since 1963, we have made enormous advances in our ability to monitor explosions from a distance by seismic methods, so much so that experts in the field maintain that our ability to detect Russian nuclear explosions is greater now with seismic detection and no on-site inspections, than it would have been in 1963 with the seven on-site inspections we demanded at that time. And we need not depend solely on seismic methods, for our capabilities in the field of reconnaissance and intelligence gathering by satellite are now of major significance. This is not the place to get into the technicalities: It is enough to say that if we are truly committed to an end to all nuclear testing, there are no important technical barriers between us and the achievement of a safe, and verifiable treaty agreement.

Nor are there strategic barriers; in fact quite the opposite. The major knowledge we can wring from further testing would be how to make nuclear bombs smaller and cheaper, and nothing could be farther from our own interest. We have a huge nuclear stockpile, we are rich and we can afford to build expensive bombs. If we succeed in learning how to make small cheap bombs, or perhaps even thermonuclear bombs without a fission trigger, all we will have succeeded in doing is to put the great equalizer within the reach of every nation—small or large, friend or foe.

Often in the past it has been political rather than strategic or technical barriers that have blocked progress toward nuclear disarmament. Lately, however, there have been several encouraging hints from the Russian Government that they would welcome a gradual elimination of nuclear testing, and seldom in past years has the public climate been more favorable.

Within the last few weeks, we have seen France and China set off atmospheric explosions on the same day, we have had the Indian nuclear test and the Mideast nuclear reactor agreements and, just this morning, heightening our sense of urgency, the announcement that Iran has plans to develop nuclear weapons. Americans and, I think, concerned individuals all over the world who look down the road, are frightened when they see this ever-increasing membership in the nuclear club.

When the Nonproliferation Treaty comes up for review next year, it will be harder than ever for the United States to continue to ask other countries, Brazil, Argentina, India, France, and others, to give up what we will not deny ourselves. The signing of a bilateral Comprehensive Test Ban Treaty this summer would be the most significant step we could take to insure the success of our efforts to halt the spread of nuclear weapons and to strengthen the Nonproliferation Treaty.

If for some reason, we cannot reach agreement on a comprehensive ban, the threshold ban would be a very poor alternative. A threshold treaty would ban testing of bombs above a certain size. The method which would be used to measure the size of an explosion from a distance, is to measure the size of the seismic disturbance caused by that explosion—thus, such a treaty could only ban Russian explosions which caused a reading greater than say 4.5 or 5 on seismographs in the United States. Such an arrangement would be extremely unstable.

The magnitude of the seismic signals produced by an explosion will vary depending on the kind of ground in which the explosion is set off, on the location of the recording machines and on daily variations in the earth's natural seismic activity. The treaty conditions will therefore be extremely hard to agree upon and even harder to monitor and verify.

To avoid some of these problems, the threshold level will probably be set high—high enough to give one country 100 percent accuracy in detecting the other's tests, when what is really at stake is that the potential cheater have 100 percent assurance that he will not be caught cheating. Furthermore, the lesson we learned from the Limited Test Ban Treaty is that the result of a limited ban

is simply to divert testing to those areas where it is still permitted. So we can reasonably expect that one result of a high threshold ban would be greater testing at the allowed levels, with each country testing as close as possible to the allowed threshold in order to avoid the possibility that the other side might gain any advantage. In my judgment, a threshold agreement can only lead to international tensions, possible incidents overdisagreements on siesmic readings, and the continued spread of nuclear arms. But perhaps the most serious consequence would be that a new treaty, one which does not provide for an end to all testing, would destroy for a very long time the momentum we now have toward achieving a total test ban. This would be, I think, a most unhappy result for the United States and for the world.

Therefore, Mr. Speaker, I would like to propose today an alternative to the threshold compromise—a simpler, better basis for agreement. The formula I have in mind would be an agreement to limit Russian and American nuclear tests to a certain quota per year, with this number decreasing to zero within a specified number of years, perhaps five. This plan fits in well with Chairman Brezhnev's recent remarks as to what would be acceptable to his government.

It would not be too difficult to reach agreement on the initial allowed quota—we could, for example, choose the average between the current number of Russian and American tests each year.

There are a number of advantages to this plan—let me name just a few. First, of course, the decreasing quota preserves our commitment to, and our momentum towards, a complete test ban. During the 5 years allowed before the quota declines to zero, test series which are now in progress can be completed, and the weapons laboratories can go to work on weapons designs which will eliminate the small existing need for confidence shots. The defense establishments of both countries will be on notice that all testing must end by a certain date, and can plan accordingly. Our negotiating position at the nonproliferation talks will be immeasurably strengthened since we will be formally committed to an end to all testing. Finally, compliance will be clear and easy to monitor—there can be no disputes over seismograph readings or fears that the other side is testing beneath the cover of earthquakes. As a further confidence-building measure, each side could agree to inform the other as to when it intends to set off its tests.

In short, if we cannot achieve a total test ban this summer, the declining quota would be far superior to the threshold plan as a basis for compromise, and I would strongly urge the President to work toward this end.

Finally, Mr. Speaker, I wish to enclose a copy of the letter which I wrote to Secretary Kissinger last week setting forth this proposal.

The letter follows:

HOUSE OF REPRESENTATIVES,
Washington, D.C., June 20, 1974.

Hon. HENRY KISSINGER,
The Secretary of State.

DEAR MR. SECRETARY: I am writing to draw your attention to the advantages of seeking to negotiate with the Soviet Union a quota on the number of underground nuclear tests permitted, which quota would decline over time until no further tests were permitted on each side. This declining quota seems to have many advantages over the threshold test ban now under consideration that would only limit nuclear tests to those unable to produce seismograph signals above a specified size.

The quota test ban seems much simpler to monitor and will produce fewer controversies over compliance than the threshold ban. After all, the threshold ban does not, strictly speaking, restrict explosions to be smaller than a given size. Instead, the detonating power must estimate, under varying conditions, how large a signal will be produced on foreign seismographs. These calculations are unreliable and a small bomb may, from time to time, produce a large signal. In such a case, how could the controversy over compliance be resolved?

The quota system is, by contrast, much simpler. Each power simply counts the *number* of tests of the other and makes no effort to estimate their *size*. (The quota system could also be conjoined with an agreement not to test very large exposions without too much difficulty).

The quota test ban rather than the threshold test ban best lends itself to the eventual complete elimination of nuclear testing. It is easy to imagine an agreement under which the quota permitted ever smaller allotments until, perhaps five years hence, the quota permitted was zero. By contrast, while a threshold agreement could in principle be lowered, testing would not thereby be cut off, since any number of smaller tests would be permitted.

There are, of course, arguments against a complete stoppage of tests. But the fact remains that it has been our settled policy for more than a decade to seek such an agreement. In two treaties, both the Test Ban Treaty and the nonproliferation treaty, we are committed to negotiate "determinedly" toward a complete test ban. The obstacle to be determinedly overcome has always been understood to be inspection. And our ability to inspect, i.e. to detect and identify Soviet nuclear tests, is far better now without on-site inspection than it would have been with the seven on-site inspections we demanded in 1963. Therefore, there seems little reason to refuse to negotiate a complete test ban today.

Underlying this national policy is the strategic assessment that continued nuclear testing, with the possibility of progress in making bombs cheaper and smaller, does not serve well the interest of those major powers like ourselves and the Soviet Union who already have a vast array of bombs. It can only help new nuclear powers who, by their progress, will equalize their power against our own with that great equalizer of this century—the atomic bomb. Why should we pioneer in progress that will eventually spread around the world to our disadvantage, progress that has no strategic significance but only economic importance?

The possibility now arises that many powers, such as India, may move toward building bombs even when the motivation for doing so is weak. Our ability to discourage this trend depends upon a halt to testing. The potential new nuclear powers need not even denounce the inadequacy of a threshold test ban to justify their tests—they can themselves sign the threshold agreement and still continue. Clearly, something more than a threshold is required to maintain our political and moral ability to discourage others from testing. And this discouragement is clearly in our security interest.

I am struck by recent statements of Chairman Leonid Brezhnev which suggest a Soviet willingness to move toward a comprehensive nuclear test ban. These statements also seem rather more consistent with a declining quota than with a threshold. I do hope that the promise of these remarks will be fully explored before the American negotiating positions harden around the threshold.

Finally, I would like to advance a supplementary idea which also lends itself well to the quota test ban. As a confidence building measure, why not have each nuclear power announce to the other each time at which it plans to have its nuclear tests. This will facilitate monitoring of the tests through national means and will make cheating more hazardous.

In general, the Comprehensive Nuclear Test Ban has great long-range importance to U.S. national security. I do hope you will apply your renowned persistence and patience to negotiating some kind of complete test ban at a time when these negotiations seem so hopeful. I would be most interested in receiving the comments of the Executive Branch on this suggestion.

Sincerely,

MORRIS K. UDALL.

FDA AMBIVALENCE ON MANDATORY RECALL AUTHORITY

(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, in response to conclusive studies linking vinyl chloride in hair sprays and other products with cancer of the liver, the Food and Drug Administration, in April of this year, requested a voluntary recall of certain aerosol hair sprays. Following the issuance of this request, I wrote Commissioner Alexander Schmidt of the FDA to elicit the reasons for the administration's reliance on the voluntary recall mechanism as opposed to the mandatory removal of the dangerous products. In his letter of April 18, Mr. Robert Wetherell of the FDA's Office of Legislative Services responded that the Federal Food, Drug, and Cosmetic Act contains no provision authorizing the FDA to require the recall of any product. According to Mr. Wetherell, the only statutory instrument available to the FDA is product seizure—a method the FDA finds objectionable because of the inordinate amount of time required for its implementation. Thus, the removal of harmful products presently depends either upon the goodwill of the producer or the time-consuming method of Government seizure.

As this problem seemed to suggest a legislative initiative to grant mandatory recall authority, I then inquired of the FDA whether the agency would be in any way harmed by that authority. Mr. Wetherell's reply of June 17 so disturbed me that I am placing it in the RECORD along with our previous correspondence. The letter makes the critical concession that "in some cases, refusal to initiate a recall at FDA's request can be a problem, especially where there is a serious risk to public health."

However, the letter continues:

In those cases FDA can initiate action to seize the product, prosecute the party, or

obtain an injunction, including mandatory relief which includes a court-ordered recall.

This suggestion bothers me because the FDA admitted in its previous letter that the seizure mechanism is plagued by the excessive amount of time required to complete a seizure action—a problem that is chronic to judicial remedies as well. As Mr. Wetherell notes in his letter of April 18:

Recall is usually a much more efficient and practical means for reversing the chain of product distribution.

In view of this previous endorsement of the recall tool, Mr. Wetherell's next statement puzzles me. He writes:

A mandatory recall provision would be considered harmful to the Agency if it is inflexible (e.g. were limited to extreme risks or imminent hazards) or involves cumbersome procedures, and courts are led to believe that the provision is FDA's only authority to deal with recalls.

Mr. Speaker, it is difficult to understand why any of these problems would be inherent to mandatory recall—the mechanism need not be limited to imminent hazards, the FDA admits that recall procedures are less cumbersome than the alternative of seizure, and the FDA certainly could assume the responsibility of informing courts of appropriate alternatives. One would expect a Government agency to desire the availability of those measures it claims to be most efficient in discharging its responsibilities. Mr. Wetherell's listing of weak and purely hypothetical objections to the mandatory recall power shows a curious reluctance by the FDA to enhance its own effectiveness.

On May 15 of this year, I introduced legislation to amend the Federal Food, Drug, and Cosmetic Act to authorize the Secretary of Health, Education, and Welfare to require the recall of any food, drug or cosmetic which presents an "imminent hazard to the public health." Although I believe this bill would improve the FDA as a servant of consumer interests, I am also aware that it employs the language of "imminent hazard" that Mr. Wetherell thinks inflexible. I am more than happy to consider rewriting the bill with more expansive language and will consult the Office of the Legislative Counsel concerning alternatives. In his objection to a recall provision "limited to extreme risks or imminent hazards," Mr. Wetherell is implicitly suggesting a potentially broader application of recall, which I would certainly endorse. But nothing more clearly exposes the FDA's ambivalence toward mandatory recall, for this implicit suggestion of broad recall authority immediately follows Mr. Wetherell's argument that the authority is unnecessary in view of the available alternatives. I do not know what is going on here. I do know that the absence of mandatory recall power would threaten the health and welfare of the consumer and the muddled position of the FDA will not serve to expedite a solution to the problem. I believe the Congress can benefit from the unambiguous guidance of the FDA on this issue. I hope such assistance will be forthcoming.

My correspondence with the FDA follows:

HOUSE OF REPRESENTATIVES,
Washington, D.C., April 4, 1974.

DEAR DR. SCHMIDT: I read with interest the Clairol, Inc. announcement that it was recalling from the nation's store shelves about 100,000 cans of aerosol hair spray, some containing a chemical recently linked to a rare form of liver cancer. It was reported in the press that the cosmetic concern said that the request for a voluntary recall had come from the Food and Drug Administration following reports that at least 10 industrial workers exposed to the chemical, vinyl chloride, had developed angiosarcoma.

While I applaud the voluntary action taken by Clairol, Inc. I am at a loss to understand why the FDA would, in a case where it believes the public safety is endangered, rely on a voluntary action and not insist on a mandatory procedure. I should like to be apprised of how that determination, a voluntary as opposed to a mandatory action, was reached and what the considerations were in making that decision in this particular matter. I should also like to know whether any measures have been taken with respect to any other uses of the vinyl chloride chemical now linked to liver cancer and if so, what those measures are.

Sincerely,

EDWARD I. KOCH,

FOOD AND DRUG ADMINISTRATION,
Rockville, Md., April 18, 1974.

Hon. EDWARD I. KOCH,
House of Representatives,
Washington, D.C.

DEAR MR. KOCH: Commissioner Schmidt has asked me to thank you for your letter of April 4, 1974 concerning the Food and Drug Administration's request for a "Voluntary" recall of certain aerosol hair sprays manufactured by Clairol Inc. due to the presence of vinyl chloride monomer (VCM).

We are sending letters to all other manufacturers and major distributors of aerosol cosmetics requesting that they also recall any of their cosmetic products which contain VCM as a propellant.

Reviews by our scientists of the available toxicological and epidemiological data indicated that VCM may be dangerous when exposure is by the inhalation route. Based on these findings we concluded that those aerosol cosmetics which contained VCM as a propellant represented a potential health hazard and therefore should be removed from consumer channels as soon as possible.

The only statutory instrument available to the Food and Drug Administration under the Federal Food, Drug, and Cosmetic Act to get such products out of commerce is seizure. Although seizure is a valuable tool, which does not require any voluntary action on the part of the manufacturer, it does have major limitations. The most significant of these limitations is the time required to implement a seizure action. This time-delay is compounded severalfold in situations, such as this, where numerous lots of products have been distributed nationwide. A separate seizure action against each lot of goods in each different locale would be necessary. Much of the defective products would be further dispersed before they could be located by the Food and Drug Administration and seizure implemented.

Recall is usually a much more efficient and practical means for reversing the chain of product distribution. The recalling firm usually has readily available all data with respect to quantity of products manufactured and/or distributed, names and addresses of customers and other pertinent identifying information. A notification to customers to return any defective merchandise can therefore be accomplished in a minimum of time. Recall is especially preferable to seizure in situations where potentially hazardous products are involved and speed in retrieval is all important.

We must point out however that the Federal Food, Drug, and Cosmetic Act contains no provisions which authorize this Agency to require or insist that a manufacturer or distributor recall any products.

Due to the nature of the hazard involved with these aerosol cosmetics, we felt that recall was the most appropriate means of assuring a rapid removal of these products from the market.

Clairol Inc. initiated this recall only after we advised them to do so. We were prepared to issue public warnings and institute seizure actions if the firm had not responded favorably to our request for recall.

We hope these comments are helpful to you in assessing the merits of our decision in this instance to request that these aerosol cosmetics be recalled.

Please let us know if we can be of any further assistance.

Sincerely yours,

ROBERT C. WETHERELL,
Acting Director, Office of Legislative Services.

HOUSE OF REPRESENTATIVES,
Washington, D.C., May 29, 1974.

ROBERT C. WETHERELL,
Acting Director, Office of Legislative Services, Food and Drug Administration, Rockville, Md.

DEAR MR. WETHERELL: I have your letter of May 23 and would appreciate knowing whether giving you mandatory recall authority in addition to whatever other authority is provided you in S. 3012 and H.R. 12847 would in any way be harmful to your Agency.

Sincerely,

EDWARD I. KOCH.

FOOD AND DRUG ADMINISTRATION,
Rockville, Md., June 17, 1974.

Hon. EDWARD I. KOCH,
House of Representatives,
Washington, D.C.

DEAR MR. KOCH: Thank you for your May 29 letter asking whether the Food and Drug Administration (FDA) would consider it in any way harmful to the Agency to have mandatory recall authority.

As you know, the Department of Health, Education, and Welfare has sent to Congress a bill, introduced as H.R. 12847, to correct the major deficiencies in FDA's regulatory authority—inability to inspect records, order recordkeeping and reporting, subpoena evidence, and order temporary product detention. In the Department's consideration of this legislation, we explored the idea of including a mandatory recall provision but decided this did not really address the most serious problems involved in recalls—lack of industry procedures to trace products and remove them from the market and excessive demands on FDA investigative resources to monitor recalls (which has, in some cases, involved FDA taking over recalls because of poor company performance). FDA has revised its recall procedures to reduce these problems and is presently considering whether changes in FDA's regulations, such as the regulations prescribing current good manufacturing practice for the food industry, would help us to better deal with problems associated with recalls such as lack of adequate recordkeeping, product coding, etc. H.R. 12847 will enable FDA to require that firms notify us of recalls they have undertaken and of any discovery of products which violate the law.

In some cases, refusal to initiate a recall at FDA's request can be a problem, especially where there is a serious risk to public health. However, in these cases FDA can initiate action to seize the product, prosecute the party, or obtain an injunction, including mandatory relief which includes a court-ordered recall. A mandatory recall provision would

be considered harmful to the Agency if it is inflexible (e.g., were limited to extreme risks or imminent hazards) or involves cumbersome procedures, and courts are led to believe that the provision is FDA'S only authority to deal with recalls.

We hope this information is helpful. If we can be of any further assistance, please let us know.

Sincerely yours,

ROBERT C. WETHERELL,
Acting Director,
Office of Legislative Services.

PERSONAL STATEMENT

(Mr. HANLEY asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. HANLEY. Mr. Speaker, on Friday, June 21, it became necessary for me to leave the floor of the House in the midst of the consideration of H.R. 15472, the agricultural-environmental and consumer protection appropriations bill. I thus missed several votes. I was required to travel to my congressional district to meet a long-standing obligation to speak to the graduates of Henninger High School.

Rollcall No. 315. An amendment which sought to delete from the bil certain language aimed at preventing employees of the Federal Trade Commission from leaking confidential information gathered in the course of FTC investigations involving business information. I would have opposed the amendment.

Rollcall No. 316. The amendment to deny food stamp eligibility to striking workers. This is a perennial amendment in the House, and consistent with my past votes on the issue, I would have opposed the amendment.

Rollcall No. 317. An amendment to prohibit food stamp eligibility for college students who are claimed as dependents, for Federal income tax payments, by their parents. I would have supported the amendment.

Rollcall No. 318. An amendment to add $7 million to the bill for grants to rural fire departments. I would have supported this amendment.

Rollcall No. 319. Final passage of the bill. Had I been present, I would have voted in favor of the bill.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. MCSPADDEN (at the request of Mr. O'NEILL), for today, on account of illness in family.

Mr. KYROS (at the request of Mr. O'NEILL), for today, on account of official business.

Mr. PEPPER (at the request of Mr. O'NEILL), for today, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. SHOUP) to revise and extend their remarks and include extraneous material:)

Mr. STEELMAN, for 5 minutes, today.

Mr. MCKINNEY, for 5 minutes, today.

(The following Members (at the request of Mr. DAVIS of South Carolina) to revise and extend their remarks and include extraneous material:)

Mr. UDALL, for 10 minutes, today.

Mr. GONZALEZ, for 5 minutes, today.

MS. ABZUG, for 10 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. GROSS in one instance.

(The following Members (at the request of Mr. SHOUP) and to include extraneous material:)

Mr. HEINZ.

Mr. BROWN of Michigan.

Mr. SHUSTER.

Mr. FRENZEL.

Mr. WYDLER.

(The following Members (at the request of Mr. DAVIS of South Carolina) and to include extraneous material:)

Mr. ANNUNZIO in six instances.

Mr. HAMILTON.

Mr. VANDER VEEN in two instances.

Mr. FISHER in three instances.

Mr. BYRON in 10 instances.

Mr. CAREY of New York in two instances.

Mr. GONZALEZ in three instances.

Mr. RARICK in three instances.

Mr. KASTENMEIER.

Mr. RANGEL in 15 instances.

Mr. ICHORD.

Mr. BOLLING.

Mr. DORN in five instances.

Mr. METCALFE.

Mr. PICKLE in two instances.

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. 3389. An act to amend the Act entitled "An act to incorporate the American University", approved February 24, 1893; to the Committee on the District of Columbia.

BILL PRESENTED TO THE PRESIDENT

Mr. HAYS, from the Committee on House Administration, reported that that committee did on June 21, 1974, present to the President, for his approval, a bill of the House of the following title:

H.R. 13839. An act to authorize appropriations for carrying out the provisions of the International Economic Policy Act of 1972, as amended.

ADJOURNMENT

Mr. DAVIS of South Carolina. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 52 minutes p.m.), the House adjourned until tomorrow, Tuesday, June 25, 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:

2481. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting copies of international agreements other than treaties entered into by the United States, pursuant to Public Law 92–403; to the Committee on Foreign Affairs.

2482. A letter from the Acting Secretary of the Interior, transmitting the annual report on the activities of, expenditures by, and donations to the Charles R. Robertson Lignite Research Laboratory, Grand Forks, N. Dak., covering calendar year 1973, pursuant to 62 Stat. 85; to the Committee on Interior and Insular Affairs.

2483. A letter from the Chairman, Indian Claims Commission, transmitting the final determination of the Commission in docket Nos. 342–B and 342–C, *the Seneca Nation of Indians, Plaintiff,* v. *the United States of America, Defendant;* and docket No. 368, *the Tonawanda Band of Seneca Indians, Plaintiff* v. *the United States of America, Defendant,* pursuant to 25 U.S.C. 70t; to the Committee on Interior and Insular Affairs.

2484. A letter from the Chairman, Indian Claims Commission, transmitting the final determination of the Commission in docket No. 342–F, *the Seneca Nation of Indians, Plaintiff, v. the United States of America, Defendant,* pursuant to 25 U.S.C. 70t; to the Committee on Interior and Insular Affairs.

2485. A letter from the Chairman, Indian Claims Commission, transmitting the final determination of the Commission in docket No. 342–I, *the Seneca Nation of Indians, Plaintiff,* v. *the United States of America, Defendant,* pursuant to 25 U.S.C. 70t; to the Committee on Interior and Insular Affairs.

2486. A letter from the Chairman, Federal Power Commission, transmitting a copy of the publication, "Statistics of Privately Owned Electric Utilities in the United States, 1972"; to the Committee on Interstate and Foreign Commerce.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. FLOOD: Committee on Appropriations. H.R. 15580. A bill making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1975, and for other purposes, (Rept No. 93–1140). Referred to the Committee of the Whole House on the State of the Union.

Mr. NATCHER: Committee on Appropriations. H.R. 15581. A bill making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1975, and for other purposes. (Rept. No. 93–1141). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. HARRINGTON (for himself, and Mrs. HECKLER of Massachusetts):

H.R. 15573. A bill to improve the extended unemployment compensation program; to the Committee on Ways and Means.

By Mr. ICHORD (for himself, and Mr. LATTA):

H.R. 15574. A bill to amend the United Nations Participation Act of 1945 to halt the importation of Rhodesian and Soviet chrome; to the Committee on Foreign Affairs.

By Mr. QUILLEN:

H.R. 15575. A bill to amend section 103(c) of the Internal Revenue Code of 1954 to increase the exemption from the industrial development bond provisions for certain small issues; to the Committee on Ways and Means.

By Mr. RUNNELS:

H.R. 15576. A bill to declare that certain land of the United States is held by the United States in trust for the Pueblo of Laguna; to the Committee on Interior and Insular Affairs.

By Mr. STEELMAN:

H.R. 15577. A bill to amend section 552 of title 5 of the United States Code to clarify certain exemptions from its disclosure requirements, to provide guidelines and limitations for the classification of information, and for other purposes; to the Committee on Government Operations.

By Mr. STEPHENS (for himself, Mr. MITCHELL of Maryland, Mr. GONZALEZ, Mr. GETTYS, Mr. ANNUNZIO, Mr. HANLEY, Mr. COTTER, Mr. J. WILLIAM STANTON, Mr. WILLIAMS, Mrs. HECKLER of Massachusetts, Mr. BURGENER, and Mr. RONCALLO of New York):

H.R. 15578. A bill to amend the Small Business Act, the Small Business Investment Act, and for other purposes; to the Committee on Banking and Currency.

By Mr. FLOOD:

H.R. 15580. A bill making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1975, and for other purposes.

By Mr. NATCHER:

H.R. 15581. A bill making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1975, and for other purposes.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

503. By the SPEAKER: Memorial of the House of Representatives of the Commonwealth of Massachusetts, relative to protection of the fishing industry; to the Committee on Merchant Marine and Fisheries.

504. Also, memorial of the Senate of the Commonwealth of Massachusetts, relative to taxation of the retirement income of elderly citizens; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII,

Mr. CONTE introduced a bill (H.R. 15579) for the relief of Mrs. Louise G. Whalen, which was referred to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

451. The SPEAKER presented a petition of Bill Brown, Washington, D.C., relative to redress of grievances, which was referred to the Committee on the District of Columbia.

SENATE—*Monday, June 24, 1974*

The Senate met at 12 o'clock noon and was called to order by Hon. SAM NUNN, a Senator from the State of Georgia.

PRAYER

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

Eternal Father, we lift our hearts to Thee in thanksgiving for another day in which to live and work and serve this Nation. Give us joyous hearts, keen minds, and resolute wills.

We thank Thee for the goodly company of those who minister to our souls by speaking, writing, or praying. We thank Thee for those who minister to daily necessities of food, shelter, clothing, and for those who service our homes and offices, supplementing and sustaining our endeavors.

Here, wilt Thou accept the work of our minds and hands as an offering to Thee for the well-being of the Nation and the advancement of Thy kingdom?

Through Jesus Christ our Lord. Amen.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. EASTLAND).

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., June 24, 1974.

To the Senate:

Being temporarily absent from the Senate on official duties, I appoint Hon. SAM NUNN, a Senator from the State of Georgia, to perform the duties of the Chair during my absence.

JAMES O. EASTLAND,
President pro tempore.

Mr. NUNN thereupon took the chair as Acting President pro tempore.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Berry, one of its reading clerks, announced that the House had passed the bill (H.R. 15472) making appropriations for agriculture-environmental and consumer protection programs for the fiscal year ending June 30, 1975, and for other purposes, in which it requests the concurrence of the Senate.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills:

H.R. 1376. An act for the relief of J. B. Riddle; and

H.R. 15124. An act to amend Public Law 93-233 to extend for an additional 12 months (until July 1, 1975) the eligibility of supplemental security income recipients for food stamps.

HOUSE BILL REFERRED

The bill (H.R. 15472) making appropriations for agriculture-environmental and consumer protection programs for the fiscal year ending June 30, 1975, and for other purposes, was read twice by its title and referred to the Committee on Appropriations.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Friday, June 21, 1974, be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

WAIVER OF THE CALL OF THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the call of the legislative calendar, under rule VIII, be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that all committees may be authorized to meet during the session of the Senate today.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

RETIREMENT OF CERTAIN LAW ENFORCEMENT AND FIREFIGHTER PERSONNEL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 919, H.R. 9281.

The ACTING PRESIDENT pro tempore. The bill will be stated by title.

The assistant legislative clerk read as follows:

H.R. 9281, to amend title 5, United States Code, with respect to the retirement of certain law enforcement and firefighting personnel, and for other purposes.

The ACTING PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Post Office and Civil Service with amendments on page 2, at the beginning of line 6, strike out "sections" and insert in lieu thereof "section".

On page 2, beginning with line 23, strike out "amended by adding at the end thereof the following:" and insert in lieu thereof the following language:

amended—

(1) by striking out "and" at the end of paragraph (18);