a period equal to five years less the time elapsing between the two policies; increases the maximum amount of coverage under both programs from $15,000 to $20,000, authorizes the return of excess premiums paid by Korean conflict veterans for Veterans' Special Term Life Insurance as a dividend to the insured; allows the Secretaries of the Army and Air Force to permit allotments from the pay of members of the Air Force, who are not on active duty, to make payment for group life insurance premiums of programs sponsored by the State military department or State associations of the National Guard; and contains other provisions. H.R. 6574. Public Law 93-289, approved May 24, 1974. (117)

POW families, funeral transportation for

Authorizes the Secretary of Defense to pay funeral transportation and living expenses for the families of prisoners of war who died while listed as a POW or MIA in Southeast Asia during the Vietnam conflict. S. 3228. Public Law 93-257, approved Mar. 29, 1974. (VV)

U.S. flag presentation

Authorizes the presentation of a flag to the person designated to direct the disposition of the remains of any member who dies under honorable conditions who was in a Ready Reserve status or who had completed all of their requirements for Reserve retirement but who were not eligible to receive retired pay because they had not reached age 60. H.R. 5621. Public Law 93-292, approved May 28, 1974. (VV)

Vietnam veterans

Increases, as of July 1, 1974, the rates for the monthly educational (or full time apprentice or on-job training) assistance allowance by 18.2 percent for eligible veterans and for eligible wives, widows, and children; increases the monthly allowance for a single veteran with no dependents from $220 to $260; establishes a partial tuition assistance allowance of up to $720 a school year for eligible veterans and persons under which the VA will pay according to the following formula: 80 percent of a school's yearly tuition charges up to $1,000 after excluding the first $100 of such tuition; liberalizes eligibility requirements for disabled Vietnam veterans to train under the vocational rehabilitation provisions to equalize them with those in effect for veterans of World War II and the post Korean conflict and so they may qualify for individualized tutorial assistance; extends the maximum entitlement of educational benefits to veterans from 36 to 45 months; extends to ten years the current 8-year delimiting date for veterans and eligible wives and widows to complete their programs of education; liberalizes the veteran-student service programs by raising the maximum work-study allowance from $250 to $625; liberalizes the tutorial assistance program; authorizes direct VA loans of up to $2,000 a year from the National Service Life Insurance Trust Fund to cover educational costs not otherwise provided for; establishes a veterans representative program to station a full time VA employee at each educational institution where at least 500 veterans are enrolled; and contains other provisions. H.R. 12628 (S. 2784). P/H Feb. 19, 1974; P/S amended June 19, 1974; House requested conference June 26, 1974. (252)

ORDER FOR RECOGNITION OF ASSISTANT REPUBLICAN LEADER AND ASSISTANT DEMOCRATIC LEADER ON MONDAY, JULY 8, 1974, AND FOR A PERIOD FOR THE TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that on Monday, July 8, 1974, after the two leaders or their designees have been recognized under the standing order, the assistant Republican leader be recognized for not to exceed 15 minutes, to be followed by the assistant Democratic leader for not to exceed 15 minutes; and that upon the conclusion of the two orders there be a period for the transaction of routine morning business of not to exceed 30 minutes, with statements limited therein to 5 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL MONDAY, JULY 8, 1974

Mr. ROBERT C. BYRD. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the provisions of Senate Concurrent Resolution 96, that the Senate stand in adjournment until 12 o'clock noon, on Monday, July 8, 1974.

The motion was agreed to; and at 5:22 p.m., the Senate adjourned until Monday, July 8, 1974, at 12 o'clock noon.

CONFIRMATIONS

Executive nominations confirmed by the Senate June 27, 1974:

DEPARTMENT OF STATE

Robert Stephen Ingersoll, of Illinois, to be Deputy Secretary of State.

Carlyle E. Maw, of New York, to be Under Secretary of State for Coordinating Security Assistance Programs.

NATIONAL RAILROAD PASSENGER CORPORATION

The following-named persons to be Members of the Board of Directors of the National Railroad Passenger Corporation for the terms indicated:

For a term of 2 years:
Charles Luna, of Texas.
Joseph V. MacDonald, of New York.
For a term of 3 years:
Frank S. Besson, Jr., of Virginia.
Mary J. Head, of Oklahoma.
For a term of 4 years:
Edward L. Ullman, of Washington.

The following-named persons to be members of the Board of Directors of the National Railroad Passenger Corporation for the terms indicated:

For a term of 3 years:
Donald P. Jacobs, of Illinois.
For a term of 4 years:
Robert Galbraith Dunlop, of Pennsylvania.

U.S. RAILWAY ASSOCIATION

The following-named persons to be members of the Board of Directors of the U.S. Railway Association for the terms indicated:

For a term of 2 years:
William W. Scranton, of Pennsylvania.
For a term of 4 years:
Gale B. Aydelott, of Colorado.
James E. Burke, of New Jersey.
For a term of 6 years:
Frank H. Blatz, Jr., of New Jersey.
Samuel B. Payne, of Massachusetts.
W. K. Smith, of Minnesota.

FEDERAL HOME LOAN BANK BOARD

Thomas R. Bomar, of Virginia, to be a member of the Federal Home Loan Bank Board for the term expiring June 30, 1978.

FEDERAL COMMUNICATIONS COMMISSION

The following-named persons to be members of the Federal Communications Commission for the terms indicated:

For the unexpired term of 7 years from July 1, 1968:
Abbott Washburn, of the District of Columbia.
For the unexpired term of 7 years from July 1, 1969:
Glen O. Robinson, of Minnesota.
For a term of 7 years from July 1, 1974:
Robert E. Lee, of the District of Columbia.

(The above nominations were approved subject to the nominees' commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.)

IN THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

National Oceanic and Atmospheric Administration nominations beginning Paul M. Duernberger, to be lieutenant commander, and ending David R. McKenzie, to be ensign, which nominations were received by the Senate and appeared in the Congressional Record on June 21, 1974.

HOUSE OF REPRESENTATIVES—*Thursday, June 27, 1974*

The House met at 10 o'clock a.m.

Father James W. McMurtrie, principal, Bishop Dennis J. O'Connell High School, Arlington, Va., offered the following prayer:

Let us pray:

Father, as we gather here today help us to be mindful that You have entrusted the world and all that is in it to the minds and hands of man. Our task is to tend it and develop it. This is the work of no one man but of many. This day, as these leaders come together to consider and care for the needs and desires of their fellow citizens, help them to consider them in this spirit. Help them to be mindful of the visions and hopes, both separate and collected, which first brought us together and made this a nation of greatness. Help these leaders to be responsible to the people; examples of goodness to all they serve. Give them the courage to remember that all we have and are ultimately comes from You. Help them to treat their duties and lives that way and us to give the respect and support they need and deserve.

We ask this through Christ our Lord. Amen.

THE JOURNAL

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

Without objection, the Journal stands approved.

There was no objection.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without

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amendment bills and a joint resolution of the House of the following titles:

H.R. 7089. An act for the relief of Michael A. Korhonen;

H.R. 8660. An act to amend title 5 of the United States Code (relating to Government organization and employees) to assist Federal employees in meeting their tax obligations under city ordinances;

H.R. 13221. An act to authorize appropriations for the saline water program for fiscal year 1975, and for other purposes;

H.R. 14832. An act to provide for a temporary increase in the public debt limit; and

H.J. Res. 1061. Joint resolution making further urgent supplemental appropriations for the fiscal year ending June 30, 1974, for the Veterans' Administration, and for other purposes.

The message also announced that the Senate agrees to the amendment of the House with an amendment to a joint resolution of the Senate of the following title:

S.J. Res. 202. Joint resolution designating the premises occupied by the Chief of Naval Operations as the official residence of the Vice President, effective upon the termination of service of the incumbent Chief of Naval Operations.

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

S. 2001. An act to designate the Alamogordo Dam and Reservoir, N. Mex., as Sumner Dam and Lake Sumner, respectively; and

S. 3705. An act to amend title 38, United States Code, to provide a 10-year delimiting period for the pursuit of educational programs by veterans, wives, and widows.

CALL OF THE HOUSE

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

The SPEAKER. Evidently a quorum is not present.

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

A call of the House was ordered.

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

[Roll No. 333]

Alexander	Esch	Minshall, Ohio
Andrews, N.C.	Ford	Mitchell, Md.
Armstrong	Fraser	Nelsen
Badillo	Gaydos	Nix
Bafalis	Gettys	Pepper
Bell	Gray	Perkins
Blatnik	Hanna	Pike
Bolling	Hansen, Wash.	Powell, Ohio
Brasco	Hébert	Preyer
Brinkley	Heckler, Mass.	Quie
Burke, Calif.	Holifield	Rees
Byron	Holtzman	Reid
Carey, N.Y.	Horton	Robison, N.Y.
Chisholm	Howard	Rooney, N.Y.
Clark	Jones, Tenn.	Rousselot
Clay	Karth	St Germain
Conable	Kemp	Satterfield
Conyers	Koch	Shuster
Corman	Kuykendall	Sikes
Coughlin	Kyros	Steele
Daniels, Dominick V.	Lagomarsino	Stokes
	Long, Md.	Traxler
Davis, Ga.	McCormack	Vander Jagt
Dellums	McDade	Wydler
Denholm	Macdonald	Wyman
Dorn	Madigan	Yatron
Downing	Mills	

The SPEAKER. On this rollcall 355 Members have recorded their presence by electronic device, a quorum.

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

COMMUNICATION FROM THE PARLIAMENTARIAN OF THE HOUSE OF REPRESENTATIVES

The SPEAKER laid before the House the following communication from the Parliamentarian of the House of Representatives:

WASHINGTON, D.C.,
June 27, 1974.

HON. CARL ALBERT,
The Speaker, House of Representatives, Washington, D.C.

DEAR MR. SPEAKER: I hereby submit my resignation as Parliamentarian of the United States House of Representatives effective at the close of June 30, 1974.

I am in my fiftieth year of service for the House of Representatives, having come originally to this body as an employee in 1925. In 1927 I became Assistant Parliamentarian and in January, 1928, I began my service as Parliamentarian of the House of Representatives, service which has covered a period of more than forty-six years.

This has been a wonderful experience, and I consider it to be one of the great privileges which God has granted me that I have served with nine Speakers: Honorable Nicholas Longworth, Honorable John Garner, Honorable Henry Rainey, Honorable Joseph Byrns, Honorable William Bankhead, Honorable Sam Rayburn, Honorable Joseph Martin, Honorable John McCormack, Honorable Carl Albert.

No one ever becomes Speaker of the House of Representatives unless he has great intelligence and ability and high probity, and unless he commands the respect of his colleagues. All of these nine Speakers were eminently qualified to follow and enhance the traditions of the House of Representatives. Their wisdom, fairness, and nonpartisanship in filling the high post of Speaker is shown by the fact that from the beginning of the 70th Congress, in 1927, there have been only eight appeals from decisions of the Speaker, and in seven of these eight cases the decision of the Speaker was sustained by the House of Representatives. On the one occasion when the Speaker was overruled (on February 21, 1931), the House was actually following the wishes of Speaker Longworth, for he in effect appealed to the House to overrule him in order to correct what he regarded as an erroneous precedent.

The challenges presented by my work as Parliamentarian have been heightened by the caliber of the men and women who have served in the House of Representatives while I have been associated with it. Truly representing all parts of the country and all their constituents, their individual and collective wisdom and their unceasing dedication to this country and its Constitution have always been a source of inspiration to me. I shall always treasure the many deep and abiding friendships which have developed through my associations with the Members over these years.

Along the way too it has been a pleasure to associate with the talented and loyal officers and employees of this body, and I am deeply grateful for the close friendships and wonderful working relationships which we have had.

I shall cherish the firm and lasting friendships I have had, Mr. Speaker, with the ladies and gentlemen of the media. In my almost daily associations with them over many years, I have come to know and respect their diligent efforts to report the news. I am particularly grateful for the way in which they honored my requests to protect my anonymity on those many occasions when they discussed with me some of the complicated legislative problems which confronted us from time to time.

The time comes in each man's life when he must determine what his future may be under God's guidance and direction. I am approaching my seventieth year, and my doctors have strongly suggested that I retire from my duties as Parliamentarian. It is my hope, Mr. Speaker, that in your good judgment you will find a position where I may continue to advise and consult with you and with the new Parliamentarian, as well as continuing the important work in which I am presently engaged of compiling the Precedents of the House of Representatives.

I wish to thank you, Mr. Speaker, and through you all the Members of this great body present and past, for your many kindnesses and considerations.

Most respectfully submitted.

LEWIS DESCHLER,
Parliamentarian, U.S. House of Representatives.

RETIREMENT OF LEWIS DESCHLER AS PARLIAMENTARIAN

Mr. O'NEILL. Mr. Speaker, on behalf of the minority leader, the gentleman from Arizona (Mr. RHODES) and myself, I offer a resolution (H. Res. 1202) and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 1202

Resolved, That the House of Representatives hereby tenders its gratitude and expresses its abiding affection to Lewis Deschler upon his retirement after more than 46 years as its Parliamentarian, and recognizes that his unsurpassed service and dedication to the House, his impartial counsel to Speakers and Members, and his exceptional contribution to the operation of its rules have immeasurably benefited this institution of government.

The SPEAKER. If the Chair did not stop it, this applause and standing ovation would continue all day.

The Chair recognizes the majority leader, the gentleman from Massachusetts (Mr. O'NEILL).

Mr. O'NEILL. Mr. Speaker, I yield to the Speaker of the House.

Mr. ALBERT. Mr. Speaker, I rise, of course, in strong support of this resolution. I had the honor on the occasion of Lew Deschler's 58th birthday to offer a similar resolution commending him on 35 years of faithful service, and now he is in his 50th year of service in the House of Representatives.

Mr. Speaker, I ask unanimous consent that I may include with my remarks a copy of a letter from a distinguished former Member of this body, the Honorable GERALD R. FORD, Vice President of the United States, which is addressed to Mr. Deschler.

The SPEAKER pro tempore (Mr. MCFALL). Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

The letter is as follows:

THE VICE PRESIDENT,
Washington, June 27, 1974.

Hon. LEWIS DESCHLER,
Parliamentarian, House of Representatives, Washington, D.C.

DEAR LEW: It was with a sense of sadness that I learned you had decided to leave the place that has been a home to you for nearly half a century.

When I first came to the House you had already become a living legend in a sanctuary of great and noble men. It was not difficult, especially for a freshman Congressman, to learn why you were so highly regarded.

Suffice it to say, Lew, that you have served the House Members—from the most junior to the most senior—with a degree of professionalism and dignity that has been, and will continue to be, an inspiration to us all.

Warmest best wishes for many years of happiness.

Sincerely,

GERALD R. FORD.

Mr. ALBERT. Mr. Speaker, the resignation of Lew Deschler marks the end of a career of a man who has unquestionably been the most distinguished servant of the House of Representatives in all its history.

Lew Deschler has served the House for 49 years as employee and officer. He has worked closely with every Speaker, beginning with Nicholas Longworth. He is without any doubt, and is recognized to be, the preeminent authority on parliamentary law in the entire world. But he is more than a parliamentarian. He is and has been an adviser to me and to eight Speakers before me on every important issue affecting the House of Representatives for almost half a century. He has aided directly and indirectly just about every Member who has served in the House during his time, and certainly all the committees that have operated in this House during his time.

Wisdom—this is a word that epitomizes Lew Deschler. John McCormack used to call Lew Deschler "the man of wisdom," and he was correct. How correct he was.

Lew is also a man of great loyalty and devotion to the House and to its place in the American system, he is devoted to its leaders and its Members.

This man, it seems to me, was born with an innate ability to make wise and judicious decisions, to collect information, and consider the facts carefully and deliberately before deciding. Day after day, week after week, year after year, he has added layer upon layer of practical experience unmatched by anyone in the history of the House of Representatives—official, employee, Member, or leader.

Lew has been on the scene when every important decision has been made on every important question affecting the House of Representatives ever since he first became Parliamentarian of the House. He has learned to sense the traps and pitfalls which might affect the House, its committees, and its leaders. He must be considered, in my opinion, if we appraise his contributions by his labor, one of the great public figures of our time. He is never ostentatious, never pretentious. He is always conscientious.

His record is a monument built over time, with great modesty; it is a towering monument of accomplishment.

I have been a close friend and confidant of two predecessor Speakers and a good friend of a third: Speakers Rayburn, John McCormack, and Joe Martin. I know the esteem in which they held Lewis Deschler.

Since 1945 I have been a part of the leadership of this House: As whip, leader, and Speaker. Whenever any important matter has been considered during that time, whether parliamentary, legislative, administrative, or otherwise, Lewis Deschler has always been there.

Sam Rayburn once told me—and I think this is a bit of unrecorded history that I am glad to put in print—that John Garner, former Speaker and former Vice President, said that he considered Lew Deschler to be one of the wisest men he ever knew. John Garner, who served for 8 years as Vice President and, as Members know, was a candidate for President said, according to Sam Rayburn, that if he had become President, he would have appointed Lewis Deschler to be a Justice of the Supreme Court. That was the measure of John Garner's confidence in Lew Deschler, and this was very early in Lew's career. This is, I am sure, an accurate bit of unrecorded history from the early 1930's.

Had Lew Deschler become a Justice of the Supreme Court, his contributions would have been outstanding as have been his contributions to the House. But his great love is and always has been the House of Representatives. He has devoted his life to making its institutional role what the constitutional fathers envisioned it should be.

For my own part, Mr. Speaker, my association with Lew Deschler has been close over a long period of time. Our families have been friends. We have been together on social visits as well as on business occasions. We have one of the finest friendships I have ever made and one which I shall always treasure.

I can say—and this applies to Speakers who have preceded me in my time—that whenever I have had puzzling problems I have always felt better for having discussed them with Lew Deschler.

Our distinguished Parliamentarian has discussed the matter of his retirement at length with me. He has consulted with his family. He has much work to complete. For personal and professional reasons he needs to be relieved of the responsibilities of the Office of Parliamentarian. I have acceded to his request to lay down his resignation, but I have been able to convince him that we should retain him as a consultant in order that the leadership of the House may call upon him when his counsel is needed.

He expects, as he has said, to devote more of his time to the completion of his precedents which every Member knows will be a monumental contribution to the House. I am happy that Lew will not completely sever his ties with this body. I am sad that he will no longer be the Parliamentarian of the House but I know the important task before him will be expedited when he is relieved of the rigorous responsibilities which are attached to his office. I know that I express the sentiments of every Member of the House of Representatives when I say that we will miss Lewis Deschler as Parliamentarian. We wish for him and his wonderful wife, Virginia, and his children and grandchildren many happy and useful years in the days to come.

Mr. O'NEILL. Mr. Speaker, the Vice President has joined us today to honor Lew, and he has just had an emergency call that he must leave. We regret that he cannot be here.

I join in the remarks made by the Speaker to pay tribute to our distinguished Parliamentarian for 46 years, Lew Deschler.

He clearly merits high marks of excellence for an outstanding performance of dedicated service to the House of Representatives for nearly a half a century.

When Lew first came to the House in 1925, he was eager to learn everything about House procedures and enthusiastic about the task before him. He has brought to his position a keen legal mind and a remembrance for House precedents unparalleled in this institution.

Conscientious devotion to his duties, hard work, and a willingness to share his knowledge with others, have earned him the praise and gratitude, the respect, and admiration of all Members and House employees alike.

Whether he was presiding over monumental legislative business or counseling Members on the correct procedure to instruct conferees, or advising Speakers on the correct ruling on a point or order against a nongermane amendment—Lew took his job seriously and performed each succeeding task with equal diligence and resourcefulness.

I know that the Speaker has valued his counsel, and I, as majority leader, have often sought advice and received from Lew a very adroit and thorough response to my procedural inquiries. All of us who have served in the House with you, Lew, are deeply indebted to the excellence that you have brought to the parliamentary decisions governing this body. We wish you the very best in retirement and are all happy to learn that you will still be working with us as a special counsel until you finish the task of compiling the House precedents.

I take this time to extend to you, Lew, sincere gratitude and appreciation for a job well done.

I was talking with my good friend on the phone last night, our former, and beloved Speaker John McCormack. Were he here, he, too, would join in thanking you for your devotion to duty and undivided loyal service to him during his tenure as Speaker of the House.

Mr. Speaker, I yield at this time to the distinguished minority leader Mr. JOHN RHODES, of Arizona.

Mr. RHODES. Mr. Speaker, I thank my distinguished friend, the majority leader, for yielding.

I associate myself with the remarks of the distinguished Speaker and the distinguished majority leader on the subject of the resignation of one of the great public servants of all time, Lewis Deschler, Parliamentarian of the House of Representatives.

Mr. Lewis Deschler came to the Congress from the city of Chillicothe, Ohio, which I am told was the first capital of the State of Ohio, so he has been associated with government and places in which government has occurred for all of his life. He first came as a page of course and was appointed Parliamentarian under the great Speaker Nicholas Longworth.

Lewis Deschler has served as very few people are privileged to serve the Republic in general and the Congress in particular. His ability to analyze a problem and to do it quickly certainly has stood all of us in good stead for all the time he has been in service.

His integrity, his ability to decide matters in accordance with the precedents, no matter how those precedents might fall, has given him the respect of every Member who has ever served in the House. He is not only an adviser to the Speaker, but he also has been a valuable adviser to the minority. I suggest this is always and should be the role of the Parliamentarian. The rules of a legislative body must always be such as to allow the majority to work its will when the majority is inclined to work its will; but those rules also must allow the minority the privilege of speaking up and giving its reasons why the positions of the majority might not be correct in the particular instance.

The rulings of Mr. Deschler have always furthered those great principles.

It has been said that the minority is the anvil upon which the majority pounds out its legislative program. After 22 years, I have a few scars to prove that is true; but nevertheless, the fact that Lew Deschler has been Parliamentarian in every instance I know of made me, and the Members of the minority, feel that our rights have been fully protected.

So it is with great sorrow that I realize that we are ending an era on the floor of the House of Representatives; but we will have Lew's services available as a consultant as he finishes the great work "The Deschler Precedents" which certainly will be the most outstanding work to be compiled in our time, concerning the parliamentary precedents of the House of Representatives and parliamentary law in general.

Lew has been here through many crises. Can we imagine a career that spans the turbulent days of the New Deal, World War II, the Korean war, all the crises which have occurred since the time he has been in this position.

So certainly he is looking back, as he should, with great satisfaction on a great career and all of us who have known him and known him personally with a warm personal friendship, as has been my privilege, feel a great sorrow for his leaving, but a great gratitude for having been with him.

Mr. Speaker, the distinguished Vice President, Mr. FORD, who was on the floor just prior to this time and had to leave has asked me to associate himself with the remarks that have been made about Lew Deschler and to say that he always has appreciated the great work and the great services of Mr. Deschler and his personal friendship.

Mr. Deschler, in your retirement, we all join, I know, in wishing you and your dear wife, Virginia, the very best of everything, both now and in the future.

Mr. O'NEILL. Mr. Speaker, I want to thank the distinguished minority leader for his beautiful thoughts.

Mr. BROWN of Ohio. Mr. Speaker, Lew Deschler has been our Parliamentarian almost as long as I have been on this Earth. Since he came to this House from Chillicothe, Ohio, at the invitation of the last Speaker from Ohio, the Honorable Nicholas Longworth, he has conducted himself with honor and dignity which, in turn, has brought honor and dignity to this body.

As I have been privileged to escort constituent citizens through these halls, I have often pointed out the Parliamentarian as the most powerful person in the House of Representatives, but the least known.

While I am fully aware that Lew Deschler has served at the pleasure of the Speaker, he has served to the pleasure of the House itself. Without his rational stability, this body would not have been able to serve the people as well as it has for the last half century. He has fairly served seven Speakers in maintaining the logical order of the business of making laws. And he has served without partisanship, always at the pleasure of the majority, but with the interest of maintaining the two-party system and the rights of the minority and the rights of the individual Member.

It is for that reason that his compiled precedents will be much awaited, and studied as carefully and for an even longer period than those precedents have been in the preparation. The Deschler-written precedents can influence the future of the House where representative government serves our people as effectively as the Deschler decisions have influenced the House during the last 46 years.

Lew Deschler's retirement is particularly sad in that it comes immediately ahead of one of the least precedented acts which the House may be called upon to perform. For the House to consider the possibility of impeachment without the guidance of an experienced pilot to mark the depth of water and warn us away from the shoals, is indeed a grievous loss. If this moment comes, his loss as our pilot through difficult parliamentary waters will be deeply felt by us all.

I am sure he has trained his successor well. And I am sure no Member of this body is unaware of the training he has given us all in the importance of protecting the integrity of the rules of parliamentary procedure and practice. But there is no substitute for experience when we embark on largely unchartered waters.

I feel sure that Lew Deschler would not lay down at this critical time the considerable burden he has carried so effectively for so long if it were not absolutely necessary. We all wish him well and pray for his continued good health. He has served this body well. He has served his country with merit. And he is a worthy son of Ohio. A few years ago he was honored by the Ohio Newspaper Association with its coveted Governor's Award presented to Ohio natives of great personal accomplishment. All Ohioans and all Americans are proud of Lew Deschler.

Mr. ROSTENKOWSKI. Mr. Speaker, it was with very mixed emotions that I today heard of the retirement of our Parliamentarian, Lewis Deschler, after 50 years of service to the House of Representatives. Virtually no one has been more indispensable to the effective operation of the House, and no one is more deserving of the leisuretime that this retirement will now allow.

During my years in the House, I have come not only to respect the man immensely, but to rely unquestionably on his judgment as well.

When I started as chairman of the Democratic caucus in both the 90th and 91st Congresses, it was Lew Deschler who was my right arm. It was he who ably assisted me in those often controversial days when the caucus first began to reexert its power. After we reinstituted regular monthly meetings of the caucus, it was not uncommon for Lew to arrive at the Capitol quite early in the morning at my request in order that we could review any potentially difficult rulings. At these times, he was far more than a procedural expert. He was an experienced counselor and friend.

In my office hangs a gavel that he presented to me in 1967 upon my reelection as chairman of the caucus. My regard for this memento is only exceeded by my respect for the man who gave it to me.

There are many other ways in which Lew has assisted me since I first came to Congress 16 years ago. I have always had a strong suspicion that it was Lew's confidence in me that led Speaker John McCormack to first name me Chairman of the Committee of the Whole during the consideration of several difficult bills. I only hope that I have been worthy of the confidence that Speaker McCormack and his able Parliamentarian first placed in me.

As he departs from this Chamber for the final time, he most assuredly leaves a lasting legacy. In the many tributes that will be bestowed upon him, I only hope that his amazing length of service will not somehow overshadow the quality of that service. For, while it is true that he has served the House through a half of a century, it is also true that he has been far more than just a tireless public servant. He has been unquestionably fair to all who have sought his counsel. His unparalleled knowledge of the House

has been muted only by his disdain for the public eye. In a city that craves the limelight, he has excelled in its shadow.

Mr. Speaker, in the last 50 years, I know Lew has seen many changes in the House that he has come to love. But, with all the changes, the strength and the quality of the House has remained constant. It has remained constant, because of the contributions and the influence of men like my good friend, Lew Deschler.

Mr. MILLER. Mr. Speaker, it is with a great deal of pleasure that I join in this salute to one of Capitol Hill's most distinguished public servants, Mr. Lewis Deschler. The resolution we have adopted today in the House underscores the feelings of this body that Lew Deschler has been a credit to his position as Parliamentarian of the House and an invaluable asset to the day-to-day legislative activities of the Congress.

Born in Chillicothe, Ohio—which is near my congressional district—Lew Deschler began his congressional service with his appointment in December 1925, as a Speaker's messenger. Two years later, he was named an Assistant Parliamentarian of the House and in 1928, Lew became the Parliamentarian.

His dedication to this job and his extensive knowledge of the duties of that post have not gone unrecognized. In 1970, he was named the recipient of the Ohio Governor's Award and, in the same year, he was the first to be honored by the John W. McCormack Award for House service.

His responsibilities in the House during the past 40 years have involved advising the Speaker, the majority leader, the minority leader as well as Members of the House on important parliamentary procedures. His advice and counsel on a wide range of subjects has been sought many times over and I know that we are all grateful for his cooperation and expertise.

Lew literally watched history in the making in this Chamber and he can take a great deal of pride in knowing that he was part of it.

It is an honor to join in this tribute to Lew Deschler and I commend him for his outstanding contributions to the House.

Mr. MINSHALL of Ohio. Mr. Speaker, we have learned today that our great friend and mentor, Lewis Deschler, the most skilled and knowledgeable Parliamentarian ever to serve the House, will be bringing to a close nearly a half century of service on Capitol Hill.

Appointed messenger at the Speaker's table as a youth in December 1925, his brilliance rapidly established itself. In January 1927, he became Assistant Parliamentarian and, in 1928, Parliamentarian, an office he has filled ever since with the greatest honor and ability.

Lew Deschler was admitted to the District of Columbia bar in 1934, the U.S. Supreme Court bar in 1937. His honors and awards and achievements are numberless, but among them are the Recipient Governor's Award, Ohio, 1970; Delta Tau Delta Distinguished Service Chapter, 1964; the first annual John W. McCormack Award, 1970; the Doormen's Society "Man of the Year Award," 1973. He served as assistant secretary of the American Group of Interparliamentary Union Convention in London in 1930.

But the greatest awards and tributes are those returned to Lew almost daily in the form of the often unspoken gratitude we feel to him for his wise counsel, his never-failing courtesy, his affability, his quick wit, his amiable ability to always find time in his spectacularly crowded schedule to help out a Member or a staff person.

Lew Deschler has made a lasting imprint on Capitol Hill as editor of the House Rules and Manual, from 1929 to 1973. He is leaving some mighty big boots to fill. I must say I feel, though I know good men will follow him, almost sorry for new Members in the next Congress who will not have the guidance and advice of this superb Parliamentarian, not know the warmth of the friendship of this great man.

I have always felt a particular bond with Lew, because he was born in Chillicothe, Ohio, which happens to be where my family put down its roots in public life more than a century ago.

It is an honor to join with a multitude of Lew Deschler's friends and admirers today to wish him Godspeed as he closes this long and distinguished chapter in his career. May health, happiness, and prosperity go with him always.

Mr. ANNUNZIO. Mr. Speaker, I rise to salute Lewis Deschler, the parliamentarian's parliamentarian, on the occasion of his retirement from the staff of the House.

Born March 3, 1905, in Chillicothe, Ohio, Lew graduated from George Washington University in 1925. While attending college, he was appointed as Timekeeper for the Speaker of the House by Speaker Nicholas Longworth. He was first appointed as Assistant Parliamentarian in 1927 by House Speaker Longworth and in January, 1928, he became the Parliamentarian. While serving, Lew earned his Doctor of Jurisprudence degree from National University, graduating in 1932.

Devoted to the traditions of the House of Representatives, Lew Deschler has served with dedication, wisdom, impartiality, and good sense. In his years of expert service to Members of Congress individually and collectively, he himself has deservedly become an honored institution, and he will doubtless go down in history as the "Great Parliamentarian" of the House of Representatives.

During the years he served, Lew Deschler has witnessed some of the greatest moments in the history of mankind, and he has experienced, in a very real sense, the triumphs and the tragedies of our Nation. Having given his best and having distinguished himself in a most exacting and difficult profession, Lew can be proud of his record and his accomplishments.

I join my colleagues in extending Lew Deschler my best wishes for abundant good health, good fortune, and much happiness in the years ahead and I am delighted that he will continue his life of service to the House as senior advisor in the Office of the Parliamentarian.

Mr. TEAGUE. Mr. Speaker, this body has had the distinguished advice of a man named Lewis Deschler for the past 50 years, and for those years of service all of us are thankful. He has given the U.S. House of Representatives and the Nation a lifetime of capable and dedicated service.

Lewis Deschler has served as Parliamentarian since the 70th Congress when the Honorable Nicholas Longworth was Speaker of the House. His years of admirable service have been keenly felt by former Speakers of the House: John Nance Garner, Henry T. Rainey, Joseph W. Byrns, William B. Bankhead, Sam Rayburn, Joseph W. Martin, Jr., John W. McCormack, and our present distinguished Speaker, CARL ALBERT. I only wish that those former Speakers could today insert their remarks about this outstanding man. I know their words would only reflect the highest praise for Lewis Deschler.

When I came to Congress, Lewis Deschler had already invested 2 decades as Parliamentarian. He was the first man I met in the opening days of my career as a Congressman, and from that day to this I have maintained the highest respect for him. During my years as chairman of the House Veterans' Affairs Committee and later as chairman of the Science and Astronautics Committee, Lew has aided me on numerous occasions that called for expertise that only he could offer. As chairman of the Democratic Caucus, I found his wisdom invaluable.

The House of Representatives is losing its most capable servant when Lewis Deschler leaves these chambers, but his impression on all of those who have served here shall never be forgotten. Those of us who have known him are better people because of our acquaintance with him.

Mr. MAHON. Mr. Speaker, I wish to join in paying tribute to my friend Lew Deschler, the Parliamentarian. The House of Representatives will not seem like the same place without him.

Mr. Speaker, as I sat and listened to your eloquent remarks about Mr. Deschler I thought about the history which Mr. Deschler has seen made over the 46-year period he has sat at the right hand of all the Speakers who have presided over the House. What a rich and incomparable experience. Nobody in the Nation has had such an experience.

Not only has Lew Deschler seen history made, he has made much history himself through his long and distinguished service as Parliamentarian.

Mr. Deschler has not only been indispensable to Speakers who have served the House during this time, he has been an invaluable adviser to committee chairmen, and indeed to innumerable Members of the House generally. The Nation owes him a debt of gratitude.

I must give a warm word of personal thanks to Mr. Deschler for his friendship and for the tremendous assistance he has given me and the staff of the Appropriations Committee. His help has allowed us to work under what have often

been difficult circumstances, and to work in such a way as to insure that Members were treated fairly in having an opportunity to work their will in the House, under the rules of the House.

Good luck, Lew. We will be wishing you much happiness as you continue to serve your fellow man and your country.

Mr. ROGERS. Mr. Speaker, it is with mixed feelings that all Members view the retirement of Lewis Deschler who has been Parliamentarian of the House of Representatives since 1928. I regret the loss of the services and companionship of Lew in the House, although I am happy that he has the opportunity in retirement to take a rest and do the things his busy schedule prevented him from doing while serving as Parliamentarian. Retirement will afford Lew the opportunity to spend more time with his family, including his son, Lewis who lives in my congressional district in Boca Raton.

As a young man I heard my father, Dwight Rogers, Sr., speak very highly of his old friend, Lew Deschler, and after knowing him through the years, I have shared my father's opinion.

We will always remember Lew Deschler's fine contributions in the preparation of the House Rules and Manual. We will remember his professional objectivity in the proper committee referral of bills and his assistance in unraveling complex parliamentary nightmares on the floor of the House. In addition, Lew has spent many hours assisting individual Congressmen, including myself, in advice regarding the interpretation of the rules and the appropriate Parliamentary procedure governing our actions on the floor.

Mr. Speaker, I would like to again commend Lewis Deschler for his many contributions, in promoting the smooth and efficient conduct of business in the House of Representatives and for the zeal and competence which he exhibited in carrying out the duties of his office. I wish to extend my best wishes to Lew and his family on this occasion of his retirement and hope that he will visit us frequently.

Mr. EVINS of Tennessee. Mr. Speaker, certainly I want to join with Speaker ALBERT and other colleagues in commending and congratulating Lewis Deschler, the House Parliamentarian, on the occasion of his completion of almost a half-century of dedicated and highly skilled services to the Congress.

Regrettably, Mr. Deschler has recently announced his plans for retirement and he will be greatly missed—as a matter of fact, Vice President John Nance Garner once said that if he were President he would name Lewis Deschler to the U.S. Supreme Court because of his great wisdom and capacity to decide complicated questions of parliamentary law.

Lewis Deschler is indeed a wise man, infinitely knowledgeable on parliamentary matters and blessed with objective judgment and a keen and alert mind.

He came to the House in 1925 as an employee of Speaker Longworth. In 1927 he became Assistant Parliamentarian and in 1928 became official Parliamentarian of the House and he has served since that time with distinction.

Lew Deschler is not only able and skilled—he is genial, personable, and most cooperative. He is a friend.

We shall miss him but we wish Lew the very best of good luck, good health, and happiness in his retirement.

Mr. NATCHER. Mr. Speaker, today the greatest parliamentarian in the world, Lewis Deschler, has announced that he is retiring as Parliamentarian of the U.S. House of Representatives effective at the close of June 30, 1974.

My friend, Lewis Deschler, is in his 50th year of service in the House of Representatives. He has been the confidant and advisor to nine Speakers of the House and at all times has fairly and impartially carried out his duties as Parliamentarian. The record that he has established places him in the position of being the greatest Parliamentarian ever to serve in the House of Representatives.

Mr. Speaker, one of the nicest things that has hapepned to me since I have been a Member of Congress is my association with Lew Deschler. Shortly after being elected a Member of Congress, Mr. Rayburn called me up and said he wanted me to preside on the next bill up for consideration. Since that time I have served on a number of occasions as Chairman during general debate and with the advice that I have received from our Parliamentarian, Lew Deschler, I have learned how to preside over the House of Representatives. I knew that I could call upon him at any time and as our Parliamentarian he would advise me correctly and there would be no contest in the committee over any of my rulings.

At all times he has been instinctively warmhearted, generous, understanding, sympathetic, and considerate. He possesses outstanding moral and intellectual qualities necessary for the position he has held down through the years. New Members upon advising with our Parliamentarian have found him to be understanding and helpful at all times.

Mr. Speaker, Lew Deschler is endowed with a well stocked mind and a sympathetic heart of rugged integrity, deep humility and personal modesty. Down to earth in his personal relationships and impatient with pretense and sham he has always possessed a strength of character that stood out and marked him as an outstanding American. A fine gentleman in every sense of the word and a man who has the respect of every Member of the Congress. The House of Representatives and the Nation will miss Lew Deschler, but Mr. Speaker, his name will go down in history with everlasting luster and fame. Our country is stronger today because of his immense contributions, and we will all miss him in the House of Representatives.

We all hope that our friend, Lewis Deschler, comes back to visit us real often, and we wish for him and the members of his family the best of everything in the future.

Mr. ZABLOCKI. Mr. Speaker, it is with mixed emotions that I received the news about the impending retirement of our good friend and great Parliamentarian, Lew Deschler.

On the one hand Lew deserves retirement because he has served the House of Representatives and our Nation so well for almost 50 years. But he has been such a pillar of strength to all of us for so long that it is difficult to imagine this Chamber without his presence.

I personally owe him an immense amount of appreciation for the counsel and advice he has tendered me and my office over the quarter century I have served in this body. It is a privilege to join with you, Mr. Speaker, the majority leader, minority leader, and our other colleagues in paying tribute to Lew today.

My lasting, dominant impression of this outstanding public servant will always be his warmth and humility. From the time when I first came to the House and for years thereafter, I addressed him as Mr. Deschler or "Mr. Parliamentarian." Repeatedly he stated that he preferred and asked me to address him as "Lew." Although our ages are not so different, his service in Congress has been so much longer than mine and his distinction is so marked, that it has only been in the last few years that I have been truly comfortable in addressing him by his first name.

Lew Deschler has left his mark on the history of our country. His name does not appear on any piece of legislation yet the stamp of his integrity and ability is on every piece of legislation which this body has enacted for decades.

The quality of his work has enhanced the operations and prestige of the Congress. It is comforting to know that his expertise will be available as a consultant whenever this august body calls upon his services.

My wife joins me in wishing Lew, his wife, and his family the very choicest of God's blessings in the years to come as Lew reaps the benefits of a well-deserved retirement.

Mr. ADDABBO. Mr. Speaker, I would like to add my voice to those who wish our distinguished Parliamentarian well in his retirement which will occur at the end of this month.

All of us who have served in this chamber count ourselves fortunate to have been able to avail ourselves time and again of his counsel. It is typical of Lew Deschler that requests for counsel were treated equally whether they came from the senior and powerful Members of this Chamber or whether they came from the new and inexperienced Member.

In the 14 years I have served in the House, Lew Deschler has in many instances made available his time and expertise drawn over 50 years of service to this House.

He has served with nine Speakers of the House and has carved out for himself a niche in the history of this body that likely will never be equaled.

Many of the rights our citizens take for granted today are a matter of law because of the precedents arrived at in this Chamber, and always for the last

50 years, Lew Deschler was the man who researched the precedents.

There is perhaps no man alive today who is as knowledgeable as our esteemed Parliamentarian in the vital elements of our laws of procedure. Few men ever contribute as much to their country as has Mr. Deschler, and there is little that can be said after you commend his record. His accomplishments speak more eloquently than anything else.

Though all of us in this Chamber will be the poorer for his retirement, we wish him this well and Godspeed.

Mr. MORGAN. Mr. Speaker, the departure of Lew Deschler is going to be a great loss to this body. I wish to give tribute to his truly remarkable contribution to our beloved House of Representatives.

Lew Deschler has played what I consider to be an historic role in the development of House rules over the past decades.

And along with this, he has given his wise and valuable counsel to more Members of the House than I can count, over more years than I can remember.

He has been patient, courteous, cooperative—and always helpful.

I will miss him. We all will miss him.

I wish our great Parliamentarian all the best in his well-deserved retirement.

Mr. PRICE of Illinois. Mr. Speaker, it is with mixed emotions that I heard the announcement of the retirement of our distinguished, Parliamentarian, Lew Deschler.

For Lew's sake, I am extremely happy that he will enter into a period of semi-retirement that he has so well earned.

Personally, I regret to see him leave this Chamber. He has been a sort of Father Confessor to many of us—advising us, helping us steer clear of legislative pitfalls and aiding us in every way.

When I came to Congress in 1945, I was told that Lew Deschler was one of the first men I should become acquainted with, that his counsel to freshmen Members would be sound and honest.

Since then, I have seen many of my colleagues leave the House and many new ones arrive. We have gone through many periods of change. But it has been a most comforting feeling to see Lew Deschler sitting at his post beside the Speaker, helping us avoid difficulties and helping us extract ourselves from them when they occurred.

It truly can be said that no one has added more than has Lew Deschler to the standing of the House of Representatives as the greatest deliberative body in the world. I wish him and his family happiness and the best of everything in the years ahead. We will sorely miss him.

It would be no overstatement to say that Lew Deschler has contributed more to the orderly functioning of the House of Representatives than any single man since Thomas Jefferson.

From his almost limitless storehouse of knowledge of the parliamentary process, he has counseled wisely and with uncommon professionalism those who have chaired this body and the Committee of the Whole House for half a century. I, among these, have known with gradtitude the assurance of having him at my side in times of difficult decisions.

All of us here and hundreds before us will remember Lew in many friendly ways, and I would predict that history may well speak of him as "the man behind the gavel."

Mr. FUQUA. Mr. Speaker, somehow it just will not be the same in the House Chamber without Lewis Deschler.

Everyone speaking here will pay tribute to his competence as the Parliamentarian of the House. That goes without saying.

I am more interested in saying something about a man who goes out of his way to assist new Members, who couples integrity and courage with an understanding of human nature, and who is simply a warm and friendly man.

As he retires, what memories he must have. From the time he joined the staff of the House in 1925, to his appointment as Assistant Parliamentarian in 1927, to being named Parliamentarian in 1928, he has seen and known the great and near-great of this land.

I am sure that he sometimes thinks back to the days when Sam Rayburn ran the House with an iron fist, that John W. McCormack was one of the kindest and most understanding gentlemen ever to serve in this body, and now as he ends his service, the brilliant orator from Oklahoma who occupies the Speaker's chair.

Yes, there were the John Kennedys, the Lyndon Johnsons, the Richard Nixons, and GERALD FORDS. But, there were a lot more who do not come readily to mind. They too would want to be remembered and express a note of appreciation to a gentleman who was, and is, a cherished friend.

I do so for them, and for myself.

GENERAL LEAVE

Mr. O'NEILL. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the retirement of our great Parliamentarian.

The SPEAKER pro tempore (Mr. MCFALL). Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. O'NEILL. 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.

REVEREND FATHER JAMES McMURTRIE

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

Mr. ROONEY of Pennsylvania. Mr. Speaker, it is with a great deal of pride that I welcome the Reverend Father James McMurtrie, principal of Dennis J. O'Connell High School in Arlington, Va., who offered the opening prayer at today's session of the House of Representatives.

Although himself young in years, Father McMurtrie already has compiled a long and impressive record of achievements in working with youth. And because all of us in the Congress are vitally concerned with the welfare of young Americans, I would like to single out but a few of the achievements made possible through Father McMurtrie's endeavors for youth.

When he arrived at the Catholic high school in Arlington in 1970, its enrollment stood at 1,200 students from northern Virginia. This September O'Connell High School's enrollment will exceed 1,500, an increase of 25 percent accomplished while other private schools are experiencing decreases in enrollment.

Academically, Dennis J. O'Connell High School ranks high with 93 percent of its graduates going on to obtain a college education. Fully 10 percent of the current graduating class have received scholarships to major State and private colleges and universities, and five of these graduates are National Merit Scholarship finalists.

Under Father McMurtrie's guidance, O'Connell High has developed an outstanding sports program, and O'Connell athletes, well trained and disciplined by an excellent coaching staff, are sought after by colleges and universities.

Ordained in 1962 after completion of his studies at St. Mary's Seminary and University in Baltimore and Loyola College in Baltimore, Father McMurtrie's priestly career has been devoted to youth. While an assistant pastor at St. Luke's Catholic Church in nearby McLean from 1962 to 1966, he served as youth activities director for the Arlington Deanery and later the Richmond diocese of Virginia.

This brought him into contact with virtually all the youth programs of the area, including Boy Scouts, Boys Clubs, and other boys' and girls' organizations. In 1966 he was named principal of Archbishop Gibbons High School in Petersburg, Va., serving there until his appointment as principal at O'Connell in Arlington.

CALL OF THE HOUSE

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

The SPEAKER pro tempore. Evidently a quorum is not present.

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

A call of the House was ordered.

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

[Roll No. 334]

Badillo	Fisher	Mills
Blatnik	Ford	Minshall, Ohio
Brademas	Frey	Powell, Ohio
Brasco	Gray	Preyer
Brinkley	Griffiths	Rees
Burke, Calif.	Gubser	Reid
Carey, N.Y.	Gude	Rodino
Chappell	Hansen, Wash.	Rooney, N.Y.
Chisholm	Hebert	Rousselot
Clark	Helstoski	St Germain
Clay	Hollifield	Sikes
Collier	Horton	Sisk
Conable	Jones, Tenn.	Stokes
Conyers	Karth	Traxler
Daniels, Dominick V.	Kyros	Vander Jagt
	Landgrebe	Whitten
Dorn	McCormack	Wydler
Downing	McSpadden	Yatron
Drinan	Macdonald	
Esch	Madigan	

The SPEAKER. On this rollcall 377 Members have recorded their presence by electronic device, a quorum.

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

A QUESTION OF PRIVILEGES OF THE HOUSE

Mr. ANDERSON of Illinois. Mr. Speaker, I offer a resolution (H. Res. 1203) involving a question of privileges of the House, and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 1203

Whereas on January 31, 1973, the House of Representatives voted to establish a ten-member, bipartisan Select Committee on Committees charged with conducting a "thorough and complete study of rules X and XI of the Rules of the House of Representatives; and

Whereas the select committee was further "authorized and directed to report to the House by bill, resolution, or otherwise," with respect to matters within its jurisdiction; and

Whereas on March 21, 1974, the select committee reported House Resolution 988 in conformance with its mandate; and

Whereas the chairman of the select committee has failed to seek a rule making House Resolution 988 in order for consideration by the House; and

Whereas, clause 27(d)(1) of House Rule XI states, "It shall be the duty of the chairman of each committee to report or cause to be reported promptly to the House any measure approved by his committee and to take or cause to be taken necessary steps to bring the matter to a vote;" and

Whereas delay in the consideration of H. Res. 988 may be directly attributed to action taken by the House Democratic Caucus on May 9, 1974, including instructions to the Democratic Members of the House Committee on Rules to take no action on the resolution until so directed by the caucus; and

Whereas the House Democratic Caucus is not recognized under the Rules of the House as a standing or select committee to which legislation may be referred or as having authority to defer action on legislation in clear violation of clause 27(d)(1) of House Rule XI: Therefore be it

Resolved, That the chairman of the select committee be directed to forthwith seek a rule making in order for consideration by the House, House Resolution 988; and be it further

Resolved, That the House Committee on Rules be directed to give immediate consideration to such request.

POINT OF ORDER

Mr. O'NEILL. Mr. Speaker, I raise a point of order against the resolution offered by the gentleman from Illinois.

The SPEAKER. The gentleman will state his point of order.

Mr. O'NEILL. Mr. Speaker, I make the point of order that the resolution offered by the gentleman from Illinois does not raise the question of privilege. The question of privilege is contained in rule IX of the Rules of the House of Representatives wherein it states:

Questions of privilege shall be, first, those affecting the rights of the House collectively, its safety, dignity, and the integrity of its proceedings; second, the rights, reputation, and conduct of Members, individually, in their representative capacity only; and shall have precedence of all other questions, except motions to adjourn.

Mr. Speaker, the chairman of the select committee has certainly not been derelict in attempting to bring this resolution to a vote.

Also, Mr. Speaker, there are precedents, because other Speakers have ruled that the charge of committee inactivity in respect to a subject committed to it does not constitute a question of privilege of the House.

Consequently, Mr. Speaker, I raise the point of order that the gentleman's resolution is not rightly before us because he has raised a point of privilege, and it is clearly out of order.

The SPEAKER. Does the gentleman from Illinois desire to be heard on the point of order?

Mr. ANDERSON of Illinois. Mr. Speaker, I desire to be heard on the point of order. My question of privilege arises under rule IX which provides that, and I quote:

Questions of privilege shall be, first, those affecting the rights of the House collectively, its safety, dignity and the integrity of its proceedings . . . .

Mr. Speaker, I rest my question of privilege on that clause which declares those questions privileged which relate to the integrity of the proceedings of the House. It is my contention that there has been a deliberate attempt to delay House consideration of House Resolution 988, the so-called Bolling-Martin Committee Reform Amendments of 1974, and that this intentional delay not only interferes with and flouts the integrity of the proceedings of this body, but is in clear violation of clause 27(d)(1) of rule XI of the Rules of the House.

Under that rule, and I quote:

It shall be the duty of the chairman of each committee to report or cause to be reported promptly to the House any measure approved by his committee and to take or cause to be taken necessary steps to bring the matter to a vote.

This rule was first adopted as part of the Legislative Reorganization Act of 1946 and made a part of the standing rules on January 3, 1953. The legislative history of this rule makes it quite plain what was intended. To quote from the final report issued by the Joint Committee on the Organization of Congress, issued March 4, 1946:

Each chairman, even though he is the executive of the committee, should be bound by the decisions of its members as expressed in the regular committee session. The withholding of legislation from the floor, through the failure to report it to the Chamber *or failure to obtain a rule making it in order for consideration by the Chamber*, is not consistent with the authority and rights of the committee as expressed by its action and status.

The joint committee report goes on, and again I quote:

We therefore recommend that, in the revision of the rules governing the reorganized committees, a chairman be required to report promptly to the Chamber any bill approved by his committee and to take such steps as will give the Chamber a chance to vote on it.

Mr. Speaker, there can be no question that this rule is today being undermined with respect to House Resolution 988.

The Select Committee on Committees reported that resolution on March 21, 1974, over 3 months ago. And yet, to date, the chairman of the committee has not requested a rule on the resolution, a duty which is clearly his under clause 27(d)(1) of rule XI.

Mr. Speaker, I would further contend that this delay is deliberate. It is widely known that, instead of bringing this resolution to the Rules Committee for consideration, the chairman of the select committee took it to the House Democratic Caucus. And, despite the fact that the caucus is not recognized under the rules of the House for the purpose of referring legislation and clearly does not have authority, therefore, to defer action on legislation duly reported from a committee, the caucus nevertheless voted on May 9, 1974, by a 111 to 95 secret ballot vote, to refer the resolution to its so-called reform committee for further study. As if that alone were not enough to undermine the integrity of House proceedings, the caucus further directed the Democratic members of the Rules Committee, which includes the chairman of the select committee, to take no action on the resolution until further directed by the caucus—ostensibly sometime late in July, a full 4 months after the resolution had been reported from the select committee. It should be further noted, Mr. Speaker, that the House had taken special care, in establishing the select committee, to make it a completely bipartisan committee consisting of five Democrats and five Republicans. And yet, the integrity of the House has been subverted by allowing this bipartisan resolution to not only be delayed but presumably altered by a partisan organization in this body.

The SPEAKER. The Chair desires to state to the gentleman from Illinois that the point of order goes to the contention that the resolution is not a privileged resolution, and not to the operations of the Democratic caucus or any subcommittee thereof.

Mr. ANDERSON of Illinois. Mr. Speaker, if I may continue, I would hope

to be able to convince the Speaker that the argument that I am making is germane with respect to the reason that I give that action on House Resolution 988 has been delayed in a manner that is not compatible with the Rules of the House of Representatives.

Mr. Speaker, volume XI of "Cannon's Precedents" lists approximately 600 precedents, divided into 55 categories, on questions of privilege. Category No. 22 on page 192 lists eight precedents under the heading, "Questions of Privilege of the House—As to Procedure—In Relation to Committees." The very first precedent reads, and I quote:

A report having been ordered to be made by a committee, but not being made within a reasonable time, a resolution directing the report to be made was decided to be privileged.

The precedent cited is contained in volume III of "Hinds' Precedents" at section 2609. On January 23, 1891, Congressman George W. Cooper of Indiana submitted as involving a question of privilege the following resolution, and I quote:

Resolved, That the select committee having in charge the investigation of certain charges against the Commissioner of Pensions, to whom was referred, on the 4th day of September last, a preamble and resolution reciting additional misconduct and corruption in office on the part of said commissioner, be directed to forthwith return said resolution to the House.

Mr. William McKinley, Jr., of Ohio, having made the point of order that the resolution did not present a question of privilege, the Speaker ruled as follows, and I quote:

The statement made by the gentleman from Indiana, Mr. Cooper, is that a committee of this House adopted a resolution to report, for reference by the House under the twenty-second rule, resolutions which had been referred to that committee in regular order. He states that a considerable length of time has elapsed since that action was taken by the committee to which the original resolution was referred, and he claims that this is a question of privilege involving the rights of the House and its methods of doing business.

The Speaker then went on to rule, and I quote:

The chair thinks it plainly so; that the committee having ordered a report of that kind, *it should have been made in a reasonable time*, and that the House has a right to make inquiry into the matter and to decide what ought to be done under the circumstances.

Mr. Speaker, while the situation under consideration today is not identical in every particular, I think the similarities are overwhelming and compelling in justifying the question of privilege I have raised.

In the first place, we are again dealing with a resolution of a select committee which that committee had ordered to be reported. While in the former instance, the chairman of the select committee had failed to abide by the instructions of the committee to report the resolution to the House, in the present instance the chairman of a select committee has failed to comply with his duty to "take or cause to be taken necessary steps to bring the matter to a vote," as required by rule XI, clause 27(d)(1).

Mr. Speaker, it should be noted that in the former instance, the Speaker recognized as a clear right of the House that the resolution in question should have been reported "in a reasonable time," even though in 1891 there was no House rule which required this. It was not until the Legislative Reorganization Act of 1946 that a rule was first adopted requiring a chairman to "promptly" report to the House a measure approved by the committee. And I think it is extremely significant to note that the very same clause, 27(d)(1) of rule XI, requires in the second part that a chairman take such other steps as are necessary to bring the matter to a vote. In other words, if such things were considered a matter of right of the House in 1891, and thus involved a question of privilege, surely they involve a question of privilege today when they are clearly explicitly defined in the rules of the House.

Another question which is relevant here is, "what should be considered a 'reasonable time' in which a matter should be reported by a chairman and in which the chairman should seek a rule?" In 1891 the Speaker ruled that a reasonable time had elapsed since the committee had ordered the chairman to report the resolution. The record reveals that the committee ordered the resolution reported on September 11, 1890. The first session of the 51st Congress adjourned on October 1, 1890, and the second session convened on December 1, 1890. It was on January 23, 1891, that Congressman Cooper raised his question of privilege. Therefore, the resolution had been in limbo only 73 calendar days while the House was actually in session, or approximately 2½ months. The committee reform resolution, on the other hand, was reported by the select committee on March 21, 1974, or over 3 months ago. If 73 days were considered more than a reasonable amount of time in 1891, thus raising a question of privilege, 95 days without seeking a rule today must surely be considered more than a reasonable time lapse, and thus makes this a question of highest privilege.

In conclusion, Mr. Speaker, "Cannon's Precedents" clearly indicate there are at least eight precedents in which the procedures of the House in relation to its committees involve a "question of privilege of the House," including the precedent I have cited from Hinds' which is most analogous to the present situation. There can be no question that the "integrity of the proceedings" of the House has clearly been interfered with, first, by the actions of the House Democratic caucus to sidetrack House Resolution 988 and instruct the Rules Committee's Democratic Members to take no action on that resolution; and secondly, by the refusal or inability of the chairman of the Select Committee on Committees to obtain a rule on the resolution reported by his committee, even though he is clearly required to "promptly" take such steps under clause 27(d)(1) of rule XI. I urge that the point of order be overruled.

I think therefore it is extremely significant to note that the very same clause 27(d)(1) of rule XI does require in the second part of that clause that a chairman take such other steps as are necessary to bring the matter to a vote. In other words, if such matters were considered a matter of right in this House in 1891 and thus involved a question of privilege and the Speaker so ruled, surely they involve a question of privilege today when they are very clearly and explicitly defined in the Rules of the House.

One further question which is relevant here is what should be considered a reasonable time in which a matter should be reported by a chairman and in which a chairman should seek a rule. In 1891 under the precedent case I have cited the Speaker ruled that a reasonable time had elapsed since the committee had ordered the chairman to report the resolution and the record reveals that the committee ordered the resolution reported on September 11, 1890. The first session of the 51st Congress adjourned on October 1, 1891, and the second session convened on December 1, 1891. It was on January 23 that Congressman Cooper raised his question of privilege. Therefore the resolution had been in limbo only 73 calendar days while the House was actually in session, or approximately 2½ months. House Resolution 988 on the other hand was reported by the Select Committee or. Committees on March 21, 1974, or over 3 months ago. So if 73 days was considered more than a reasonable amount of time for a committee to report in 1891 and to have raised a question of privilege, it would seem clear beyond peradventure of doubt that 95 days without seeking a rule today, in 1974, ought to be considered more than a reasonable lapse of time and thus make this question of highest privilege.

In conclusion, Mr. Speaker, Cannon's Precedents clearly indicate that there are at least eight precedents in which the procedures of the House in relation to its committees involve a question of privilege of the House and that includes the precedent I have already cited from Hinds which is clearly the most analagous to the present situation. There can be no question therefore, I say in reply to the point made by the distinguished majority leader that the integrity of the proceedings of the House has been interfered with, first, by the actions of the caucus to sidetrack House Resolution 988 and to instruct the members of the Rules Committee to take no action on that resolution and, secondly, by the refusal or, better stated, the inability of the chairman of the Select Committee on Committees to obtain a rule on the resolution reported by his committee even though he is clearly required to do so under clause 27(d)(1) of rule XI.

Therefore, Mr. Speaker, I urge that the point of order of the gentleman from Massachusetts be overruled.

The SPEAKER. The Chair is ready to rule.

The gentleman from Illinois (Mr. ANDERSON) has submitted a resolution which he asserts involves a question of the privileges of the House under rule IX. Following the preamble of the resolution, the resolution provides that:

Resolved, That the chairman of the Select Committee be directed to forthwith seek a rule making in order for consideration by the House, House Resolution 988, and be it further

Resolved, That the House Committee on Rules be directed to give immediate consideration to such request.

As indicated in "Hinds Precedents," volume III, section 2678, Speakers are authorized to make a preliminary determination as to those questions presented which may involve privileges. As reaffirmed by Speaker McCormack on October 8, 1968 (RECORD p. 30214 to 30216) when a Member asserts that he rises to a question of the privileges of the House, the Speaker may hear the question and then, if the matter is not one admissible as a question of privilege of the House he can refuse recognition.

The Chair has listened to the arguments concerning the privileged status of this resolution and has examined the precedents of the House in this regard. It will be noted that the gentleman from Illinois has relied heavily on section 2609, volume III of "Hinds Precedents," in which it was held by Speaker Reed that a report having been ordered to be made by a select committee but not being made within a reasonable time. A resolution directing the report to be made raised a question of the privileges of the House.

That case is distinguishable from the present instance in that in this instance the chairman has made the report and the resolution is pending on the calendar of the House and it does not become privileged until the House has adopted a resolution reported from the Committee on Rules providing for the consideration of House Resolution 988. The Chair does not feel that a question of privilege of the House under rule IX should be used as a mechanism for giving privilege to a motion which would not otherwise be in order under the Rules of the House, in this case, namely, a motion to direct the Committee on Rules to take a certain action.

The Chair now would refer to Hinds' Precedents, volume III, section 2610, wherein Speaker Crisp ruled that a charge that a committee had been inactive in regard to a subject committed to it did not constitute a question of privilege of the House.

The precedent cited by the gentleman from Illinois (Hinds III, 2609) is clearly distinguishable from the instant case, as the Chair has previously stated.

The rules did not provide at the time of Speaker Reed's ruling, as is now the case in clause 27(d)(2) of Rule XI, for a mandatory filing of the reports within 7 calendar days after the measure has been ordered reported, upon signed request by a committee majority.

In the instant case, however, the Select Committee on Committees has filed its report and the Chair is not aware that the chairman of the Select Committee on Committees has in any sense violated the rule cited by the gentleman from Illinois. For these reasons, the Chair holds that the gentleman's resolution does not present a question of the privileges of the House under the IX and the reolution may not be considered.

The Chair sustains the point of order.

Mr. ANDERSON of Illinois. Mr. Speaker, I respectfully appeal the ruling of the Chair and I ask that I be heard on appeal under section 1 of the conduct of debate under the precedent' of volume 5, section 4978.

The SPEAKER. The gentleman from Illinois appeals from the decision and the ruling of the Chair.

MOTION OFFERED BY MR. O'NEILL

Mr. O'NEILL. Mr. Speaker, I move to lay that appeal on the table.

The SPEAKER. The question is on the motion offered by the gentleman from Massachusetts (Mr. O'NEILL).

Mr. ANDERSON of Illinois. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 242, nays 163, not voting 29, as follows:

[Roll No. 335]

YEAS—242

Abzug	Dellums	Jones, N.C.
Addabbo	Denholm	Jones, Okla.
Alexander	Dent	Jordan
Anderson, Calif.	Derwinski	Kastenmeier
Andrews, N.C.	Diggs	Kazen
Annunzio	Dingell	Kluczynski
Arends	Donohue	Koch
Ashley	Dulski	Kyros
Aspin	Duncan	Landrum
Badillo	Eckhardt	Latta
Barrett	Edwards, Calif.	Leggett
Bennett	Eilberg	Lehman
Bergland	Evans, Colo.	Litton
Bevill	Evins, Tenn.	Long, La.
Biaggi	Fascell	Long, Md.
Bingham	Fisher	Lott
Blackburn	Flood	Luken
Blatnik	Flowers	McFall
Boggs	Flynt	McKay
Boland	Foley	McSpadden
Bolling	Ford	Madden
Bowen	Fountain	Mahon
Brademas	Fraser	Mann
Bray	Fulton	Martin, Nebr.
Breaux	Fuqua	Mathis, Ga.
Breckinridge	Gaydos	Matsunaga
Brooks	Gettys	Mazzoli
Brown, Calif.	Giaimo	Meeds
Broyhill, Va.	Gibbons	Melcher
Burke, Mass.	Ginn	Metcalfe
Burleson, Tex.	Goldwater	Mezvinsky
Burlison, Mo.	Gonzalez	Milford
Burton, John	Grasso	Minish
Burton, Phillip	Green, Oreg.	Mink
Byron	Green, Pa.	Mitchell, Md.
Camp	Griffiths	Moakley
Carney, Ohio	Guyer	Mollohan
Casey, Tex.	Hamilton	Montgomery
Chamberlain	Hanley	Moorhead, Pa.
Chappell	Hanna	Morgan
Chisholm	Harsha	Moss
Clark	Hawkins	Murphy, Ill.
Collier	Hays	Murphy, N.Y.
Collins, Ill.	Hébert	Murtha
Conyers	Hechler, W. Va.	Myers
Corman	Henderson	Natcher
Cotter	Hinshaw	Nedzi
Daniel, Dan	Holtzman	Nichols
Danielson	Howard	Nix
Davis, Ga.	Hungate	Obey
Davis, S.C.	Ichord	O'Hara
de la Garza	Jarman	O'Neill
Delaney	Johnson, Calif.	Passman
	Jones, Ala.	Patman
Patten	Runnels	Teague
Pepper	Ryan	Thompson, N.J.
Perkins	St Germain	Thornton
Pettis	Sarbanes	Tiernan
Pickle	Satterfield	Traxler
Pike	Scherle	Udall
Poage	Schneebeli	Ullman
Podell	Schroeder	Van Deerlin
Price, Ill.	Seiberling	Vander Veen
Quillen	Shipley	Vanik
Randall	Sikes	Vigorito
Rangel	Sisk	Waggonner
Rarick	Slack	Waldie
Rees	Smith, Iowa	White
Reuss	Snyder	Whitten
Rhodes	Staggers	Wilson, Charles H., Calif.
Riegle	Stanton, James V.	
Roberts	Stark	Wilson, Charles, Tex.
Rodino	Steed	Wolff
Roe	Stephens	Wright
Rogers	Stokes	Wylie
Roncallo, Wyo.	Stratton	Yates
Rooney, Pa.	Stubblefield	Young, Ga.
Rose	Stuckey	Young, Tex.
Rosenthal	Studds	Zablocki
Rostenkowski	Sullivan	
Roush	Symington	
Roy	Taylor, N.C.	
Roybal		

NAYS—163

Abdnor	Frey	Peyser
Adams	Froehlich	Powell, Ohio
Anderson, Ill.	Gilman	Price, Tex.
Andrews, N. Dak.	Gross	Pritchard
	Grover	Quie
Archer	Gubser	Railsback
Armstrong	Gude	Regula
Ashbrook	Gunter	Rinaldo
Bafalis	Hammer-schmidt	Robinson, Va.
Baker		Robison, N.Y.
Bauman	Hanrahan	Roncallo, N.Y.
Beard	Hansen, Idaho	Ruppe
Bell	Harrington	Ruth
Biester	Hastings	Sandman
Broomfield	Heckler, Mass.	Sarasin
Brotzman	Heinz	Sebelius
Brown, Mich.	Hicks	Shoup
Brown, Ohio	Hillis	Shriver
Broyhill, N.C.	Hogan	Shuster
Buchanan	Holt	Skubitz
Burgener	Hosmer	Smith, N.Y.
Burke, Fla.	Huber	Spence
Butler	Hudnut	Stanton, J. William
Carter	Hunt	
Cederberg	Hutchinson	Steele
Clancy	Johnson, Colo.	Steelman
Clausen, Don H.	Johnson, Pa.	Steiger, Ariz.
	Kemp	Steiger, Wis.
Clawson, Del	Ketchum	Symms
Cleveland	King	Talcott
Cochran	Kuykendall	Taylor, Mo.
Cohen	Lagomarsino	Thomson, Wis.
Collins, Tex.	Landgrebe	Thone
Conable	Lent	Towell, Nev.
Conlan	Lujan	Treen
Conte	McClory	Vander Jagt
Coughlin	McCloskey	Veysey
Crane	McCollister	Walsh
Cronin	McDade	Wampler
Culver	McEwen	Ware
Daniel, Robert W., Jr.	McKinney	Whalen
	Mallary	Whitehurst
Davis, Wis.	Maraziti	Widnall
Dellenback	Martin, N.C.	Wiggins
Dennis	Mathias, Calif.	Williams
Devine	Mayne	Wilson, Bob
Dickinson	Michel	Winn
Drinan	Miller	Wyatt
du Pont	Mitchell, N.Y.	Wyman
Edwards, Ala.	Mizell	Young, Alaska
Erlenborn	Moorhead, Calif.	Young, Fla.
Eshleman		Young, Ill.
Findley	Mosher	Young, S.C.
Fish	Nelsen	Zion
Forsythe	O'Brien	Zwach
Frelinghuysen	Owens	
Frenzel	Parris	

NOT VOTING—29

Brasco	Goodling	Macdonald
Brinkley	Gray	Madigan
Burke, Calif.	Haley	Mills
Carey, N.Y.	Hansen, Wash.	Minshall, Ohio
Clay	Helstoski	Preyer
Daniels, Dominick V.	Holifield	Reid
	Horton	Rooney, N.Y.
Dorn	Jones, Tenn.	Rousselot
Downing	Karth	Wydler
Esch	McCormack	Yatron

So the motion was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PREFERENTIAL MOTION OFFERED BY MR. WAGGONNER

Mr. WAGGONNER. Mr. Speaker, under clause 1, rule XXVIII, I offer a preferential motion.

The Clerk read as follows:

Mr. WAGGONNER moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the bill H.R. 69, be instructed to insist upon the provisions of the House relating to limitations on the transportation of students embodied in Title II, of the House bill.

The SPEAKER. The gentleman from Louisiana is recognized.

Mr. WAGGONNER. Mr. Speaker, earlier this year this House of Representatives during the consideration of H.R. 69, which is an act to extend and amend the Elementary and Secondary Education Act of 1965, voted overwhelmingly to insert language of an amendment offered by the gentleman from Michigan (Mr. ESCH) to prohibit busing. Mr. ESCH did this with the concurrence of the House in an effort to comply with the will of the people across this country and for the benefit of education and our youth.

On June 5, 1974, just 22 days ago, the gentleman from Kentucky (Mr. PERKINS), the chairman of the Education and Labor Committee, moved to go to conference on this proposal, H.R. 69, that proposal then having been passed by the U.S. Senate.

Mr. ESCH, under the rules of the House, at that point in time moved to instruct the House conferees to insist on the provisions of the House language relating to limitations on the transportation of students embodied in title II of the House bill, which was the Esch amendment.

On June 5, the conference was agreed to, and this House again voted overwhelmingly to instruct the conferees to insist upon the House language to prohibit busing.

Mr. Speaker, rule XXVIII authorizes that the House conferees be further instructed if within 20 calendar days they have as conferees not reported to the House of Representatives the results of that conference or come back for instructions.

Twenty days have expired. The conferees have agreed on every aspect of H.R. 69 except busing.

Mr. Speaker, you know and this House knows as well as I do that the Senate bill has absolutely useless language in this regard.

I think I am well advised when I point out that the Senate conferees want even weaker language than the Senate language contained in their bill.

So, Mr. Speaker, my motion is to again instruct the House conferees with exactly the same instructions and language as Mr. ESCH utilized: to again stand by the House language contained in title II with regard to the transportation of students.

I would like to inquire at this time if the chairman of the committee, the gentleman from Kentucky (Mr. PERKINS), would like to have me yield to him, for purposes of debate only, a limited amount of time, and that then we might dispose of this matter?

Mr. PERKINS. I do, Mr. Speaker.

Mr. WAGGONNER. Mr. Speaker, then I yield, for purposes of debate only, 2 minutes to the gentleman from Kentucky (Mr. PERKINS), the chairman of the committee.

Mr. PERKINS. Mr. Speaker, I would say to the gentleman from Louisiana that I would like to have 5 minutes.

Mr. WAGGONNER. Mr. Speaker, I yield 5 minutes to the gentleman from Kentucky, the chairman of the committee, for purposes of debate only.

Mr. PERKINS. Mr. Speaker, I would regret to see the House of Representatives again instructing the House conferees on the busing issue, especially since the House conferees are doing everything in their power to uphold the position of the House.

I need not make mention here today as to how the Senate conferees are constituted except to say there are many many who do not entertain the viewpoint of the majority of the Members of this House on the busing issue.

We have been discussing this issue on numerous occasions with the Senate conferees. We have worked diligently since we went to conference on June 8, trying to resolve the differences to the best of our ability. But I do not think that this House should lose sight of the fact that we are in the conference on one of the most important pieces of legislation that has ever come before the House Chamber, and that is the Elementary and Secondary Education Act, coupled with 75 other educational programs, and we need to get back here with this bill at the earliest possible date.

I could make mention of the fact that some members of this conference are really not concerned whether we bring back a bill or not.

We broke up this morning at 4 a.m. in disagreement on the busing issue. The House refused to recede to the Senate on the busing issue, and the Senate refused to recede to the House. So we broke up in disagreement on the busing issue.

We have discussed the busing issue for many hours in the conference, and when we meet again we will be discussing the issue. Hopefully we meet at 2 o'clock today, unless the HEW appropriation bill prevents us from meeting.

It had been my hope that we could bring a bill back or reach agreement or have a meeting of minds on this legislation. That is the reason we held an all-night session last night.

I do not believe that any good will flow from the instructions to the House to stand firm, because I do not know of any House Members who have not stood firm. We are doing our best. I might as well say to my good friends in this Chamber that the purpose of a conference is to compromise issues. To my way of thinking, unless this issue is compromised, I do not know how our differences will ever be resolved, but up to this point there has not been any disposition on the part of the Senate to give.

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

Mr. PERKINS. I yield to the ranking minority member, the gentleman from Minnesota, for an observation on this issue.

Mr. QUIE. I thank the gentleman for yielding.

I shall speak only for purposes of debate and not do anything that the gentleman from Louisiana does not want me to do on that, I assure him. But it just seems to me we ought to point out that there are two differences here. The Senate has the Scott-Mansfield amendment which, to me, says that the court has to abide by the Constitution. They have to abide by the Constitution anyway. We have got a reopener. The rest of the part, it seems to me, is the same between the two bodies. The Ashbrook amendment is not part of it, as I understand the gentleman from Louisiana.

The SPEAKER. The time of the gentleman has expired.

Mr. WAGGONNER. Mr. Speaker, the gentleman from Kentucky (Mr. PERKINS) has just said to this House that the purpose of a conference is to compromise differences in legislation. This House feels strongly, I believe, as it has expressed itself on previous occasions, that in the instance of this amendment, this question, that there should be no compromise. The people of this country overwhelmingly feel that the House language should prevail. They are sick and tired of unnecessary busing and rightly so.

Mr. Speaker, I urge my colleagues in the House to support this preferential motion and I move the previous question on the motion.

Mr. FRENZEL. Mr. Speaker, there is no need to instruct the conference managers on H.R. 69 a second time. They know how strong the feelings of the House are against busing. They also know that they are only one of two parties at the bargaining table.

The conference report, in any case, will contain strong antibusing provisions. I am no busing fan, and I do not believe in vast, or cross-district busing plan. I am convinced that the conference report will prevent them.

What is most important here is that we need to pass an education bill promptly so our school districts will know what funds to expect. It is bad enough that we do not fund a year in advance, but it is impossible for local school boards to plan at all when we do not complete current year funding until after the school year begins.

I believe a vote to instruct conferees is a vote to slow down H.R. 69. It is terribly important that is be promptly passed. Therefore, I must vote against the motion.

The SPEAKER. The question is on the

preferential motion offered by the gentleman from Louisiana (Mr. WAGGONNER).

RECORDED VOTE

Mr. WAGGONNER. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 281, noes 128, not voting 25, as follows:

[Roll No. 336]

AYES—281

Abdnor	Ford	Mizell
Alexander	Fountain	Moakley
Anderson, Calif.	Frey	Mollohan
Andrews, N.C.	Froehlich	Montgomery
Andrews, N. Dak.	Fulton	Moorhead, Calif.
Annunzio	Fuqua	Morgan
Archer	Gaydos	Murphy, N.Y.
Arends	Gettys	Murtha
Armstrong	Giaimo	Myers
Ashbrook	Gibbons	Natcher
Bafalis	Gilman	Nedzi
Baker	Ginn	Nichols
Bauman	Goldwater	O'Hara
Beard	Grasso	Parris
Bennett	Green, Oreg.	Passman
Bevill	Griffiths	Patman
Biaggi	Gross	Patten
Biester	Grover	Pepper
Boggs	Gubser	Pettis
Boland	Gude	Peyser
Bowen	Gunter	Pickle
Bray	Guyer	Poage
Breaux	Haley	Podell
Brooks	Hamilton	Powell, Ohio
Broomfield	Hammer-schmidt	Price, Tex.
Brotzman	Hanley	Quillen
Broyhill, N.C.	Hanrahan	Randall
Broyhill, Va.	Harsha	Rarick
Buchanan	Hastings	Regula
Burgener	Hays	Rhodes
Burke, Fla.	Hébert	Rinaldo
Burke, Mass.	Heckler, Mass.	Roberts
Burleson, Tex.	Heinz	Robinson, Va.
Burlison, Mo.	Henderson	Roe
Butler	Hillis	Rogers
Byron	Hinshaw	Roncallo, N.Y.
Camp	Hogan	Rooney, Pa.
Carney, Ohio	Holt	Rose
Carter	Hosmer	Roush
Casey, Tex.	Huber	Roy
Cederberg	Hudnut	Runnels
Chamberlain	Hungate	Ruth
Chappell	Hunt	Ryan
Clancy	Hutchinson	St Germain
Clark	Ichord	Sandman
Clausen, Don H.	Jarman	Sarasin
Clawson, Del	Johnson, Colo.	Sarbanes
Cleveland	Johnson, Pa.	Satterfield
Cochran	Jones, Ala.	Scherle
Collier	Jones, N.C.	Schneebeli
Collins, Tex.	Jones, Okla.	Sebelius
Conlan	Kazen	Shipley
Cotter	Kemp	Shoup
Coughlin	Ketchum	Shriver
Crane	King	Shuster
Cronin	Kuykendall	Sikes
Daniel, Dan	Lagomarsino	Skubitz
Daniel, Robert W., Jr.	Landgrebe	Slack
Davis, Ga.	Landrum	Smith, N.Y.
Davis, S.C.	Latta	Snyder
Davis, Wis.	Lent	Spence
de la Garza	Litton	Staggers
Delaney	Long, La.	Stanton, J. William
Denholm	Long, Md.	Stanton, James V.
Dennis	Lott	Steed
Derwinski	Lujan	Steele
Devine	Luken	Steelman
Dickinson	McCollister	Steiger, Ariz.
Dingell	McDade	Stephens
Donohue	McKay	Stubblefield
Dulski	McSpadden	Stuckey
Duncan	Mahon	Sullivan
du Pont	Mann	Symms
Edwards, Ala.	Maraziti	Talcott
Eilberg	Martin, Nebr.	Taylor, Mo.
Esh leman	Martin, N.C.	Taylor, N.C.
Evins, Tenn.	Mathias, Calif.	Teague
Fascell	Mathis, Ga.	Thomson, Wis.
Fisher	Mazzoli	Thone
Flood	Michel	Thornton
Flowers	Milford	Tiernan
Flynt	Miller	Towell, Nev.
	Minish	Traxler
	Minshall, Ohio	Treen
	Mitchell, N.Y.	Ullman
	Moorhead, Pa.	Vander Jagt
	Morgan	Vanik
	Mosher	Veysey
	Moss	Vigorito
	Murphy, Ill.	Waggonner
	Natcher	Walsh
	Nedzi	Wampler
	Nelsen	Ware
	Nichols	White
	Nix	Whitehurst
	Obey	Whitten
	O'Hara	Widnall
	Parris	Wiggins
	Passman	Williams
	Patman	Wilson, Bob
	Patten	Wilson, Charles, Tex.
	Pepper	Winn
	Pettis	Wolff
	Peyser	Wright
	Pickle	Wyatt
	Poage	Wylie
	Podell	Wyman
	Powell, Ohio	Young, Alaska
	Price, Ill.	Young, Fla.
	Price, Tex.	Young, Ill.
	Pritchard	Young, S.C.
	Quie	Young, Tex.
	Quillen	Zablocki
	Railsback	Zion
	Randall	
	Rangel	
	Rarick	
	Rees	
	Regula	
	Reuss	
	Rhodes	
	Riegle	
	Rinaldo	
	Robison, N.Y.	
	Roberts	
	Robinson, Va.	
	Rodino	
	Roe	
	Roncalio, Wyo.	
	Rogers	
	Rosenthal	
	Roncallo, N.Y.	
	Rooney, Pa.	
	Rose	
	Rostenkowski	
	Roush	
	Roybal	
	Roy	
	Ruppe	
	Runnels	
	Ruth	
	Ryan	
	St Germain	
	Sandman	
	Sarasin	
	Sarbanes	
	Satterfield	
	Scherle	
	Schneebeli	
	Schroeder	
	Sebelius	
	Seiberling	
	Shipley	
	Shoup	
	Shriver	
	Shuster	
	Sikes	
	Sisk	
	Skubitz	
	Slack	
	Smith, Iowa	
	Smith, N.Y.	
	Snyder	
	Spence	
	Staggers	
	Stanton, J. William	
	Stanton, James V.	
	Stark	
	Steed	
	Steele	
	Steelman	
	Steiger, Ariz.	
	Steiger, Wis.	
	Stephens	
	Stokes	
	Stratton	
	Stubblefield	
	Studds	
	Stuckey	
	Sullivan	
	Symington	
	Symms	
	Talcott	
	Taylor, Mo.	
	Taylor, N.C.	
	Teague	
	Thompson, N.J.	
	Thomson, Wis.	
	Thone	
	Thornton	
	Tiernan	
	Towell, Nev.	
	Traxler	
	Treen	
	Udall	
	Ullman	
	Van Deerlin	
	Vander Jagt	
	Vander Veen	
	Vanik	
	Veysey	
	Vigorito	
	Waggonner	
	Waldie	
	Walsh	
	Wampler	
	Ware	
	Whalen	
	White	
	Whitehurst	
	Whitten	
	Widnall	
	Wiggins	
	Williams	
	Wilson, Bob	
	Wilson, Charles H., Calif.	
	Winn	
	Wolff	
	Wright	
	Wyatt	
	Wylie	
	Wyman	
	Yates	
	Young, Alaska	
	Young, Fla.	
	Young, Ill.	
	Young, S.C.	
	Young, Tex.	
	Zablocki	
	Zion	
	Zwach	

NOES—128

Abzug	Frelinghuysen	O'Brien
Adams	Frenzel	O'Neill
Addabbo	Gonzalez	Owens
Anderson, Ill.	Green, Pa.	Perkins
Ashley	Hanna	Pike
Aspin	Hansen, Idaho	Price, Ill.
Badillo	Harrington	Pritchard
Barrett	Hawkins	Quie
Bell	Hechler, W. Va.	Railsback
Bergland	Helstoski	Rangel
Bingham	Hicks	Rees
Blatnik	Holtzman	Reuss
Bolling	Howard	Riegle
Brademas	Johnson, Calif.	Robison, N.Y.
Breckinridge	Jordan	Rodino
Brown, Calif.	Kastenmeier	Roncalio, Wyo.
Brown, Mich.	Kluczynski	Rosenthal
Brown, Ohio	Koch	Rostenkowski
Burton, John	Kyros	Roybal
Burton, Phillip	Leggett	Ruppe
Chisholm	Lehman	Schroeder
Clay	McClory	Seiberling
Cohen	McCloskey	Sisk
Collins, Ill.	McCormack	Smith, Iowa
Conable	McEwen	Stark
Conte	McFall	Steiger, Wis.
Conyers	McKinney	Stokes
Corman	Madden	Stratton
Culver	Mallary	Studds
Danielson	Matsunaga	Symington
Dellenback	Mayne	Thompson, N.J.
Dellums	Meeds	Udall
Dent	Melcher	Van Deerlin
Diggs	Metcalfe	Vander Veen
Drinan	Mezvinsky	Waldie
Eckhardt	Mink	Whalen
Edwards, Calif	Mitchell, Md.	Wilson, Charles H., Calif.
Erlenborn	Moorhead, Pa.	Yates
Evans, Colo.	Mosher	Young, Ga.
Findley	Moss	Zwach
Fish	Murphy, Ill.	
Foley	Nelsen	
Forsythe	Nix	
Fraser	Obey	

NOT VOTING—25

Blackburn	Esch	Madigan
Brasco	Goodling	Mills
Brinkley	Gray	Preyer
Burke, Calif.	Hansen, Wash.	Reid
Carey, N.Y.	Holifield	Rooney, N.Y.
Daniels, Dominick V.	Horton	Rousselot
Dorn	Jones, Tenn.	Wydler
Downing	Karth	Yatron
	Macdonald	

So the preferential motion was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Macdonald for, with Mr. Reid against.

Mr. Dominick V. Daniels for, with Mrs. Burke of California against.

Mr. Jones of Tennessee for, with Mr. Karth against.

Mr. Yatron for, with Mr. Holifield against.

Mr. Esch for, with Mr. Horton against.

Mr. Rousselot for, with Mr. Madigan against.

Until further notice:

Mr. Brasco with Mr. Blackburn.

Mr. Rooney of New York with Mr. Dorn.

Mr. Brinkley with Mr. Downing.

Mr. Carey of New York with Mr. Gray.

Mrs. Hansen of Washington with Mr. Wydler.

Mr. Mills with Mr. Preyer.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. WAGGONNER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the preferential motion just agreed to.

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

There was no objection.

PERMISSION FOR COMMITTEE ON AGRICULTURE TO FILE REPORTS

Mr. ALEXANDER. Mr. Speaker, I ask unanimous consent that the Committee on Agriculture have until midnight tonight to file a report on the bills, H.R. 15560 and H.R. 15283.

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

There was no objection.

MOTION TO TABLE ANDERSON APPEAL OF SPEAKER'S RULING

Mr. RANDALL. Mr. Speaker, the vote on the motion of the gentleman from Massachusetts, our majority leader (Mr. O'NEILL, to table the appeal of the ruling of the Speaker from the gentleman from Illinois (Mr. ANDERSON) is purely a procedural matter. Here the issue is not reform of the House or reorganization of committees or whether or not the report of the so-called Bolling committee has been unduly delayed and improperly sidetracked to the so-called Hansen committee; rather the issue at this point is to uphold the integrity of the ruling by the Speaker of the House based upon precedents which he cited in contravention of and in rebuttal to the precedents cited by the gentleman from Illinois (Mr. ANDERSON).

All of the precedents cited in support of his privileged motion by the gentleman from Illinois (Mr. ANDERSON) related to instances back as far as 1891. They all pertained to situations wherein the report of a select committee has been prepared but not reported. Accordingly, there is a clear differentiation between the precedent cited and the instance here before us. The Bolling committee has submitted its report. It has been printed and is pending before the Rules Committee.

What, then, is it that has happened after the report was issued and while it was on its way to the Rules Committee? The answer is that the report was considered by the Democratic caucus and by a 111 to 95 vote of that caucus. It was agreed that the report be submitted to the so-called Hansen committee for recommendations as to amendments or modification. It is my firm understanding that the Hansen committee will act within the next week or two and that thereafter the caucus will take further action on the Bolling reorganization report.

As we come to a vote on the motion to table the appeal by the author of the privileged motion, the gentleman from

Illinois (Mr. ANDERSON) once again let me repeat and emphasize that the issue is not whether we are for congressional reorganization or against it.

Rather, there are two issues: one is whether or not those who are members of the caucus believe that they are bound by the vote of the caucus; and, second, whether or not the House will uphold the integrity of a ruling by its Speaker when it is supported by precedents equally as convincing and persuasive as those offered by the appellant (Mr. ANDERSON). For my part, I intend to support the integrity of our Speaker.

Now, Mr. Speaker, let me address myself to the merits of the matter of reorganization of the House committee system. In other words, to comment on the merits rather than the procedures. My credentials in support of the Bolling proposal are well documented and are as good as any Member's on this point. I spoke on behalf of the Bolling report in the Democratic caucus at the last meeting of the caucus prior to the vote to send it to the Hansen committee.

At the caucus meeting in which the vote was taken, I voted "for" an open vote, and "against" a secret ballot. I was not then, and I am not now, ashamed of the fact that I was for the Bolling reorganization plan. My colleague and neighbor to the west, the gentleman from Missouri (Mr. BOLLING), will bear witness to the fact that I discussed his proposal with him with approval. I pointed out to him that there were some provisions which I opposed, but, overall, I thought it was a good plan and should be adopted.

Of course, I could not support any kind of proposal that would eliminate the House Internal Security Committee nor a plan which would completely eliminate the Merchant Marine and Fisheries Committee. But in our discussion, it was agreed that the objectionable portions would be subject to an amendment under an open rule. I have always supported an open rule because it enables the House to work its will.

Mr. Speaker, for my part, I am convinced that in a very short time the Hansen committee will report back to the Democratic caucus some acceptable modifications in the Bolling report. I am convinced that amendments will be made which will result in satisfaction to those who objected to the original Bolling plan. I repeat: I am for the reorganizaion plan but I cannot slap the face of our Speaker on a procedural point that has nothing to do with the merits of the Bolling reorganization proposal.

PURCHASE OF U.S. BONDS BY ARABS

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

Mr. DENT. Mr. Speaker and Members, I take this minute, or less, just to say that I learned last night from what I believe to be a reliable source that for some time in the past now the Treasury Department has been negotiating with the Arab nations on a deal whereby they will buy from the United States, or rather will take from the United States, a certain limited number of Federal bonds.

They are stymied at this point because the Arabs are insisting that the bonds be repayable in gold.

PERMISSION FOR COMMITTEE ON RULES TO FILE PRIVILEGED RESOLUTIONS

Mr. LONG of Louisiana. Mr. Speaker, I ask unanimous consent that the Committee on Rules have until midnight tonight to file certain privileged resolutions.

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

There was no objection.

VICE CHAIRMAN OF SELECT COMMITTEE ON COMMITTEES GIVEN INSUFFICIENT NOTICE

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

Mr. MARTIN of Nebraska. Mr. Speaker, as the vice chairman of the Select Committee on Committees, I was not extended the courtesy by the gentleman from Illinois of telling me what he proposed to do this morning in offering his privileged resolution. I received a dear colleague letter, which was included in my mail.

As one who has criticized the action of the Democratic caucus in postponing consideration of the resolution reported out of the Select Committee on Committees, I believe it is well known that I wholeheartedly support the actions of our select committee. Yet this action of the gentleman from Illinois this morning was not in keeping nor did it have the support of the Republican leadership.

The minority leader has advised me that he was unaware of what was proposed until this morning. I feel that this was the wrong approach at the wrong time and should not have been considered by the House and presented by the gentleman from Illinois as he did this morning.

As a consequence, I voted to table the resolution, as offered by the gentleman from Massachusetts, although I support wholeheartedly the recommendations of the select committee.

ECONOMY A MAJOR ISSUE

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

Mr. FREY. Mr. Speaker, after his speech here yesterday, I realize the distinguished majority leader feels some obligation to play politics with the economic issue, that being uppermost in the people's minds at this point. We have a troubled economy and no one will deny it. The majority party in Congress, however, is in a strange position if they try politically to exploit the very problems they have been so insistent on creating.

Is the Government spending too much? The Democrats wanted to spend more on almost every bill that has come down the pike recently, with the possible exception of the budget for OMB, the restraining, impounding, adviser of vetoes and watchdog of the Treasury.

Are shortages moving prices up? The Democrats wanted to roll prices back, harass and punish business, even though they knew it would insure more shortages and even higher prices in the end. If they had had their way on oil, for instance, we would still be in gaslines.

Is there too much stimulus in the economy? The Democratic leaders want to stimulate it more by a tax cut. Is defense too much of a burden? The Democratic answer is to belittle détente and to make it difficult, while tempting potential enemies with unilateral troop withdrawals and arms cuts.

Mr. Speaker, they cannot have it both ways. If they want to criticize administration economic policies, they had better support better policies rather than pushing for more of those very mistakes which many of us think have made the Government sometimes counterproductive in the economic sphere.

TROUBLED ECONOMY

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

Mr. CONABLE. Mr. Speaker, one of the characteristics of the American voter is that he reflects more on economic results than on economic policies. Thus, a troubled election year economy is a happy hunting ground for politicians more interested in winning elections than in constructive contributions to the economic correctives of which the Government is capable.

In fact the Government is not responsible for everything in the economy. It is only a major influence among the many economic opportunities our free society offers us. Government policy can be good in a bad economy and bad in a good economy, and so our constituents should be asking us, "Are you supporting sound policy?" rather than, "Is the economy strong?"

Mr. Speaker, I would like to invite our friends of the majority party to join in a serious discussion of economic policy rather than pretending the administration is responsible for an inflation they helped create, a fiscal policy they tried to make worse and a stubborn unemployment rate which they apparently think can be cured by stimulation in a vacuum. More than that, I would like to urge our majority friends to start making the key fiscal question they ask themselves before voting, "How much should this program cost in relation to the others?" not "How much more can we put in it before the veto becomes sustainable?"

SENATOR ERNEST GRUENING

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

Mr. DELLUMS. Mr. Speaker, America has lost one of its men of the century. The death of former Senator Ernest Gruening has taken from us one of the strongest voices for a true American spirit that has ever served amongst us.

There is little more I can say about what Ernest Gruening meant for me other than that he indeed was, a great man.

Yet, aside from the impressive achievements and from his distinguished political career, I believe we must honor the memory of a gentle and compassionate man. I knew him briefly and I felt very humble in his presence because it was so easy to sense his innate strengths and values. And though I knew him but briefly, I feel a supreme loss here today.

Were all of us capable of the dedication and courage of Ernest Gruening, this Congress and this Nation would be a much better place.

I will miss him deeply.

CONFERENCE REPORT ON H.J. RES. 1062, MAKING CONTINUING APPROPRIATIONS FOR FISCAL YEAR ENDING JUNE 30, 1975

Mr. MAHON. Mr. Speaker, pursuant to the order of the House on June 25, 1974, I call up the conference report on the joint resolution H.J. Res. 1062 making continuing appropriations 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 joint resolution.

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 26, 1974.)

Mr. MAHON. Mr. Speaker, I ask unanimous consent that further reading of the statement of the managers be dispensed with and that it be printed in the RECORD at this point.

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

There was no objection.

Mr. MAHON. Mr. Speaker, this, I believe, is a noncontroversial conference report. A week ago we passed the continuing resolution in the House, which is an essential action by the House. It has passed the other body. We have settled the differences, and they were not considerable, between the House and the Senate.

As I stated to the House when we passed the continuing resolution, there is nothing unusual in it—nothing that should arouse the concern of Members. The Senate passed the resolution on Monday with some amendments but we were able to reach agreement yesterday so that we might bring the conference report on this essential measure to the House today.

It is imperative that the essential functions of government be allowed to continue on July 1, the beginning of the new fiscal year, and until the applicable appropriation bills are enacted. This resolution accomplishes that objective. It is regrettable that we must have continuing resolutions but there is no alternative under the circumstances.

I wish to observe, Mr. Speaker, that I think the House has done a very respectable job of clearing the appropriation bills in the past 2 weeks or so. As of close of business tomorrow, we will have passed 9 of the 13 regular annual appropriation bills for the fiscal year which begins next Monday. We have also passed the second supplemental, two urgent appropriation measures for veterans, the special energy research and development bill, and this continuing resolution.

In mid-July we will bring the Interior bill to the House. The remaining three bills—Defense, Military Construction, and Foreign Aid—are awaiting authorizing legislation. The Committee on Appropriations is in a good position to report these bills soon after the authorization is available.

Mr. Speaker, I shall not take additional time as the House has a busy schedule today. The conference report is printed in the RECORD this morning and is available in the chamber. I urge its adoption.

GENERAL LEAVE

Mr. Speaker, I ask unanimous consent that I be permitted to revise and extend my remarks, and insert tables and extraneous material, and that all Members may have 5 legislative days in which to revise and extend their remarks on the continuing resolution presently under consideration.

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

There was no objection.

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

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

Mr. DELLENBACK. Mr. Speaker, I appreciate the gentleman's yielding.

May I ask, Mr. Speaker, whether, in relationship to our vote the other day, this involves expending any additional moneys over and above what we approved the other day in the continuing resolution?

Mr. MAHON. Mr. Speaker, overall this conference report is about the same as was presented originally to the House, although there are some up and down adjustments to various items which were added by the Senate.

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

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

Mr. GROSS. Mr. Speaker, is it not true that there is a provision for increasing the amount to the Cuban refugees by $40 million to a total of about $100 million?

Mr. MAHON. Yes, the gentleman is correct. There were some minor adjustments, but they were relatively mild. The other body changed the rate of operations for the Cuban refugee program from that of the budget estimate to the current rate, but we cut it back below the level the other body had provided.

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

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

Mr. PASSMAN. Mr. Speaker, I would like to have a brief exchange with the ranking minority Member of the Foreign Operations Appropriation Subcommittee concerning the operations of the Agency for International Development under this continuing resolution. In light of the fact that both the Senate and the House of Representatives provided the full funding permissible under a continuing resolution for foreign assistance activities, would the gentleman agree that this alone indicates both bodies expect the Agency for International Development to carry out its loan and grant operations in a normal manner under this continuing resolution?

Mr. SHRIVER. I would certainly agree that is the intention of this continuing resolution as it has been in past continuing resolutions.

Mr. PASSMAN. This joint resolution continues all activities of AID at a rate of operations of the current rate or the budget estimate whichever is lower and this is exactly how the Agency has operated under a continuing resolution in past years and should continue to operate. In fact, the House Members feel the Agency should operate under this continuing resolution exactly how it has operated under past continuing resolutions, does the gentleman agree?

Mr. SHRIVER. I certainly agree with this statement and I might also point out that AID should operate under this resolution as every other U.S. Government agency is allowed to operate under a continuing resolution which also has been the past practice.

Mr. PASSMAN. I might point out that the format of this continuing resolution has not been changed, but contains the same language as past continuing resolutions. Does the gentleman agree that a report expresses the views of individuals concerned with particular legislation, but it is not part of the law itself?

Mr. SHRIVER. That is my understanding.

Mr. PASSMAN. Is it the gentleman's understanding that any AID activity that was funded in fiscal year 1974 and is contained in the budget estimates is eligible for funding under this continuing resolution?

Mr. SHRIVER. That is my understanding and the activity would be funded at the lower level of the two amounts.

Mr. PASSMAN. By the broadest interpretation of the language concerning the Agency for International Development contained in the Senate report on the continuing resolution, even though the

report has no legal standing in relationship to this joint resolution and the House Members do not necessarily embrace this Senate language, does not the gentleman agree that AID would be able to finance a casket factory in fiscal year 1975 under the continuing resolution if the agency financed a casket factory in fiscal year 1974?

Mr. SHRIVER. I certainly agree with the statement, but I wish the chairman could have used a less morbid example.

Mr. PASSMAN. Let me repeat, under the Senate report language, the Agency could fund any program in fiscal year 1975 if they funded a like program in fiscal year 1974. Finally, the Senate language, if it had legal standing, has for its only purpose to prevent the funding of a fiscal year 1975 program where no such program was funded in fiscal year 1974. Since the appropriations for AID are provided on a broad activity basis and this continuing resolution places a limit of the current rate or the budget estimate whichever is lower on these broad activities, this joint resolution, just as past continuing resolutions, does not attempt to limit or to estimate what the funding detail should be under these broad activities. Of course, the Agency should justify this detail before proceeding with their obligation and these obligations should be consistent with existing legislation.

However, no specific action is taken with respect to these details on the continuing resolution because this detail, which includes specific project funding et cetera, is left up to AID for final determination as its administrative function. The Congress should not try to become the administrators of the various Government agencies and this is certainly consistent with past practices under the continuing resolution and regular appropriation measures, does the gentleman agree?

Mr. SHRIVER. That has been the procedure we have followed in the past and I agree we should continue with that method of operation under this resolution.

Mr. PASSMAN. Mr. Speaker, I thank the distinguished gentleman.

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

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

Mr. HAWKINS. Mr. Speaker, I would like to ask a question of the distinguished chairman of the Appropriations Committee, Mr. MAHON, regarding the meaning of the term "rate" as it is contained in the continuing resolution.

It is my understanding that this resolution directs departments and agencies to continue expending funds for programs at a monthly or quarterly rate equal to a similar rate for the last year. The community action program under the Economic Opportunity Act was funded last fiscal year for 7 months permitting a monthly expenditure of approximately $27,500,000. Would this continuing resolution permit the Office of Economic Opportunity to continue funding community action programs at that rate this year for the duration of the resolution?

Mr. MAHON. Mr. Speaker, I will state that the answer to the gentleman's question is in the affirmative. It would permit the continuation of that rate for programs financed in fiscal year 1974 under the Economic Opportunity Act, as amended.

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

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

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

Mr. GIAIMO. Mr. Speaker, will the gentleman explain what we have done with military assistance for South Vietnam, so that we can clearly understand the picture?

Mr. MAHON. Mr. Speaker, with respect to South Vietnam, the current rate of military assistance to South Vietnam is slightly in excess of $1 billion per year. The authorized rate was a higher figure, I believe.

In the conference we settled on an even $1 billion rate for the period, July 1 to September 30.

Mr. GIAIMO. Mr. Speaker, that is substantially the amount that was authorized for appropriation in 1974, minus, I believe, $18 million?

Mr. MAHON. I believe the gentleman is correct. The conference report provides $1 billion for military assistance to South Vietnam, which is $18 million below the current rate as provided in the 1974 Defense Appropriation Act when funds for Laos are excluded, as these funds are now provided for in the foreign assistance section of the continuing resolution.

Mr. GIAIMO. So that it was kept at the rate of last year pending final determination on the authorization legislation and the appropriation legislation?

Mr. MAHON. The gentleman is correct. There was however, as the gentleman knows, a reduction of $18 million.

I yield to the gentleman from Michigan (Mr. CEDERBERG).

Mr. CEDERBERG. Mr. Speaker, I just want to say that the minority concurs in the statement of the chairman of the committee and they are in agreement on the conference report.

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

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.

CALL OF THE HOUSE

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

The SPEAKER. Evidently a quorum is not present.

Mr. ZABLOCKI. 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. 337]

Andrews, N.C.	Griffiths	Mitchell, Md.
Blatnik	Hanna	Montgomery
Brasco	Hansen, Wash.	Owens
Brinkley	Harsha	Pettis
Burke, Calif.	Hébert	Preyer
Butler	Hogan	Railsback
Carey, N.Y.	Holifield	Rangel
Clark	Holt	Reid
Clausen, Don H.	Holtzman	Rodino
Cohen	Horton	Rooney, N.Y.
Conyers	Howard	Rousselot
Daniels, Dominick V.	Hutchinson	Sandman
Dennis	Jones, Tenn.	Seiberling
Donohue	Jordan	Smith, N.Y.
Dorn	Karth	Teague
Downing	Kastenmeier	Thompson, N.J.
Drinan	McClory	Thornton
Edwards, Calif.	McFall	Ullman
Esch	McKinney	Vander Jagt
Fish	Macdonald	Vigorito
Fraser	Madigan	Waldie
Goodling	Mathias, Calif.	Wiggins
Gray	Mayne	Yatron
	Mezvinsky	
	Mills	

The SPEAKER. On this rollcall 363 Members have recorded their presence by electronic device, a quorum.

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

DEPARTMENT OF LABOR, AND HEALTH, EDUCATION, AND WELFARE, AND RELATED AGENCIES APPROPRIATION BILL, 1975

Mr. FLOOD. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House of the State of the Union for the consideration of the bill (H.R. 15580) 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; and pending that motion, Mr. Speaker, I ask unanimous consent that general debate be limited to 3 hours, the time to be equally divided and controlled by the gentleman from Illinois (Mr. MICHEL) and myself.

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

There was no objection.

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

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. 15580, with Mr. WRIGHT in the chair.

The Clerk read the title of the bill.

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

The CHAIRMAN. Under the unanimous-consent agreement the gentleman from Pennsylvania (Mr. FLOOD) will be recognized for 1½ hours, and the gentleman from Illinois (Mr. MICHEL) will be recognized for 1½ hours.

The Chair recognizes the gentleman from Pennsylvania.

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

Mr. Chairman, the bill before the House today, H.R. 15580, making appropriations for the Departments of Labor,

and Health, Education, and Welfare, and the related agencies is the second largest of the annual appropriation bills which are considered by the Congress. It is the second largest. Only the defense appropriation bill is larger. This bill includes a total of $32.8 billion in new budget authority for fiscal year 1975.

Now, it excludes budget requests totaling over $4,600 million, for which we do not have authorizing legislation. If these budget amounts were included in the bill, it would total at least $37,400 million.

The amount in the bill does not give the full picture of the magnitude of the programs administered by the agencies which are funded in this bill.

If we take a look at page 4 of the report, and that is a very important report, it indicates the total budget authority for all these agencies, including the trust funds that are in this bill, amounts to $121,600 million. That is more than 38 percent of the total Federal budget.

The appropriation bill for the Department of Labor, Health, Education, and Welfare, with the trust funds is bigger than the Department of Defense. Did we ever think we would be here long enough to hear that?

Now, Mr. Chairman, as I have often said, the programs funded by the Labor-HEW appropriation bill affect every man, woman and child, in this Nation, every one. I am sure every Member is aware of that fact. What could possibly be more important to us as Members of this House of Representatives than promoting the health, the education, and the welfare of the American people?

Now, no budget could be large enough to meet all of the needs of our children, our poor, our aged, and our sick people. Our job as members of the Committee on Appropriations is to try to do justice to all of these needs within the funds available to us.

Now, the needs in the field of health, education, and welfare, are unlimited; but the funds are limited.

We all know that inflation is the cruelest kind of tax, and that large deficits will only make life harder for the very people that we are trying to help.

Now, the bill which we bring to the floor today is the result of months and months of hearings. There are seven volumes of testimony, the result of very, very careful scrutiny of the budget estimates by the 11 members of the Labor-HEW Subcommittee. They are an extraordinarily hard-working group. They bring a great variety of points of view to bear on this task. They represent geographical areas as far apart as Oregon, Massachusetts, Texas, Iowa, New Jersey, and Virginia.

As always, this bill represents a consensus of diverse views. But I am sure that none of the members of this committee, including the chairman, is entirely happy with everything in this bill. As always, this bill is a compromise, but it is a good compromise; one which every Member of this House can vote for in good conscience, knowing that he can defend his vote before his constituents.

The amount of the bill represents an increase of just over $4 billion over the comparable appropriations for fiscal year 1974. The largest single increase is $2,600 million for the supplemental security income program. The Members are now getting to know that as the SSI program.

But this is the first full year of this program. The Members will recall that it went into effect back on last January 1. It is administered by the Social Security Administration, and it replaces the programs for the aged, the blind, and the disabled which were formerly administered by the States. After some initial difficulties, we can tell the Members that the program seems to be off to a pretty good start.

The other large increases from the 1974 appropriations are $230 million for the National Institutes of Health—the Members will hear it referred to as the NIH—of which $112 million is for the National Cancer Institute; $285 million for higher education for student assistance; and $740 million for public assistance.

I want the Members to mark that now, because later on I will have something to say about that which may alarm them, but there will be $740 million in here for public assistance, so do not break down and cry later on if you hear any talk about further cuts in public assistance.

And $235 million is for medicare payments under the social security trust funds.

Now, Mr. Chairman, many Members will be surprised to learn that the amount in the bill is $386,456,000 less than the budget request. We have made increases over the budget request totaling $574,102,000—that is over a half billion dollars—which are more than offset by decreases totaling $960,558,000.

Now, the large decrease is primarily due to what we believe is an overestimate in the budget of the amounts required for public assistance payments in fiscal year 1975. In fiscal year 1973, we appropriated $600 million more—more than was necessary for public assistance. In fiscal year 1974, we appropriated over a billion dollars too much.

When we found out about it, the House and later the Congress, rescinded the excess funds. Now, this year, out of an abundance of caution, we have had our staff take a very good, hard, close look at this estimate, and based upon what we found out, we believe that the public assistance estimate can be cut at least $877,906,000.

Mark this: but even with this reduction, the amount in the bill still provides an important program increase of $1,800 million for public assistance.

Mr. Chairman, I could not possibly cover all of the important programs in this bill in the time allotted. The report has been available to all the Members since Monday, and it contains a wealth of detail. I urge the Members to read it. They should read it to see what has been done. The highlights of the bill are printed on pages 4 through 6. If the Members do nothing else, they should mark pages 4 through 6 of this report for themselves and their staffs. In it they will find the most important issues.

I would like to use the remaining time for matters of importance; first of all, manpower training programs. We have included in this bill $2,150 million to carry out the new Comprehensive Employment and Training Act which became law last December.

The Second Supplemental Appropriation Act of 1974, enacted earlier this very month, also included an appropriation for these same programs, a large portion of which would actually be spent in fiscal year 1975.

The amount of the 1975 bill will, point 1, enable us to use a carryover from the 1974 appropriation bill; and point 2—wait until the Members hear this—will provide a program level of $2,750 million. That is an increase of $960 million over the 1974 level of $1,790 million.

Let me tell the Members now that almost $1 billion will be available for public service employment. The Labor Department plans to spend this money, of course, over the next 18 months. However, I believe that these expenditures should be accelerated, if necessary, to combat unemployment. Of course, they should.

The very highly respected Arthur Burns, Chairman of the Federal Reserve Board, has told the committee that he believes public employment is one of the quickest and most effective ways to combat unemployment.

Mr. Chairman, we are giving the administration a $1 billion weapon to use against that unemployment, quite a weapon. We expect them to use this weapon wisely, but if and when a larger amount is needed, the Members can be sure that it will be provided, the proper amount at the proper time, and make no mistake about that.

Now, as to occupational safety and health. This has been, to put it very mildly, one of our most controversial programs in the past few years. The committee has approved the full budget request for additional Federal compliance officers and Federal grants to those States which are taking over the enforcement responsibility from the Federal Government.

My own view is that a great deal of the dissatisfaction and misunderstanding surrounding this program would disappear if the Labor Department could provide consultation to small employers to help them to comply with the law.

I understand that such consultation is not permitted under the present law.

All right. What are we here for? We are the Congress; we are the House. If that is a fact, then I think we should stop that; we should change the law.

The committee has added funds over the budget request also in the same general area for the National Institute of Occupational Safety and Health under HEW. They are responsible for providing scientific advice to the Department of Labor and others in the development of occupational safety and health standards. They can also provide consultation and advice to private industry.

We hope that this increase in funds provided in this bill will permit them to realize that they should do more of this.

Mr. Chairman, this is something in which this committee has had great interest down through the years, especially the last 10 years: the National Institutes of Health, NIH. Over the years our subcommittee has taken a very, very special interest in medical research. In fact, it would not be inaccurate to say that the National Institutes of Health are the creation of the Committees on Appropriation of the House and the Senate.

This year again we felt that the budget request simply is not sufficient to maintain the momentum which has made our Nation the world's leader in medical research. So we have included in the bill almost $1.8 billion for the National Institutes of Health, representing an increase of over $230 million over the budget and $205 million over the amount available right now in the current fiscal year.

Although a large share of that increase does go to the National Cancer Institute, all of the other institutes without exception will receive substantial increases as well, and they should.

Now, I want the Members to mark this: It is important to recognize the fact that the National Cancer Institute supports a great deal of basic research which contributes to the investigation of many, many other diseases than cancer. I wish the Members would not forget that point.

As is our usual custom, we have indicated in the report areas of research in which we think there should be special attention. Mr. Chairman, I wish the Members would listen to this carefully. We have, however, refrained from earmarking funds. We do not earmark specific amounts of money for research on specific diseases. That we do not do. If we did that, we would open up a Pandora's box. Can the Members imagine what would happen? There would be no way for us to handle that.

The National Institutes of Health have a very well-established peer review system for reviewing research proposals for establishing scientific merit and for approving those which are the most promising. We do not think that Congress should attempt to make these scientific judgments on the basis of how many letters we received regarding this disease or that disease. We just cannot do that.

Mr. Chairman, let me turn to higher education and student assistance. This bill includes almost $1.9 billion for aid to students in institutions of higher learning. That represents an increase of $294 million over the amount available for 1974.

The budget again proposed the elimination of supplementary grants and direct student loans and a large increase for the basic opportunity grants. Congress has turned down similar proposals repeatedly. Time and time again you have done that, and the members of our subcommittee continue to have very strong views on this matter.

The total amount in this bill for student assistance is equal to the budget request. We have reduced the amount for the basic opportunity grants and provided an increased amount of funding for supplementary opportunity grants and work study and for the direct student loan, which is a great program; and a rapidly developing thing, the State student incentive grants.

There are programs lacking authorization. What do you think about that? This is the Committee on Appropriations. For heaven's sake, will you keep that in mind. All day until we finish this bill keep in mind that this is the Committee on Appropriations. We do not authorize these things and we do not write these laws. If you want to write a law, then go some place else and write it; not here.

Mr. Chairman, I would like to close with a cautionary note. As I pointed out earlier, we have deferred action on budget requests totaling $4.6 billion for programs which lack authorization for 1975. These include all programs authorized by the Elementary and Secondary Education Act, the Development Disabilities Act, the Library Services and Construction Act, and various expiring sections of the Public Health Service Act, the Economic Opportunity Act, and several others. There is no money in this bill for a number of programs whose authorizations expire and for which there has been no budget request or a cutback that may be proposed in the budget. These include such very popular programs as impacted area aid and mental health centers, the OEO community action agencies, aid to medical and dental and nursing schools. We have no law, so we cannot do anything about it.

I point this out for two reasons. First I want to emphasize that althought fiscal year 1975 is only 3 days away, we still do not have authorizing legislation for many of these important programs.

Second, I want to warn the Members that if these funds were included in this bill, it would be much, much larger in total and probably far in excess of the budget request.

Mr. Chairman, you and I know there will be a great temptation—as I say to the gentleman from Iowa, oh boy, there sure will be a great temptation—because this is an election year to vote for amendments adding funds for this or that or the other program. I urge the Members to resist that temptation and support this bill presented by the committee.

Mr. GROSS. Will the gentleman yield?

Mr. FLOOD. Certainly. I am glad to yield to my old and distinguished friend from the great State of Iowa.

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

Mr. FLOOD. It would have spoiled my day if the gentleman had not asked me to yield to him.

Mr. GROSS. I am sorry to say that I have to disagree with the gentleman in that I will be supporting some amendments to cut some of the expenditures in this bill. But I arose to ask the gentleman from Florida about the 165 positions that were allotted to the National Labor Relations Board last year by the committee. Those 165 positions have never been filled. I compliment the National Labor Relations Board for not having filled those positions, but I am wondering whether the committee had proper justification for alloting those positions or where the fault lies?

Mr. FLOOD. Let me say to the gentleman from Iowa that the gentleman should have been at the hearings. I know the gentleman has not had time to go through that mass of testimony contained in these seven volumes. But let me say this—the gentleman could not have done it better himself, if the gentleman can imagine that, because if you ever heard the Members, all of them, on both sides of the aisle, going after witnesses, when these people appeared before them. I regret that the gentleman was not there to see this, but we certainly took them apart on this very thing. And you can be sure that until they satisfied us that nothing like this would happen, that we did not let up on them, and we just went along so far with them.

Mr. GROSS. I will say to my friend, the gentleman from Pennsylvania, that I do not want to do this bill an injustice, but I think it would have been a favor to the committee if we had been able to cut that money out of the bill last year.

Mr. FLOOD. Thereby hangs a tale.

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

Mr. FLOOD. I am happy to yield to the gentleman from Wisconsin.

Mr. STEIGER of Wisconsin. Mr. Chairman, I appreciate very much the distinguished chairman, the gentleman from Pennsylvania (Mr. FLOOD) yielding to me.

On page 13 of the committee report under the item lisited as Occupational Safety and Health Administration, there is a provision which says:

> Many of the occupational safety and health standards specify that safety equipment devices must be approved by an independent nationally recognized authority or testing organization. The additional 11 positions requested in the budget and approved by the Committee will provide the staff needed to evaluate and accredit testing organizations which would thereby be authorized to certify safety devices as meeting OSHA standards.

This came about as the result of the promulgation of a regulation in the Federal Register in September 1973. However, I would like to ask the gentleman from Pennsylvania, on the basis of the fact that the Department of Labor on June 3, 1974, revoked that initial laboratory accreditation standard, will the additional 11 positions be required?

Mr. FLOOD. Mr. Chairman, I want to assure the gentleman from Wisconsin—and I might add that I know that the gentleman has been working extremely hard in his committee, and that that committee worked until the wee hours of the morning today, and I appreciate the gentleman being present here.

Mr. STEIGER of Wisconsin. Mr. Chairman, I might add that I am deeply grateful for his enabling me to come in out of the rain.

Mr. FLOOD. I understand they went until 4 o'clock this morning.

However, on the matter to which the gentleman from Wisconsin alludes, and

the gentleman is certainly justified in calling this to our attention, let me say that obviously if there is no laboratory accreditation program, if there is no such a thing, then these 11 positions the gentleman is talking about that are included in the bill for this purpose will certainly not be needed. As far as I am concerned, that will be the intention of this Committee, that is, that these positions should not then be filled, and that the funds, of course, appropriated for them should not be used until the regulations can show that they are needed.

Mr. STEIGER of Wisconsin. I very much appreciate the response of the Chairman on that question.

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

Mr. Chairman, and members of the Committee, in view of the number of people who are on the floor here, rather than continuing to talk to ourselves, it might very well serve a purpose to simply extend our remarks at this point in the RECORD. But I do not believe that would be altogether appropriate. As the gentleman from Pennsylvania (Mr. FLOOD) indicated, during the course of his remarks, he will be making a rather extensive extension of his remarks on certain specific items, as will this Member and, I am sure, other members of the subcommittee.

We have over 300 line items and to go over them item by item in detail I think would unduly take up the time of the Committee of the Whole. But if I might, I should like to address myself to some of the highlights, and several items that I am somewhat concerned about.

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

Mr. MICHEL. I yield to my dear friend, the gentleman from Iowa.

Mr. GROSS. I thank the gentleman for yielding.

This is a bill which in all of its ramifications, as I understand the statement of the gentleman from Pennsylvania (Mr. FLOOD), entails the spending of about $121 billion. Would the gentleman suggest we get 5 or 10 more Members to add to the 15 or 20 now on the House floor? That is about all a quorum call will produce under the bobtailed procedure that we have indulged ourselves in this phony quorum call procedure in the Committee of the Whole.

Mr. MICHEL. I am not all that enthralled with my own voice, I will say to the gentleman from Iowa. We will try to make our case just as briefly as we can here.

There is no question but what the real nitty-gritty of the debate will follow during the course of reading the bill when there will be amendments offered. And the gentleman will, of course, I hope, oppose those to increase the bill, as I will, and he might very well be supporting some of those amendments that will be offered to cut the bill.

Mr. GROSS. If my friend, the gentleman from Illinois, will yield further, if he feels at any time that he needs more companionship, I will be glad to try to provide it.

Mr. MICHEL. I appreciate the gentleman's cooperative attitude. In this case it would be very cooperative if we could simply move ahead with discussion of the bill referring, as I said, to several of the highlights.

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

The CHAIRMAN. Evidently a quorum is not present.

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

Members will record their presence by electronic device.

The call was taken by electronic device.

QUORUM CALL VACATED

The CHAIRMAN. 101 Members have appeared. A quorum of the Committee of the Whole is present. Pursuant to rule XXIII, clause 2, further proceedings under the call shall be considered as vacated.

The Committee will resume its business.

The gentleman from Illinois (Mr. MICHEL) had been recognized and at the time of the point of order had 8 minutes remaining.

Mr. MICHEL. Mr. Chairman, as I was about to say when we were interrupted by the suggestion of the absence of a quorum, there are a great many deferred items that will not show up in this bill, budgeted at $4.6 billion, and these items Members will find displayed on page 6 of our report. So, as our chairman has indicated to the Members, we bring to the floor a bill of $32.8 billion without $4.6 billion of deferred items, which suggests that if we have no increase in the future on these deferred items we would have something in the neighborhood of $37 to $38 billion of appropriated funds here to add to the $92.5 billion of trust funds.

My concern is the fact that we show a figure here of $386 million under the budget. This has got to be—and the chairman and I would have some difference as to how it would be characterized—for all intents and purposes a phony cut in the bill. It comes to the floor, as I said, showing a net reduction of $386 million below the President's budget, but the Members should be aware that the figure is achieved through a reduction of more than $878 million in estimates for public assistance. In other words, if the administration's estimates are right and the committee's estimates are wrong, the bill will be considerably above the President's budget—and the word "estimates" is very critical here and important.

Public assistance is not controllable by congressional action. By law the Federal Government must pay its share of any legitimate welfare costs incurred by the States. In the end we will have to appropriate the necessary amount to cover those legitimate costs. If the administration has overestimated them, the budget authority will revert to the Treasury. If the committee has underestimated them, we will have to provide a supplemental appropriation.

I see the gentleman from Iowa out here in front of me, who makes the point time and time again on the floor of this House, opposed to bringing in supplemental requests. This, of course, is one of those things that I would have to predict will happen on this particular item.

The question is, who is more right here or more wrong about the estimates? For years both the administration and the Congress have accepted the estimates of the 50 States which are made considerably in advance of the fiscal year. As the committee report notes, for 11 years in a row these State estimates were vastly underestimated and the Congress had to vote supplementals for those years. The fiscal year 1973 was a standoff year. The original estimates were reasonably accurate; however, the administration requested and the Congress passed a supplemental which proved to be unnecessary.

In the fiscal year 1974, for the first time the pendulum swung the other way and the estimates were vastly overstated. As a result, the administration recommended a rescission, a significant one, better than three-quarters of a billion dollars; but we in the Congress rescinded $1,188 million.

Mr. Chairman, I am concerned that in the fiscal year 1974 the rescission was too sharp. HEW has already had to borrow over $100 million from their fiscal year 1975 appropriation, which is not accounted for in our committee estimates.

Second, the fiscal year 1974 estimates are based on the November 1973 State estimates, reduced by the administration by more than $500 million. The May 1974 State estimates are nearly $700 million higher than the State requests. If these State estimates are more correct than the House estimates, there could be a deficit of more than $1.5 billion.

There is no certainty as to who is right about this thing. It is reasonably clear, however, that even if the trend is down, as it was in fiscal year 1974, our committee has cut too much. Members should assume that there is a due bill waiting in the wings in the form of a supplemental for public assistance which will almost certainly wipe out the margin shown in our committee report as being below the President's budget.

That is the point I want to make, that we do not get carried away and think that we are in such good shape that when these amendments are offered—in one item to increase public service employment by $300 million—we take the optimistic view that all is well, because it is not all well. It is pretty bad and we ought to face up to the music.

The supplemental security income item, which shows an increase here of $2.6 billion over last year in the bill now brings that item up to a total of $4.8 billion.

In this fiscal year we will have 5 million beneficiaries of this particular program.

Comprehensive manpower assistance: This is that item that I mentioned where we will undoubtedly have an amendment offered by several Members, cosponsored by several members of the subcommittee.

I would like to address myself, if I might, to several points here and leave the balance of our arguments for when the amendment is actually offered.

Let us keep in mind here we have a carryover of 1974 fiscal year funds which brings this program level in its entirety to $2.75 billion.

As our chairman so well pointed out, it is $960 million over fiscal year 1974. Now, several things ought to be kept in mind here. Transitional public service employment as provided for in some of our legislation was first launched by the Emergency Employment Act of 1971.

It is important to note that the EEA was passed as a countercyclical measure at a time when unemployment was hovering around the 6-percent mark and threatening to rocket even further up. In essence, EEA was an emergency program designed to cope with an emergency situation.

Currently, the unemployment rate is at the 5.2-percent level. This situation, while certainly not to be construed as full employment or in an ultimate sense an acceptable state of affairs, is not a crisis kind of situation. An example of the available data on unemployment rates for the first 4 months of this calendar year show that the bulk of the unemployment at this time is concentrated among youths from 16 to 19 years of age and among nonfarm laborers. In short, among those people least likely to benefit from a program of transitional public service employment.

I think we have got to keep this in mind—the young, the poorly educated, the unskilled.

The Department of Labor's experience with the PEP program, the public employment program, indicated that it was the skilled, the better-educated worker who benefited most from a transitional job. At the roughly 5-percent unemployment level which we have been experiencing over the last several months, this advantaged group of workers finds little difficulty in securing employment. It is the poorly educated, the unskilled worker who encounters the difficulty.

For the disadvantaged who comprise much of this latter group who lack the necessary skills and who are without the prerequisites for stable employment, subsidized public service employment is the wrong prescription under generally favorable economic conditions. Appropriate manpower training and related service programs have proven to be effective in enhancing the employment of these individuals when jobs were available. Moreover, I would note the bulk of unemployment is extremely short term in nature. Approximately half of those unemployed are so far for less than 5 weeks, and an average duration of unemployment in April was 9.8 weeks. Given the variety of reasons for which people leave jobs—many voluntarily—public service employment is not necessarily the prescription for success. Rather, improvements in the unemployment compensation system such as those proposed by the administration as far back as 1973 would go far in alleviating these short-term duration unemployment problems.

Now, in title II of the Comprehensive Employment and Training Act of 1973, adequate provision is made for serving areas of substantial unemployment; that is, 6½ percent or higher. Further, the Comprehensive Employment Training Act mandates at least $350 million to be spent for the fiscal year 1975 for title II programs. I point out the administration has shown its good faith in this area by accepting $620 million for public service employment programs in the recently enacted second supplemental appropriation for fiscal year 1974.

We have also been informed that, in addition to the $300 million being needed for public employment efforts, there is also need to restore funds to the 1974 levels which existed for two-thirds of the 400 prime sponsors who will administer manpower training programs.

When we compare what will be distributed by formula under State and local areas under title I provisions of the Comprehensive Manpower System Act and what was received last year, this claim appears to be true. However, what is being forgotten in this comparison is the remaining 20 percent of funds which we are also appropriating in relation to title I. Funds appropriated for this item amount to over $360 million, and these will also end up in the hands of the same State and local sponsors for such things as vocational education and for the forming of consortiums between two or more sponsors.

Today, right now, no one knows how much each sponsor will receive from this source of funds, but I think one can assume that once this occurs and we know its results, two-thirds of the sponsors will not be drastically below their 1974 funding levels, as is being claimed. How many will be below, whether the problem will be great or small, no one knows for certain as of today. For this reason, we must be logical. We should wait to see if we have a problem, discover the magnitude of it, and then take necessary action immediately rather than just throwing $300 million at it.

Later on in the day let us consider that particular item.

May I point out that we have $100.8 million in this bill for our good old friend, OSHA, the Occupational Safety and Health Act; $30.4 million of this is over last year's appropriation. It provides for 150 additional compliance officers and 11 additional people in the laboratory accreditation.

I suspect there are some who, later in the afternoon, may want to cut this item, and then there are several, as I understand it, who would like to see more money in this particular item. My own personal feeling is that if I had a choice between counseling and advice by Federal officials on how smaller business or industry particularly could be helped to comply with Federal standards, I would rather see the money go there than have Federal compliance officers simply coming in and citing and fining these people without adequate notice. That would be my choice.

I should point out here that in the health field we have significant increases, in all the National Institutes of Health, particularly in cancer. It should be noted that funds for cancer research since 1971 have tripled out at the National Institutes of Health. We certainly are not shortchanging the institutes, nor any of the others that are being so well provided for.

I would remind my fellow committee members here and those who might be within the sound of my voice how unfortunate it is that what we are offering the American people today for detection of uterine cancer, for example, and cancer of the cervix for women is so poorly utilized. At this time only 25 percent of the women in this country are availing themselves of a simple Pap test to make that finding. How can we have a substantial program if the ability is there to detect it and do something about it and 75 percent of our women turn the other way and do not even avail themselves of that opportunity?

How many more things do we want to do to find a cure for cancer if when we do and we get a good program only 25 percent of the people will avail themselves of the opportunity to find out whether they are susceptible to it?

I would encourage our women, too, within the sound of my voice, to take a mammography, which the Members can learn about if they read the morning newspaper, and it will be further disclosed later in the year what findings are occurring in that particular area.

Certainly, all of our women in this case would have a vital interest in whether or not they are susceptible to breast cancer and the prospect of not having to be afflicted with that, once detected.

As to vocational education, we have increased that item $100 million over 2 years. There is another education item, however, about which we should be raising a serious question. We leave a significant amount in the bill for the cost-of-instruction program for veterans. Frankly, that program is duplicative of what the Veterans' Administration is now doing by way of counseling and advising veterans in our institutions of higher learning. We have $24 million in the VA budget that will go for just that program. The Members know that the cost-of-instruction program for veterans does not provide one thin dime for the veteran himself. It is simply a subsidizing of the institution which he attends. Those who were doing a good job by recruiting veterans in the first place are shortchanged because of the institutions which did not make that effort, and then because they increased their veteran population by 10 percent by the gift of an additional Federal assist.

It does not make sense. It is ridiculous. The program was enacted with a handy name on it, something that had to do with veterans.

Mr. Chairman, we want to help the

veterans, but we are not helping the veterans one bit this way. All we are doing is helping the institutions the veterans may be attending for their higher education.

I will cover one further point before relinquishing the floor to other Members for whatever remarks they might wish to make during the course of general debate. This is concerning the field of higher education. The Members know that we embarked upon the basic opportunity grant program that, if fully funded, would conceivably provide for a maximum of assistance in the amount of $1,400 to a considerable number of our students who are attending institutions of higher learning.

In the budget there was an item for $1,300 million for the basic opportunity grant program. However, in this bill that amount has been cut to $650 million and then adjustments made in the other ongoing programs, the supplemental grants, the work study program, and the student loan program. We know of the conflict that exists not only in our subcommittee and in our full committee but in this House; we know the differences of opinion that prevail with respect to that subject matter.

Mr. Chairman, let me quickly sum up by saying that we have a problem here if that figure remains at that level, simply because when we started this, we provided for freshmen. Last year we included freshmen and sophomores to participate in the basic opportunity grant program. It would follow logically from my viewpoint that in this third year we would provide sufficient amounts of money for freshmen, sophomores, and juniors.

Because of the kind of reworking of those figures within the overall budget figure here, BOG grants under this appropriation may be appreciably smaller than those provided for in the fiscal 1974 appropriation.

However, my principal objective here is to stay within the budget figure. I can see that several Members, taking the arguments I have just made, might justify an increase in this bill for the basic opportunity grant program. However, I could not go along with that unless the bill at the same time called for reductions in several of the other programs in order to keep within that overall budget figure.

As our dear friend, the gentleman from Iowa, Mr. GROSS, has admonished us many times, unless we face the music and hold to these budget figures, we are going to end up the fiscal year much more in arrears than what we had originally planned.

So having made these remarks, Mr. Chairman, we will be glad to subject ourselves to questions from any of the Members, and I will be glad to yield time further in the general debate to those who might have something of significance to say. I would, however, like to include in the RECORD at this point a brief summary of the various programs and activities funded in this bill:

MANPOWER ADMINISTRATION

PROGRAM ADMINISTRATION

This particular program has responsibility for the following areas:

1. *Planning, evaluation, and research.*—Provides for the Federal administration of the planning, policy development, program analysis, evaluation and review, and research and development of the Manpower Administration.

2. *Manpower program administration.*—This activity has the primary responsibility for assisting States and localities in the development, direction, and delivery of the various manpower programs designed to increase the skills and employment opportunities of those in the work force.

3. *Apprenticeship services.*—Employers and unions are provided technical assistance and advisory services in developing and conducting programs of apprenticeship and allied industrial training. Assistance is provided to about 120,000 employees, with about 400,000 apprentices and other workers participating in training programs during the year.

4. *U.S. Employment Service.*—Provides direction of State employment service operations which include assessment, outreach, employability training, counseling, testing, job placement and followup.

5. *Unemployment insurance service.*—Provides leadership and technical assistance to States in the development and administration of their unemployment insurance laws.

6. *Investigation and compliance.*—This office was established by the Secretary of Labor to insure "that no person on the grounds of race, color, or national origin, be excluded from participation in * * * or be subjected to discrimination under any program or activity receiving Federal financial assistance," and to eliminate discrimination in manpower programs that may result from violations of the Age Discrimination in Employment Act of 1967, and discrimination based on sex. The staff is also responsible for reviewing audits of manpower activities.

7. *Executive direction and management.*—This activity is responsible for the overall supervision and direction of the U.S. Employment Service, the Unemployment Insurance Service, Job Corps, the apprenticeship service and the regional Manpower Administration offices; provides administrative and management services and property management; provides budgetary, fiscal management, audit, and contract services; and is responsible for data systems relating to program performance.

COMPREHENSIVE MANPOWER ASSISTANCE

Comprehensive manpower assistance, as authorized by the Comprehensive Employment and Training Act of 1973, includes work and training programs which were previously operated under the authority of the Manpower Development and Training Act of 1964, as amended, and the Emergency Employment Act of 1971. The Comprehensive Employment and Training Act of 1973 provides authority to State and local governments to design and operate manpower programs and to the Secretary for special programs.

1. *State and local programs.*—Provides financial assistance to State and local prime sponsors to enable them to provide comprehensive manpower services needed to enable individuals to secure and retain employment and meet the manpower needs of the State and local area. Included among these authorized services are programs such as institutional and on-the-job training, work experience, summer youth employment, vocational education and counseling, remedial education, job placement services, and transitional public service employment.

This activity also provides financial assistance for programs of transitional public service employment and training in areas which have a rate of unemployment of 6.5% or more. Priority is to be given to those unemployed persons who are most severely disadvantaged.

2. *National programs.*—Covers those programs and support activities which are administered on the national level. Programs included in this activity are:

(a) *National training programs.*—Provides special manpower services directed toward meeting the needs of the labor force which cannot be served as well through manpower programs available at the State or local level. Among groups served are older workers, criminal offenders, persons of limited English speaking ability, Indians, migrant and seasonal farmworkers, and through the Job Corps, severely disadvantaged youth in a residential setting.

(b) *Program support.*—This activity provides for technical assitance and training for Federal, State, and local personnel involved in the planning, administration, and direction of manpower programs. It provides a comprehensive system to develop labor market information; funds for research and demonstration of manpower programs.

(c) *Computerized job placement.*—In 1974, this activity was transferred to the grants to States for employment and unemployment insurance services accounts.

Federal unemployment benefits and allowances

This program has responsibilities in the following areas:

1, 2, and 3. *Payments to Federal employees, ex-Postal Service employees and ex-servicemen.*—Funds are allocated to the States for payment of unemployment compensation to eligible former Federal employees, ex-Postal Service employees and ex-servicemen.

PROGRAM STATISTICS

Year	Federal employees			Ex-servicemen			Total weeks compensated
	Weeks compensated	AWBA [1]	Percent increase in AWBA	Weeks compensated	AWBA [1]	Percent increase in AWBA	
1973	2,090,106	$58.86	9.0	4,312,521	$61.46	8.5	6,402,627
1974	2,289,500	$61.15	3.9	3,265,900	$63.75	3.7	5,555,400
1975	2,260,600	$64.85	6.0	3,118,200	$67.25	5.5	5,378,800

[1] Average weekly benefit amount.

4. *Trade adjustment assistance.*—The Automotive Products Trade Act of 1965 and the Trade Expansion Act of 1962 authorize worker adjustment assistance allowances. The estimate for 1975 is based on recent activity under the Trade Expansion Act as a result of decisions by the Tariff Commission and the President.

Advances to the Extended Unemployment Compensation Account

This account was established by the Employment Security Amendments of 1970 for the purpose of making repayable advances to the Extended Unemployment Compensation Account, Unemployment trust fund. Amounts appropriated as repayable advances are repaid, without interest, to the general fund of the Treasury. Federal Unemployment Tax Act receipts are estimated to be sufficient to finance the Federal costs of the Federal-State Extended Unemployment Compensation Act during 1974 and 1975.

Grants to States for unemployment insurance and employment services

This item funds the following areas:

1. *Unemployment insurance services.*—State agencies pay unemployment compensation to eligible workers and collect State unemployment taxes from employers. These agencies also pay unemployment benefits to former Federal employees and ex-servicemen as well as trade adjustment benefits to eligible workers from funds provided under a separate Federal appropriation. Administrative support and executive leadership are provided to maintain and improve unemployment insurance operations.

PROGRAM STATISTICS

	1970 actual	1971 actual	1972 actual	1973 actual	1974 estimate	1975 estimate
Number of State positions	28,489	31,884	37,898	34,668	33,496	32,996
Basic workload (in thousands):						
Employer tax accounts	2,648	2,679	2,793	3,653	3,700	3,776
Employee-wage items recorded	177,242	180,000	175,173	205,000	208,500	215,000
Initial claims taken	12,701	15,695	15,586	13,317	16,200	15,691
Weeks claimed	71,604	110,512	136,232	100,041	101,800	96,697
Contested claims	4,515	6,020	6,849	6,747	7,100	6,684
Appeals	297	400	439	505	500	491
Covered workers	53,000	54,000	53,500	61,360	62,410	63,270
Weeks compensated—State	59,984	92,685	110,311	80,848	83,100	78,022
Weeks compensated—Federal	3,675	7,574	9,133	6,403	5,555	5,379

2. *Employment services.*—A nationwide network of more than 2,400 local employment offices financed by Federal grants provide a full range of manpower services to assist workers in obtaining suitable employment and to assist employers in resolving their manpower problems. Special emphasis is placed on providing services to veterans and disadvantaged applicants. Assistance to employers includes analyzing their manpower requirements, solving problems of recruitment and turnover, and developing labor market information. Communities are aided in developing employment opportunities, and employment services are provided to workers ment of full-time offices is not feasible. It is estimated that not less than $25 million will and employers in areas where the establish- be available for services to veterans.

3. *Contingency fund.*—This fund assures that funds will be available to meet unforseen increases in the costs of administration resulting from changes in a State law, increases in the number of unemployment insurance claims filed and claims paid, or increased salary costs resulting from changes in State salary compensation plans.

4. *Other sources of funds.*—In addition to reimbursable programs, funds are also received from other Federal programs to provide recruitment and placement services, to operate training programs, and to pay allowances and benefits.

Advances to the Employment Security Administration Account

This fund, established by the Employment Security Act of 1960, received an original appropriation of $250 million. It makes advances without fiscal year limitation to the Employment Security Administration Account in the Unemployment trust fund. The purpose of this fund is to finance the Federal and State administrative costs of the employment security programs on a repayable basis from the beginning of the fiscal year until the Federal unemployment tax receipts become available, when advances are repaid with interest.

The financial transactions of the Federal-State and railroad unemployment insurance systems are made through the Unemployment trust fund. In the Federal-State system, benefit payments are made by each State, financed by State payroll taxes. These tax receipts are deposited in the Unemployment trust fund and invested in Government securities until needed for benefit payments. The expenses of State and Federal administration (including those of the Federal-State employment service), are paid from the fund out of revenue from the Federal unemployment tax, assessed on employers, of 0.5% of the first $4,200 of wages.

Both the benefit payments and administrative expenses of the separate unemployment insurance program for railroad employees are paid from the Unemployment trust fund and receipts from the tax on wages of railroad employees are deposited in the fund to meet expenses.

The total figure recommended for the Manpower Administration for fiscal 1975 is $2,657,159,000, which is $109,996,000 over the budget figure.

LABOR-MANAGEMENT SERVICES ADMINISTRATION

This Administration has the following areas of responsibility:

1. *Labor-management relations services.*—Provides assistance to unions, employers, employees, and State and local governments, including special studies and analyses, and technical assistance in planning for work force adjustments as they will affect labor-management relations; coordinates Federal action in particular labor-management disputes; and carries out the Department's responsibilities under the Urban Mass Transportation Act of 1964.

2. *Labor-management policy development.*—Develops recommendations on labor-management relations matters, and conducts studies of collective bargaining and programs pertaining to the Labor-Management Reporting and Disclosure Act (LMRDA), the Welfare and Pension Plans Disclosure Act (WPPDA), and Federal labor relations. In 1975 research will continue to include several of the many areas connected with labor-management relations as well as evaluation of present policies and programs.

3. *Administration of reporting and disclosure laws.*—Covers the administration and enforcement of the LMRDA, WPPDA, and section 18 of Executive Order 11491 which governs labor-management relations in the Federal service. Provides for the Department's participation in the President's program against organized crime.

WORKLOAD STATISTICS

	1973 actual	1974 estimate	1975 estimate
Reports received	152,329	272,500	180,100
Investigations conducted	6,380	7,200	7,900

4. *Veterans' reemployment rights.*—Provides assistance to veterans, reservists, and National Guardsmen on training duty, to secure reinstatement with their preservice employers and other employment advantages to which they may be entitled, based on seniority accrued while in military service. Compliance is advanced by informing employers and labor organizations of their reemployment responsibilities.

WORKLOAD STATISTICS

	1973 actual	1974 estimate	1975 estimate
Complaints processed	5,261	4,250	4,250
Veterans assisted	375,000	350,000	325,000

5. *Federal labor-management relations.*—Carries out the responsibilities of the Assistant Secretary of Labor under Executive Order 11491 dealing with labor-management relations within agencies of the Federal Government. Major responsibilities involve processing of petitions and complaints, including conduct of hearings and supervision of representation elections, and determining appropriate bargaining units, and eligibility for national consultation rights, and investigating and deciding on alleged unfair labor practices or violations of the standards of conduct for labor organizations.

WORKLOAD STATISTICS

	1973 actual	1974 estimate	1975 estimate
National office decisions	199	200	200
Field cases processed	773	945	1,085

6. *Executive direction and administrative services.*—Provides for policy planning and evaluation, direction, and coordination of the labor-management relations programs of the Department.

The Committee recommends $27,800,000, which is $3,492,000 over 1974 fiscal year.

Special benefits are the following:

1. *Federal civilian employees' benefits.*—Currently, long term compensation benefits are being paid to 29,000 Federal and eligible civilian employees (or their survivors) under the Federal Employees' Compensation Act who were injured or who died as a result of work-related incidents. Injury reports are checked for compensability and if found compensable, pertinent medical bills are paid. Claims for compensation benefits are filed when the injury causes loss of job time.

FEDERAL EMPLOYEES' COMPENSATION ACT WORKLOAD

	1972 actual	1973 actual	1974 estimate	1975 estimate
Long-term cases compensated	27,502	29,114	30,100	32,100
Compensation and medical payments	673,946	689,442	744,800	737,000
New claims received	26,774	28,321	30,000	32,000

2. *Black lung compensation benefits.*—Administration of the black lung benefits program, by the Department of Labor began July 1, 1973. Title IV of the Federal Coal Mine Health and Safety Act of 1969, as amended, provides that compensation benefits and (after Jan. 1, 1974) medical treatment costs be paid to those who have been totally disabled due to pneumoconiosis. The Department pays benefits directly when no responsible mine operator can be determined under the insurance provisions of the act. Both surface and underground miners are covered by the program. Survivors who meet the test for eligibility are entitled to compensation benefits when in the case of a deceased miner, it is shown that the death was attributable to pneumoconiosis. An estimated 55,600 claims will be filed in 1974 and 38,000 in 1975.

3. *Longshoremen's and Harbor Workers' Compensation benefits.*—Under the 1972 amendments to the Longshoremen's and Harbor Workers' Compensation Act, the Federal Government pays one-half of the increased benefits provided by the amendments from direct appropriation for persons on the rolls prior to enactment.

4. *Other benefits.*—Benefits are paid to eligible claimants under the War Claims Act of 1948 and the War Hazards Compensation Act; to reserve components of the Armed Forces prior to 1956; and to other small groups of employees.

Trust Funds

The trust funds consist of amounts received from employers for the death of an employee where no person is entitled to compensation for such death, and for fines and penalty payments.

Section 44 of the Longshoremen's and Harbor Workers' Compensation Act was amended in 1972 increasing the amount of payments made into the special fund by employers and providing for direct appropriation funds to be deposited into the special fund for the payment of the Federal portion of the increased compensation provided by the amendments.

These trust funds are available for payments of additional compensation for second injuries. When a second injury results in a permanent partial disability which, combined with a previous disability, results in permanent total disability or death, the employer provides compensation only for the disability caused by the subsequent injury.

In 1974 and 1975, the administrative costs relating to the administration of the District of Columbia Workmen's Compensation Act will be reflected as a reimbursement to the Employment Standards Administration's salaries and expenses account.

EMPLOYMENT STANDARDS ADMINISTRATION

This Administration handles the following:

1. *Improving and protecting wages.*—This program seeks to obtain compliance with the minimum wage, overtime, child labor, and other employment standards under the Fair Labor Standards Act, under the various Federal procurement acts, under the Farm Labor Contractor Registration Act, and under the wage garnishment provisions in title III of the Consumer Credit Protection Act. As a complement to the compliance program, regulations and interpretative materials are developed and special minimum wage standards are set. This program also includes determinations of prevailing wage rates and fringe benefits for all Federal and federally assisted contracts for construction subject to the Davis-Bacon Act and related acts. Prevailing wage rate and fringe benefit determinations are also made to protect service workers under the Service Contracts Act.

2. *Elimination of discrimination in employment.*—The major effort under this activity is to make equal opportunity an employment standard. Under Executive Order 11246, as amended to include sex discrimination, the Employment Standards Administration works to insure nondiscrimination in employment on Federal contracts. Under the Executive Order each contracting agency is responsible for obtaining compliance concerning those contracts entered into by the agency or its contractors. Employment Standards Administration is responsible for the direction, coordination, and evaluation of the contracting agencies' compliance programs. In various cities in 1975, increased employment opportunities will be provided to minorities in the construction industry through agreements among labor, management, and community groups under hometown, or where necessary, imposed plans. The program has been designated as a Presidential objective. Through its Women's Bureau, the Employment Standards Administration develops policies and programs to promote the welfare of wage-earning women and to encourage their fuller utilization in the work force. Enforcement of the equal pay provisions of the Fair Labor Standards Act and the Age Discrimination in Employment Act is also included in this activity.

3. *Workmen's compensation.*—Under this income maintenance activity, the Employment Standards Administration administers the Federal Employees' Compensation Act (FECA), Longshoremen's and Harbor Workers' Compensation Act, their various extensions, and the benefit provisions of the Federal Coal Mine Health and Safety Act. These programs insure that eligible injured workers or their survivors receive compensation and medical benefits and a range of services including rehabilitation, careful supervision of medical care, and technical and advisory counseling to which they are entitled. The black lung program administered by the Department since July 1, 1973, has been designated as a Presidential objective.

4. *Program development and administration.*—This activity provides for the direction and coordination of employment standards programs. Program planning, research, evaluation, budget, and other administrative activities of the Employment Standards Administration are carried out to insure effective and efficient program management and execution.

5. *Occupational safety and health.*—This activity since 1973 has been supported by a separate appropriation for the Occupational Safety and Health Administration.

The figure recommended for fiscal 1975 for Employment Standards Administration is $234,362,000.

OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION

The Occupational Safety and Health Administration is responsible for performing the functions assigned to the Secretary of Labor by the Occupational Safety and Health Act of 1970.

1. *Safety and health standards.*—Mandatory standards are promulgated to protect the safety and health of workers. New and revised standards are proposed on the basis of criteria recommended by the National Institute for Occupational Safety and Health, special advisory committees appointed by the Secretary, Federal and State agencies with related responsibilities, and other interested parties and organizations. All new standards, except emergency temporary standards, are promulgated under procedures providing opportunity for public comment. Studies are undertaken to identify workplace hazards and the causes of occupational injuries and illnesses. Testing laboratories which test for and certify safety specified products, devices, systems, materials, or installations and which meet prescribed conditions, are accredited.

2. *Enforcement.*—Enforcement of the occupational safety and health standards is performed by the physical inspection of plants and facilities. States may provide for the coverage of one or more occupational safety and health issues under an approved plan with standards and a program of enforcement which have been determined to be as effective as the Federal program. Program operations are targeted to the investigation of fatal or catastrophic accidents, claims of imminent danger, and bona fide employee complaints and to inspections of industries or work processes with a high incidence and severity of work-related injuries or illnesses. Inspections of a cross-section of establishments in all industries are also conducted. Federal matching grants of up to 50% of the total costs are provided to States to assist them in administering and enforcing approved State programs of occupational safety and health and for administering approved State statistical programs. State programs are evaluated to insure that all elements of their approved plans are implemented effectively and that adequate funds and resources are provided. Federal and State enforcement efforts are integrated to provide a balanced national program of occupational safety and health. It is estimated that 75,000 inspections will be made under the Act in 1974 by Federal enforcement personnel and 150,000 inspections will be made by agencies in 30 States with approved programs. In 1975, Federal inspections are expected to increase to 105,000 and State inspections will increase to 250,000.

3. *Training, education, and information.*—Training courses, educational programs, and information are provided to employers, employees, trade associations, union representatives, State and local safety and health personnel, other interested members of the public and Federal departments and agencies to assist them in an understanding of the Act and of the actions necessary to assure so far as possible all workers a safe and healthful work place. Short-term technical and professional training is conducted to increase the number and competence of personnel engaged in the field of occupational safety and health. OSHA directed or approved training opportunities will be provided to more than 200,000 persons in 1975.

4. *Safety and health statistics.*—Statistics on occupational fatalities, injuries and illnesses are collected and published annually to aid in the identification of occupational safety and health problems and to facilitate improvements in the administration of the Act. Studies are conducted to identify circumstances and events associated with injuries and illnesses which may suggest causes and means of prevention.

5. *Executive direction and administration.*—Executive direction, planning and evaluation, and management support functions are structured to assure responsive administration and effective implementation of the Act. To a considerable degree, program responsibilities are decentralized to the field with the implementation of these programs as they affect the public, performed by a Federal field staff located in 10 regional offices, 61 area and district offices, and 28 field stations.

Salaries and Expenses for OSHA were $70,408,000 in fiscal 1974 and the Committee recommended $100,816,000 for fiscal 1975.

BUREAU OF LABOR STATISTICS

This Bureau is responsible for compiling all the labor statistics and their areas are:

1. *Manpower and employment.*—Monthly estimates are made of the U.S. labor force, employment and unemployment, as are studies of selected characteristics of the labor force. Monthly data are prepared and published on employment, hours of work, and earnings by industry for the United States and for each State. Projections are prepared of manpower requirements and supply, including detailed studies of the outlook for specific occupations.

WORKLOAD STATISTICS (MAJOR ITEMS)

	1973 actual	1974 estimate	1975 estimate
Manpower and employmet:			
Monthly labor force survey; households in monthly sample	47,000	47,000	47,000
Employment, hours, earnings, job vacancies and labor turnover; establishments reporting monthly	265,000	265,000	265,000
Occupational employment statistics; different establishments reporting during the year	165,000	125,000	130,000

2. *Prices and cost of living.*—The Consumer Price Index and the Wholesale Price Index are compiled and published monthly. Special analytical studies of price changes are undertaken, and family budget studies are prepared and priced.

WORKLOAD STATISTICS (MAJOR ITEMS)

	1973 actual	1974 estimate	1975 estimate
Prices and cost of living:			
Consumer prices:			
(a) Items reported	400	400	400
(b) Stores surveyed (monthly)[1]	8,275	9,175	10,400
(c) Households surveyed (monthly)[2]	6,500	6,500	10,100
Industrial prices:			
(a) Products and product groupings	2,675	2,775	2,775
(b) Establishments (monthly)	8,500	9,000	9,000
Industry sector price indexes: Industries	142	145	145
International price competitiveness:			
Major U.S. exporting companies interviewed for price information	75	200	350
Major U.S. importers interviewed for price information	125	250	500

[1] Some cities are surveyed on a quarterly cycle.
[2] Each individual household is only surveyed every 6 months but a sample is surveyed every month.

3. *Wages and industrial relations.*—Data are collected and analyzed on occupational wages and salaries in major labor markets and industries. Monthly information is compiled on work stoppages and wage developments. Reports and studies are issued on fringe benefits, expenditures, collective bargaining agreements, trade union organization, and private welfare and pension plans.

WORKLOAD STATISTICS (MAJOR ITEMS)

	1973 actual	1974 estimate	1975 estimate
Wages and industrial relations:			
Occupational wages; establishments reporting annually	30,500	30,500	32,800
Union wage scales; union reporting annually	3,800	4,000	3,800
General wage rate change statistics, units studied	5,100	5,100	5,100
Studies of provisions of labor-management agreements; establishments reporting annuayll	4,800	5,300	6,000
Work stoppages; employees and unions reporting annually	4,700	4,900	5,000
Wage index; establishments reporting		350	2,500

4. *Productivity and technology.*—Analyses are prepared on output per man-hour and unit-labor cost trends for both the entire U.S. economy and for specific industries. Studies are conducted on automation and other technological changes and the adjustments to such changes. Studies are made of labor requirements for selected types of construction. Analyses and international comparisons are made of prices, wages, employment, unemployment, and unit-labor costs. Research is conducted on the effects of international trade on U.S. employment.

5. *Economic research.*—Long-range projections of U.S. economic growth are prepared. Analytical studies of the impact of economic changes on employment are made. Information, reports, and advisory services for policy and program work are provided on labor conditions in foreign countries. Special economic and social studies are undertaken and special reports prepared for the Commissioner, the Secretary, the Council of Economic Advisors, and other Government agencies.

6. *Executive direction and staff services.*—Provides leadership in developing plans and policies for the Bureau's economic, statistical, and management programs. Program plans are coordinated and evaluated. Statistical and data processing systems are operated and maintained. Research and report activities are coordinated; publications and releases are planned and edited; and a central inquiry service is maintained.

7. *Revision of the Consumer Price Index.*—The Consumer Price Index measures average changes in the retail prices of selected goods, rents, and services. A revision to modernize the index is underway to meet the demands for its use in present-day domestic, economic, and industrial planning. The revision program, which was initiated in 1970, has been phased so that a revised index will be completed, tested, and published in 1977.

Reimbursable program.—Funds are advanced from sources outside the Federal Government to finance special statistical studies. During 1975, the Bureau will collect and analyze store inventory prices for the American Retail Federation, conduct surveys on compensation and labor cost studies for the State of New York, and will develop an index of cost of operating apartment houses for the City of New York.

Trust Funds

Special statistical work

Funds are advanced from sources outside the Federal Government to finance special statistical studies. The Bureau collects and analyzes store inventory prices for the American Retail Federation, conduct surveys on compensation and labor cost studies for the State of New York and develops an index of cost of operating uncontrolled apartment houses for the City of New York. In 1975, these funds will be handled as a reimbursement to the Bureau of Labor Statistics, Salaries and expenses account.

Salaries and Expenses for the Bureau were $48,635,000 in fiscal 74 and it is recommended they receive $53,000,000 in fiscal 75.

Department Management handles:

1. *Executive direction.*—Formulates governmental policy in matters affecting labor and directs all programs and functions assigned to the Department.

2. *Legal services.*—Departmental legal activities include enforcement of Federal labor statutes and legal services related to the statutes administered by the Department. Legal advisory, legislative, and litigation services are also provided under the Labor-Management Reporting and Disclosure Act, the Welfare and Pension Plans Disclosure Act, Occupational Safety and Health Act, Executive Orders 11264 and 11491, and title VI of the Civil Rights Act of 1964.

3. *International labor affairs.*—Integrates all international labor programs and foreign economic policy within the Department, including activities concerned with trade adjustment assistance and with the Trade Expansion Act; coordinates with other agencies and organizations; gives Departmental guidance to the U.S. participation in the International Labor Organization and other international organizations concerned with labor and manpower problems; and provides for labor and manpower technical services to other Government and international agencies.

4. *Administration and management.*—Plans, manages, and evaluates administrative support operations and renders central services to all agencies of the Department.

5. *Appeals from determinations of Federal employee claims.*—The Employees' Compensation Appeals Board hears and decides appeals under the Federal Employees' Compensation Act.

6. *Promoting employment of the handicapped.*—The President's Committee on Employment of the Handicapped conducts a continuing program of public information and education to advance employment of the handicapped citizen and cooperates with all national groups interested in this field.

Special Foreign Currency Program

This activity utilizes foreign currencies available under Title I of the Agricultural Trade Development and Assistance Act of 1954, declared by the Treasury Department to be excess to the normal requirements of the United States.

Labor attaché conferences.—Overseas Regional Labor Attaché Conferences benefit the United States in providing a forum for discussion of regional problems among the attending labor officers and government officials; provide for the coordination and implemention of U.S. objectives in the labor and manpower areas; provide a forum for informing labor officers overseas of new developments in the United States; and provide opportunities for officials of the Departments of State and Labor to discuss general and specific reporting needs.

Departmental Management received $24,571,000 in 1974 and we have recommended $30,490,000 for fiscal 1975.

HEALTH SERVICES ADMINISTRATION

This appropriation includes activities which support the provision of personal health care services directly to Federal beneficiaries or indirectly through project and formula grants. This is accomplished through the following activities:

1. *Community health services.*—Community health centers project grants are a means of upgrading and expanding ambulatory health services, primarily in medically underserved areas.

In addition, there are 39 family health centers located in 31 States and the District of Columbia serving 105,000 people.

Comprehensive health grants to States are made to State health authorities to assist the States in establishing and maintaining adequate public health services in accord with priorities and goals established by the States.

The maternal and child health program has as its major goal the provision of health services to mothers and children, especially in rural and urban poverty areas. In 1975 approximately 520,000 women will receive prenatal and postpartum care in maternity clinics. Training grants are made for training personnel for health care and related services for mothers and children. Research grants are awarded to improve maternal and child health or crippled children's services and to study the effectiveness of such programs.

The family planning program supports project grants and contracts for family planning information and services.

The migrant health program provides access to primary health care services for

migrant agricultural laborers and seasonal farmworkers and their families in order to improve and maintain the level of their health relative to that of the general population. In 1975, 355,000 persons are expected to receive services.

The Health Maintenance Organizations program is designed to promote the orderly development and expansion of HMO's through technical and financial assistance to demonstrate the value of this health care option. Grants and contracts will be available only to public or nonprofit HMO's.

The National Health Service Corps provides health professionals to communities which have been designated as critical health manpower shortage areas. In 1975, the program will support approximately 531 health professionals in about 245 communities, an increase of 45 communities over the 1974 level.

2. *Patient care and special health services.*—This program provides direct and contract health care to the 500,000 legal beneficiaries of the Public Health Service. Major beneficiary groups are American seamen, personnel and dependents of the Coast Guard and Public Health Service Commissioned Corps, Federal employees' compensation cases, persons with Hansen's disease, and participants and certain spouses and children of participants in the Public Health Service study of untreated syphilis initiated in 1932.

3. *Buildings and facilities.*—This activity includes all proposed direct construction items of the Health Services Administration except construction of Indian health facilities. The 1975 estimate provides for repair and improvement projects for PHS hospitals and outpatient clinics and the PHS National Leprosarium at Carville, La.

4. *Program management.*—This activity provides a central staff needed in planning, directing, and administering the programs and activities of the Health Services Administration.

The total amount recommended by the Committee for this item is $481,860,000.

CENTER FOR DISEASE CONTROL

The Center for Disease Control provides leadership and direction to programs and activities designed to improve the health of the people of the United States by preventing and controlling diseases, improving the performance of clinical and public health laboratories, and assuring safe and healthful working conditions for working people.

1. *Disease control.*—This activity supports a variety of functions which are vital to the prevention and suppression of diseases and illness.

(a) *Project grants.*—Project grants are awarded to States and localities to support health activities in three major areas: (1) the prevention and control of venereal and other infectious diseases; (2) control of rats in urban areas; and (3) prevention of lead-based paint poisoning in children.

(b) *Disease investigations, surveillance, and control.*—This activity: (1) maintains active surveillance of disease through epidemiologic and laboratory investigations; (2) controls importation or spread of communicable diseases from foreign countries into the United States; (3) provides assistance in the control and prevention of diseases through epidemic aid to States and communities; (4) maintains surveillance of the immunization status of the population; (5) develops new or improved standards and methods for the diagnosis, treatment, prevention, or control of communicable diseases or other preventable conditions and upgrades the performance of health workers engaged in prevention and control activities.

(c) *Laboratory improvement.*—The laboratory improvement program is designed to improve the diagnostic competence in 16,000 clinical and public health laboratories through the standardization of laboratory methodology, the provision of technical assistance, and the licensure of clinical laboratories in interstate commerce.

(d) *Health education.*—Leadership and direction are provided for a national health education program to improve health and prevent disease. The program will be directed toward both general and specific groups.

2. *Occupational health.*—The National Institute for Occupational Safety and Health plans, directs, and coordinates a national effort to assure safe and healthful working conditions.

3. *Buildings and facilities.*—This activity supports construction, alterations, repairs, and improvements of building and facilities, including preparation of plans and specifications. In 1975, obligations will be supported from funds previously appropriated and transferred to this account.

4. *Program management.*—This activity provides for overall executive direction, planning, evaluation, and administrative management of preventive health services programs.

The figure recommended by the Committee for this area of preventive health services is $134,910,000, which is $9,056,000 over the fiscal 74 figure.

NATIONAL INSTITUTES OF HEALTH

The National Cancer Institute is involved in the following areas:

1. *Research.*—(a) *Cause and prevention research.*—Research is conducted on ways to reduce the effectiveness of external agents for producing cancer, to minimize the risk of cancer development in individuals, to prevent transformation of normal cells to cancer cells, and to prevent the progression of the disease and its spread from primary sites.

(b) *Detection and diagnosis research.*—Research is conducted to develop the means to detect the presence, extent, and probable course of existing cancers; to assess the risk of developing cancer in groups and in individuals, including the development and clinical testing of sensitive detection and diagnosis procedures and epidemiological studies.

(c) *Treatment research.*—Research is conducted to develop the means to cure cancer patients and to control the progress of cancers. The range of research is from surgery, radiation, chemotherapy, immunotherapy, and combination therapies, to research on new sources of chemical agents for use in cancer treatment, to the refinement of patient followup to determine the most beneficial kinds of treatment.

(d) *Cancer biology.*—Cancer biology studies cover a broad range of basic research in cancer that is not identified with any one of the other research activities.

2. *Resource development.*—(a) *Cancer centers support.*—Exploratory projects and core grants are provided to cancer centers. Research conducted at centers is supported from the applicable research efforts in cause and prevention, detection and diagnosis, treatment, and cancer biology. Exploratory projects are designed to determine the feasibility of establishing cancer centers and to support planning efforts. Core grants support the administration, common services and collaborative activities of cancer centers.

(b) *Research manpower development.*—This activity supports research training and education in scientific fields related to cancer research.

(c) *Construction.*—In 1975 construction funds will be used only for modernization and renovation of existing space for cancer laboratory and clinical research purposes.

3. *Cancer control.*—This activity is to bridge the gap between discovery of effective research findings and their application in the practice of medicine and public health by supporting specialized demonstration activities, including education and training programs.

Their total figure for this fiscal year was $366,776,000 and the Committee recommends $425,000,000 for fiscal '75.

NATIONAL HEART AND LUNG INSTITUTE

This Institute has the following areas of responsibility:

1. *Heart and vascular diseases.*—Research is supported by grants and contracts on heart and vascular diseases, encompassing basic research, targeted research, clinical trials, and specialized centers. Research projects supported range from large-scale clinical trials, which focus on the etiology, diagnosis, and management of lipid (blood fat) disorders to research in instrumentation to make it possible to locate microscopic femoral lesions.

2. *Lung diseases.*—Pulmonary research grants and contracts include specialized centers and the establishment of two research and demonstration centers.

3. *Blood diseases and resources.*—Grant and contract programs in blood diseases and resources include sickle cell disease, hemophilia and other blood diseases, and the conduct of research and demonstrations to improve the national systems of blood procurement, management, and distribution.

4. *Intramural laboratory and clinical research.*—The Institute's directed research program seeks fundamental knowledge of cardiovascular and pulmonary disease processes.

The figure requested by the Committee for fiscal 75 is $321,196,000, which is $31,646,000 over fiscal 74.

NATIONAL INSTITUTE OF DENTAL RESEARCH

This Institute conducts research in the following areas:

1. *Caries.*—The national caries program is an organized research and development effort to develop methods to eliminate caries as a major health problem and includes both intramural and extramural activities.

2. *Periodontal and soft tissue diseases.* The periodontal and soft tissue diseases program develops new knowledge for the prevention and eradication of these diseases through grants and contracts.

3. *Restorative materials.*—Restorative materials research fosters the development of improved materials and methods to restore lost oral tissues to normal form and function through grants and contracts.

4. *Craniofacial anomalies.*—The craniofacial anomalies program supports grants and contracts to develop ways to prevent such developmental aberrations.

5. *Pain control and behavioral studies.*—The pain control program provides grants and contracts to stimulate investigations into the nature, etiology, pathophysiology, and treatment of the major pain problems associated with the oral-facial complex.

6. *Dental research institutes.*—The dental research institutes bring together resources of universities to focus them on the problems of oral health.

7. *Intramural laboratory and clinical research.*—Intramural laboratory and clinical research is concerned with the causes, treatment, control, and prevention of diseases and disorders of the oral cavity and facial region and includes basic and applied research, both in the laboratory and clinical facilities.

Recommended in this bill is $44,388,000 for fiscal 75.

NATIONAL INSTITUTE OF ARTHRITIS, METABOLISM AND DIGESTIVE DISEASES

The Research programs handled by this Institute are the following:

These programs, groups of interrelated diseases and disciplines, support biomedical research and training projects in over 400 non-Federal institutions through the use of

grants and contracts. The vast majority of these awards are made to universities and medical schools. Approximately 93% of the funds in these categories are used for grant awards and 7% are used for contracts.

Intramural laboratory and clinical research.—The Institute intramural research programs, conducted at NIH and field stations in Arizona, include basic and applied laboratory and clinical research and epidemiological studies of the fundamental biological processes underlying the major diseases within the Institute's purview. Research is conducted in the fields of arthritis, rheumatism, digestive diseases, nutrition, diabetes, and other metabolic disorders, as well as studies in the major disciplines including pharmacology, physiology, biochemistry, chemistry, pathology, endocrinology physical biology, molecular biology, chemical biology, hematology, and biomathematics.

The Committee recommends $162,207,000 for this Institute.

NATIONAL INSTITUTE OF NEUROLOGICAL DISEASES AND STROKE

In the following areas, this Institute handles the research:

1. *Communicative disorders.*—Research on improving the diagnosis, treatment, and prevention of diseases and disorders which affect the ear, hearing, language, and speech is supported through extramural, intramural laboratory, and contract-supported collaborative, clinical and applied research. Efforts are directed at improving understanding of the underlying functions involved in hearing, expressing ideas through speech, and in the central neural processing of language.

2. *Neurological disorders.*—Research is directed toward neurological diseases including epilepsy, brain tumor, muscular disorders, multiple sclerosis, neurological diseases of childhood, minimal brain dysfunction, neurological aspects of learning and behavior, slow virus infections of the CNS, and Parkinson's disease. Research emphasis in 1975 will be focused on: epilepsy including the initiation of a pilot program for the establishment of research and treatment of epilepsy; on multiple sclerosis; genetic and developmental disorders; on the further analysis of data collected from the collaborative perinatal project; and on virological and immunological aspects of infectious disorders.

3. *Stroke, nervous system, trauma.*—Research is directed toward cerebrovascular disease and stroke, head injury, spinal cord injury, and nerve growth and regeneration.

4. *Fundamental neurosciences.*—Research is supported in the fundamental neurosciences to elucidate the mechanisms responsible for normal functioning of the human nervous system and to understand the nature of its diseases and disorders.

5. *Intramural laboratory and clinical research.*—Intramural research emphasis will be directed toward genetic diseases, the slow viruses, neuro-immunology, and neurotology.

NATIONAL INSTITUTE OF ALLERGY AND INFECTIOUS DISEASES

The areas into which this Institute delves are:

1. *Allergic and immunologic diseases.*—Research is supported pertaining to the causes, characteristics, mechanisms of disease production, prevention, control and treatment of a wide variety of diseases believed to result from abnormalities, malfunctions, or inappropriate responses of the body's complicated immune mechanisms.

2. *Bacterial and fungal diseases.*—This research is focused on the causes, characteristics, mechanisms of disease production, prevention and control of diseases believed to be caused by bacteria, mycoplasma, fungi or the toxic products of their growth, or metabolism.

3. *Viral diseases.*—Research is supported on the causes, characteristics, mechanisms of disease production and control of diseases believed to result directly or indirectly from viral or rickettsial infections.

4. *Parasitic diseases.*—This activity supports research on the causes, characteristics, mechanisms of disease production, prevention and control of diseases produced or transmitted by parasites. Included are infections or infestations with a broad spectrum of infectious organisms (e.g. protozoa and worms) or arthropods (e.g. mosquitoes, flies, ticks).

5. *Intramural laboratory and clincial research.*—Intramural research efforts embrace both basic and applied research in allergic and immunological, bacterial and fungal, viral, and parasitic diseases.

The Committee recommends $105,843,000 for this Institute, which is $6,219,000 more than fiscal 74.

NATIONAL INSTITUTE OF GENERAL MEDICAL SCIENCES

The National Institute of General Medical Sciences conducts and supports research and development in the general or basic medical sciences and related natural and behavioral sciences through the use of research grants, training grants, fellowships, and contracts. The following programs are supported: Pharmacology-toxicology, biomedical engineering, clincial and physiological sciences, genetics, and cellular and molecular basis of disease. The vast majority of these awards are made to universities and medical schools. Approximately 97% of the funds in these programs are used for grant awards and 3% are used for contracts.

The Committee recommends $178,108,000 for this Institute for fiscal 75.

NATIONAL INSTITUTE OF CHILD HEALTH AND HUMAN DEVELOPMENT

This Institute investigates the following areas:

1. *Population.*—Population research encompasses four large and complex undertakings: (1) The development of improved methods of fertility regulation, including the improvement of contraceptive technology and control of infertility; (2) studies of biologic and genetic implications of contraceptive use; (3) investigations of the social and behavioral aspects of population problems and dynamics; and (4) basic biomedical research in the population sciences.

2. *Child health.*—The child health program encompasses research on the segment of the life span beginning with the moment of conception and extending through the later teenage years. The research is conducted within one of three child health program areas; perinatal biology and infant mortality, mental retardation, and growth and development.

3. *Aging.*—Aging research includes medical, biological, psychological, and social aspects of research relevant to the health of the elderly. The activity supports research on the multitude of biological changes that occur with aging and are major determinants of disease processes, studies of cognitive and emotional alterations that occur with increasing age, and investigations of societal aspects of aging.

4. *Intramural, laboratory and clinical research.*—Laboratories conduct research in three major program areas of child health and human development: population and reproduction; child health; and aging. This activity also supports studies dealing with the incidence, distribution, and control of health problems in certain populations. It collects and analyzes program statistics and executes statistical studies.

5. *Research management and program services.*—The activity supports administrative management, program planning and evaluation, research information, and research conferences.

Their level of spending for fiscal 74 was $106,199,000 and this year the Committee is recommending $120,232,000.

NATIONAL EYE INSTITUTE

This Institute supports research into all phases of the workings of the eye, and some of the areas include:

1. *Retinal and choroidal disease.*—Research is supported to acquire knowledge of how the retina responds to light and converts it into electrical signals that travel to the brain resulting in sight.

2. *Corneal diseases.*—Corneal disease research is aimed at reducing the impact of corneal diseases through improved methods of treatment, prevenion, and diagnosis.

3. *Cataract.*—Cataract research attempts to identify the causes of cataract and develop methods for its prevention and improved treatment.

4. *Glaucoma.*—Glaucoma research studies the cause of glaucoma, development of techniques for prevention and early detection of the disease, and improved methods of treatment.

5. *Sensory-motor disorders and rehabilitation.*—Sensory-motor laboratory and clinical investigations are focused on the development and function of those activities of the brain and the eye muscles which make vision possible.

6. *Intramural laboratory and clinical research.*—Laboratory and clinical research is focused on developing new and improved techniques for the prevention, diagnosis, and treatment of vision disorders.

7. *Research management and program services.*—This activity provides support for overall administrative management and scientific direction of Institute programs.

Their requested figure for fiscal 75 is $38,878,000.

NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH SCIENCES

This Institute is involved in the area of the environment and how the human body is effected by various toxigens. Their areas of responsibility include:

1. *Environmental health sciences centers.*—These centers support research in several traditional disciplines to foster application of expertise across disciplinary lines to deal with environmental health problems associated with a wide variety of environmental agents and with the diverse biological effect on the human organism or appropriate models.

2. *Environmental mutagenesis and reproductive toxicology.*—This activity supports research to clarify the nature and structure activity relations of environmental agents that may affect the genetic makeup or reproductive capability and fidelity of man.

3. *Etiology of environmental diseases and disorders.*—This activity studies cause and effect relations between physical factors and chemical agents in the environment and the occurrence of human diseases and disorders in short-term and life-time exposure situations.

4. *Environmental pharmacology and toxicology.*—This activity supports research to identify factors in the external environment and in the body that act upon chemical agents and alter their toxicity; to determine the modes of absorption and transport within the body and to characterize the nature and sites of molecular cellular, and tissue interactions that lead to functional disorders.

5. *Environmental pathogenesis.*—This activity supports research to define in detail and in time sequence the molecular and cellular events that culminate in recognizable diseases and disorders, and to clarify the role of environmental agents as secondary contributors to degenerative diseases.

6. *Intramural laboratory and clinical research.*—Intramural research constitutes the in-house research effort in environmental health sciences. Research is directed toward the development of a reliable data base for

use in establishing standards and devising remedial methods in a variety of populations at risk from exposure to environmental and occupational chemicals and physical factors.

7. *Research management and program services.*—This program provides for the overall administration, coordination, and direction of the varied programs and activities of the Institute.

The Committee has recommended $32,594,000 for this Institute.

Research resources

The programs administered by the Division of Research Resources provide for the development and support of specialized research settings for use by the grantees and contractors of the NIH categorical programs in the generation of new knowledge to aid the progress of biomedical science in the treatment of human disease and disability.

1. *Clinical research.*—The clinical research activity provides support for general clinical research centers which are physically discrete research units located in university affiliated hospitals and provides clinical research opportunities and resources to large numbers of investigatory and research groups for the study of human disease.

2. *Biotechnology research.*—Support is provided to institutions for the conduct of multicategorical health-related research with emphasis on digital computation, mass spectrometry, nuclear magnetic resonance spectroscopy, and high voltage electron microscopy.

3. *Laboratory animal sciences and primate research.*—Support is provided for animal resources required for biomedical research. Grants are made to institutions for special animal colonies, research related to improving animal health and care, disease diagnosis and control, studies directed to enhancing the usefulness of animal models for research, and general improvement of management and accommodations for institutional animal resources. Primate centers provide a research environment where scientists from many disciplines can conduct biomedical and behavioral research using the nonhuman primate.

4. *Minority biomedical support.*—Support is provided to build and strengthen the health-related research capabilities of colleges, universities, and health professional schools in which student enrollments are drawn mainly from ethnic minority groups.

$124,370,000 has been recommended by the Committee for fiscal 75 which is $43,100,000 over that requested by the Administration.

JOHN E. FOGARTY INTERNATIONAL CENTER

The Fogarty International Center administers programs of advanced study and related international activities.

1. *Gorgas Memorial Institute.*—Funds will support the operation of the Gorgas Memorial Laboratory.

2. *Scholars.*—International scholars are supported.

3. *Research management and program services.*—Provides for the planning and coordinating of international activities including the executive direction of programs mentioned above, international seminars and conferences and special foreign currency programs.

$5,384,000 has been recommended by the Committee for fiscal 75.

NATIONAL LIBRARY OF MEDICINE

1. *Medical library assistance.*—This activity provides support to develop facilities and techniques for collecting, processing, storing, and retrieving biomedical information in the Nation's medical libraries.

2. *Direct operations.*—This includes the following activities:

a. *Lister Hill National Center for Biomedical Communications.*—The center is the research and development component of the library, charged with the responsibility of coordinating the development and application of communications technology to foster improvements in the transfer of biomedical information.

b. *National Medical Audiovisual Center.*—Audiovisual center activities attempt to improve the quality and use of audiovisual materials in the biomedical community.

c. *Library operations.*—The library acquires and maintains an archival and reference collection of biomedical literature and provides bibliographic, reference, and loan services through a network of regional and local medical libraries.

d. *Toxicology information program.*—A computer-based toxicology information storage and retrieval system relates information concerning the nature of poisons, their detection and treatment and subsequent effects on man and his environment.

e. *Research management and program services.*—This activity provides overall scientific and administrative management.

The Library of Medicine received last year the amount of $19,273,000 and we have recommended $21,768,000 for this year.

BUILDINGS AND FACILITIES

The NIH direct construction program provides for the design and construction of Federal laboratories, libraries, office buildings, and other facilities essential to carry out the mission of the National Institutes of Health.

OFFICE OF THE DIRECTOR

The Office of the Director provides overall executive and program direction, and supporting services relating to program planning and evaluation, scientific and public information, financial management, personnel management, management policy and review, and grant and contract management and analysis.

The total figure requested by the Committee for the entire National Institutes of Health is $1,732,822,000, which is $175,961,000 over that which they received in fiscal 74 and $150,613,000 over the budget figure.

ALCOHOL, DRUG ABUSE, AND MENTAL HEALTH ADMINISTRATION

Alcohol, drug abuse, and mental health research is handled by this Administration as follows:

1. *General mental health.*—(a) *Research.*—This activity includes all of the National Institute of Mental Health's general mental health research efforts utilizing grants or carried out directly by the Institute staff in Government-owned facilities on the campuses of the National Institutes of Health and Saint Elizabeth Hospital (intramural research program) and the research career program.

(b) *Training.*—Beginning in 1973, emphasis was shifted away from categorical support of training mental health professionals in the core mental health disciplines toward the use of time-limited research and development projects in mental health manpower development for new training initiatives having an experimental, developmental, and technical assistance orientation.

(c) *Community programs.*—Grants in this activity are for the construction and staffing of community mental health centers, and to provide specialized treatment services to children in centers or other community facilities.

(d) *Management and information.*—This subactivity provides support to administer the general mental health research and training programs, and the Institute's headquarters staff who direct the community mental health center programs. This activity also supports the National Clearinghouse for Mental Health Information.

2. *Drug abuse.*—(a) *Research.*—New knowledge on the causes, diagnosis, treatment, control, and prevention of drug abuse is obtained extramurally through grant and contract support of basic, clinical, and applied research, and intramurally through research at the Institute's Addiction Research Center.

(b) *Training.*—Training grants and contracts provide qualified personnel to operate treatment and rehabiliation programs and improve the quality of manpower in the field of drug abuse.

(c) *Community programs.*—A full range of community-based drug abuse treatment and rehabilitation programs receive support through both project grants and contracts and State formula grants.

(d) *Management and information.*—Support is provided headquarters personnel to plan, coordinate, and analyze Federal drug abuse programs. The drug abuse information program provides information services as a resource for Federal and non-Federal program managers.

3. *Alcoholism*—(a) *Research.*—This activity includes all of the Institute's alcoholism-related research efforts utilizing grant and contract support, or research carried out by Institute staff located in laboratory facilities at Saint Elizabeths Hospital.

(b) *Training.*—This activity includes all of the Institute's alcohol-related training carried out through the grant mechanism.

(c) *Community programs.*—Community programs include funds for both project grants and formula grants to plan and develop alcoholism services in a particular area.

(d) *Management and information.*—This activity supports the Institute's staff who administer and coordinate the various alcoholism programs. Funds also support the National Clearinghouse on Alcohol Information and the National Center for Alcohol Education.

4. *Buildings and facilities.*—This activity includes funds for construction, alterations, and repairs and improvements of buildings and facilities of the National Institute of Mental Health including Saint Elizabeths Hospital.

5. *Program direction.*—This activity provides support for the overall direction and management of the agency, central office coordination of regional programs, and regional offices operating funds.

Their fiscal 74 figure was $738,149,000 and we have recommended $761,601,000 for fiscal 74. This is $23,452,000 over fiscal 74 and $69,439,000 over the budget request.

ST. ELIZABETHS HOSPITAL

Saint Elizabeths Hospital provides treatment and care for the mentally ill who are either beneficiaries of the Federal Government or residents of the District of Columbia. Legislation has been introduced to transfer program and fiscal control of the hospital from the Federal Government to the District of Columbia. Under the terms of the proposed legislation the District of Columbia will budget for and justify the operation of the hospital under its own appropriation.

Appropriations now made directly to the hospital will be reclassified as payments to the District of Columbia for treatment of Federal beneficiaries and partial support of hospital operating costs.

We have recommended $42,240,000 for St. Elizabeths.

The total figure recommended for Alcohol, Drug Abuse and Mental Health Administration for fiscal 75 is $803,941,000.

HEALTH RESOURCES ADMINISTRATION

The various areas of responsibility included in this Administration are as follows:

1. *Health statistics.*—The National Center for Health Statistics develops and maintains reliable, general purpose, health statistical data collection systems. The Center performs studies to improve health survey methods; provides technical advice and assistance on

the application of statistical methods in the health and medical fields; and, exerts leadership in the continued development of a national cooperative health statistics system with State and local agencies, directed toward producing comparable health data on a wide range of topics for use in the planning and evaluation of health care programs.

The major objective to be pursued during 1975 with the requested funding increase will be continued development of the Cooperative Health Statistics System. Contracts will be renewed with 31 State and local areas for the provision of comparable timely and quality data in machine-readable form; 15 existing contracts will be renewed and six new contracts will be negotiated for research and development in targeted problem areas determined to be impediments to progress in full implementation of the system; contracts will be negotiated with an additional eight States to develop their capacity and capability for induction into the cooperative system; and initial implementation of a data use laboratory responsive to data users' needs is planned. In addition, necessary expansion of technical training and technical assistance in support of the cooperative system will be attained.

2. *Health services research and evaluation.*—The Bureau of Health Services Research attempts to improve the organization, delivery, quality, and financing of health services by stimulating and supporting research, development, demonstration, and evaluation in this field.

The Bureau distributes its activities over such program areas as: Organization and management of health services, resource utilization and productivity, economic analysis and financing, and quality and outcome of health services. Projects supported deal with increasing the effectiveness of techniques for planning and managing health services and health services systems in communities, States, and regions; developing more effective and efficient ways of delivering health services; better understanding the financial structure of health services systems; and improving the quality of medical care and for measuring the long-term effects of medical care on the health of people.

In 1975, the Bureau will emphasize such areas as increasing productivity, analysis of national health insurance, reimbursement experiments, and the strengthening of health services planning in States and on an areawide basis. The Bureau will support research and demonstrations associated with PSRO's, and will undertake a series of research experiments and special studies which will support the implementation of section 222 of the Social Security Amendments of 1972. In addition an estimated $27 million will be used in 1975 to support improvements in the delivery of emergency medical services at the State and local level.

3. *Regional medical programs.*—Since 1966, the Federal Government, by means of grant awards and direct staff activities, has promoted and developed regional cooperative arrangements (RMP's) among the Nation's health care providers and institutions in order to improve access to and generally strengthen the health care delivery system In 1975, no funds are requested for this activity.

4. *Comprehensive health planning.*—In 1975, funds that otherwise would be requested for this program will be used to initiate a health resources planning program.

5. *Health manpower.*—Support is provided for education in the health professions to help maintain current output levels from U.S. schools, and to promote improved geographic and specialty distribution, training in primary care, minority group participation, and improved utilization of personnel.

(a) *Institutional assistance.*—This support is provided through several programs. Capitation grants are awarded on a formula basis to health professions schools in order to strength their base of financial support, while the schools expand their output and take other steps to improve the availability of health manpower. Special project grants supply broad-range assistance to schools and enable health manpower schools to experiment with programs designed to increase the quality of trained personnel. Startup grants are awarded to new medical, osteopathic, and dental schools which accelerate the date instruction begins or increases the number of students in the entering class. Conversion grants are awarded to 2-year schools that desire to become degree-granting institutions.

Family medicine grants are provided to public or private nonprofit hospitals to plan, develop, or operate training programs in family medicine. Dental health programs are directed toward increasing and improving the dental manpower supply, expediting the prevention and control of dental diseases and provision of high quality dental services through the improvement of delivery systems. Seventeen TEAM programs will be continued and five existing grants for continuing education systems will be funded in 1975.

Grant awards also support efforts to improve the distribution, supply, quality, utilization, and efficiency of health personnel. Awards are targeted toward achievement of special national health manpower goals, such as linking training efforts with service in the establishment of Area Health Education Centers (AHEC's), training of physicians' assistants, and other initiatives.

(b) *Student assistance.*—Loans and scholarships assist deserving but financially needy health professional and nursing students to pursue their education. Funds are awarded to students who in the judgment of the schools have exceptional financial need.

6. *Health facilities construction.*—Federal assistance is provided through grants, loans, and guaranteed and subsidized loans to States, other public agencies and nonprofit schools and organizations in the construction and modernization of hospitals, teaching facilities, and other health facilities. In 1975, the only funds being requested under this activity are to pay the interest on federally guaranteed loans for the construction or renovation of health manpower teaching facilities.

7. *Program management.*—This activity supports the staff and operating expenses related to the program direction and management of the several HRA programs, including the Office of the Administrator. Activities conducted under program management include program and administrative support, planning, as well as responsibility for the appraisal and evaluation of the effectiveness of health resources programs.

Total requested for this Administration, $4,000,000.

ASSISTANT SECRETARY FOR HEALTH

The Assistant Secretary for Health is responsible for formulating health policy and recommending to the Secretary of Health, Education, and Welfare the allocation of resources among the six health agencies of the Department. His responsibilities include Medicare, Medicaid, biomedical research, health manpower, health planning, disease control, health services delivery, food and drug safety, alcoholism, drug abuse, mental health, and the administration of the Department's decentralized health programs.

The Assistant Secretary for Health is also responsible for creation of a national network of physician-sponsored professional standards review organizations (PSRO's). The PSRO's will strive to assure appropriate and efficient utilization of health services received under Medicare, Medicaid, and the maternal and child health programs.

Retirement Pay and Medical Benefits for Commissioned Officers

In 1975, this activity will provide payments to retired PHS commissioned officers and survivors of retirees who received reduced retirement payments while alive. In addition, funds for medical care and related costs will be provided to retirees of and dependents of members and retirees of the Coast Guard, the Public Health Service Commissioned Corps, and the National Oceanographic and Atmospheric Administration Commissioned Corps.

Scientific Activities Overseas (Special Foreign Currency Program)

Scientific activities overseas (special foreign currency program) is supported entirely by foreign currencies in those countries where the supply of U.S.-owned currency exceeds normal U.S. Government needs for at least 2 years. Through this program, support is provided to the excess currency countries for scientific purposes that will benefit not only the host country but will also help fulfill the research and other program needs of the six health agencies of the Department. For 1975, the Treasury Department has designated Burma, the Arab Republic of Egypt, Guinea, India, Pakistan, Poland, and Tunisia as excess currency countries. Unobligated balances from prior year budget authority will be sufficient to support the program's efforts in 1975 and, therefore, no additional budget authority is requested for 1975. Authorization for the health research and research-related activities funded by this program is provided by the Agricultural Trade Development and Assistance Act of 1954, as amended (Public Law 83–480); and the International Health Research Act of 1960 (Public Law 86–610).

The Committee recommends $86,050,000 for fiscal 75, which is $52,600,000 over last year.

EDUCATION DIVISION—OFFICE OF EDUCATION

Elementary and secondary education

This appropriation contains several categorical assistance programs which will be incorporated into the consolidated education grants legislative program discussed under the legislative program below.

1. *Educationally deprived children.*—Grants are made to local educational agencies to provide supplemental services for children from low-income families. In addition, grants are made to State education agencies for handicapped children, dependent and neglected children, and orphans and juvenile delinquents in State institutions and for children of migratory workers. It is estimated that over 6 million children will receive benefits in 1974 with greatest emphasis being placed on preschool and elementary school children from attendance areas with high concentrations of children from low-income families. Beginning with a 1974 supplemental for school year 1974–75, this activity will be included as the disadvantaged priority in a new consolidated education grants legislative program.

2. *Supplementary services.*—Grants are made to States and local school districts for developing programs which serve as models for improving and supplementing the regular school curriculum and programs designed to improve testing and guidance and counseling services in public and private elementary and secondary schools. In 1974, over 1,800 projects aided over 8 million students. Beginning with a 1974 supplemental for school year 1974–75, this activity will be incorporated into a support services priority in a consolidated education grants legislative program.

3. *Strengthening State departments of education.*—Grants are made to stimulate and assist States in strengthening the leadership resources of their education agencies

and to assist them in the establishment and improvement of programs to identify and meet their educational needs. In 1974, all 56 State education agencies received basic grants and participated in multi-State projects. Additionally, grants were made to State and local educational agencies to improve their planning and evaluation capabilities. Beginning with a 1974 supplemental for school year 1974–75, this program will be incorporated into a support services priority in a consolidated education grants legislative program.

4. *Bilingual education.*—Grants are made under title VII, ESEA to local educational agencies to support demonstration projects designed to achieve comprehensive bilingual instructional reform in areas of high concentrations of non-English speaking children and to support pre-service and in-service training. In 1975, the program will continue 220 ongoing projects enrolling over 136,000 children. Grants will also be made to institutions of higher education to support training projects.

5. *Right to read.*—The purpose of this program is to provide facilitating services and resources to stimulate educational institutions, governmental agencies and private organizations to improve and expand their activities related to reading. The Right to Read Program is both an impetus to and component of a larger National Right to Read Effort whose goal is to eliminate functional illiteracy in this country to the extent that by 1980, 99% of the population over 16 years of age will be functionally literate. Eligible grantees include local and State education agencies, institutions of higher education, and other public and private agencies. 1975 plans include multiplier training in State education agencies and implementation of an adult literacy TV program.

6. *Educational broadcasting projects.*—This activity supports two separate programs, one which supports the establishment, expansion, and improvement of non-commercial broadcasting facilities; and one which supports special projects concerned with application of new technology-based systems to improve learning, provide individualized instruction, and to extend the educational opportunities and access to learning resources for groups presently outside and within formal educational systems. The educational television programs, "Sesame Street" and "The Electric Company," are among those supported under this activity.

7. Civil rights advisory services.—This program makes grants and contracts to render technical assistance in the preparation, adoption and implementation of plans for the desegregation of public schools and to provide services and training for people to deal effectively with special educational problems occasioned by desegregation.

8. Follow Through.—This is an experimental, compensatory education program designed to develop and test new ways to educate disadvantaged children in the early primary grades. The parents, the community, and the resources at the school are brought together in programs to meet the child's instructional, physical and psychosocial needs. In 1975, some 170 projects will enroll approximately 38,000 low-income children in grades 2 and 3. The program began phasing out in 1974 at the rate of one grade level each year.

9. Equipment and minor remodeling.—Grants are made to States on a matching basis for equipment and minor remodeling of laboratory or other space suitable for use in providing education in public elementary or secondary schools while loans are made to private nonprofit schools for similar uses, and funds are provided to State departments of education, to administer the program. Beginning with a 1974 supplemental for school year 1974–75, this program will be incorporated into a support-services activity in the consolidated education grants legislative program.

We have recommended $105,600,000 for this item, which is $52,600,000 over last year's appropriation.

Indian Education

1. *Payments to local educational agencies for Indian education.*—Grants are made to local educational agencies for elementary and secondary programs to meet the special educational needs of Indian children. During 1973, grants were awarded to 446 local educational agencies. It is anticipated that during 1974 over 2,000 grants will be made. No funds are requested for this program activity during 1975.

2. *Special projects.*—The 1975 estimate focuses Federal support on the special project authorities of parts B and C. These authorities will make it possible to target assistance on the areas of greatest need and avoid the overlap and duplication present in the part A formula. An amount of $32 million is requested for improving the educational opportunities of Indian children under part B and $8 million is requested for improving the educational opportunities of Indian adults under part C.

3. *Program administration.*—Under this activity, support is provided for the staff of the Office of Indian Education in the U.S. Office of Education, planning and evaluation activities, and expenses of the National Advisory Council on Indian Education. In 1974, appropriations for this purpose were made to the Salaries and expenses account of the Office of Education. In 1975, program administration is being consolidated with program support under this appropriation.

School assistance in federally affected areas

1. *Maintenance and Operations.*—Payments are made to assist in the operation of schools in areas where enrollments are affected by Federal activities. In 1974, payments were based on over 2 million federally connected children in 4,600 school districts. In addition, the full cost of education is provided for children residing on Federal property where no State or local educational agency is able, because of State law or for other reasons, to provide suitable free public education to such children. For 1975, appropriate language is proposed to concentrate payments on those school districts where the Federal impact is the greatest, i.e., those with the greater proportionate share of children for whom there is little or no local tax base. A hardship provision is also included to provide limited funding for those school districts whose payments are being phased out during the period of change.

2. *Construction.*—Payments are made to assist in the construction of schools in areas where enrollments are affected by Federal activities. From 1951 through 1974, over $1,450 million has been appropriated for this program aiding in the construction of over 69,000 classrooms to house about 2 million pupils in the 50 States, Puerto Rico, Guam, and Wake Island. In 1974 and 1975, appropriation language is proposed to fund local agencies that have been unfunded for a number of years, that have the most pressing construction needs largely as a result of increased military activity and housing, and that provide assistance to children residing on Indian lands. The $1 million increase proposed for 1975 is for construction needs of schools serving Indian children.

Emergency school aid

1. *Special projects.*—(a) *Metropolitan area projects.*—The purpose of this activity is to assist local educational agencies in: (1) establishing and maintaining integrated schools; (2) developing a plan to reduce minority group isolation in a standard metropolitan statistical area, taken as a whole; and (3) planning and constructing integrated education parks. In 1973, 14 metropolitan area projects were funded. No funds were provided in 1974 and none are requested in 1975.

(b) *Bilingual education projects.*—This activity assists local educational agencies and supporting organizations in meeting the needs of minority children who, because they are from an environment in which the dominant language is other than English, do not have equality of educational opportunity. In 1973, 39 projects were funded and in 1974, an estimated 44 projects will be funded. The majority of these projects were Spanish-speaking Americans. No funds are requested in 1975.

(c) *Educational television.*—This activity funds public or nonprofit private organizations to develop and produce children's television programs incorporating integrated children's activities of cognitive and affected educational value. The five grants made in 1973 will be considered, in 1974, for continuation.

(d) *Special programs and projects.*—This activity assists local educational agencies and supporting public organizations in conducting activities which: (1) are otherwise authorized by the Emergency School Aid Act, and (2) promise to make substantial progress toward achieving the purposes of the Emergency School Aid Act. In 1973: (1) 51 special reading project grants were awarded; (2) 5 special project grants, focused in the areas of multicultural language and basic skills development, were awarded, and (3) approximately $4.5 million of the funds were made available for the support of projects funded under the Educational television activity. In 1974, 52 special reading projects and 6 other special projects are scheduled for funding.

(e) *Evaluation.*—Grants are awarded to and contracts are made with public and private organizations for evaluations of programs and projects funded under the Emergency School Aid Act. In 1973, three evaluation projects were started. These projects will be continued in 1974, with emphasis on the large-scale longitudinal studies of the Emergency School Aid Act pilot programs, basic grants to local educational agencies, and a related study of exemplary desegregated schools. With the termination of the program in 1975, the evaluation efforts will be funded from the Office of Education's Salaries and expenses appropriation.

2. *State appointment.*—(a) *Pilot programs.*—This activity supports promising programs to overcome the adverse effects of minority group isolation by improving the academic achievement of children in one or more minority group isolated schools in districts which: (1) enroll at least 15,000 minority group children; or (2) have a minority group enrollment which is more than 50% of the enrollment. Ninety-five local educational agencies received grants under this activity in 1973 and about 162 local educational agencies are to be supported in 1974. No funds are requested in 1975.

(b) *Special programs and projects.*—This activity assists nonprofit organizations in conducting special programs which support local educational agency efforts to develop or implement a plan to meet special problems incident to desegregation, to encourage voluntary integration, or to aid school children in overcoming the educational disadvantages of minority group isolation. In 1973, 242 groups were supported and an estimated 240 groups will be supported by this activity in 1974. No funds are requested in 1975.

(c) *General grants to local educational agencies.*—This activity provides financial assistance to eligible local educational agencies

to: (1) meet educational needs incident to elementary and/or secondary school desegregation; (2) encourage voluntary elimination of minority group isolation in elementary and secondary schools; and (3) overcome educational disadvantages of minority group isolation. Eligible local educational agencies are those which have implemented or will, if assistance is made available, adopt and implement a plan to eliminate, reduce, or prevent the isolation of minority group students in their schools. In 1973, 455 school districts received funds for basic projects and approximately 569 will be funded in 1974. No funds are requested in 1975.

3. *Training and advisory services (Civil Rights Act).*—This activity renders technical assistance in the preparation, adoption, and implementation of plans for the public schools, and provides services and training for people to deal effectively with special educational problems occasioned by desegregation. In 1973, 131 projects (including 44 institutes, 27 desegregation assistance centers, 34 State educational agencies, and 26 local educational agencies) were funded. About 136 projects will be supported in 1974. In 1975, this activity is to be transferred to the Office of Education's Elementary and Secondary Education appropriation.

4. *Emergency school assistance activities.*—This activity carried out a program of assistance to desegregating local educational agencies and community groups to meet special emergency needs incident to the elimination of racial segregation and discrimination in elementary and secondary schools. Originally funded in 1971, and again in 1972, this program was continued at a minimal level in 1973 in order to maintain support for school districts and community groups which: (1) had been previously funded; and (2) were to be eligible for Emergency School Aid Act support, when available. In 1973, 388 local educational agencies and 111 community groups were funded. Since this activity was principally an interim program and, since the Emergency School Aid Act became law, no funds were requested in 1974 and none are requested in 1975.

5. *Proposed legislation.*—A new project grant authority will be proposed to focus aid on selected school districts facing critical problems as a result of either mandatory or voluntary desegregation. This program will provide grants and contracts to school districts and to nonprofit organizations engaged in cooperative, complementary activities with these districts.

Education for the handicapped

1. *State grant program.*—Grants are made to States to assist in the initiation, expansion, and improvement of programs and projects for education of handicapped children at the preschool, elementary, and secondary school levels. Beginning with a 1974 supplemental for school year 1974–75, this activity will be included as the handicapped priority in the consolidated education grants legislative program.

2. *Special target programs.*—(a) *Deaf-blind centers.*—Grants are made for model centers to provide diagnostic, educational, and related services to deaf-blind children. The centers also initiate whatever ancillary services are necessary to assure that these children can achieve their full potential for useful participation in society.

(b) *Early childhood projects.*—Model centers are supported to provide educational, diagnostic, and consultative services for preschool handicapped children and their parents. These centers are designed to stimulate and influence the development of additional services for preschool handicapped children.

(c) *Specific learning disabilities.*—Grants are made to operate centers for research, personnel training, and services for preschool and school-age children with specific learning disabilities.

(d) *Regional resource centers.*—Grants or contracts are awarded for the establishment and operation of regional resource centers to develop and apply the methods of appraising the special educational needs of handicapped children. Special target grants are also made to aid the severely handicapped.

	Number of projects		
	1973 actual	1974 estimate	1975 estimate
Deaf-blind centers	11	11	11
Early childhood education	100	100	100
Specific learning disabilities	30	30	30
Regional resource centers	10	10	10

3. *Innovation and development.*—Grants and contracts are awarded for the development of new curricular materials, teaching techniques, and other research and demonstration projects and for the support of R. & D. centers. Grants are also made for research in the field of physical education and recreation for handicapped children.

	Number of projects		
	1973 actual	1974 estimate	1975 estimate
Research and demonstration	65	85	85
Research in physical education and recreation	5	5	5

4. *Technology and communication.*—Contracts are made for the acquisition, captioning, production, and distribution of films and other educational media, for conducting research in the use of educational media, and the training of persons in the use of the materials for the handicapped. In 1975, funds are included for the National Educational Media Center for handicapped children.

5. *Special education and manpower development.*—Grants are awarded to support training of teachers, supervisors, speech correctionists, researchers, and other professional and subprofessional personnel in fields related to the education of the handicapped in regular and special classrooms.

	1973 actual	1974 estimate	1975 estimate
Number of individuals supported for full academic year	7,500	7,500	7,500
Number of individuals supported in summer and short-term programs	11,340	9,900	9,900
Number of grants to strengthen institutional training programs	132	132	132

Occupational, vocational, and adult education

In 1975, the vocational education programs previously funded under this appropriation will be consolidated under the vocational education priority of the consolidated education grants program. Under the proposed legislation, States and localities will have greater flexibility in the use of vocational education appropriations and will be able to continue projects and programs such as those previously budgeted for separately under this appropriation. The proposal will incorporate a wider variety of activities than the existing legislation and will be advance funded beginning with a supplemental in 1974 for school year 1974–75.

In 1975, the three adult education programs previously funded under this appropriation will be consolidated under the adult education priority of the consolidated education grants program. Under the proposed legislation the scope of coverage will be broadened and it will be advance funded beginning with a supplemental in 1974.

Support in 1975 for career education and personnel development will be carried under this appropriation.

Higher education

The 1975 budget estimate continues the high priority placed on student assistance and student choice in the pursuit of a postsecondary education.

1. *Student assistance.*—The principal forms of student assistance are basic educational opportunity grants and guaranteed student loans.

The $1,300 million request for basic educational opportunity grants will provide for full funding of this program. Any postsecondary student is eligible for a grant of $1,400 less the amount he or his parents are expected to contribute; but the grant may not exceed one-half of his cost of education. The expected family and student contribution is determined by a needs analysis system approved each year by the Congress. Grants range from $200 to $1,400. The $122,100 thousand appropriated in 1973 for the program was restricted to first year, full-time students. The 1974 appropriation of $475,000 thousand limits aid to full-time, first-year, and second-year students. The 1975 request for full funding of this program will provide grants to all eligible students, both part time and full time, at four levels of undergraduate instruction.

Since basic grants can pay no more than half of a student's expenses, other sources of aid, some of them Federal, will be needed. Therefore, funds are being requested to continue the work-study and the guaranteed loan programs. For work-study, $250 million is requested in 1975. To subsidize $1.25 billion in new guaranteed student loans, and to pay mandatory expenses of loans made in prior years, $315 million will be needed. These funds are used to pay interest benefits, the special allowance to lenders, and death and disability claims. The additional funds required to pay claims for defaulted loans are requested under the student loan insurance fund.

The request includes $10,750 thousand, the same as in 1974, to help institutions begin, expand, or improve programs of cooperative education in which employers pay students for periods of full-time work which are alternated with periods of full-time study.

No funds are requested for supplemental opportunity grants, State student incentive grants or for national direct student loan capital contributions and loans to institutions. However, in academic year 1975–76, student loans amounting to $165 million will be made under the direct loan program out of repayments into institutional revolving funds.

2. *Special programs for the disadvantaged.*—These programs identify youths with exceptional potential for postsecondary education, publicize available forms of financial aid, motivate high school students whose academic potential may not be obvious, and provide remedial and other services for postsecondary students to help them complete and benefit from their education. In addition to the existing talent search, upward bound, and special services programs, educational opportunity centers, geared to serve low-income areas, are being established.

	Academic year			
	1972–73	1973–74	1974–75	1975–76
Number of students receiving assistance:				
Basic opportunity grants		425,000	1,000,000	1,600,000
Supplemental opportunity grants (formerly educational opportunity grants)	297,300	304,000	304,000	
Work-study jobs	545,000	560,000	560,000	520,000
Direct loans	624,500	674,000	682,000	330,000
Subsidized insured loans	1,088,286	890,000	979,000	1,000,000

3. *Institutional assistance.*—The $120 million request for developing institutions includes a $20 million increase above 1974, directed primarily toward schools serving blacks and other minorities. The $135.5 million shown in 1974 includes $35.5 million brought forward from 1973. In 1975 the basic program would continue at $52 million, while advanced institutional development would increase to $68 million.

For foreign language and area studies, $10 million is requested in 1975, including $1,360 thousand for training overseas under the Fulbright-Hays program.

Several outmoded, inefficient or marginal programs are proposed for elimination. Legislation will be submitted to repeal the permanent land-grant program (Second Morrill Act) as well as the annual appropriation (Bankhead-Jones). No funds are requested for university community services (HEA–I), State postsecondary education commissions, or veterans cost of instruction programs. The amounts requested for construction subsidies are mandatory payments on prior year commitments.

4. *College personnel development.*—In 1975, funds under this activity include $4 million to permit veterans to resume college teacher fellowships interrupted by their service, $750 thousand for fellowships for the disadvantaged, and $500 thousand for Allen J. Ellender fellowships.

Library resources

Grants and payments are made to States, educational institutions, and other agencies for support of library programs under the Library Services and Construction Act, Elementary and Secondary Education Act, and the Higher Education Act.

Beginning with a 1974 supplemental for school year 1974–75, the school library resources program will be incorporated into a support services priority in the consolidated education grants program. Also, new legislation is requested to promote cooperative arrangements and demonstrations in libraries and information services. These proposals are shown under the Legislative Program below.

Educational development

1. *Education professions development.*—(a) *Teacher Corps.*—This activity is directed toward improving educational opportunities for children of low-income families by improving the quality of programs of teacher education for both certified teachers and inexperienced interns. In 1974, about 3,200 continuing participants and 1,600 new participants were supported. Support for this program is being requested under the Occupational, vocational and adult education appropriation in 1975.

(c) *Elementary and secondary development.*—These activities include teacher training programs concentrating on specific populations and subjects where teacher deficiencies are recognized. The urban-rural and career opportunities programs are targeted to low-income students and encourage meaningful participation of parents and communities in the educational process. In 1974 these programs will train over 13,000 participants. In 1975, funds for urban-rural and career opportunities are being requested under the Occupational, vocational and adult education appropriation. No funds are requested in 1975 for the other elementary and secondary education training programs.

(d) *Vocational education.*—This activity provides support to assist State and local education agencies and institutions of higher education. In 1974, this activity was concerned with personnel development in the installation of career education and the retraining of vocational education personnel. Federal support for this program will be terminated at the end of 1974.

(e) *New careers in education.*—This activity is used to identify and attract capable persons into educational areas where critical shortages are recognized. Workshops for qualified high school students and dissemination of recruitment materials on careers and volunteers in education are some of the methods used. Federal support for this program will be terminated at the end of 1974.

(f) *Higher education.*—College teachers, administrators and education specialists are trained at less than the doctoral level by this activity. In 1974, the program awarded 322 fellowships. No institutes were funded. Federal support for this program will be terminated at the end of 1974.

2. *National priority programs.*—(a) *Educational technology demonstrations.*—This activity supports (1) the establishment, expansion, and improvement of no commercial broadcasting facilities; (2) special demonstration projects concerned with applications of new technology-based systems; and (3) the educational television programs "Sesame Street" and "The Electric Company." In 1974, the special technology demonstration projects were transferred to the National Institute of Education. The programs supporting noncommercial broadcasting facilities and educational television programing are being requested under the Elementary and secondary education appropriation in 1975.

(b) *Drug abuse education.*—This program supports grants aimed at developing drug education leadership teams at the State and local levels through a variety of training programs, and provides technical assistance to such teams to aid them in assessing local drug problems, developing programs to combat their causes, and to evaluate existing drug programs. Federal support for this program will be terminated at the end of 1974.

(c) *Right to read.*—The purpose of this program is to provide facilitating services and resources to stimulate educational institutions, governmental agencies and private organizations to improve and expand their activities relating to reading. Eligible grantees include State and local education agencies, institutions of higher education, and other public and private agencies. In 1975, funds for this program are being requested under the Elementary and secondary education appropriation.

(d) *Environmental education.*—This activity provides grants to nonprofit agencies, institutions, or organizations for the support of environmental education pilot and demonstration projects to develop an informed public that will understand the mutual dependencies between man and his environment. Beginning with a 1974 supplemental for 1974–75, this activity will be incorporated into the innovation priority in the consolidated education grants program.

(e) *Nutrition and health.*—This program demonstrates ways to organize local systems of child development services through more effective coordination of existing health and nutrition resources. Beginning with a 1974 supplemental for 1974–75, this activity will be incorporated into the innovation priority in the consolidated education grants program.

(f) *Dropout prevention.*—This grant program provides funds to local school districts to develop demonstration model programs to reduce the number of students who leave school before high school graduation. A total of 275,000 students were reached in the 5 years of this program. Beginning with a 1974 supplemental for 1974–75, this activity will be incorporated into the innovation priority in the consolidated education grants program.

(g) *Ethnic heritage studies.*—In 1974, grants will be made to nonprofit public or private educational agencies, institutions or organizations to develop and disseminate curriculum materials, encourage and promote activities related to ethnic heritage studies, and provide training for people using these materials. All grants will be fully funded for the duration of each project. No funds are being requested for this activity in 1975.

3. *Data systems improvement.*—(a) *Educational statistics.*—This activity includes surveys and special statistical studies used in planning new education programs, projecting educational needs and trends, and closing the data gap in areas of education. In 1975, support for this program will be requested under the Salaries and expenses appropriation.

(b) *National achievement study.*—This activity collects national data on changes in educational attainment over a period of 5 years. The data helps to measure the effectiveness of the Nation's investment in education. In 1975, support for this activity will be requested under the Salaries and expenses appropriation.

Educational Activities Overseas

U.S.-owned foreign currency which the Treasury Department determines to be in excess of normal requirements is used to strengthen American education through research and training abroad sponsored by American institutions. Projects focus on foreign langauges, area studies, world affairs, and intercultural understanding and are designed to update the professional competencies of American educators, to further research, and to develop improved curricula and effective instructional materials.

Salaries and Expenses

The Office of Education administers grants-in-aid and provides technical assistance and satistical services to State and local education agencies, institutions of higher education, libraries, and other organizations to establish and maintain efficient school systems, and otherwise promote the cause of education throughout the country. It also collects and disseminates statistics and facts showing the condition and progress of education in the United States. This appropriation provides for management, staff services, planning and evaluation of education programs, advisory committees, data systems improvement, and related expenses required in accomplishing the mission of the Office.

STUDENT LOAN INSURANCE FUND

Under the Higher Education Act of 1965 and the National Vocational Student Loan Insurance Act of 1965, the Office of Education received authority to insure loans to students in eligible institutions who do not have reasonable access to State or private nonprofit programs of student loan insurance.

The Higher Education Amendments of 1968 merged the National Vocational Student Loan Insurance Act into the Higher Education Act insured loan program, and in addition to extending the Federal insurance

program, authorized the Office of Education to insure loans guaranteed by State and nonprofit private agencies at 80% of the principal amount of the loss incurred by the agency in meeting its obligation to lenders on guaranteed loans in default. The liability of the fund was further increased by the Education Amendments of 1972 which provides for payment of the unpaid balance of interest as well as principal in the case of defaulted federally insured loans, made under the provision of the amendments.

Upon default by the student borrowers, the Office of Education will pay to the beneficiary the amount of the loss sustained by the insured upon federally insured loans and 80% of the principal amount of the loss sustained on reinsured loans guaranteed by State and nonprofit private agencies. Data on federally insured loans and guaranteed loans follows:

DATA ON FEDERALLY INSURED AND GUARANTEED LOANS OUTSTANDING

[In thousands of dollars]

	1972 actual	1973 actual	1974 estimate	1975 estimate
Data on loans disbursed:				
Start of year:				
Federally insured, 100 percent	$1,086,000	$1,721,000	$2,211,000	$2,458,000
Guaranteed, 80 percent reinsured	1,462,000	1,738,940	1,919,740	2,012,240
Guaranteed, not insured	524,000	615,060	674,260	710,760
Loans disbursed and other adjustments:				
Federally insured, 100 percent	708,000	655,000	530,000	635,000
Guaranteed, 80 percent reinsured	450,000	414,000	395,000	471,000
Guaranteed, not reinsured	143,000	130,000	125,000	149,000
Deductions: Repayment, defaults and writeoff:				
Federally insured, 100 percent	−73,000	−165,000	−283,000	−393,000
Guaranteed, 80 percent reinsured	−173,060	−233,200	−302,500	−342,900
Guaranteed, not reinsured	−51,940	−70,800	−88,500	−102,100
End of year:				
Federally insured, 100 percent	1,721,000	2,211,000	2,458,000	2,700,000
Guaranteed, 80 percent reinsured	1,738,940	1,919,740	2,012,240	2,140,340
Guaranteed, not reinsured	615,060	674,260	710,760	757,660
Data on estimated future loss on outstanding loans:				
Federally insured		172,477	239,712	257,630
Guaranteed, 80 percent reinsured		130,150	112,347	103,658
Total estimated future loss		302,627	352,059	361,288

CUMULATIVE DATA ON CLAIMS PAID ON DEFAULTED LOANS INCLUDING AMOUNT TO BE SUPPORTED BY SUPPLEMENTAL APPROPRIATION REQUEST IN 1974

[Dollar amounts in thousands]

	1972 actual	1973 actual	1974 estimate	1975 estimate
Amount:				
Federally insured	$28,678	$70,002	$122,002	$202,002
Guaranteed—reinsured	$23,176	$46,035	$86,035	$140,035
Number of claims:				
Federally insured	30,685	73,730	125,730	201,920
Guaranteed—reinsured	27,370	46,907	78,907	120,445
Average:				
Federally insured	$960	$960	$1,000	$1,050
Guaranteed—reinsured	$858	$1,170	$1,250	$1,300

RECAPITULATION OF GROSS LOANS INSURED AND GUARANTEED (NOT TAKING INTO ACCOUNT CANCELLATIONS AND REPAYMENTS)

Amount:				
Federally insured	$1,830,013	$2,484,629	$3,014,629	$3,649,629
Guaranteed agencies	$2,803,674	$3,347,581	$3,867,581	$4,487,581
Number:				
Federally insured	1,875,435	2,474,520	2,934,520	3,440,520
Guaranteed agencies	3,065,381	3,554,582	3,984,582	4,457,582
Average:				
Federally insured	$1,023	$1,092	$1,152	$1,255
Guaranteed agencies	$1,051	$1,111	$1,209	$1,310

Operating results.—The fund takes over loans on which it pays insurance claims and seeks to collect on them. Claims which are deemed uncollectable are written off as "loss on insured loans." Loans deemed collectable, after allowing for loss, are as follows: 1973, $39,531 thousand; 1974, $75,312 thousand; and 1975, $125,311 thousand.

Deposits to the fund are derived from insurance premiums earned from direct Federal insurance, which is not to exceed one-fourth of 1% per annum of the unpaid principal amount (excluding interest added to principal), repayment of collectable loans, and interest payments on collectable loans. Special emphasis in collections on defaulted loans will result in increase in deposits as follows: 1973, $9,166 thousand; 1974, $13,900 thousand; and 1975, $22,900 thousand.

In 1973, $64,183 thousand was paid out for defaults. It is anticipated that default payments will amount to $92,000 thousand in 1974, and $134,000 thousands in 1975. Amounts required for the funds in 1973 consisted of appropriated funds, $46,640 thousand, and borrowing from the Treasury, $15,000 thousand. Budget authority in 1974 are estimated at $88,668 thousand (including a supplemental request of $30,785 thousand). In 1975, an appropriation of $115,000 thousand is requested.

HIGHER EDUCATION FACILITIES LOAN AND INSURANCE FUND

The Higher Education Facilities Act, as amended, authorizes the Commissioner to make loans to institutions of higher education and to higher education building agencies for the construction of academic facilities and to insure loans. Such loans may be made for up to 80% of a project's total development cost and must be repaid within 50 years.

The Participation Sales Act of 1966, as amended, established a revolving fund for these loans and loan insurance. Further, the act authorizes the sales of such loans to the private credit market, the proceeds of which are deposited into the fund to be used for new loans to colleges and universities. The Government National Mortgage Association is authorized to serve as trustee for these sales.

During 1970 and through 1973, loans under this program were displaced by the annual interest grant program under the higher education appropriation. However, new loans were made from the fund to the extent that such amounts were made available from withdrawals of earlier commitments. These amounts were used to fund those small institutions of higher education which were unable to obtain private loans necessary to participate in the annual interest grant program.

Although no new loans were funded in 1973, it is anticipated that additional funds available from commitments withdrawn prior to June 30, 1974, will support approximately 19 new projects totaling $11,000 thousand in 1974. It is estimated that in 1975, three new projects totaling $1,500 thousand will be funded from commitments withdrawn prior to July 1, 1975.

Interest is payable to the Treasury on the cumulative amount of appropriations paid out for loans under this title or available as capital to the fund less the average undisbursed cash balance in the fund during the year. The rate certified by the Secretary of the Treasury as of June 30, 1973 is 6%.

Appropriations for insufficiencies are used to fund the deficit resulting from the interest rate required to sell the participation and the interest rate paid by higher education institutions on facilities loans.

The total recommended figures for the Office of Education for fiscal 75 is $3,176,996,000, which is $337,416,000 over 1974 and $118,112,000 over the budget request.

NATIONAL INSTITUTE OF EDUCATION

The National Institute of Education was established to improve and reform education through research and development. The Institute's mission is an equal opportunity to receive a high quality education for all. Research and development projects focus on the priority areas of: (a) providing essential skills such as reading to all citizens, (b) improving the productivity of resources in education, (c) understanding and improving the relationship of education to work and careers, (d) improving the capability of State and local education systems to solve education problems, and (e) increasing diversity, pluralism, and opportunity in American education.

While the Institute will provide a leadership role in addressing these priorities, at least 90% of the program funds will be grant and contract awards to personnel outside the Federal establishment. Additionally, an in-house research program will be supported.

This Institute requested $130,000,000 for fiscal 75. The Committee has recommended $100,000,000.

OFFICE OF ASSISTANT SECRETARY FOR EDUCATION

The Assistant Secretary for Education is responsible for direction and supervision of the Education Division, provides leadership for the education activities of the Department, and serves as the key spokesman and advocate for assuring that the Department provides professional and financial assistance to strengthen education in accordance with the Federal laws and regulations. In addition, he serves as the principal advisor to the Secretary on education affairs. This appropriation provides for the administrative expenses associated with the Office of the Assistant Secretary for Education. The estimate includes support of 15 positions in 1974 and 21 positions in 1975 for administration of the postsecondary improvement program, $950 thousand for continued support of contractual analysis activities; and $750 thousand to initiate the bicentennial internship program in education.

The Education Amendments of 1972 authorized the Secretary of Health, Education, and Welfare to make grants to and contracts with institutions of postsecondary education and other public and private educational institutions and agencies to encourage reform and innovation at the postsecondary level. Authority for administration of this program has been delegated to the Assistant Secretary for Education. In 1973, the appropriation for this program is shown under the "Higher education" appropriation. Ninety projects were supported in 1973. In 1974, projects will be solicited under both comprehensive and special focus programs. The special focus objective will include new approaches to competency-based learning and the development of new incentive structures.

$13,937,000 is the figure recommended for this item by the Committee for fiscal 75. This is $2,091,000 over 1974.

SOCIAL AND REHABILITATION SERVICE

Public assistance

Grants to States for public assistance are made for the Federal share of State expenditures for maintenance assistance, medical assistance, social services, State and local training, and child welfare services. In addition, assistance is provided in this appropriation for repatriated U.S. nationals. Estimates of requirements for this appropriation are based primarily on estimates received from the States in November 1973, adjusted to take into consideration Federal management initiatives to improve the effectiveness of the management of the public assistance programs thereby reducing Federal cost.

New Federal initiatives are proposed for 1974 and 1975 to strengthen the Federal role in the management of public assistance programs with emphasis being placed on the control of costs in the aid to families with dependent children and Medicaid programs. These initiatives in program management including an increased Federal role in program control are an outgrowth of new activities started in 1972 which focused on improved Federal and State financial management. New regulations and technical modifications to legislation produced from the Federal initiatives will provide significant savings and increased management control of public assistance programs. These savings will result from:

1. Continued emphasis on quality control over eligibility determination, improving the Federal quality control system for validating State quality control activities and the disallowing of Federal financial participation in excessive overpayments and payments to maintenance assistance ineligible on the basis of quality control findings.

2. Changes in regulations to standardize the assistance payments process, technical legislative changes to standardize earnings expenses and income disregard that should result in maintenance assistance savings, and changes in regulations or legislation to encourage establishment of statewide flat grants for maintenance assistance to simplify payment processing.

3. Review of prior year maintenance assistance expenditures to recover amounts inappropriately claimed.

4. Improvement in the administration of the social services program.

5. Improved control of Medicaid costs through effective utilization review.

In 1975, public assistance research and evaluation has been included in the public assistance appropriation. This program will conduct research having a direct impact on policy decisions aimed at improving the management of public assistance programs.

1. *Maintenance assistance.*—Maintenance payments provide needy persons with income to supplement their own resources for the essential costs of food, shelter, clothing, and other necessary items of daily living.

MAINTENANCE ASSISTANCE RECIPIENT CASELOAD

	Average monthly number		
	1973	1974[1]	1975[1]
Old-age assistance	1,916,925	1,839,439	22,601
Aid to the blind	78,166	77,772	573
Aid to the permanently and totally disabled	1,163,690	1,229,994	18,540
Aid to families with dependent children	10,979,630	11,066,424	11,361,227
Emergency assistance	31,684	55,249	57,304
Total	14,170,095	14,268,878	11,460,245

[1] Cost reductions in 1974 and 1975 result from management initiatives to be placed in effect and from the transfer of the adult categories to the Social Security Administration effective Jan. 1, 1974. In 1974, caseload totals for the aged, blind, and disabled are the monthly average for July through December 1973.

The estimates for maintenance assistance reflect transfer of the adult categories of maintenance assistance to Federal administration effective January 1974, except for Guam, Puerto Rico, and the Virgin Islands. The transfer of the adult categories will reduce costs under this appropriation by about $1,200 million in 1974 and $2,100 million in 1975.

2. *Medical assistance.*—Federal grants for medical assistance under title XIX of the Social Security Act (Medicaid) are made to States with plans approved by the Department. States must provide medical assistance to all persons receiving AFDC assistance payments.

The federalization of the aged, blind, and disabled categories under the supplementary security income program (SSI) on January 1, 1974, will expand the number of participants in the Medicaid program and modify the eligibility criteria. States are not in all cases required to provide Medicaid to SSI cash recipients, if they opt to apply any eligibility criteria from the January 1, 1972, medical assistance standard which is more restrictive than the SSI requirements.

States retain options to provide Medicaid to cash assistance recipients, to persons receiving a State supplemental payment (subject to certain limitations), to medically needy persons who are eligible for help only with their medical bills but who are not eligible for maintenance payments, and to needy children under 21.

The increase in persons receiving medical assistance during 1974 results primarily from anticipated increases in the number of persons receiving maintenance payments as a result of the new supplemental security income program. Medicaid costs will be partially offset by savings from management initiatives, improved utilization review, preadmission certification, and proposed legislation.

3. *Social services.*—Grants are made to States to provide social services which will assist eligible persons to attain or maintain capability for self-care and self-support and strengthen family life and foster child development. Eligible persons include current recipients of and applicants for public assistance programs. A new title VI authority under the Social Security Act replaces titles I, X, XIV, and XVI to cover services for the adult categories whose assistance payments will be provided by the new Bureau of Supplemental Security Income in the Social Security Administration. The title IV program authorizing services to AFDC recipients as well as cash payments continues in effect. At the option of the State, eligibility for services can be extended to former and potential recipients of assistance under both of these programs.

To halt the escalating costs of Federal payments for social services, the Congress placed a limitation of $2.5 billion on Federal matching for social services. Funds are allocated to the States on the basis of a State's population as a percentage of the total U.S. population. Major efforts have been undertaken to strengthen the management of public assistance by instituting cost controls in the social services program. These controls have taken the form of more intensive expenditure review and more positive definitions of allowable services in the form of revised regulations. Regulations were issued on May 1, to be effective July 1, 1973.

4. *State and local training.*—Federal financial participation at the 75% rate is available to States for costs of training public assistance staff or persons preparing for employment in public assistance agencies. States are required to provide for the training and effective use of subprofessionals as community service aides and of volunteers.

5. *Child welfare services.*—Grants are made to States to enable the Federal Government to cooperate with State public welfare agencies outside of the framework of aid to families with dependent children in establishing, extending, and strengthening child welfare services. These services are defined as, public social services which supplement or substitute for parental care and supervision for the purpose of:

1. Preventing or remedying, or assisting in the solution of problems which may result in the neglect, abuse, exploitation or delinquency of children.

2. Protecting and caring for homeless, dependent, or neglected children.

3. Protecting and promoting the welfare of children of working mothers, and

4. Otherwise protecting and promoting the welfare of children, including the strengthening of their own homes where possible or, where needed, the provision of adequate care of children away from their homes in foster family homes or day care of other child care families. (Sec. 425, Social Security Act as amended through Dec. 28, 1971).

Child welfare services are extended to children in need of such services without regard to financial need, legal residence, race or religion. Each State receives a uniform grant of $70 thousand and an additional grant which varies directly with child population and inversely with average per capita income. The basic statute establishes a rate of between 33⅓ to 66⅔ percent Federal financial participation. On a national basis, this is essentially a State program because of the limited level of Federal funds when compared to the total resources.

States are encouraged to coordinate child welfare services program of AFDC and to use child welfare services to provide services to children in need of them who were ineligible to receive services as assistance recipients or former or potential recipients.

The Social and Rehabilitation Service is working with the Office of Human Development to develop more effective approaches to the prevention of child abuse and neglect and a national program to deal with runaway children.

CHILD WELFARE SERVICES

	1973	1974	1975
Recipients	850,000	800,000	920,000
Federal grants (thousands)	$45,888	$47,500	$46,000
Federal percent of total expenditures	8.8	8.9	7.4

6. *Research and evaluation.*—The public assistance research and demonstration program has two basic purposes: (1) To develop the analytic methodologies, the program data, and the programmatic knowledge needed to evaluate and implement major policy and program options; and (2) to develop the methodological and technological knowledge necessary to improve both the Federal, State, and local administration of and the local delivery of services for the current public assistance programs.

In order to begin these new initiatives, a major review of all ongoing R. & D. both for relevance and research quality will be undertaken in 1974.

The objective for the 1974/1975 time period is to initiate a major, new public assistance R. & D. effort. Included in this effort are R. & D. projects which address policy concepts aimed at increasing the employment opportunities of welfare recipients. Health care R. & D. will focus on fiscal control with emphasis on utilization review and alternative means of implementing utilization review will be conducted. Social service R. & D. will adress the overall management and delivery of services including an evaluation of services integration, needs and resources assessment methodologies, voucher systems, and special revenue sharing. A specific problem area, i.e., the prevention of child abuse/neglect and the prevention of unnecessary entry and utilization of foster care services will be given priority.

Work incentives

The work incentive (WIN) program is designed to encourage and assist individuals receiving support from the aid to families with dependent children (AFDC) program to achieve self-support through a program of employment, work experience, and training. Child care and other social services are provided to all who have been called up for certification and those who have been certified who need such care or services to permit them to accept training or employment. State expenditures are matched by Federal participation at the rate of 90%. Training and incentives are administered by the Department of Labor, child care and supportive services by the Department of Health, Education, and Welfare.

1. *Training and incentives.*—The program includes registration, callup for employability planning, counseling and job development, direct placement, followup of all employed participants and adjudication of the work test. When necessary, individuals are prepared for self-supporting employment through on-the-job training, public service employment, work experience, and institutional training. Program development, evaluation, and administration of the WIN program are included under this activity.

The table below shows workload data for WIN training and incentives:

	1973 actual	1974 estimate	1975 estimate
New registrants	1,235,000	816,000	816,000
Call-in for employability plans	500,700	550,000	550,000
Labor market exposure	354,000	385,000	385,000
Orientation	99,000	225,000	225,088
Average work and training participants	41,200	37,400	37,500
Work test cases adjudicated	11,800	4,900	4,900
Number placed in jobs	137,000	200,000	200,000

2. *Child care and supportive services.*—This activity provides for child care and other social services necessary to enable WIN participants to accept training or employment. In 1973, the objectives of the Department of Health, Education, and Welfare included the implementation of the changes in administration and organization of the program required by the 1971 amendments. In support of these objectives, HEW has established separate administrative units (SAU's) in all States; training and technical assistance have been provided to States; and a management information system has been developed and installed.

The HEW objectives for 1974 and 1975 include providing a sufficient number of child care years and man-years of supportive services to support the work and training programs.

The table below shows workload data for WIN child care and other supportive services:

	1973 actual	1974 estimate	1975 estimate
Average children receiving care	80,100	75,350	75,350
Children in care at end of year	81,568	76,600	76,600
Average individuals receiving other supportive services	95,000	100,300	100,300

In 1975, the Departments of Labor and Health, Education, and Welfare are planning the revision of basic WIN policies to insure that they are in conformance with new social service regulations, the revision of regulations and manuals to correct demonstrated shortcomings, the provision of additional technical assistance to local projects, a redesign of the management information system, and the design and implementation of a joint evaluation and research strategy with emphasis on cost effectiveness analysis of program activity. These revisions are aimed specifically at producing one joint set of regulations and manuals and correcting deficiencies in program operations that have surfaced during the first year of WIN–II activity. They are intended to enforce closer coordination of local employment service and social service operations. They will also provide closer management tracking and evaluation of projected program activities and necessary technical assistance on program operations and management.

Rehabilitation services

1. *Rehabilitation services and facilities.*—

SIGNIFICANT PROGRAM DATA

	1973 actual	1974 estimate	1975 estimate
Number served	1,176,445	1,290,000	1,326,000
Number rehabilitated	360,726	375,000	394,000
SELECTED DISABILITY CATEGORIES			
Mentally ill	106,900	119,000	131,900
Mentally retarded	40,800	43,000	45,400
Blind and visually handicapped	28,700	29,400	30,200
Deaf, hard of hearing and speech impaired	19,900	20,000	20,100
Heart, cancer, and stroke	10,500	11,600	13,900
Others	153,900	152,000	150,500
SELECTED DISABLED TARGET GROUPS			
Public assistance recipients served	247,000	288,000	321,800
Public assistance recipients rehabilitated	65,777	75,000	87,800
Severely disabled rehabilitated	110,000	130,000	142,000

The rehabilitation program provides services to mentally and physically handicapped people so that they may prepare for and engage in remunerative employment or employment in the home to the extent of their potential. Emphasis is placed on reducing clients' dependency to the greatest degree possible to enable them to live in dignity and self-sufficiency. Services may be extended to the families of clients, where this will contribute to the clients' rehabilitation. Services include medical and physical restoration, vocational training, counseling, and job placement.

The major portion of the vocational rehabilitation program is carried out under section 110 of the Rehabilitation Act of 1973 which provides for grants with an 80% Federal matching rate to States to rehabilitate handicapped individuals and place them in productive gainful employment. The funding level for section 110 grants in 1975 is $670 million within an allotment base of $670 million. The 1975 level represents an increase of $40 million over 1974 and $81 million over the 1973 level.

Rehabilitation service projects provide specialized programs over and above those possible by resources of the basic support programs. In 1975 $29 million of prior-year-service project (expansion grant) funds will be made available to the States under the basic State grants to provide greater flexibility at the State level in the use of these funds. Special projects include the National Center of Deaf/Blind Youths and Adults which will provide rehabilitation services to 150 resident deaf/blind persons. New projects will be funded to provide special services and demonstrations for the benefit of the severely disabled.

The research and evaluation program supports the service goals in rehabilitation by providing information on new and innovative methods of rehabilitation services through research and demonstration projects, research and training centers, and rehabilitation engineering research centers. In 1975 most of the new starts will focus on improved management techniques; upgrading VR support institutions; problems of the homebound; and improved client evaluation and service modalities for the severely handicapped. Emphasis will continue on technology and methodology development necessary to the rehabilitation of the spinal cord injuries and other severely disabled.

Rehabilitation training grants are made to increase the supply of and improve professional competence of personnel in a wide range of rehabilitation disciplines. In 1975 direct training grants will support long-term training in unique and specialized areas of rehabilitation study and short-term training in related staff development efforts in areas of priority interest to the public rehabilitation program.

2. *Grants for the developmentally disabled.*—Federal grants are made to States to assist in developing and administering a program of assistance for persons with mental retardation, epilepsy, cerebral palsy, and other neurological disabling conditions. In 1975, $30,875,000 will provide a wide range of direct services to over 64,000 developmentally disabled persons. The primary objective in 1975 is to complete the systematic implementation of the State plans to improve the quality of residential care and to reduce the institutional population.

Project grants are made to States and public and other nonprofit agencies to improve care in mental retardation institutions and to initiate and expand community programs.

Under the university-affiliated facilities program, 33 centers will receive support at a cost of $4,250,000 in 1975. These projects support the cost of operating demonstration facilities rendering specialized services to over 50,000 trainees from more than 60 disciplines.

3. *Special programs for the aging.*—This activity includes all aging-related programs, including research and training, previously funded in the Social and Rehabilitation Services account. Those activities have been transferred to the Office of Human Development in the Office of the Secretary.

4. *Youth development and delinquency prevention.*—This activity has been transferred to the Office of Human Development in the Office of the Secretary.

5. *Research.*—The funds in this activity have been transferred to the programs that benefit from the research performed. Rehabilitation research is now reported in the rehabilitation services and facilities activity in this account. Social services research has been transferred to the SRS account entitled "Grants to States for Public Assistance". Income maintenance has been transferred to Departmental Management in the Office of the Secretary.

6. *Training.*—Direct training grants for community services training are being reexamined based upon the 1974 appropriation. No new funds are requested for 1975.

Research and Training Activities Overseas (Special Foreign Currency Program)

The Agricultural Trade Development and Assistance Act of 1954, and the International Health Research Act of 1960 authorize the conduct of research and related activities abroad. Research, demonstrations, and research training programs which complement, supplement, and strengthen domestic research and service activities are supported with excess foreign currencies accruing to the United States through the sale of surplus agricultural commodities and through other sources. This program enables the United States to benefit from progress that other countries are making in dealing with social and rehabilitation and income maintenance problems and to utilize the talents of foreign scientists working in these fields.

No new budget authority is requested for this program in 1975. The program will be funded by using unobligated balances car-

ried forward from prior years. It is estimated that these unobligated balances will be sufficient to continue to operate the program in 1975 at the 1974 level. In 1975 the major thrusts of the international research program will be to: (1) test innovative rehabilitation techniques and assistive devices developed by the Public Law 480 program and in research centers in the United States; (2) evaluate and assess programs in social services which could directly benefit the United States; (3) expand research information retrieval systems in all Public Law 480 countries; and (4) place emphasis on the utilization of research findings generated by the Public Law 480 program since 1962.

The major emphasis of the SRS foreign currency program in 1975 is in keeping with the overall U.S. domestic and/or foreign policy goals including self-support, self sufficiency and cost effectiveness. The proposed special foreign currency program level estimated at $3,700 thousand in 1975 could be compared to U.S. dollar supported research of approximately $12,000 thousand due to the difference in official exchange rates, in social-economic conditions relating to personnel, equipment and other direct and indirect cost items in the countries participating in the program.

In liaison with the Office of International Affairs, Department of Health, Education, and Welfare, there is continuous consultation between the Social and Rehabilitation Service and the Department of State, pursuant to 3 (b) and (c) of Executive Order 10900 with respect to: foreign policy aspects of the proposed budget; administrative support expected from the Department of State and respective American Embassies from different countries; and the availability of currencies for international travel. There has been no need for contracts with foreign governments and no new facilities or establishments are being proposed overseas under the Special Foreign Currency Program of the Social and Rehabilitation Service.

Salaries and Expenses

This appropriation finances administrative expenses for carrying out various grant and contract programs associated with the provision of social and rehabilitation services for the needy, disabled, and other disadvantaged persons nationwide. This appropriation provides for the operational costs related to Federal administration activities including salaries of Federal employees and related costs for travel, utilities, communication, printing, supplies and equipment.

The major objective for 1975 is to strengthen the Social and Rehabilitation Service's capacity to manage the public assistance programs more effectively. Organizational changes will be made which are intended to:

1. Coordinate policy through the Administrator to provide a unified approach to SRS program direction.

2. Strengthen objectives management and focus on key tasks like quality control and utilization review through special work teams.

3. Provide direction for regional activity and shift staff to the regions, consistent with the Department's plans for decentralization.

Assistance to Refugees in the United States

In 1961 the President established a program to assist Cuban refugees in the United States. On June 28, 1962, the Migration and Refugee Assistance Act of 1962 was enacted which now provides the legislative basis for assistance to Cuban refugees in the United States.

Refugees from Cuba were arriving in Miami at the rate of about 1,700 a week when the missile crisis occurred in October 1962 after which the number of arrivals decreased by about 90%. On October 3, 1965, the President of the United States announced that the United States would permit the orderly influx of refugees allowed to leave Cuba under a more liberal refugee policy adopted by the Cuban Government. In December 1965, a new influx of refugees started with the inauguration of freedom flights—the airlift operated by the U.S. as provided for in a United States-Cuban Memorandum of Understanding negotiated by the Swiss Government.

About 42 airlift flights brought approximately 3,500 refugees to Miami each month between December 1965 and August 1971 when the Cuban Government began a series of interruptions in airlift operations. A total of 76 airlift flights occurred between January 1972 and April 6, 1973, when the airlift was formally ended by the Cuban Government. Between 1961 and June 1973, 452,098 refugees had registered at the Cuban Refugee Center in Miami of whom 298,518 had been resettled to other locations in the United States. Refugees continue to enter the U.S. by means other than the airlift, however—primarily those who went from Cuba to Spain, many of whom had been there 2 years and longer while awaiting entry into the United States. The emigration from Cuba to Spain has drastically decreased since 1972.

In the fall of 1973 there were an estimated 25 thousand to 30 thousand Cuban refugees in other countries (primarily Spain) awaiting acceptance for entry into this country. In October 1973 the Department of Justice, acting on a recommendation from the Department of State, agreed to expand the use of parole authority under the immigration laws to bring to the United States within 1 year those Cuban refugees in refugee status (not permanent residents) in other countries as of the date of promulgation of the expansion in policy—October 26, 1973. Based on experience under the more limited parole policy that has been in effect for some time governing the flow of Cuban refugees from third countries into the United States—which has approximated 1,000 per month—it is anticipated that the funding impact on the Cuban refugee program of the more liberalized parole policy will be minimal and no special provisions are included in the budget for this purpose.

In light of the cessation of the airlift and the drastic decrease in the number of new refugees entering the United States, as well as the enactment of the Supplemental Security Income program which largely duplicates the welfare services of the Cuban refugee program, the Department of Health Education, and Welfare plans to phase out the Cuban refugee program, starting July 1974, with complete termination projected by June 30, 1977. These phase-out plans are reflected in the several services provided by the program for Cuban refugees which are discussed below.

1. *Welfare assistance and services.*—Since inception of the Cuban refugee program the Federal Government has provided 100% reimbursement to State and local welfare agencies for financial and medical assistance provided needy Cuban refugees. Beginning January 1, 1974, when the new Federal program of Supplemental Security Income for the Aged, Blind, and Disabled (SSI) becomes operative many Cuban refugees will be eligible for that new program since refugee status will not be a barrier. Those found eligible will receive their basic maintenance payments through the SSI program rather than the Cuban refugee program. The latter program will continue, however, to reimburse States on a 100 percent basis for medical care provided needy Cuban refugees during fiscal 1974. The phaseout policy on reimbursements to the States under this program for welfare assistance to needy Cuban refugees, originally planned to become effective July 1, 1973, has been postponed 1 year—until July 1, 1974. Commencing then, the policy will be to limit reimbursements to the States for welfare assistance on behalf of Cuban refugees to those refugees who have been in the United States less than 5 years; regular welfare programs—AFDC, general assistance, and Medicaid—would be utilized for those needy refugees who have been in the United States over 5 years. Because of the unique situation in Florida, where about one-half of the refugees in the United States reside, this program would continue to reimburse 100% for welfare assistance required by needy refugees not eligible for the federally matched program of AFDC or for SSI, regardless of their length of residency in the United States. A number of States are expected to supplement the basic maintenance payments provided under SSI with their own funds, but no funds would be available from this program for that purpose. Refugees receiving basic maintenance under SSI would continue, however, to be eligible to have their medical care met from this program if they have been in the United States less than 5 years.

In June 1973, approximately 88,000 needy refugees were receiving welfare assistance, including medical care, under this program. It is estimated some 85,000 refugees will be eligible for assistance with their basic maintenance and/or medical care needs under this program in June 1974 and about 47,000 in June 1975.

2. *Education.*—Selected training is provided to equip the refugees for employment through English and other types of training. Also, provision is made for Federal payments to help meet part of the added cost related to refugee children in the Dade County, Fla., public school system. In addition, needy college students for whom loans have been previously authorized may receive loans from this program to continue their studies.

3. *Other services.*—This activity provides for Federal direction and day-to-day operation of the program, including a variety of services for newly arriving refugees as well as those already in the United States. There are administrative contracts with voluntary resettlement agencies to help with the reception and planning for newly arriving refugees and with pre- and post-resettlement problems, such as the need for emergency assistance in locating housing, job finding, etc. Continuing emphasis is placed on training and employment in the Miami area and assuring that barriers to achieving self-support are dealt with as effectively as possible.

The Social and Rehabilitation Service would receive a total of $13,523,484,000 in the Committee bill.

SOCIAL SECURITY ADMINISTRATION

Payments to social security trust funds

This appropriation provides for payments from Federal funds to the social security trust funds for certain types of benefits and related administrative costs not financed by contributions from workers and employers. The 1975 appropriation request of $3,345,323 thousand covers the following types of payments:

1. *Federal payments for supplementary medical insurance.*—An estimated $2,327,000 thousand will be required in 1975 to finance the Government's contribution to the Federal supplementary medical insurance trust fund. The amount of funds required for Federal payments for supplementary medical insurance is dependent on the number of persons enrolled in the program and the premium rate which has been promulgated by the Secretary of Health, Education, and Welfare for the fiscal year for which funds are appropriated. The Federal payments, combined with premiums from the enrollees and interest earned by the supplementary medical insurance trust fund, must be sufficient to finance the estimated incurred cost

of benefits and administration. Disabled persons became covered under this program effective July 1973 as a result of enactment of the Social Security Amendments of 1972. Although the cost per capita for the disabled is estimated to be about 2½ times as much as that for the aged, both groups pay the same standard monthly premium, which will be $6.70 for 1975. The estimate for 1975 assumes that an average of about 21.6 million aged persons and 1.9 million disabled persons will be enrolled in the program during 1975 as compared with an average of about 20.8 million aged persons and 1.7 million disabled persons in 1974.

2. *Hospital insurance for the uninsured.*—A payment of $471,000 thousand to the Federal hospital insurance trust fund is budgeted for 1975 to cover the costs of hospital and related care for certain individuals age 65 and over who are not insured under the social security or railroad retirement systems. (Costs for the aged and disabled who are insured are financed by contributions on earnings by workers and by employers.) The estimate assumes that there will be an average of 1.1 million uninsured persons covered for hospital insurance benefits during 1975. The uninsured group covered by this provision includes persons who retired before their occupations were covered by social security (such as teachers and State and local employees) and widows whose husbands died prior to earning coverage under social security.

3. *Military service credits.*—The appropriation includes reimbursement of $240,000 thousand to the Federal old-age and survivors insurance trust fund, the Federal disability insurance trust fund and the Federal hospital insurance trust fund for benefits paid on the basis of noncontributory military service credits of veterans of World War II and certain veterans of the post-World War II period. The basis for the computation of these payments is prescribed in sections 217(g) and 229(b) of the Social Security Act and includes reimbursement for administrative expenses and interest lost to the trust fund.

The payment to each trust fund is (in millions of dollars):

Old-age and survivors insurance	140
Disability insurance	52
Hospital insurance	48
Total	240

4. *Retirement benefits for certain uninsured persons.*—This appropriation provides for a payment of $307,323 thousand to the Federal old-age and survivors insurance trust fund as reimbursement for actual benefit payments made in 1973 to certain uninsured individuals aged 72 and over, related administrative expenses, and interest lost to the trust fund. These benefits were established to afford some protection for certain persons, or their surviving dependents, who retired before the enactment of social security legislation or before their occupations were covered by social security.

Individuals who had less than three quarters of coverage and who attained age 72 before 1968 were eligible for benefits under this provision in 1973. The benefits were reduced if the recipient also received another governmental pension. The amount of the reduction depended upon the amount of the other governmental pension. In addition, the benefits were withheld if an individual was receiving payments under a federally aided public assistance program.

Special benefits for disabled coal miners

The Federal Coal Mine Health and Safety Act of 1969 provides for the protection of the health and safety of persons working in the coal mining industry. Title IV of the act provides monthly benefits to living coal miners who are totally disabled from pneumoconiosis resulting from employment in coal mines and to surviving widows. Benefit payments to miners and surviving widows are increased for dependents (a spouse or child). Benefits are payable to orphans, and in certain circumstances, to totally dependent surviving parents, brothers, and sisters. The requirements for entitlement and the amounts of the benefits are stated in the law.

Under the law, the jurisdiction for payment of claims filed after June 1973 from miners shifted from the Department of Health, Education, and Welfare to the Department of Labor. Also, the responsibility for most survivor claims filed after December 1973 will be with the Department of Labor. However, the Social Security Administration will continue to pay benefits and maintain the beneficiary roll for persons who filed during the time that the Social Security Administration had jurisdiction and this will continue for many years into the future. The amount of these benefits and the number of miners, widows, and other dependents receiving them at the end of each fiscal year are as follows:

[Dollars in thousands]

	1973 actual	1974 estimate	1975 estimate
Benefit amount	$938,502	$972,000	$866,000
Beneficiaries:			
Miners	102,000	165,000	167,000
Widows	88,000	140,000	165,000
Other dependents	112,000	192,000	201,000
Total	302,000	497,000	533,000

The administrative costs for 1975 are estimated at $10,089 thousand. These costs are primarily related to processing 9,000 new claims filed under the jurisdiction of the Social Security Administration, processing 11,400 hearings and appeals and maintaining the beneficiary roll for persons who filed during the time the Social Security Administration had jurisdiction.

In addition, life claims and most survivor claims filed after December 31, 1973, will be filed in the district offices of the Social Security Administration and transferred to the Department of Labor. The district offices will complete the nondisaiblity development and refer the applicant for a medical appointment. The Social Security Administration will be reimbursed for these costs (estimated at $2,815 thousand in 1974 and $2,834 thousand in 1975) from funds appropriated to the Department of Labor.

Supplemental security income program

Title XVI of the Social Security Act, as amended by the Social Security Amendments of 1972, established a new Federal supplemental security income (SSI) program for the aged, blind, and disabled. This program, effective January 1, 1974, replaces State administered programs of assistance to the aged, blind, and disabled which were aided by Federal grants from the appropriations to the Social and Rehabilitation Service. Under provisions of Public Law 93-233, the supplemental security income program provides a minimum income of $410 per month for an eligible individual and $210 per month for a couple both of whom are eligible. These benefits will rise to $146 and $219 in July 1974. Further legislation will be proposed to provide automatic cost of living adjustments in the future in line with those provided in the social security cash benefit programs.

The program is administered by the Federal Government under uniform eligibility requirements and payment support levels applicable in all States. However, to be eligible for Federal matching funds for Medicaid, States are required to supplement the Federal benefit to assure that recipients of benefits under the former State administered programs for the aged, blind, and disabled suffer no loss of income under SSI. The States may make additional supplementary payments if they so desire. They may also enter into agreements with the Federal Government to administer their supplementary payments. Under such an agreement, the administrative costs are paid from Federal funds. In addition, under a "hold harmless" provision the Federal Government makes contributions toward State supplementation to assure that such supplementation of Federal benefits does not involve costs in excess of those incurred by each State in 1972 for assistance payments to the aged, blind, and disabled.

This appropriation request covers: (1) The Federal benefit payments to the aged, blind, and disabled beginning January 1, 1974, an estimated $3.871 billion to be paid to 5 million Federal program recipients by the end of 1975; (2) the amount of Federal contributions toward State supplementary payments, $452 million, which are required to protect States against increased costs under SSI; (3) the cost of vocational rehabilitation services, $53.8 million in 1975, provided by State agencies to blind and disabled SSI beneficiaries who have the potential for becoming more self-sufficient and possibly returning to work; and (4) reimbursement to the social security trust funds for the administration of the program by the Social Security Administration, $396.8 million in 1975. State supplementary payments which are financed by the States and administered by the Federal Government on behalf of the States for those electing Federal administration under the reimbursable program will come to $1.169 billion in 1975.

By the end of 1975, the total number of beneficiaries on the rolls is expected to be 5.6 million, including 0.6 million beneficiaries not entitled to a Federal benefit but who will be receiving a supplementary State payment.

Limitation on salaries and expenses and on construction

Salaries

The Social Security Administration is responsible for administering national programs of old-age, survivors, disability, and health insurance and the new supplemental security income program for the needy aged, blind, and disabled which was established by the Social Security Amendments of 1972. The principal costs for administration of these programs are financed by this appropriation; however, there are certain costs of other components of the Department of Health, Education, and Welfare and of the Treasury Department which relate to administration of these programs and are shown elsewhere in the budget.

Administrative costs are related to workloads generated by the statutory provisions of social security programs. The size of these loads depends upon objective factors such as population growth, level of employment, economic conditions, income levels, incidence of illness, and mortality rates.

1. *Old-age and survivors insurance.*—This program provides monthly benefits for retired workers and their dependents, survivors of deceased workers, including disabled widows and widowers age 50 and over, and certain uninsured persons age 72 and over.

The amount of benefit payments increases in 1974 and significantly in 1975 because of increases in benefits recently enacted (11% effective June 1974 with 7% of this amount payable for March through May 1974). Recent amendments also provided for a liberalization of the retirement test to permit earnings of $2,400 with no loss of benefits, and the contribution and benefit base was increased to $13,200.

Indicators of workload and program objectives for this activity are:

	1973 actual	1974 estimate	1975 estimate
OASI claims applications received	3,872,196	4,064,000	4,008,000
Persons on OASI benefit rolls (average for year)	26,653,000	27,603,000	28,709,000
OASI benefit payments (in millions)	$42,169	$48,118	$55,802

The administrative costs budgeted for this program provide for: Making the initial determination of eligibility for old-age and survivors benefits; reevaluating the initial determination when requested by the claimant; making changes in the beneficiary rolls to assure proper and correct payment of benefits; and investigating the beneficiary's continuing entitlement to benefits, including the evaluation of performance of representative payees.

2. *Disability insurance.*—This program provides monthly disability benefits for disabled workers and their dependents. In addition to normal increase in the number of persons receiving monthly benefits, the higher benefit rates mentioned previously will cause an increase in benefit payments in 1974 and a significant increase in 1975.

Indicators of workload and program objectives for this activity are:

	1973 actual	1974 estimate	1975 estimate
Disability claims applications received	1,480,541	1,808,000	1,668,000
Persons on disability benefit rolls (average for year)	3,314,000	3,618,000	3,971,000
Disability benefit payments (in millions)	$5,162	$6,180	$7,462

The administrative costs budgeted for this program cover the costs of processing initial disability determinations and reconsiderations and appeals of denied claims; making investigations and determinations of continuing disability of beneficiaries and servicing the beneficiary rolls; and making all changes due to deaths, changes of address, attainment of age 65, returns to employment and recoveries from disability. Determinations regarding the existence or continuation of a disability are made by State agencies and these costs are included in the budget estimates.

3. *Health insurance.*—This program includes the hospital insurance and the voluntary supplementary medical insurance programs which were established by the 1965 amendments and the 1972 amendments to the Social Security Act, commonly referred to as Medicare.

(a) *Hospital insurance.*—The hospital insurance program affords protection to persons age 65 and over against the cost of inpatient hospital services, posthospital home health services and posthospital extended care services. Hospital insurance also provides protection for those disabled beneficiaries who have been eligible for social security disability benefits for at least 2 years. Bills for services rendered under the hospital insurance program are generally submitted by hospitals, extended care facilities, home health agencies, and in some instances by individuals who have received emergency care in nonparticipating hospitals. In most instances, these bills are processed by the Blue Cross associations and private insurance companies acting as intermediaries for the Social Security Administration. The individual beneficiary records of utilization of hospital services are maintained in the central office of the Social Security Administration. The growth in beneficiaries who will be covered by the program as the population of age 65 and over increases, the addition of coverage for disabled beneficiaries in 1974, and rise in the utilization of available services causes and increase in the number of claims in both 1974 and 1975.

(b) *Supplementary medical insurance.*—Almost all persons age 65 and over are eligible to enroll in the supplementary medical insurance program, and in 1974 coverage was also extended to disability beneficiaries who have been eligible for benefits for at least 2 years. Supplementary medical insurance covers the cost of physician services and other medical costs within certain deductible and coinsurance requirements. Enrollees in the program pay a monthly premium and the rest of the program costs are paid for by the Federal Government by appropriations from Federal funds. Claims for services under the medical insurance program may be submitted by the physician or other suppliers of service or by the beneficiary to Blue Shield associations and private insurance companies who have been designated to act as carriers for the Social Security Administration in specific geographical areas.

The volume of claims will rise in 1974 and 1975 as a result of the normal growth in the age 65 and over population, the projected increase in utilization of medical services, and the addition of disability beneficiaries in 1974.

Indicators of workload and program objectives for this activity are:

	1973 actual	1974 estimate	1975 estimate
Claims received for services covered by hospital insurance	9,223,800	10,816,000	11,556,000
Claims received for services covered by medical insurance	69,297,100	84,876,000	92,892,000
Beneficiaries receiving reimbursed services:			
Hospital insurance	4,700,000	5,400,000	5,600,000
Medical insurance	10,500,000	11,600,000	12,200,000
Payments for services (in millions):			
Hospital insurance	$6,648	$8,465	$9,831
Medical insurance	$2,391	$2,966	$3,586

The administrative costs budgeted for this program cover the claim payment functions performed by the contractors, services performed by State agencies in certifying and consulting with providers of services, and all work performed by the Social Security Administration in directing the program, providing services to beneficiaries, maintaining records by individual beneficiary of utilization of hospital and medical services and processing claims to establish entitlement to hospital insurance for persons not insured for cash benefits under either the social security or railroad retirement program.

4. *Supplemental security income.*—This new Federal program authorized in the Social Security Amendments of 1972 and recently amended provides monthly benefits from Federal funds to needy aged persons 65 and over, and to the needy blind and totally disabled without regard to age. Mandatory State supplementary payments are required for certain persons on the State rolls in December 1973 to guarantee that no one will have a loss of income as a result of the new program. In addition, the States can further supplement the Federal payment if they so desire. Because the administration of this program will be integrated with that of the social security program, the costs of administration of both programs are carried in the same salaries and expenses appropriation. A separate appropriation from Federal funds provides for the Federal benefits paid under the supplemental security income program, and for repayment to the trust funds for moneys advanced for the administration of the new program.

The program became effective on January 1, 1974. Prior to that date, about 3 million recipients of the present State and local administered programs had to be converted to the Federal program so that monthly payments could be made beginning with January 1974. In addition, thousands of claims from newly eligible persons had to be processed before the effective date. Payments up to $140 per month for an individual and $210 for a couple effective January 1974 will be increased to $146 and $219 effective July 1974.

Indicators of workload and program objectives for this activity are:

	1973 actual	1974 estimate	1975 estimate
SSI claims applications received		3,272,800	3,078,200
SSI recipients at end of year		4,800,000	5,600,000
Basic Federal SSI benefit payments (in millions)		$1,644	$3,897
State supplementary payments administered by SSA [1] (in millions)		$818	$1,622

[1] Includes Federal contribution under "hold harmless" provision.

The administrative costs budgeted for this program provide for: Making initial determinations of eligibility for aged, blind, and disabled benefits; reevaluating the initial determination when requested by the claimant; processing appeals of denied claims; making changes in the recipient rolls to assure proper and correct payment of benefits; and investigating the beneficiary's continuing entitlement to benefits through periodic redeterminations. Determinations regarding the existence or continuation of a disability are made by the State agencies under contract with the Social Security Administration and these costs are included in the budget.

CONSTRUCTION

1. *Headquarters.*—The objective of construction at the headquarters complex in the Baltimore, Md., area is to provide adequate facilities to house personnel and equipment required to administer and support the social security program on a national scale. No new obligational authority is being requested for this account. Funds appropriated in prior years will be used in 1974 to build an access road from the headquarters site to Interstate Highway 70 as well as complete land purchases and initial design for new headquarters facilities. The Social Security Administration plans to construct, using the purchase contract method of financing, two additional buildings, one in downtown Baltimore and the other at the existing site in Woodlawn, Md. Completion of these facilities will allow, at a minimum, consolidation of scattered leased facilities and adequate housing for computer facilities.

2. *District offices.*—The overriding objective here is to bring the social security program to the American people through locating field offices in or near their community. Construction of new buildings to house Social Security district offices is planned only when such construction is determined to be more feasible than rental of commercial space or occupancy of existing Federal structures. In 1975, SSA plans to acquire sites and design 39 additional district offices using funds previously appropriated as well as requested budget authority of $4,500 thousand. Current plans also call for construction of 43 additional offices to be financed directly by trust funds or through purchase contract arrangements, whichever method is determined most economical. The 1975 budget request also includes payments of $132 thousand on four district offices which are scheduled to be constructed in 1974 under purchase contract arrangements. The annual payments assume a 30-year period for paying for the buildings.

3. *Program centers.*—The objective of con-

structing program center facilities is to provide adequate space adaptable to expansion and internal changes, in a structure specifically designed for program center operations. The program centers review claims, maintain beneficiary records, and take the necessary action on all changes which affect the amount or eligibility for payment of social security benefits. Sites have been acquired, major design completed, and construction has begun on four new centers in Birmingham, Ala., Philadelphia, Pa. Chicago, Ill., and Richmond, Calif. The Birmingham Center will be built by a private enterpreneur and leased to Social Security. The other three will be financed through purchase contract means and will require an approximate annual payment of $14,400 thousand for 30 years (a total of $3,600 thousand is budgeted for 1975 on the assumption of an April 1975 completion date) after which the trust funds will acquire full title to the properties.

The Committee has recommended the budget request of $8,995,412,000, an increase over FY 1974 of $2,659,670,000 for the Social Security Administration programs.

SPECIAL INSTITUTIONS

American Printing House for the Blind

1. *Educational materials.*—The American Printing House supplies educational materials and tangible apparatus for education of blind students of less than college grade. During 1974, 24,196 such pupils will be served. This is based on registration of pupils as of the first Monday in January 1973.

The 1975 budget estimate of $1,887 thousand will provide an estimated increase of 5% in per capita for an estimated 24,962 pupils to be registered and approximately a 3% increase in registration. The 5% increase in per capita is requested in order to supply approximately the same amount of educational material to blind children as provided during 1974.

The 3% increase in the number of children to be registered is in keeping with the usual increase in number of children during the past several years; however, during 1974 some 700 more children than anticipated were registered and will be served by the Printing House. With continued emphasis on reaching blind children at an early age, young blind children in formally organized nursery schools are being served. It is also expected there will be a greater variety of materials required and many new additional aids as a result of research, evaluation, and production.

2. *Advisory committees and field service.*—The American Printing House for the Blind has three Advisory Committees—Publications Committee, Educational Aids Committee, and Educational Research Committee.

These committees advise and approve materials and aids to be manufactured through the Federal appropriation. Also, field representatives for the Printing House travel to State departments of education, schools for the blind and public school classes for the blind and advise teachers on materials and facilities available to blind children. Additionally, the Printing House staff gives assistance to colleges and universities conducting training programs for teachers of the blind.

NATIONAL TECHNICAL INSTITUTE FOR THE DEAF

The National Technical Institute for the Deaf (NTID) is a coeducational residential institution that provides postsecondary technical education for young deaf people to prepare them for successful employment; that prepares professional manpower to serve the Nation's deaf population; and that conducts applied research on educational, social and employment aspects of deafness.

1. *Operations.*—$7,838 thousand is requested for the continued development of NTID toward fully operational status. Significant objectives for 1975 include: Serving a planned growth in the full-time equivalent student body to 700; occupying, shaking down and operating new academic, residential and dining facilities; implementing research in the specially designed research and training laboratories; training new faculty and staff and other professional persons to work with the deaf, including their preparation for serving in community programs for the deaf; conducting research on vital parameters that critically describe needs of young deaf people in terms of preparing them to move forward socially, economically and educationally; showing how an institution with no previous experience in dealing with special needs of deaf people can begin serving these needs; and, in all phases of NTID operations, implementing a coordinated and active program of applied research directed toward improving economic assimilation of deaf citizens.

2. *Construction.*—$1,981 thousand is requested to complete furnishing and equipping the new facilities for deaf students and programs to support them. These facilities will be fully occupied in 1975 and include an academic complex, a residence hall and a dining hall/commons.

MODEL SECONDARY SCHOOL FOR THE DEAF

Model Secondary School for the Deaf.—As provided under Public Law 89–694, the Model Secondary School for the Deaf: (a) Serves as a laboratory for educational experimentation and development; (b) disseminates working models throughout the field of education of the deaf to programs serving more than 60,000 deaf students and 10,000 education professionals; (c) prepares deaf adolescents for postsecondary academic and/or vocational pursuits; and (d) provides deaf adolescents the skills necessary to become well-adjusted, contributing, and effective members of the society. For 1975, the Model Secondary School for the Deaf: will initiate the phased implementation of a management, planning and evaluation system; evaluate instructional materials currently in use; disseminate a minimum of 5 sets of instructional packages to other schools and programs; develop a visual training program; and expand and refine current curricular offerings.

GALLAUDET COLLEGE

1. *College.*—Gallaudet College is a private, nonprofit educational institution providing an undergraduate higher education program for the deaf, a tutorial school for deaf students who need such training to qualify for college admission, a graduate school program in fields related to deafness, and a continuing education program for deaf adults. The 1975 budget estimate will support the implementation of an experimental preparatory program, the upgrading of the preventive maintenance programs for the physical plant, and the improvement of management services.

2. *Kendall Demonstration Elementary School.*—By an act of Congress, Public Law 91–587, the college has the authority to operate Kendall School as a national demonstration elementary school for the deaf. The school will: (1) Develop an exemplary educational program for children from the age of onset of deafness through the age of 15; (2) develop a diagnostic center; (3) develop a parent education program; and (4) become a source of important research on learning problems of young deaf children. The 1975 operation estimates will provide for the maintenance of faculty salaries along with increases for the improvement of the library resources center, the replacement of media equipment, the expansion of the inservice training program, the initiation of a foster home placement program, the expansion of the media services, and the improvement and expansion of the research and development activities. These funds are necessary to insure a consistent growth and development of the total program toward its goals.

3. *Construction.*—The 1975 estimates for college construction will provide for equipping the new food and health service buildings and for the construction of the fourth dormitory. The 1975 estimate for MSSD construction includes two residence units to house 132 students and procurement of equipment for the facilities. The MSSD academic and physical education facilities will reach 50% completion in 1974.

TOTAL ENROLLMENT FOR FALL SEMESTER

[Full-time equivalent]

	1973 actual	1974 estimate	1975 estimate
College:			
Undergraduate	934	968	968
Graduate	105	137	175
Total	1,039	1,105	1,143
Model secondary school [1]	138	150	150
Preschool	38	40	
Continuing education [2]	85	110	180
Kendall Demonstration Elementary School	175	175	220
Total	1,475	1,580	1,693

[1] Full-time equivalent related to 12-month school year.
[2] Full-time equivalent in continuing education is computed in 10 enrollments per F.T.E.

In addition, Gallaudet provides a sign language program as a public service to the Washington metropolitan area. Instruction includes basic, intermediate, advanced, and interpreter-level sign language communication. A slight fee is charged in order to support the program. This program served 200 students in 1971–72, 325 in 1972–73, an estimated 350 in 1973–74, and an estimated 500 in 1974–75.

HOWARD UNIVERSITY

1. *Academic program.*—Howard University is a private nonprofit educational institution consisting of an undergraduate college, a graduate school offering the master's degree and the degree of doctor of philosophy (in African studies, biochemistry, English, government, history, pharmacology, physics, psychology, physiology, and zoology) and 13 professional schools. Federal funds provide 62.3% of the total operating costs for the academic program. Funds from non-Federal sources are realized from tuition and fees, gifts, grants, endowments, dormitory rents, cafeteria, and bookstore sales and hospital patients.

The 1975 estimate will allow the university to improve library services, to provide for faculty salary increases, and to undertake curriculum revisions in a limited number of schools.

As a major goal in 1975, the university proposes to establish a Development Fund for the purpose of providing additional resources for university activities.

	1972 actual	1973 actual	1974 estimate	1975 estimate
Full-time equivalent enrollment:				
Undergraduate (arts and sciences)	[1] 3,847	[2] 3,519	3,500	3,500
Graduate school (arts and sciences)	1,598	1,573	1,750	[4] 1,900
Professional schools	[1] 4,321	[2] 4,660	4,787	6,415
Freedmen's Hospital	249	[3] 226	184	202
Total	10,015	9,978	10,221	12,017

[1] Reduction in 1972 undergraduate enrollment due to transfers to School of Business and Public Administration.
[2] Reduction in 1973 arts and sciences enrollment due to transfers to School of Education, School of Communications, and a reduction in new undergraduate admissions.
[3] Reduction in Freedmen's Hospital in 1973 reflects phaseout of diploma-nursing program.
[4] Graduate students in Schools of Education, Engineering and Communications are reflected in the professional schools in 1975.

2. *Freedman's Hospital.*—The hospital furnishes inpatient and outpatient care and a facility for training of physicians and nurses and other professional and technical health personnel. Operation of the hospital is financed by Federal appropriation and patient revenue for medical services including medicare and contractural services from the District of Columbia Government and other local jurisdictions. Federal funds provide 60% of the total operating costs.

	1973 actual	1974 estimate	1975 estimate
Patient statistics:			
Admissions	10,600	10,750	12,000
Average daily patient load including newborns	330.7	335.0	376.0
Outpatient visits:			
Clinic	81,898	92,000	100,000
Emergency	59,888	65,000	70,000
Total outpatient visits	141,786	157,000	170,000

3. *Construction.*—The construction program at Howard University is largely financed by the Federal appropriation. The current program includes land acquisition, major repairs and renovations to existing buildings and the planning and construction of new buildings.

The 1975 request provides for the highest priority construction needs of the university including the university library extension and the medical-dental library.

The Special Institutions funded in this bill would receive an increase over the FY 74 budget of $32,994,000. The Committee recommends the budget figure of $118,456,000.

ASSISTANT SECRETARY FOR HUMAN DEVELOPMENT

This office is responsible for the following areas:

1. *Child development.*—The child development program provides for activities and services designed to have a major impact on the development of young children. In 1975, the child development program will continue to focus attention on the improvement and innovation effort to convert Head Start into a more flexible system for delivering services that are both cost effective and responsive to the real needs of children, and to build and improve local capacity to plan and manage children's services. The $430,000 thousand requested for Head Start in 1975 represents an increase of $37,900 thousand over the 1974 level. The increase is necessary to continue serving 379,000 children in 1975 and to maintain the quality of Head Start services. Increased costs for needed goods and services will be covered in addition to indirect administrative costs of Head Start grantees previously paid from Office of Economic Opportunity funding. A funding level of $15,700 thousand will provide an additional $500 thousand for the Research and Demonstration programs in 1975 and will assure continuation of funding projects in the priority areas of day care, child development and family life, child abuse, education for parenthood, the effect of television on young children and programs which serve children with special needs.

2. *Youth development.*—The youth development program continues to provide financial assistance to State and local communities to encourage development of coordinated youth service delivery systems at the local level. This innovative approach, initiated in approximately 95 areas in 1973 and 1974, is intended to bring together available Federal, State, local, and private funds in an effective system of community-based juvenile delinquency prevention services and programs. An increase in funding from $10,000 thousand in 1974 to $15,000 thousand in 1975 will permit a significant expansion of support and evaluation of model service delivery systems which are flexible to the changing needs of youth. In 1975 these additional efforts will focus on the demonstration of coordinated services and programs directed toward meeting the critical needs of runaway youth.

3. *Program for the aging.*—Special programs for the aging will continue to pursue the national goals of securing and maintaining maximum independence and dignity in a home environment for older persons capable of self-care with appropriate supportive services, and removing individual and social barriers to economic and personal independence for older persons. Pursuant to these goals, the title III State and community programs will be primarily directed toward establishing and enhancing the capability of State agencies on aging to launch or strengthen action programs within planning and service areas for coordinating the delivery of existing services for older persons, and for the pooling of untapped resources in order to strengthen existing services or inaugurate new services for the elderly, $96,000 thousand is requested for the purpose of continuing to improve and foster the development of a comprehensive coordinated services delivery system for the elderly nationwide. The title IVB research and demonstration program will continue to focus on the development and validation of substantive information upon which reasoned policy and program decisions may be made. Emphasis will be placed on problems and issues related to achieving the goals of the program and methods of overcoming barriers to realizing these goals; $7,000 thousand is requested for this activity. The title VII nutrition program, which was implemented during 1974, will serve 200,000 meals per day, 5 days per week, affecting 450,000 older persons annually. In addition, it will endeavor to improve the capacity of State and local agencies to meet the nutritional and related social needs of the elderly; $99,600 thousand is requested for this activity.

4. *Special programs for Native Americans.*—The Native American program, previously administered through the Office of Economic Opportunity, utilizes new and innovative approaches to deal with the special needs of Indians and Alaska Natives. The 1975 objectives of the Native American program will be to advance the governmental capabilities of Indian tribes so that they can gain control over the programs on the reservation; to improve the quality of services to Indians living on and off the reservation; and to increase the potential for economic development on the reservation. The budget request of $32,000 thousand is an increase of $1,100 thousand over the 1974 level. The increase will be used to maintain the program expansion undertaken in 1974 and to expand the research effort. A thorough assessment will be carried out of the urban Indian population and their needs. During 1975, the program will continue to fund over 70 tribal government programs reaching approximately 150 reservations in 23 States in addition to special projects to serve off-reservation Indians and to meet research and demonstration requirements.

5. *Salaries and expenses.*—Provides funds for administrative expenses for carrying out programs within the Office of Human Development serving special population groups such as the aged, children and youth, and Native Americans. In addition, funds support the President's Council on Physical Fitness and Sports, the President's Committee on Mental Retardation, and the Secretary's Office of Mental Retardation Coordination. This activity includes development of policy and procedures, nationwide planning, financial management, and providing technical assistance to State and local governments, voluntary agencies, and nonprofit organizations involved in the planning and delivery of OHD program services. The $29,000 thousand to support 939 positions will assure continuation of these efforts in providing national leadership and coordination of programs which serve these special population groups. The requested increase of $3,900 thousand from the 1974 level of funding, including $722 thousand to annualize 1973 pay cost increases, and $600 thousand for the Aging Ombudsman program, will cover increased costs of GSA rentals, supplies, equipment and staff travel. During 1975, the Office of Human Development will place major emphasis on improving and strengthening its management and administrative structure. Special attention will be directed toward the selection and training of staff to increase the availability of management and administrative competence at both the headquarters and regional office level.

Subsequently, enforcement responsibilities in the field of civil rights were centralized in the Office for Civil Rights and are largely implemented through the regional offices. The Higher Education Amendments of 1972 widened the Department's civil rights charter adding two major responsibilities. Title VII of the amendments requires review of school districts for compliance with the terms of emergency school aid grants, and title IX prohibits sex discrimination in admission to educational institutions. The Comprehensive Health Manpower and Nurse Training Acts prohibit sex discrimination in admission to health professions schools.

Compliance enforcement.—Responsible for assuring that beneficiaries of approximately 200 major programs receive services on a nondiscriminatory basis. Federal assistance is provided through 250 State agencies and thousands of school districts, nursing homes, hospitals, colleges, and other similar entities.

Contract compliance.—Responsible for insuring compliance with Executive Orders on equal employment opportunity at universities, hospitals, and other institutions holding Government contracts.

The bill proposes to increase the budget request by $22,830,000 and recommends this item receive $170,530,000, or $145,510,000 over the 1974 budget.

OFFICE OF THE SECRETARY

The Office of the Secretary covers several activities:

The Office for Civil Rights was established in 1966 to direct and coordinate the responsibilities assigned to the Department under title VI of the Civil Rights Act of 1964. Subsequently, enforcement responsibilities in the field of civil rights were centralized in the Office for Civil Rights and are largely implemented through the regional offices. The Higher Education Amendments of 1972 widened the Department's civil rights charter adding two major responsibilities. Title VII of the amendments requires review of school districts for compliance with the terms of emergency school aid grants, and title IX prohibits sex discrimination in admission to educational institutions. The Comprehensive Health Manpower and Nurse Training Acts prohibit sex discrimination in admission to health professions schools.

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Contract compliance.—Responsibile for insurance compliance with Executive Orders on equal employment opportunity at universities, hospitals, and other institutions holding Government contracts.

OFFICE OF THE SECRETARY

Departmental management

1. *Executive director.*—Broad policy direction is given to the various operating programs of the Department. Staff assistance is provided for the development of the Department's legislative program and for coordination and leadership in all areas of program operation. Staffing is provided for long-range program and policy planning.

2. *Public affairs.*—Overall guidance is given to the Department's relations with the public. Information is provided to the press, various public and private organizations, and to interested individuals.

3. *Field management.*—Supports the Office of the Under Secretary for Regional Affairs. Policy direction, coordination, and leadership for the Department's social programs are provided. This activity is also responsible for the organization, integration, evaluation, and coordination of the Department's field activities, and planning and coordination of programs designed to meet specific urban needs.

4. *Legal services.*—The Office of General Counsel acts as legal adviser to, and provides legal services for the Secretary, the operating agencies of the Department, and the staff of the regional offices.

5. *Financial management.*—(a) *Audit.*—The HEW Audit Agency is responsible for the policy and coordination of all Department audit activities, including liaison and coordination with the Defense Contract Audit Agency and other Government agencies. It performs internal and external audits of all Department activities to provide assurance that Federal funds are used for the purposes intended. The Audit Agency is administered on a decentralized basis with the central office in Washington, D.C. responsible for policy coordination and overall administration, and a regional staff in each of the HEW regional areas responsible for the performance of all audits within its respective geographical area.

(b) *Other.*—Staff assistance is provided to the Secretary in formulating policy in all areas of financial management, particularly budget, finance, and grants administration.

6. *Administrative management.*—(a) *Facilities engineering and property management.*—This activity provides a single point of contact for all HEW construction support services; standardization of facilities policies and procedures; surveillance of special purpose projects with regard to design, construction, and fund utilization; and the promotion of an effective facilities research and development program. In addition, this office will administer Departmental management funds for the GSA Federal buildings fund.

Under the Federal Property and Administrative Services Act of 1949, as amended, the Secretary: (1) Allocates needed surplus personal property to State agencies for educational, public health, and civil defense purposes; (2) transfers surplus real property for educational and public health purposes, including research; (3) protects the rights of the United States under the terms and conditions of such transfers; and (4) promulgates regulations governing the operation of the program, and enforces such regulations.

(b) *Other.*—Staff assistance is provided to the Secretary for formulating departmental administrative policy in general and in the specific areas of grant and procurement procurement programs, management information systems, and personnel policy. This activity also provides administrative management services for all units of the Office of the Secretary.

7. *Consumer affairs.*—This activity assures that the consumer's interest is reflected in Federal policies and programs, cooperates with State agencies and voluntary organizations in advancing the interests of consumers, promotes improved consumer education, and recommends legislation of benefit to consumers.

8. *Policy research.*—This activity, transferred from the Office of Economic Opportunity in 1974, supports research into the causes and cures of poverty. The research includes studies of income maintenance, alternative health insurance plans, varieties of human resources delivery systems, and other poverty related research. In addition, income maintenance experiments previously funded in the Social and Rehabilitation Service, have been transferred to this activity in Departmental management. The primary focus of this research is development of effective incentives.

Working capital fund

The Working capital fund provides a single means for consolidating financing and accounting of business-type operations involving the sale of services and commodities to customers.

The fund originally authorized by Public Law 82-452 (66 Stat. 369) to finance central services provided by the Office of the Secretary to itself and to the several operating agencies.

There are six program classifications: Data management services; common regional services; personnel data services; payrolling services; administrative services; and Parklawn personnel services. Combined, these activities rendered services or sold commodities to the Office of the Secretary and DHEW agencies at a $33,740 thousand level in 1973. It is expected that the level will be $41,947 thousand in 1974 and increase to $43,424 thousand in 1975.

During 1973 the major accounting type services were dropped from the fund. In 1974 the remaining segments of accounting type services were transferred to departmental management. The Parklawn personnel office services are scheduled to be transferred to the Service and supply fund during 1974, however, a firm date has not been decided upon.

The following activities are carried out under the fund:

1. *Data management services.*—This central facility provides data systems design and consultation, key punching, EAM processing, computer programing, and computer processing to the operating agencies.

2. *Common regional services.*—This activity provides departmentwide common regional administrative services, such as financial, personnel operations, and office services.

3. *Personnel data services.*—Through the maintenance of a centralized personnel data collection service, this activity provides automated personnel reports and data to all operating agencies and other Federal agencies.

4. *Payrolling services.*—Provides for centralized payrolling services for all employees, as well as leave and payroll accounting for the Department.

5. *Administrative services.*—This activity consists of centralized mail and messenger services and procurement and distribution of congressional materials; purchasing, supply and laborers' services; and for reproduction services which consists of offset printing, photographic, visual exhibits, collating and addressograph services, and procurement of printing from the Government Printing Office and other sources.

Operating results.—The activities financed under the fund operated at an income-expense ratio of 1.11 to 1 in 1973. The cash position of the fund is in a favorable position with the collection of receivables, in most instances, on a monthly basis. Rate changes were authorized in 1974, providing more equitable charges to the operating agencies.

The Total requested for the Office of the Secretary is $116,291,000.

ACTION

Action was established on July 1, 1971, under the authority of the President's Reorganization Plan No. 1. Legislative authority for the agency is provided by the Domestic Volunteer Service Act of 1973. The agency brings together a number of volunteer programs including the Peace Corps, Volunteers in Service to America (VISTA), Foster Grandparents (FGP), Retired Senior Volunteer Program (RSVP), and the Senior Corps of Retired Executives and Active Corps of Executives (SCORE/ACE).

This appropriation finances the Peace Corps, one of the component programs of Action. Major elements which will be funded are the recruitment and training of applicants, volunteer operations overseas, and the management and support staff, both in the United States and abroad, required to support the volunteers.

1. *Training and specialized recruitment.*—Each volunteer is given intensive training which is designed to develop language abilities, provide a knowledge of the country in which he will work and further develop required job skills. In 1975, all Peace Corps trainees will receive their training in the host countries where they will serve. In addition, several specialized recruiting activities are conducted in this activity.

2. *Volunteers.*—The 1975 budget is designed to support an increased number of volunteers and trainees in the field. They are engaged in education at all levels, in agricultural development, in business and public management, in health programs, in urban development and in public works projects and a variety of other programs.

3. *Program support.*—This activity includes salaries, travel, rents, and other costs associated with staff operations in the United States and abroad. It also includes a share of agencywide costs, such as the recruitment, selection, and placement of volunteers.

The 1975 request includes funds for continued emphasis on local innovation and conduct of volunteer programs, and funds for exploring new approaches to improving and expanding volunteer service opportunities for all Americans. The programs included are:

1. *Volunteers in Service to America.*—This full-time volunteer service program is primarily directed toward providing volunteers for local activities to alleviate the effects of poverty. In 1975, efforts to provide VISTA information specialists to identify community resources and volunteer service opportunities, and to encourage a greater degree of community participation in these activities, will be strengthened.

2. *Service learning programs.*—This activity is directed toward offering students opportunities to enhance their learning experiences in an educational environment by participating in volunteer service activities. In 1975, these coordinated service-learning approaches, such as University Year for Action, will continue to be a unique means of meeting locally identified social needs by utilizing the expertise, resources, and commitment to service of educational institutions and their students.

3. *Special volunteer programs.*—Efforts of these programs are concentrated on developing and demonstrating innovative means of providing volunteer services, encouraging wider praticipation in full-time, part-time, or short-term volunteer programs by all Americans and identifying community settings in which individuals and organizations combine to meet a variety of locally defined social service needs. Efforts will be continued in 1975 to encourage local involvement in exploring these volunteer service improvements.

4. *Older Americans volunteer programs.*—These part-time volunteer programs offer opportunities to individuals age 60 and over to

participate in meeting individual and community service needs through grant-funded projects developed, operated and controlled at the local level. In 1975, additional funding for these programs, which include Retired Senior Volunteer, Foster Grandparents, and Older American Community Service programs, will enlarge the varied meaningful service activities available to older persons.

5. *Service corps of retired executives and active corps of executives (SCORE/ACE).*—This program utilizes both retired and active executives to provide management expertise to small businesses, nonprofit organizations, and individuals living on fixed incomes who are in need of business and financial counseling.

6. *Program support.*—This activity includes the costs of operating regional offices within the United States, domestic programs staff in Washington, D.C., and a share of Action agencywide costs. In 1975, continued emphasis will be placed on decentralizing program and administrative responsibilities and on assuring effective coordination and integration of domestic volunteer programs.

Action's agencywide costs are financed jointly by the Operating expenses, domestic programs appropriation and by the Operating expenses, international programs appropriation as the preceding table illustrates.

These expenses include:

Recruitment, selection, and placement of volunteers conducted by the Office of Recruitment and Communications.

Planning, research, and evaluation conducted by the Office of Policy and Program Development.

Management and administration including legal counsel, legislative and minority affairs, internal audit, staff recruitment and training, and the immediate office of the agency Director. Also included are management analysis, financial, procurement and personnel management, accounting: and computer and administrative services.

Miscellaneous contributed funds received by gift, devise, bequest, or from foreign governments are used in furtherance of the program.

The bill includes $96,000,000 for these activities.

CORPORATION FOR PUBLIC BROADCASTING

The purpose of the Corporation is to develop and improve noncommercial radio and television broadcasting and assist in establishing a public broadcasting service more widely available throughout the Nation.

The Corporation is financed mainly by Federal funds, but also receives grants and contributions from non-Federal sources. In 1973, contributions from private sources totaled $5.2 million, and in 1974 are expected to total $5 million. In 1974 the Corporation estimates it will make community service grants to approximately 154 licensees operating 253 public television stations and to the licensees operating 162 public radio stations. The Corporation will also support production of quality public television and radio programs through grants to the Children's Television Workshop (for the production of "Sesame Street" and "The Electric Company",) to Family Communications Inc. (for production of "Mister Rogers Neighborhood"), and to National Public Radio. The Corporation also makes grants to radio and television stations throughout the country for the production of programs for national, regional, or local use.

In accordance with the Public Broadcasting Act of 1967, the Corporation provides financial support for national interconnection systems serving television and radio stations. By contract with the Public Broadcasting Service, the Corporation in 1974 will support interconnection of more than 253 television stations by yearend with interconnection origination service averaging 57 hours per week. By arrangement with National Public Radio, the Corporation in 1974 will provide an interconnection service for more than 160 radio stations with service averaging approximately 27 hours per week.

The bill provides the budget request of $60,000,000.

FEDERAL MEDIATION AND CONCILIATION SERVICE

The Service, under title II of the Labor Management Relations Act of 1947, assists labor and management in mediation and prevention of disputes affecting industries engaged in interstate commerce and defense production, other than rail and air transportation, whenever in its judgment such disputes threaten to cause a substantial interruption of commerce. Under the authority of Executive Order 11491 of October 29, 1969, as amended by Executive Order 11616, dated August 26, 1971, the Service also makes its mediation and conciliation facilities available to Federal agencies and organizations representing Federal employees in the resolution of negotiation disputes.

1. *Mediation Services.*—During 1973, dispute notices and other notifications affecting 117,884 employers were received by the Service. Cases totaling 21,745 were assigned for mediation, and 21,032 mediation assignments were closed during the year. About 89% of the mediation assignments closed which required the services of mediators were settled without work stoppages. A total of 26,973 mediation conferences were conducted by mediators during 1973. The workload shown above includes assignments closed in both the private and public sectors. Cases in process at the end of 1973 totaled 5,449; this is the normal carryover of open cases from month to month, with seasonal fluctuations. The following chart shows a 5-year comparison of workload data:

DISPUTE WORKLOAD DATA

	1969	1970	1971	1972	1973
Cases in process at the beginning of the year	5,260	5,113	5,020	4,889	4,736
Mediation assignments	21,839	19,769	21,727	19,308	21,745
Mediation assignments closed	21,986	19,862	21,858	19,461	21,032
Cases in process at end of year	5,113	5,020	4,889	4,736	5,449
Mediation conferences conducted	31,605	30,334	32,293	29,223	26,973

Service function in the Federal sector.—Executive Order 11491 of October 29, 1969, as amended by Executive Order 11616, dated August 26, 1971, places responsibility in the agency for providing mediation assistance to Federal agencies and labor organizations in the resolution of negotiation disputes. The Service was engaged in dispute mediation activities in 230 cases during 1973.

2. *Technical services.*—The primary functions of this program are preventive mediation, technical assistance, research, education, and training to create greater knowledge and more precise talent in the collective bargaining field to foster industrial peace.

Through its preventive activity program, the Service will continue to work with both contracting parties to bring about a better understanding of the collective bargaining process, and to improve their day-to-day working relationships. The table below shows the preventive activities workload for the past 5 fiscal years:

PREVENTIVE ACTIVITIES WORKLOAD DATA

	1969	1970	1971[1]	1972[1]	1973[1]
Preventive cases closed	1,321	1,218	851	523	515
Joint preventive conferences conducted	1,957	2,048	1,578	1,224	1,361
Separate preventive conferences conducted	5,491	5,510	2,390	1,557	1,630

[1] Decrease in workload is due to a redefinition of preventive activity established in March 1971.

3. *Arbitration services.*—The Service provides, through an automated arbitrator selection and reporting system, panels of arbitrators from its roster for the resolution of employee grievances or disputes in the private and public sectors involving the interpretation or application of existing agreements.

In 1973 the Service provided 15,121 panels of arbitrators, an increase of 56.2% over the past 5 years.

4. *Management and administrative support.*—This program provides for policy planning, evaluation, direction, coordination, management and administrative support for the programs of the Federal Mediation and Conciliation Service.

5. *Boards and panels.*—Provision is made for ad hoc employment of labor relations experts, individually or in panels, in support of the mediation function; and for boards of inquiry appointed by the President in emergency disputes.

The recommended appropriation for this item is $15,521,000.

NATIONAL COMMISSION ON LIBRARIES AND INFORMATION SCIENCE

The Commission, is responsible for developing plans for meeting the library and information needs of the Nation, for coordinating Federal, State, and local activities to meet these needs, and for advising the President and Congress on national library and information science policy.

The Committee recommends this agency be appropriated $409,000.

NATIONAL LABOR RELATIONS BOARD

The Board resolves representation disputes in industry and remedies and prevents specified unfair labor practices by employers or labor organizations. Case intake in 1973 was 26,487 unfair labor practice cases and 14,590 representation cases. 1974 and 1975 estimates for unfair labor practice cases are 29,405. Representation case estimates are 15,465 for 1974 and 16,395 for 1975.

1. *Field investigation.*—Charges of unfair labor practice and petitions for elections to resolve representation disputes are investigated by regional office personnel. About 88 percent of the unfair labor practice cases and about 83 percent of the representation cases are closed by settlement, dismissal, or withdrawal. The remainder are prepared for public hearing. The agency strives for the voluntary settlement of disputes, and the high incidence of informal settlements achieved thus far is expected to continue in 1975.

2. *Administrative law judge hearing.*—Administrative law judges conduct public hearings in unfair labor practice cases. Their findings and recommendations are set forth in their decisions. In 1973 there were 1,074 hearings closed, 17 proceedings adjusted after close of hearing, and 1,114 decisions issued. The estimate for 1974 is for 1,198 hearings to be closed, 32 adjusted after hearing and 1,156 decisions. The 1975 estimate is for 1,198 hearings closed, 32 adjusted after hearing and 1,156 decisions.

3. *Board adjudication.*—In an unfair labor practice case a judge's decision becomes a Board order if no exceptions are filed. About

30% of these decisions become automatic Board orders or are complied with voluntarily. The remainder with exceptions filed require contested Board decision. In 1973, 963 such Board decisions issued; the estimate for 1974 is 986 and for 1975, 986. In representation cases regional directors initially decide the issues by Board delegation. In 1973 regional directors issued 2,016 such decisions; and the estimate is 2,283 in 1974 and 2,421 in 1975. The Board itself decides representation issues on referral from regional directors or by granting a request for review of a regional director's decision. In 1973 the Board issued 144 representation decisions; and the estimates for 1974 and 1975 are 189 and 179 respectively. The Board also ruled on 313 objections and challenge questions in election cases in 1973; it is estimated that 295 and 313 such rulings will be required in 1974 and 1975.

4. *Security compliance with Board orders.*—If the parties do not voluntarily comply with the Board's order involving unfair labor practices, the Board must request the appellate courts to enforce its decisions. In 1973 a total of 287 Board decisions of all kinds required such litigation; the estimate for 1974 is 329 and the estimate for 1975 is 329.

For this item, the Committee has included $60,980,000.

NATIONAL MEDIATION BOARD

1. *Mediation.*—The Board mediates labor disputes and determines collective bargaining representatives for 700 carriers and the 1 million employees in the railroad and airline industries.

NMB CASELOAD

	1972 actual	1973 estimate	1974 estimate	1975 estimate
Pending, start of year	479	480	313	308
Received during year	283	324	325	325
Closed during year	282	491	330	330
Pending, end of year	480	[1] 313	308	303

[1] The reduction in cases includes cases closed pursuant to moratorium provisions contained in national railroad agreements.

2. *Voluntary arbitration and emergency disputes.*—When mediation fails, the parties are urged to submit their differences to arbitration. If neither mediation nor voluntary arbitration is successful, the President, when notified of disputes which threaten seriously to interrupt service, may appoint an emergency board to investigate and report on the disputes.

NUMBER OF BOARDS CONVENED

	1972 actual	1973 estimate	1974 estimate	1975 estimate
Arbitration boards	2	22	22	22
Emergency boards	2	2	4	4

3. *Adjustment of railroad grievances.*—Railroad employee grievances resulting from the interpretation of collective bargaining contracts may be brought for settlement to the National Railroad Adjustment Board. The divisions of the Board are composed of an equal number of carrier and union representatives compensated by the party or parties he represents. Administrative direction and guidance is provided by the Staff Director-Grievances, compensated by the National Mediation Board. The appropriation also provides for neutral referees to sit with the Board when they are deadlocked. An alternative forum to the National Railroad Adjustment Board is provided by Public Law 89-456, whereby either the carrier or the organization can request the establishment of a Public Law Board to dispose of disputes otherwise referable to the Board.

NUMBER OF BOARDS CONVENED

	1972 actual	1973 actual	1974 estimate	1975 estimate
Special boards of adjustment	63	56	60	60
Public law boards	318	348	350	355

PUBLIC LAW BOARD CASELOAD

	1973 actual	1974 estimate	1975 estimate
Pending, beginning of year	13,924	12,225	10,400
Received during year	5,162	5,000	4,500
Closed during year	6,861	6,825	6,900
Pending, end of year	12,225	10,400	8,000

Our bill proposes to give this agency $3,186,000.

OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION

The Review Commission, established by the Occupational Safety and Health Act of 1970, is a forum for the adjudication of contested enforcement actions instituted by the Secretary of Labor. The Commission holds fact-finding hearings and issues orders affirming, modifying, or vacating the Secretary's enforcement actions.

SELECTED WORKLOAD DATA

	1972 actual	1973 actual	1974 estimate	1975 estimate
Adjudication activities:				
Cases pending, beginning of year		517	946	1,180
New cases received	1,085	2,415	3,000	3,100
Case dispositions:				
Prior to assignment to Judge	346	1,195	1,406	1,160
After assignment to Judge	133	366	800	780
Heard and decided by Judge	89	425	560	1,020

Note.—1975 includes only notice of contests; no petitions of abatement are included.

$5,512,000 is included in the Commitee's recommendation.

RAILROAD RETIREMENT BOARD

Railroad workers entering military service may have such service credited toward benefits under the railroad retirement system under certain conditions. The last of 10 yearly installments on the amount due the railroad retirement account for certain creditable military service through June 1963 was appropriated in 1974. The appropriation request of $3,516 thousand for 1975 covers the additional interest due the railroad retirement account because of delays in the enactment of the 10 appropriation installments.

Under the railroad retirement system, railroad workers and employers pay taxes on wages to finance the payment of annuities for age and disability and benefits for survivors and to finance the cost of hospital insurance benefits. These taxes are deposited in the Railroad retirement account and invested in Government securities. The portion of these taxes which finances hospital insurance benefits is transferred to the Federal hospital insurance trust fund under the financial interchange provisions governing the railroad retirement and social security systems.

Supplemental annuities also are paid to certain employees in addition to the regular annuities. This program is financed by a tax paid by employers on each man-hour of paid employment. These taxes are deposited in the Railroad retirement supplemental account and invested in Government securities.

Income.—The income of the Railroad retirement accounts consists of taxes paid by railroad employers and employees; interest on investments; appropriations for military service credits; and payments from the Federal old-age and survivors insurance trust fund and Federal disability insurance trust fund. The railroad retirement system has a reinsurance arrangement of annual financial interchanges with the social security system so as to place that system in the same position in which it would have been if railroad employment had been included in social security coverage.

Retirement, disability, and survivor benefit payments.—Payment estimates reflect the continuing growth in the beneficiary rolls and the increases in benefit rates provided by law. Three benefit increases enacted in 1970, 1971, and 1972 were temporary—due to expire on December 31, 1974. Legislation requires the railroad industry to recommend a plan for soundly financing these increases on a permanent basis. Accordingly, the temporary increases and the revenue for their financing are shown on separate schedules for later transmission, proposed legislation.

Administrative expenses.—Such expenses are subject to annual limitations in appropriation acts (see Limitation on salaries and expenses).

Transfers to and from Railroad unemployment insurance account.—The Railroad Unemployment Insurance Act provides that when the balance in the Railroad unemployment insurance account is insufficient to pay benefits due under that act, necessary amounts are to be borrowed from the Railroad retirement account. When the balance in the Railroad unemployment insurance account permits, borrowed amounts are to be repaid to the Railroad retirement account with interest. At the end of 1973 the fund had $6 million in loans outstanding, compared to $50 million a year ago.

Payment to Federal hospital insurance trust fund.—Portion of taxes which finances hospital insurance benefits is for payment to the Federal hospital insurance trust fund, since payments of hospital benefits for railroad retirement beneficiaries are made from that fund.

Payment to Railroad unemployment insurance account.—Under section 10(h) of the Railroad Unemployment Insurance Act as amended in 1968, the Board is required to reimburse the unemployment insurance account for certain sickness benefits paid to employees who could otherwise, under specified conditions, have received disability annuities under the Railroad Retirement Act for the same periods.

The Board administers an unemployment and sickness insurance system and an employment service for unemployed railroad workers. Administrative expenses are financed through a permanent authorization of 0.25% of taxable payroll. As of each June 30, the unobligated balance in this fund in excess of $6 million is transferred to the Railroad unemployment insurance account in the unemployment trust fund.

1. *Maintenance of earnings accounts.*—Insurance payments for unemployment and sickness benefits are based on individual records of earnings and daily wage rates; and the workload fluctuates according to such factors as level of employemnt and rate of turnover in the railroad industry. The costs are shared on a measured basis with the retirement program. Accounts posted are estimated at 697,000 in 1975.

2. *Processing of unemployment insurance claims.*—Workers' claims for unemployment

compensation are filed locally and certified for payment through the headquarters office. Unemployment claims receipts are estimated to be $490,000 in 1975.

3. *Processing of sickness claims.*—These claims are filed by mail and certified for payment through the headquarters office of the Board. Sickness claims receipts are estimated to be 505,000 in 1975.

4. *Claimant placement services.*—The Board conducts an employment service for unemployment benefit claimants. This resulted in savings of benefit payments of approximately $758 thousand in 1973 as 4,200 placements were made. Placements are estimated to be the same in 1974 and 1975.

5. *Administration.*—The costs of administration are shared between this and the retirement program on a measured basis.

The Board administers the Railroad Retirement Act which provides a program for the payment of regular annuities for age and disability and benefits for survivors, financed by taxes paid equally by employers and employees. The Board also participates in the administration of the hospital and medical insurance programs for persons covered by the Railroad Retirement Act for which it is reimbursed in part by the Social Security Administration.

The Board also administers a program for the payment of supplemental annuities under certain conditions to career railroad workers awarded regular retirement annuities after June 1966, financed by a tax paid by employers based on the number of manhours for which they pay compensation. The supplemental annuity paid to employees is in addition to the regular railroad retirement annuity.

1. *Maintenance of earnings accounts.*—Eligibility for retirement and the amount of benefits paid are based on individual records of earnings, and the workload fluctuates according to such factors as level of employment, and rate of turnover in the railroad industry. Accounts posted are estimated at 697,000 in 1975. The costs are shared on a measured basis with the railroad unemployment insurance program.

2. *Processing claims.*—This activity includes the work of processing annuity claims and establishing eligibility of persons for health and medical insurance benefits. New applications received are estimated to be 146,000 in 1975.

3. *Maintenance of beneficiary rolls.*—Benefit payments must be authorized each month for those persons on the rolls who continue to remain eligible. The number of persons on the rolls receiving monthly benefit payments will increase from 987,000 at the end of 1973 to an estimated 1,006,000 at the end of 1975. The number of persons also receiving supplemental annuities will increase to 118,000 at the end of 1975. The number of persons enrolled for Medicare will decrease to 854,000 in 1975.

4. *Administration.*—The cost of administration is shared between the retirement and the railroad unemployment insurance programs on a measured basis.

The Committee recommendation is $3,516,000. the amount of the budget request.

SOLDIERS' AND AIRMEN'S HOME

The Soldiers' and Airmen's Home provides medical and domiciliary care and other authorized benefits for the relief and support of certain old, invalid, or disabled soldiers of the Regular Army and airmen of the Air Force. Funds for operation and maintenance of the Home are appropriated from the Soldiers' and Airmen's Home Permanent Fund (Trust Fund) and not from the general funds of the Treasury.

The daily average number of members receiving domiciliary care, the daily average patient load in the Home hospital and in other hospitals are shown below:

	1973 actual	1974 estimate	1975 estimate
Members present	2,060	2,104	2,148
Patients in home hospital	422	431	440
Patients in other hospitals	27	27	27

Mrs. HECKLER of Massachusetts. Mr. Chairman, I would like to bring to the attention of the Congress the recommendations of the report of the National Advisory Commission on Multiple Sclerosis. It was a privilege for me to write the legislation which created the Commission. I was joined in my efforts by 90 Members of the House and Senate who signed as cosponsors.

The indepth recommendations of the Commission were released in mid-February—too late for inclusion in the administration's budget request for fiscal year 1975. I have, therefore, sought the support of my colleagues in having the monetary requests of the Commission report included in this appropriations bill. The support I have received has been most encouraging.

The committee report includes a request for nearly $22 million for the National Institute of Neurological Diseases and Stroke over and above the administration request. Of this amount, $14½ million has been designated for research grants. The Commission's report calls for an additional $3.8 million for research specifically relevant to multiple sclerosis for fiscal year 1975.

I am aware that it is not the practice of the Appropriations Committee to earmark funds for research on a particular disease. However, I would like to point out that it is the obvious intent of the committee that a major portion of these additional research funds be spent on multiple sclerosis research. I quote from the committee report's references to multiple sclerosis research:

> The Committee expects a significant increase in the level of research during 1975.

The intent of the Congress was clear in its creation of the National Advisory Commission on Multiple Sclerosis. The thrust of the committee report is just as clear.

Today's consideration of this appropriations bill provides a very appropriate opportunity for the Congress to reaffirm its determination to find a cause and cure for this dread disease so often referred to as the "great crippler of young adults." The research money is in this bill. It is now up to the National Institute of Neurological Diseases and Stroke to implement the intent of Congress and, by investing $3.8 million in multiple sclerosis research, hopefully hasten the day when a cure will become a reality.

I commend the dedicated and responsible members of the National Commission on Multiple Sclerosis whose excellent report justifies this appropriation.

Mr. FLOOD. Mr. Chairman, I have no requests for time.

Mr. MICHEL. Mr. Chairman, I yield such time as he may consume to the gentleman from Kansas (Mr. SHRIVER).

Mr. SHRIVER. Mr. Chairman, we are today considering the bill which provides authority for more than one-third of the total Federal budget for the next fiscal year. Including trust fund spending, such as social security and unemployment benefits, this one bill calls for the spending of more than $121 billion.

But out of that $121 billion, only about 7 percent is considered controllable in terms of what we do here today. The spending levels for 93 percent of this bill were decided long ago in various authorizing bills. We can look at the programs—our subcommittee held exhaustive hearings from February 26 until the end of May on hundreds of items and heard scores of witnesses—but we can only have a measurable effect on 7 percent.

Where does this money go? Well, for one item, $20 billion goes for medicare and medicaid benefits. Federal health outlays now constitute approximately 25 percent of all spending in this country for health care, compared to 9 percent in 1965, prior to the enactment of medicare and medicaid.

The bulk of the increased outlays authorized in this bill are in such noncontrollable areas as social security benefits and the first full-year of the supplemental security income program. These two areas alone account for more than $12 billion in increased spending.

This growth is the result of larger beneficiary populations, substantially increased benefit levels and eligibility—all voted by Congress last year—and of higher medical costs, which can also be attributed to congressional action resulting in larger demand for health services.

What have we created? We have created a department down the street with more than 126,000 full-time, permanent employees by the time the money in this bill is spent. This is 12,000 more than were on board at the end of fiscal year 1973. Most of these are needed to administer the supplemental security income program and to implement the social security amendments. I do not point this out critically, I just want to make sure that we remember these figures whenever we consider further expansion of these programs.

Actually, I think commendations are in order for the Social Security Administration. Take a look someday at the administrative nightmare we have imposed on them. The same is true in the railroad retirement program. This Nation will never collapse because of foreign or domestic pressure, but I sometimes doubt we could survive a breakdown in our computers which make these programs possible.

HEW has about 43,600 grants and 23,000 contracts totaling over $7.5 billion with which it has to contend. They administer a large mix of programs. There are formula programs which run through States; there are project grants which are totally discretionary in some of the HEW agencies; there are different eligibility requirements; there are different audit requirements; and there are different local matching requirements.

One Governor spent 1 whole year just having his staff try to identify the Fed-

eral obstacles to the integration of the many categorical social services. He hasn't even started figuring out ways to overcome these obstacles, he has just identified them.

We are not going to change much of that here today, but to the credit of the present Secretary, Mr. Weinberger, I believe he is making a genuine attempt to bring better management concepts to this maze. There have been attempts to permit State and local agencies to have greater responsibility and flexibility to carry out broad national priorities.

The Secretary is trying the simplification and consolidation route to more effective and responsive delivery of services. I don't know if this can be accomplished in an organization with 126,000 civil servants, but every time you hear a scream, you'll know he has made another move.

Now, ironically, with all of these billions of dollars in this bill, it may appear just by looking at the tables in the report that serious reductions have been made in various programs. Technically, this is true. However, the department released during fiscal 1974 the fiscal 1973 funds which had been impounded. Congress, or rather the recipient groups, won the battle of the courts. The administration won the battle of delayed spending.

The release of these funds during fiscal 1974, along with the regular fiscal 1974 program levels, resulted in a very large "bulge" of funding in that year. It is unrealistic to expect these levels to continue.

So how does this bill break down. Nearly $100 billion of the total is for basic, supporting aid to families and individuals. Almost 90 percent of the total HEW budget is for financial assistance programs for people.

This, of course, includes both Federal funds and trust funds—as the two categories are called by accountants—but even when trust funds are removed, financial assistance programs make up more than half of the budget.

We should remember that the source of both types of these funds—trust funds and Federal funds—is the American taxpayer. If the social security trust fund did not exist, we would merely have to raise the money in Federal funds for the same, or similar, purposes.

Next comes aid to States and localities in the amount of about $10 billion. The aim of these programs of financial assistance to States, localities, and certain private organizations is to increase their ability to provide human services, especially for the disadvantaged. This category includes programs for elementary and secondary education, social services and a variety of health activities.

The other two categories in the bill fund developmental activities—such as health and education research and manpower training—and finally, expenditures to try to manage all of this.

This is, of course, a very general examination into what is included in this bill, but the chairman has given you many of the details. Our hearings, as I mentioned, were long and exhaustive. I recommend them for those who like to read, but for others, we have a fine committee report.

I might mention that again this year we asked for and received from HEW several special reports which would be of interest to the Members and their constituents. They appear in part 2 of the hearings. They contain concise reviews of Federal activities in such fields as mental retardation, drug abuse, cerebral palsy, juvenile delinquency, programs for the aging and for migrants, and other areas. Progress is being made in these areas, especially in drug abuse. And they make interesting reading.

There was one other subject that came up in the hearings which is of interest. That had to do with the professional standards review organizations—better, or at least more simply known as PSRO's. I believe Congress should take another look at this idea, and I have joined several of my colleagues in introducing corrective legislation.

During our hearings on this bill, Secretary Weinberger, in response to questions about the guidelines which have been proposed for this program, pointed out that the PSRO statute was not an administration request. It was adopted by the Congress in October of 1972 as a result of a conference committee discussion on a bill that was called H.R. 1 at that time. You remember that.

There were no hearings and no general congressional debate on the subject. The Secretary told us, and I quote:

I would be less than candid if I did not express to you my feeling that there is potential danger of very substantial governmental interference in the practice of medicine by this kind of statute . . . this is a very large program, a major departure from previous governmental involvement in the practice of a profession . . . if the act should be repealed, that would be something that the Congress would propose.

Well, we cannot do it in this bill, but we should give it some consideration.

In closing, I would just mention that I know of several amendments which will be proposed later, amendments to increase the funding for some of the items in this bill. as a member of this subcommittee which sat for so long in these hearings and listened to all of those witnesses, I will oppose these amendments.

I joined this subcommittee nearly 10 years ago, and in those years this Labor-Health, Education, and Welfare appropriations bill has increased more than 500 percent. It has gone from $7 billion to more than $35 billion, if you include the deferred items for fiscal 1975. And that does not include the trust funds.

I realize that we could come out here with a bill 500 percent greater than this one, and we would still have amendments to increase it. There will always be needs, and there will always be those who place those needs above all other considerations.

We have seen these programs grow over the last decade, and the administrative staff has grown with them until it has become nearly unmanageable. Let us give them a breather, so that they might be able to bring some semblance of order to what we have created. Enough is enough.

Mr. MICHEL. Mr. Chairman, I yield such time as he may consume to another distinguished member of our subcommittee, the gentleman from Massachusetts (Mr. CONTE).

Mr. CONTE. Mr. Chairman, the appropriations bill we have before us now is unlike any other bill we consider.

No other bill has the immediate impact of this one on the lives of every man, woman, and child in this country.

No other bill supports the range of programs and services of this one.

No other bill is as essential to the very young, the very old, the student, the worker, the sick, and the poor.

In one sense, this is an awesome bill. It carries budget authority of $121,640,-539,000, of which $32,872,035,000 is new budget authority and the remainder is made up of trust fund and other permanent appropriations.

In another sense, this is a very restrained and responsible bill. There are many programs not funded at all in it that I think should be active programs. There are others funded at levels I consider less than adequate. Later, I will cosponsor an amendment to increase funds for one of these because of the human and economic import of our failing to support it adequately.

But, overall, the committee bill represents our best efforts to find a balance between needs, often competing, and resources, which we all have to recognize do have limits.

Last year, we had the goad, and the discipline, of two vetoed Labor-HEW appropriations bill behind us and the absolute necessity of producing a bill that could be enacted so that Congress could reassert its control of these programs.

This year, the necessity of a responsible budget is no less, but the discipline must be self-imposed. We are still a long way from having our own budget control machinery in place. Until then, restraint is more than ever essential. I think that this bill has been developed with that restraint.

We need to note that this is only a partial bill. Legislative authority for major health, education, and social programs expires at the end of this week and we have had to defer consideration of them until new legislation is enacted.

I want to call attention to a very few of the accomplishments of this bill, and to note one or two programs that in an ideal situation I would have liked to have had included in it.

We are providing for the implementation of the major part of our first special revenue sharing legislation, that for comprehensive manpower assistance. Under it, State and local governments will receive assistance to provide manpower programs that are right for local needs and conditions. We are also providing the second appropriation for the new public service employment programs. I consider the firm implementation of these programs so crucial, especially in the present economic situation, that I am cosponsoring an amendment to bring them to a level comparable to the programs they replace.

We have moved to strengthen the direction of apprentice training programs.

With shortages of skilled craftsmen in many trades, the continued attrition of the Bureau of Apprenticeship and Training cannot be allowed to continue.

We have also added $10 million to the Department of Labor's budget for part-time community service employment for our older Americans.

A small, but very important committee provision will implement the Sudden Infant Death Syndrome Act that was signed into law in April of this year. SIDS, or "crib death," is the leading cause of death in infants under 1 year old in this country. The sudden, unexplained, and unexplainable, loss of a seemingly healthy baby brings sorrow, shock, and sometimes guilt to families. Some parents have suffered the additional tragedy of accusations of child abuse. The $1 million provided in the bill will start educational and counseling programs for health care providers, families, and communities.

The committee bill directs both an overall increase in the program of the National Institute of Occupational Safety and Health and special attention to the hazards of occupational exposure to petrochemicals and new energy sources.

Once again, we have had to reassert the determination of Congress that special efforts against cancer and heart disease are not to be made at the expense of work on other diseases or on basic biological processes essential to our understanding of whole families of diseases. While providing special resources for the cancer and heart programs, we have tried to restore a balance among the NIH research institutes. And we are providing funds for and directing the institutes to retain their research training grant programs so that we can continue to attract to medical research some of our brightest and most committed young people.

The committee bill stops the proposed phaseout of the mental health programs it has taken us a quarter of a century to build. And we have added over $38 million to the request for programs to combat our No. 1 drug problem, alcoholism, so that we can at the very least maintain this effort at the same level as last year.

A balanced package of support to meet the varying needs of college students is absolutely essential. Once again, we have had to insist on this balance and reallocate funds among programs. The basic education opportunity grant program receives $650 million under our bill, compared to $475 million last year. But we have also provided $240.3 million for supplementary opportunity grants, $338.5 million for direct loans, and we have increased work-study programs to $300.2 million.

While our bill includes $182.5 million for assistance to higher education institutions, I think that we are going to have to give the most searching attention to their further needs. The plight of our colleges and universities, facing ever-rising costs, is becoming critical. Their survival cannot be made to depend on tuition increases that will preclude lower and middle-income students, even with help, from continuing their education. I hope that at some point soon, we can seriously consider the implementation of up-to-now unfunded legislation to aid community colleges.

I am also concerned at the decline in library assistance programs that are authorized. For example, neither last year nor this year have we been able to provide public library construction funds. While general revenue sharing and local and State funds are, and should be, the principal sources of support for library construction, we should not underestimate the impact of modest Federal resources used for leverage.

This summarizes only a few of the demands and choices that faced the subcommittee in the long weeks of hearings and work to produce this bill. That we do have a bill which the members of the subcommittee can say represents our best efforts, is due to the knowledge, skill, and humor of the distinguished gentlemen from Pennsylvania and Illinois, my colleagues and good friends, Mr. FLOOD and Mr. MICHEL. They deserve the thanks of all of those that these programs will serve and they have my personal appreciation and gratitude for their leadership and judgment.

Mr. FLOOD. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly, the committee rose; and the Speaker having resumed the chair, Mr. WRIGHT, 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. 15580) 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, had come to no resolution thereon.

FURTHER MESSAGE FROM THE SENATE

A further 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. 15296. An act to authorize the Commissioner of Education to carry out a program to assist persons from disadvantaged backgrounds to undertake training for the legal profession.

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 House to the bill (S. 3458) entitled "An act to amend the Agriculture and Consumer Protection Act of 1973, the Food Stamp Act of 1964, and for other purposes."

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

S. Con. Res. 96. Concurrent resolution adjourning the Senate from June 27, 1974, until noon July 8, 1974, or until required to reassemble by the Speaker of the House and the President pro tempore of the Senate, whichever comes earlier.

PROVIDING FOR ADJOURNMENT OF THE SENATE FROM JUNE 27, 1974, UNTIL JULY 8, 1974

The SPEAKER laid before the House the Senate concurrent resolution (S. Con. Res. 96) providing for the adjournment of the Senate from June 27, 1974, until July 8, 1974.

The Clerk read the Senate concurrent resolution as follows:

S. CON. RES. 96

Resolved by the Senate (the House of Representatives concurring), That when the Senate adjourns on Thursday, June 27, 1974, it shall stand adjourned until 12 noon on July 8, 1974, or until 12 noon on the second day after their respective Members are notified to reassemble in accordance with section 2 of this resolution, whichever event first occurs.

SEC. 2. The Speaker of the House of Representatives and the President pro tempore of the Senate shall notify the Members of the House and Senate, respectively, to reassemble whenever, in their opinion, the public interest shall warrant it, or whenever the majority leader of the Senate and the majority leader of the House, acting jointly, or the minority leader of the Senate and the minority leader of the House, acting jointly, file a written request with the Secretary of the Senate and the Clerk of the House that the Congress reassemble.

AMENDMENT OFFERED BY MR. O'NEILL

Mr. O'NEILL. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. O'NEILL: On line 3, after "1974," strike out "or" and insert the following: "and that when the House adjourns on Wednesday, July 3, 1974, it stand adjourned until 12 noon on Tuesday, July 9, 1974, or, with respect to both Houses,".

The amendment was agreed to.

PARLIAMENTARY INQUIRY

Mr. GROSS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. GROSS. Mr. Speaker, does consideration of this resolution require unanimous consent?

The SPEAKER. No. It is a privileged resolution.

The question is on the Senate concurrent resolution as amended.

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

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

The SPEAKER. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 297, nays 84, answered "present" 2, not voting 51, as follows:

[Roll No. 338]

YEAS—297

Abdnor	Frelinghuysen	Perkins
Abzug	Frey	Pettis
Adams	Fulton	Peyser
Addabbo	Fuqua	Pickle
Alexander	Gaydos	Pike
Andrews, N.C.	Gettys	Poage
Annunzio	Gibbons	Podell
Archer	Goldwater	Price, Ill.
Arends	Gonzalez	Quie
Ashbrook	Green, Oreg.	Quillen
Ashley	Green, Pa.	Railsback
Aspin	Grover	Rangel
Badillo	Gunter	Rarick
Baker	Haley	Rees
Barrett	Hamilton	Regula
Bell	Hanley	Reuss
Bennett	Hanrahan	Rhodes
Bergland	Hansen, Idaho	Riegle
Bevill	Hastings	Roberts
Biaggi	Hawkins	Robinson, Va.
Blatnik	Hechler, W. Va.	Robison, N.Y.
Boggs	Helstoski	Roe
Boland	Henderson	Rogers
Bolling	Hicks	Roncalio, Wyo.
Bowen	Hillis	Roncallo, N.Y.
Brademas	Hinshaw	Rose
Breaux	Holt	Rosenthal
Breckinridge	Holtzman	Rostenkowski
Brooks	Horton	Roush
Brotzman	Hosmer	Roybal
Brown, Calif.	Howard	Runnels
Brown, Mich.	Hungate	Ruppe
Brown, Ohio	Johnson, Calif.	Ryan
Broyhill, Va.	Johnson, Colo.	Sandman
Buchanan	Johnson, Pa.	Sarbanes
Burgener	Jones, Ala.	Schneebeli
Burke, Fla.	Jones, N.C.	Shipley
Burke, Mass.	Jones, Okla.	Shoup
Burleson, Tex.	Jordan	Shriver
Burlison, Mo.	Kastenmeier	Sisk
Burton, John	Kazen	Slack
Burton, Phillip	Kluczynski	Smith, Iowa
Butler	Koch	Smith, N.Y.
Byron	Lagomarsino	Snyder
Camp	Landrum	Spence
Casey, Tex.	Lehman	Staggers
Cederberg	Lent	Stanton,
Chamberlain	Litton	J. William
Chappell	Long, La.	Stanton,
Chisholm	Long, Md.	James V.
Clark	Lott	Stark
Clausen,	Lujan	Steed
Don H.	McCloskey	Steelman
Clawson, Del	McCormack	Steiger, Wis.
Clay	McDade	Stephens
Cochran	McEwen	Stratton
Collier	McFall	Stubblefield
Collins, Ill.	McKay	Sullivan
Collins, Tex.	McSpadden	Symington
Conable	Madden	Symms
Corman	Mahon	Talcott
Cotter	Mallary	Taylor, N.C.
Crane	Martin, N.C.	Thomson, Wis.
Culver	Mathias, Calif.	Thornton
Daniel, Dan	Matsunaga	Tiernan
Danielson	Mayne	Towell, Nev.
Davis, Ga.	Mazzoli	Traxler
Davis, S.C.	Meeds	Treen
Davis, Wis.	Melcher	Udall
de la Garza	Metcalfe	Ullman
Delaney	Mezvinsky	Van Deerlin
Dellenback	Milford	Vander Jagt
Dellums	Minish	Vander Veen
Denholm	Mink	Vanik
Dennis	Minshall, Ohio	Vigorito
Dent	Mitchell, Md.	Waggonner
Derwinski	Mitchell, N.Y.	Waldie
Dickinson	Moakley	Walsh
Dingell	Mollohan	Ware
Donohue	Montgomery	White
Downing	Moorhead, Pa.	Whitehurst
Drinan	Morgan	Whitten
Dulski	Mosher	Wiggins
du Pont	Moss	Williams
Eckhardt	Murphy, Ill.	Wilson, Bob
Edwards, Ala.	Murphy, N.Y.	Wilson,
Edwards, Calif.	Murtha	Charles H.,
Eilberg	Myers	Calif.
Erlenborn	Natcher	Wilson,
Eshleman	Nedzi	Charles, Tex.
Evans, Colo.	Nelsen	Winn
Evins, Tenn.	Nichols	Wolff
Fascell	Nix	Wright
Findley	Obey	Wyatt
Fish	O'Brien	Wydler
Fisher	O'Hara	Wyman
Flood	O'Neill	Yates
Flowers	Owens	Young, Ga.
Foley	Patman	Young, Tex.
Ford	Patten	Zablocki
Fraser	Pepper	Zwach

NAYS—84

Anderson, Calif.	Guyer	Powell, Ohio
Armstrong	Hammer-schmidt	Price, Tex.
Bafalis	Harsha	Pritchard
Bauman	Hays	Randall
Beard	Heinz	Rinaldo
Biester	Huber	Rooney, Pa.
Blackburn	Hudnut	Roy
Bray	Hunt	Ruth
Broomfield	Hutchinson	Sarasin
Broyhill, N.C.	Ichord	Satterfield
Carter	Jarman	Scherle
Clancy	Kemp	Sebelius
Cleveland	Ketchum	Skubitz
Cohen	King	Steele
Conlan	Kyros	Steiger, Ariz.
Conte	Landgrebe	Studds
Cronin	Latta	Shuster
Daniel, Robert W., Jr.	Luken	Taylor, Mo.
Duncan	McClory	Teague
Flynt	McCollister	Thone
Forsythe	McKinney	Veysey
Fountain	Mann	Wampler
Froehlich	Maraziti	Wylie
Gilman	Mathis, Ga.	Young, Alaska
Ginn	Miller	Young, Fla.
Grasso	Mizell	Young, Ill.
Gross	Moorhead, Calif.	Young, S.C.
Gude	Parris	Zion

ANSWERED "PRESENT"—2

Harrington	St Germain

NOT VOTING—51

Anderson, Ill.	Giaimo	Michel
Andrews, N. Dak.	Goodling	Mills
	Gray	Passman
Bingham	Griffiths	Preyer
Brasco	Gubser	Reid
Brinkley	Hanna	Rodino
Burke, Calif.	Hansen, Wash.	Rooney, N.Y.
Carey, N.Y.	Hébert	Rousselot
Carney, Ohio	Heckler, Mass.	Schroeder
Conyers	Hogan	Seiberling
Coughlin	Holifield	Sikes
Daniels, Dominick V.	Jones, Tenn.	Stokes
	Karth	Stuckey
Devine	Kuykendall	Thompson, N.J.
Diggs	Leggett	Whalen
Dorn	Macdonald	Widnall
Esch	Madigan	Yatron
Frenzel	Martin, Nebr.	

So the Senate concurrent resolution was concurred in.

The result of the vote was announecd as above recorded.

The title was amended so as to read: "Concurrent resolution adjourning the Senate from June 27, 1974, until noon July 8, 1974, and the House from July 3, 1974, until noon July 9, 1974, or until required to reassemble by the Speaker of the House and the "President pro tempore of the Senate, which comes earlier."

A motion to reconsider was laid on the table.

DEPARTMENTS OF LABOR, AND HEALTH, EDUCATION, AND WELFARE, AND RELATED AGENCIES APPROPRIATION BILL, 1975

Mr. FLOOD. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 15580) 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.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 15580) with Mr. WRIGHT of Texas in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee rose, the gentleman from Pennsylvania (Mr. FLOOD) had 1 hour remaining.

The gentleman from Illinois (Mr. MICHEL) had 1 hour and 5 minutes remaining.

The Chair recognizes the gentleman from Illinois (Mr. MICHEL).

Mr. MICHEL. Mr. Chairman, I yield 5 minutes to the gentleman from Iowa (Mr. GROSS).

Mr. GROSS. Mr. Chairman, I should like to ask a few questions concerning this bill which contains just about everything, including a cost tag of $121 billion. I should like to ask the chairman or the ranking minority member about the Volunteers in Service to America program. Is that money being used in any way to support Ralph Nader, as the hearings seem to indicate?

Mr. MICHEL. Mr. Chairman, would the gentleman repeat his question?

Mr. GROSS. Is the money for VISTA being used in any way to support the Ralph Nader operation?

Mr. MICHEL. Well, if the gentleman was reading the hearings, I am sure he came to the conclusion that there were, as a matter of fact, projects—and I will not name the State or particular States—funded which are closely akin to that kind of thing—so-called "public interest" research groups. We raised all kinds of objections to this in the subcommittee.

As a matter of fact, it provoked this Member to inquire whether or not this kind of thing was going on in his home State. If so, this Member would certainly have to oppose the program, and would propose a significant cut in the operation. We were given the assurances from those people downtown that these were isolated incidents.

They are not the kind of projects we had envisioned in this program. While they may have strayed from the fold, it will cease and desist.

Mr. GROSS. Are they going to continue to stray from the fold?

Mr. MICHEL. They had better not, or they are going to lose this Member's support on this floor, because it was not the intention for that program to support those kinds of projects. That is a totally inappropriate use of Federal funds. I want to see the volunteer agencies in this country encouraged and supported, but I think the gentlewoman from Oregon (Mrs. GREEN) several times has made the point "What kind of volunteers are we talking about when they are paid to the extent that some of them are?"

Pure volunteerism in my community means voluntary, for free, acts done out of good will by public spirited kinds of people. There is a danger of our having a federally supported program permitting the program to get out of hand and becoming something other than a voluntary program.

Mr. Chairman, I share the gentleman's concern.

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

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

Mr. SHRIVER. Mr. Chairman, the gentleman will find on page 73 of the report very strong language which we submit in connection with this matter.

The report states:

The Committee is disturbed over the fact that Action has funded activities in connection with what are commonly referred to as public interest research groups. In the opinion of the Committee, this is an entirely inappropriate use of Federal funds. The Committee directs the agency to conduct a thorough examination of its current grants and contracts in order to eliminate any possibility of such funding practices, and to be very diligent in this respect in the awarding of all future grants and contracts, to assure that Federally assisted volunteers are not being assigned to public interest research groups or other organizations of a similar character.

The Committee believes that the intent of the law is to encourage volunteers to help children, the poor, the sick, the aged, the disabled, the handicapped and others who need assistance, and that the programs supported by Action should be limited to organizations which are specifically and directly oriented toward achieving these goals. The law very clearly prohibits the use of funds appropriated to Action for political activities.

Mr. GROSS. I thank the gentleman. These appropriation bills and reports are coming so thick and fast these days that I find it impossible to do a thorough job of trying to keep up with them.

Now, the Social and Rehabilatition Service. That is gobbledy-gook for welfare plans to spend $9,200,000 for "public assistance research." This is a planned increase of $832,000 over last year.

What sort of research is needed in the welfare field after all of these years of welfare in this country? What kind of research are we financing with this appropriation?

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

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

Mr. FLOOD. Mr. Chairman, I think my friend will agree, and everybody agrees with my friend, that if there ever was a program that needs something done about it to improve it, it is public assistance. The research programs may be abused here or may be abused there—that is a matter of opinion—but if there is one place where we need research, that is public assistance.

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

Mr. MICHEL. Mr. Chairman, I yield 5 additional minutes to the gentleman from Iowa.

Mr. GROSS. I thank the gentleman for his yielding this additional time to me.

Mr. MICHEL. Mr. Chairman, if the gentleman will yield further, the gentleman will recall that in prior appropriation bills we had items for research, for direct cash payments in controlled family groups. This is follow-on research, hoping that we will be able to come to some conclusion here within the foreseeable future as to whether this is a preferable scheme of operation to handle our public assistance cases.

As the gentleman knows, we have a public assistance item here, something like $13 billion. The States, of course, match those funds.

Mr. GROSS. The Social and Rehabilitation Service requested an increase of $939,000 for travel. That was a 20-percent increase over last year, and the salaries of people in this welfare bureaucracy have gone up $10 million over last year.

Mr. MICHEL. Let me say to the gentleman that this has to do with monitoring and closer surveillance. Here is one item where the executive branch, frankly, has done a pretty good job, notwithstanding what the Congress has done, and that is closer monitoring of our public assistance rolls, forcing the States themselves to take a closer look. We all have read of some of the court cases where people have been stricken from the rolls and on good grounds but who heretofore were simply carried because nobody took the time to go back and check whether or not they were still eligible. After getting a look at the income bracket where we considered them to be disqualified, they were disqualified. It does take money to follow up and make sure that this kind of work will be carried on.

Mr. GROSS. In the report on page 73 the committee criticizes ACTION for its so-called community service fellowship program. This was described in the hearings as providing "something like GI benefits to a volunteer who has served full time for a year so that when he goes on to college he would receive tuition payments."

Is this going to be another innovation? Are we going to pay tuition for that purpose?

Mr. MICHEL. In this case I will say to the gentleman that this was news to me when it came out during the course of the hearings, and I personally expressed my own opposition to it. I feel the same way the gentleman does, that there is no reason for the development of some additional educational program that has no bearing on this program at all.

Mr. GROSS. Is there any prohibition in the bill against the use of these funds?

Mr. MICHEL. There is not, but I think we have made it clear.

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

Mr. GROSS. I yield to the gentleman.

Mr. SHRIVER. There is very strong language in the report concerning that request.

Mr. GROSS. The Committee on Appropriations has allowed the entire $60 million requested for public broadcasting, doubling the funds in just 2 years. It is interesting to note that only $5 million is contingent upon matching contributions from private sources. The top salary paid to the officers of the corporation is $41,000 a year; the average is $18,000.

According to information beginning on page 783, part I, of the hearings, the corporation as of June 30, 1973, had invested sufficient public and private funds to receive interest in the amount of $353,394 on securities that at one point amounted to nearly $10 million.

Is this not pretty good evidence of the overfunding of this Government agency?

Mr. MICHEL. If the gentleman will continue reading on page 783, he will see that this resulted not from overfunding but from the manner in which the CPB received its appropriated funds—in one lump sum. I will say to my friend that in the authorizing legislation we provided for additional add-on assistance to local stations, both radio and television, for programing. As a matter of fact, 45 percent of this amount in here will go for that particular purpose.

We have had our differences—I imagine each Member has in one form or another—with public broadcasting; but generally speaking, I think we are in accord that it is a good program and needs to be supported. We can argue about specific figures of subsidizing in particular, maybe about children's programing, although several of them are very popular ones, but we are particularly interested in increasing funding for programing at the local level.

My own personal feeling is that we ought not to have to rely on public television solely from a source in Boston or New York or Washington for good programing around the country. I submit that our own public television station in Peoria has some good people who can come up with good programing, if we will give them some of the support that is necessary.

Mr. GROSS. Mr. Chairman, I submit that when they have $10 million available for investment and do invest the money, including Federal funds, and collect interest on it, than they just have too much money.

Mr. Chairman, I raised the question awhile ago concerning the 165 unfilled positions in the National Labor Relations Board that were allotted to them last year.

Is there any money in this bill to provide for 165 positions which they did not use last year?

Mr. MICHEL. Mr. Chairman, I might respond to the gentleman by saying there is no money in here for additional personnel. Last year there were these additional jobs which the gentleman makes reference to, and there was a problem concerning the filling of some of these slots because these are particular professionals that we just do not come by every day in the week. There was a problem in filling the necessary slots, but we have made sure there is absolutely none provided for in here.

As a matter of fact, as I recall, the only increase has to do with pay costs and the rent increases that have come about as a result of inflationary increases.

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

Mr. MICHEL. Mr. Chairman, I yield 5 minutes to the gentleman from Oregon (Mr. DELLENBACK).

Mr. DELLENBACK. Mr. Chairman, I thank the gentleman for yielding time to me.

Before I comment on the bill in general, may I give just a brief word of commendation to the members of this committee, most particularly to the chairman, the gentleman from Pennsylvania (Mr. FLOOD), and the ranking Member, the gentleman from Illinois (Mr. MICHEL), for what I think has been very

careful attention to the education provisions which are included within the bill and which provide for a great deal that should be included therein.

Mr. Chairman, may I ask whether the distinguished chairman, the gentleman from Pennsylvania, will answer a question for me?

Mr. FLOOD. Yes, of course.

Mr. DELLENBACK. Mr. Chairman, the committee's report states as follows, and I quote:

The bill includes $3 million for the continued support of State postsecondary education commissions * * *.

Is my understanding correct that the committee's intention is that this amount is to be used for the new section 1202 State commissions to undertake comprehensive planning activities under authority of section 1203?

Mr. FLOOD. Mr. Chairman, if the gentleman will yield, I will answer in this way:

Yes, the gentleman is correct. This bill includes the $3 million referred to for the postsecondary education commission itself.

On page 17, line 14 of the bill, the gentleman will find the legal citation of section 1203 of the Higher Education Act.

It would follow just as night follows day that the intent of the committee is that the Office of Education would make grants under that language in section 1203 to those States which had created the commissions under that very section.

Mr. DELLENBACK. Mr. Chairman, I thank the gentleman very much.

May I ask the ranking member of the subcommittee, the gentleman from Illinois (Mr. MICHEL), as I have just asked the chairman of the subcommittee, whether his interpretation is the same as that given by the subcommittee chairman, as to the utilization of this $3 million?

Mr. MICHEL. Mr. Chairman, if the gentleman will yield, I will say that it is too doggone bad that we have so many commissions down there that we have to take time out for a dialog at this time to make certain what we are talking about.

But to answer the gentleman's question, yes, I would concur wholeheartedly in what the chairman of the committee has just said. I suspect if they cannot get this thing nailed down in ironclad fashion, again next year when the bill is before us, the gentleman will be posing the same question so that we can understand what we are talking about.

I suggest that we have too many commissions. Perhaps we should get rid of 90 percent of them and save the taxpayers some money, too.

Mr. DELLENBACK. Mr. Chairman, I thank the gentleman for his comments.

The section 1202 commissions have proven extremely helpful, and we feel this should be made clear. It is for the purpose of establishing legislative history that I engage in this dialog this year again, as we did last year.

Mr. Chairman, I have asked for unanimous consent to revise and extend my remarks, and in that extension I will include specifically a description of the amendments which I will be offering under the 5-minute rule.

Let me just say as background for that, however, that as the ranking member of the Special Education Subcommittee of the House Committee on Education and Labor I have been involved in some 30 days of hearings with Mr. O'HARA's subcommittee on many of the programs involved in this bill. In addition to those particular days of hearings, largely devoted to student assistance, we have had incidental hearings and we will be having in the future further hearings on some of the new programs created by the Education Amendments of 1972. A number of these are just beginning to generate results.

At the time Mr. FLOOD's subcommittee had before it some of the requests for appropriations included in the bill before us today, some of the latest information was not available. It is because of some of that late information, in part, that the amendment I will offer later will be made.

Of the many valuable programs which deserve additional funds, even beyond the committee's recommendations, several of which are especially important, we have concern about four. At the appropriate time under the 5-minute rule we will have the opportunity to introduce a package of four amendments.

I would like to give a brief description of the four parts to my amendment.

STATE INCENTIVE GRANTS

First, my amendment would add $20 million to the $19 million recommendation in the committee bill for the State student incentive grant program. Just a year ago, only 28 States had State scholarship programs. With the help of last year's appropriation of $19 million for the SSIG program, 50 States and territories responded to the offer to match on a 50-to-50 basis Federal funds for this program. The States responded beyond our most optimistic expectations. As a result, 76,000 students will receive these Federal-State awards this fall.

I do not know anyone who does not support this program. Indeed, I think the Federal Government would be foolish not to support this program in a far bigger way than even my amendment suggests. And a State would surely be silly not to assist its students with grants supported with these Federal matching funds.

I commend the States who have participated so far and want to point out that these States entered the program this year and will be providing "initial year grants" with the full expectation that the Federal Government will continue to provide its 50 percent of these grants to students who continue in school beyond next year.

The authorizing legislation specifically calls for a distinction between "initial year grants" and "continuation grants." These are two separate authorizations. The committee fails to distinguish between these two in its bill.

The committee recommends $19 million. If the Commissioner—without any direction from Congress—decided to use this money to continue supporting the awards made with the first year's appropriation, there would be very little left as incentive to the States to come up with additional money for new "initial year grants."

My amendment would provide for sufficient funds to cover all continuation grants as well as provide approximately $20 to $23 million to match new "initial year grants."

The education commission of the States passed a resolution last week strongly endorsing this program and Governor Hall has recommended on behalf of ECS an appropriation of $50 million. I feel confident the States could easily match $50 million, but realizing the constraints on the budget this year, my amendment would provide a total of only $39 million.

COMPREHENSIVE PLANNING FOR POSTSECONDARY EDUCATION

The second part of my amendment will add $3 million to the committee's recommended $3 million for comprehensive State planning for postsecondary education. Even with approximately $1 million available for section 1203 planning in fiscal year 1974, 45 States and territories created or designated section 1202 commissions in order to qualify for some of this planning money. Each commission is receiving only $26,105 this year. That is not nearly enough to adequately support this important function.

These section 1202 commissions should be able to provide useful direction to both Federal and State policy planners and decisionmakers. Each commission which has been designated as the State's 1202 commission had to meet the requirement of being "broadly and equitably representative" of all segments of postsecondary education, both public and private, as well as the general public.

I would hope that these commissions look at such important issues as: Problems of access to postsecondary education for all citizens of the State; the status of private institutions within the State; the need for coordination in planning new programs; the impact of shifting and decreasing enrollments; and many other important issues.

This small Federal investment for these planning efforts should save taxpayers several millions of dollars in the long run. It will surely help everyone make more effective and efficient use of taxpayers money in striving for excellence in all aspects of postsecondary education.

FUND FOR IMPROVEMENT OF POSTSECONDARY EDUCATION

The third portion of my amendment adds $7 million to the committee's recommended $11.5 million for the Fund for the Improvement of Postsecondary Education. The budget request for fiscal year 1975 is $15 million.

This program has been underway for 2 years. Many of you are not aware of its many significant contributions already made to postsecondary education.

This year, over 2,800 applications were made requesting over $300 million. The fund had only $10 million and could support approximately 80 new projects. Approximately $8 million will be required in fiscal year 1975 just to meet obligations on some continuation grants.

Again, I see the fund has a unique and effective Federal program. The activities it supports will influence and contribute to many, many institutions of postsecondary education. I believe it is one of the most exciting new Federal efforts in postsecondary education.

Among the types of projects which the fund could support with this additional money are cooperative arrangements among various types of institutions, both educational and noneducational. I think many exciting projects involving the business and professional community, Government agencies, as well as consortium arrangements among different types of postsecondary institutions could be expected in this area. The fund would also support new ways of getting better information to students about the various options for postsecondary education and ways to assess the quality of different opportunities in terms of meeting their own needs. Projects to make more effective use of resources is still another category of activity within the scope of the fund.

NATIONAL INSTITUTE ON EDUCATION

The fourth and last part of my amendment would increase the appropriation for NIE from $100 million to $130 million, the amount recommended in the budget.

We need to give NIE a chance to develop its programs before we judge its efforts so harshly, as some have tended to do. With proper funding the Institute can move forward aggressively to address critical problems in American education. We need to support them so they can meet their legislative mandate which is "to provide every person an equal opportunity to receive an education of high quality regardless of his race, color, religion, sex, national origin, or social class."

Due to its low funding levels this year NIE had to defer many projects which had been initiated. These projects fall into the Institute's five priority areas; essential skills, productivity and efficiency, education and work, local problem solving, and diversity.

Let me outline the type of effort NIE wants to undertake in these areas and some of the costs that would be associated with such research.

It is known that 10 to 15 percent of the children in middle grades cannot understand simple written passages found in newspapers, cookbooks, or drivers license applications. NIE has proposed research that will lead to development of techniques, curriculums, and teacher training programs that will improve these comprehension skills. The total cost is $12 million.

NIE wants to look at successful local and State innovations and be able to help other local districts learn how they might adapt these improvements to their local needs. To do this, grants will be made to local districts to try new programs. NIE will help in collecting data and disseminating the results to other districts. The cost of this is $8.5 million.

School costs are rising one-third faster than inflation. NIE is committed to helping districts lower costs without diminishing educational quality. NIE hopes that they can help schools develop ways of using modern communication technologies including television, audio cassettes, video tapes, and even a communication satellite to help schools. The technology and efficiency program will cost $16.5 million.

In fiscal year 1975 NIE will explore ways that education can better prepare young people to assume the responsibilities of the world of work. NIE is also involved in finding ways to help the adult hardcore unemployed become productive adults. The whole range of research on work and careers is stated to cost $21.3 million.

Research is to be carried out to explore the diversity of ways that people learn. This task includes experimental schools, education vouchers, handicapped, and bilingual activities. The total cost of all these efforts is $20.3 million.

Congress gave NIE the responsibility to assure that the products of research and development are transmitted to teachers, students, local school boards, and policymakers who are dealing with the day-to-day problems of American education. NIE is requesting $12.9 million for this function.

Much of the research that NIE can do is an investment in the future. An example of this basic research is investigating the biases which lead to different life outcomes for boys and girls. Another example is teacher competency. Thirty-two States are adopting laws requiring that teacher certification be related to an applicant's competency to teach, yet little is known about the attributes of a "competent" teacher. NIE is thus focusing on this problem. These are examples of how NIE will use the $25.6 million in the area of basic research.

A strong Federal level education research effort is warranted for several reasons:

Duplication of local effort can be avoided;

Scarce human and financial resources can be aggregated;

Federal support offers university researchers an incentive to work on problems that are relevant to schools rather than those that are "publishable."

It is for these reasons that I think we should increase NIE's appropriation. These funds will be well spent for improving our country's educational effort.

I urge support of this amendment which I will offer. Each of its component parts represents a sound investment in the future.

Finally, Mr. Chairman, I want to express my deep disappointment in the committee's recommendation of only $650 million for basic education opportunity grants. This program is the most important Federal effort toward achieving our longtime goal of equal access to postsecondary education regardless of financial circumstances. The program got off to a slow start this past year for many reasons. It was given $122 million for first-year students. And even all of that was not spent.

The picture is much brighter for this coming fall. Already over 500,000 students have applied and approximately 300,000 of them have already been notified that they will receive an average of $600 this coming year. I have no doubt that the program is becoming well known and that the program will live up to our high expectations.

I am concerned because I would like to see the appropriation recommended in this bill used to assist students during their first 3 years of postsecondary education. If we want to do that and keep the maximum award at a level at least that of this year, which is $1,050, then the Congress must provide more than $650 million.

At the time the Appropriations Committee was holding its hearings, there were some who testified that $650 million would be sufficient to maintain this level of operation. But after the Office of Education published this year's payment schedule, the estimators have been upping their projections. A month ago, we felt that $750 million was the appropriate figure. In the last few days, based on new estimates of participation rates and numbers of eligible students, some are suggesting that a figure closer to $850 million will be necessary.

My sincere hope is that this question will be given the most careful consideration by the Senate Appropriations Committee; that the Senate will provide sufficient funds to maintain and hopefully increase to the full $1,400 entitlement, the maximum grants available this coming year; and that our House conferees will be openminded about the data that is now being generated for this rapidly growing new Federal initiative.

I believe that the major Federal role in postsecondary education is to adequately fund student assistance programs. The BOG program is the cornerstone of the total Federal effort in this regard.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MICHEL. Mr. Chairman, I yield the gentleman 3 additional minutes.

Mr. DELLENBACK. Mr. Chairman, in summary, I am limiting my amendments to only four programs. The thread that runs through these four amendments, Mr. Chairman, is the thread of investment in the future; investment in the future of programs which will yield in our opinion returns far beyond the dollars invested here. Investment in the future of young people; investment in the future for information available to help education.

These are a relatively few number of dollars in toto. They amount to $60 million in toto, which will be $26.5 million over the budget. Our feeling is—and we will discuss them in more detail at the time the amendments are proposed—without question these additional dollars will yield benefits far beyond the particular dollars themselves.

Mr. CONTE. Will the gentleman yield?

Mr. DELLENBACK. Of course I yield to the gentleman.

Mr. CONTE. The gentleman referred to the 30 days of hearings he had on higher education. I worked very closely with the gentleman from Iowa (Mr. SMITH) and the gentlewoman from Oregon (Mrs. GREEN) with regard to working out a fairly good formula on higher education.

One of the things that troubles me is that your committee is not directing itself to the problem of helping middle-income people.

When I go home to my district, and I discuss what we are doing here in the appropriation process in the BOG, EOG, the National Defense loan law, I have a large number of students coming up to me and saying, "Look, we are from families of the middle-income bracket, and they cannot afford to send us to college." We know that the private institutions are suffering greatly because of this. My question to the gentleman is what is your committee doing about bringing out legislation to help students from the middle-income bracket, if anything?

Mr. DELLENBACK. I appreciate the question asked by the gentleman from Massachusetts. It is a good question. Let me say that part of what we have done just within the last 6 months is to deal with the question of family support information under the BOG program.

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

Mr. MICHEL. I yield 2 additional minutes to the gentleman from Oregon.

Mr. DELLENBACK. Then under the BOG program we are dealing with the question of family contribution with the very goal in mind that the gentleman from Massachusetts speaks to, the question of making sure that however desirable it is—and quite frankly I think it is extremely desirable that we help young people with disadvantaged backgrounds, that we cannot make these programs closed to those who fit within the middle-income bracket.

I wish the gentleman from Massachusetts had had the occasion to listen to much of the testimony that we had, as I say, over the last 30 different days of hearings during the last several months. While the issue that the gentleman from Massachusetts alludes to has been dealt with at quite some length, it is our hope, quite frankly, that still in this year we can bring out of the Special Education Subcommittee—and I think this was announced earlier by the chairman of that subcommittee—a comprehensive revision of a student-aid package which will deal with grants, work study, and loans, blended together in a more effective and efficient way than has been done in the past.

I would intend to make certain that the gentleman from Massachusetts, who I know to be seriously interested in not only the problem the gentleman now alludes to, but in the whole question of aid to students, will be kept informed. I will make it my business to deal with the gentleman specifically about the suggestions we will be making in that new package.

Mr. CONTE. I thank the gentleman.

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

Mr. FASCELL. Mr. Chairman, I would like to ask the gentleman from Pennsylvania a question concerning the Center for Disease Control with respect to clinical laboratories. The request was for 10 positions, but the committee determined that there should be a total of 40. I would like to have the chairman, the gentleman from Pennsylvania (Mr. FLOOD) explain why that substantial increase was necessary in the judgment of the committee.

Mr. FLOOD. The Center for Disease Control administers a comprehensive national laboratory improvement program that was specifically authorized by the Clinical Laboratory Improvement Act of 1967.

We spent considerable time on this matter in the hearings. The gentleman will recall that the intent of the basic law was to improve the performance of clinical laboratories all over the country.

Let us think a little bit about that. The committee heard a great deal of testimony having to do with the proficiency of these laboratories. We received a great deal of information as to what should be done to bring these laboratories up to par.

This program has considerable importance, and you realize this if you are in the hospital, or if you have friends in the hospital, and you realize how much depends upon these laboratories, and how much danger can result if laboratory tests are not properly handled.

Not only must they be done, but the patient lies there in bed and worries what the report will show when they come down the hall from the laboratory.

We want to know all about these laboratories, because with the right sort of a laboratory program with very high quality controls we can impact upon controlling medical care costs and improving the quality of medical care delivered throughout the Nation.

So we considered this matter very closely, and so we added funds for additional jobs, additional positions over and above the budget request, because we wanted to accelerate the efforts of the Center for Disease Control. We also thought that this increase was necessary, because of the added responsibility given to the Center for Disease Control to establish laboratory quality standards under medicare.

I think that this is a mighty good investment of the taxpayers' dollars.

Mr. FASCELL. Will the gentleman yield further?

Mr. FLOOD. Certainly.

Mr. FASCELL. I thank the gentleman for that very thorough response. I compliment the chairman of the committee and the committee itself. I thoroughly agree with the rationale of the committee. I think that what the committee has done is absolutely essential in a very important area. I am glad that the committee was so thorough in the analysis of the bill and the programs to make this kind of decision.

Mr. MICHEL. Mr. Chairman, I yield to the gentleman from Wisconsin (Mr. THOMSON) such time as he may consume.

Mr. THOMSON of Wisconsin. Mr. Chairman, I had intended to offer an amendment at this time providing funds for the Department of Labor to simplify OSHA regulations and publish where appropriate relevant standards by industrial and business classification. Fortunately, this amendment may not be necessary. The Department has advised me it has sent to the printer an alphabetical digest to OSHA standards.

This digest will be a booklet about one-half inch thick and should fit into a shirt pocket. I have been told the language of the regulations contained in the booklet is simplified for a layman's understanding. The regulations on "ladders," for example, were read to me. As advertised, they were easily understood and did not require a mathematician's training as do the official regulations published in the Federal Register. Being alphabetical, it is possible to readily go through the booklet and read only those regulations relevant to the individual's business. Those not applicable can be easily passed over. I have been further advised the booklet should cover about 96 percent of the situations affecting small businessmen.

It would appear the Department of Labor has responded to recommendations of the House Small Business Committee's Subcommittee on Environmental Problems Affecting Small Business. The subcommittee issued a report in 1972 following hearings on which it recommends among other things that the Department of Labor:

> Revise existing occupational safety and health standards (including national consensus standards incorporated by reference) to make them clear, concise, and comprehensible so that small businessmen can know what the law and standards require of them.

And—

> Issue publications containing all relevant standards pertaining to distinct industries or businesses, and categories therein, where they may be appropriately classified as such.

The Department is to be commended for this initiative. I am anxiously awaiting publication of the digest and reports from my small business constituents on its usefulness.

Mr. ALEXANDER. Mr. Chairman, as we consider H.R. 15580 today we are considering a bill which probably touches more of our Nation's citizens directly than any other single bill we deal with each year. In providing funds for labor, health, education, and welfare programs the bill influences efforts at every level of government in almost all these areas.

A number of legislative developments since the last appropriation bill was considered, and particularly during recent months, has made it virtually impossible to make comparison of the distribution of the funds in certain areas. But, as has been my practice during our current consideration of these bills, I have attempted to acquire some comparison analyses of at least some of the agency function areas and the funds which they will be using.

As before, these studies and projected divisions of funds are based on the percentage of outlays in fiscal year 1973 that went to nonmetropolitan counties. I would point out that this bill deferred decisions on appropriations for Elementary and Secondary Act until such time as the authorization for those programs is extended. The study follows:

[Figures given in millions]

Programs	1975 committee recommendation	1975 amount for nonmetropolitan areas	1974 appropriations	Percentage of fiscal year 1973 outlays going to nonmetropolitan areas
DEPARTMENT OF LABOR				
Unemployment trust funds	$6,887.6	$1,363.7	$6,887.8	19.8
Comprehensive manpower assistance	2,150.0	578.3	2,100.8	26.9
Labor, subtotal	9,037.6	1,363.7	8,988.6	
DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE				
Health Services Administration: Health [1]	481.8	99.2	457.1	24.2
Alcohol, Drug Abuse and Mental Health Administration:				
Drug abuse: Community programs	57.0	.5	175.7	3.2
Mental health: Community mental health centers	172.0	34.2	155.5	19.9
Alcoholism: Community programs	110.9	11.0	10o.3	10.0
Education Division: Follow Through	53.0	13.8	53.0	26.0
Social and Rehabilitation Service:				
Public assistance: maintenance assistance	$4,312.8	$1,082.5	$5,200.0	25.1
Public assistance: Social services	6,300.0	1,430.1	5,000.0	22.7
Social services	1,700.0	428.4	1,362.0	25.2
Child welfare services	47.5	17.6	47.5	37.0
Work incentives	280.0	15.9	219.5	5.7
Social Security Administration:				
Supplemental medical insurance for the aged	2,327.0	6,399.2	2,008.0	27.5
Hospital insurance for the aged	471.0	132.8	450.8	28.2
Special benefits for disabled coal miners	876.0	501.0	1,013.9	57.2
HEW, subtotal	17,189.0	10,132.0	16,096.8	
Total	26,226.6	12,074.0	25,085.4	

[1] The percentage figure in col. 5 is based on outlays in 15 programs in fiscal year 1973.

Mr. FRENZEL. Mr. Chairman, I shall, of course, support H.R. 15580, the Labor-HEW appropriation, but I believe it can be strengthened by amendments.

It is a $33 billion bill, slightly less than requested in the budget, but $4 billion, or 14 percent more than last year. In fact, when social security, medicare and unemployment compensation trust funds are added, the bill totals $122 billion, up $12 billion from last year.

This year, because of inflation, I have been voting against appropriations that include such increases over last year's figures. In this case, however, I cannot vote against manpower, health, and education programs. The increase here fits my personal sense of priorities. I shall look elsewhere for cuts.

I expect to oppose the Obey amendment to increase manpower programs by $300 million. Because we funded last year's manpower programs under a continuing resolution, carryover funds from last year increase the dollar total available for fiscal 1975 to $2.75 billion, an increase of $960 million over this year's spending. The bill, and the carryover, provide half again what we spent last year. It would seem to be an adequate figure at this time, and there is always the possibility of a supplemental appropriation if needed.

I also expect to support the Steiger OSHA amendment. It costs an extra $5 million, but providing counseling instead of red tags on the first visit, is worth every penny. It should increase condence throughout the country in OSHA, and improve industrial safety.

I shall also support the Dellenback higher education amendments. The extra funding, to be matched by States, is desparately needed.

There is a lot of taxpayers' money in this bill, but it does continue our commitment to increase that part of our budget dedicated to human services. Despite the vast increases, I support it strongly.

Mr. SEIBERLING. Mr. Chairman, I rise in support of the bill, H.R. 15580. I particularly want to commend the committee for their action with respect to the National Institute for Occupational Health and Safety—NIOSH.

NIOSH is the underpinning of the Occupational Health and Safety Act of 1970. The millions of workers covered by that law are dependent to a large extent on the work of NIOSH to assure them a safe and healthful working environment.

NIOSH has been underfunded ever since it was first authorized. Based on budgets presented for NIOSH in recent years, one can only conclude that this administration has no real concern about implementing the law.

But the law remains the best tool we have to protect the health and safety of our workers.

It is appropriate that this issue should come before us today because this week the Department of Labor is holding public hearings on their proposed standard for occupational exposure to vinyl chloride. And probably few other issues in recent times have so dramatically underscored the need for a greatly increased NIOSH budget.

Vinyl chloride has been produced in this country since 1939. But it wasn't until after Dr. Maltoni's experiments in 1972 and the transmittal of his evidence to NIOSH in January 1974—34 years after VC was first introduced—that we became aware of the health hazard posed by this substance. If Dr. Maltoni's experiments had been conducted in 1940 instead of 1972, we undoubtedly would have averted the vinyl chloride crisis.

The problem, unfortunately, is not limited to vinyl chloride. In addition to the many thousands of chemicals already in the workplace about which we know little or nothing, every year an additional 10,000 new and untested chemicals are put into the workplace. Like vinyl chloride, some of these most certainly will turn out to be hazardous or fatal to workers. And as the vinyl chloride incident has shown, because of the long latency period of many cancers, we can proceed in ignorance for years before discovering the devastating impact of some of these chemicals on man.

In order to adequately protect the workforce from the hazardous effect of chemicals like vinly chloride and others, Congress must act quickly to substantially increase the budget of NIOSH and to require pretesting of all new chemicals before they are put into the workplace.

I am very pleased that the committee has increased the administration's budget request for NIOSH by more than $6 million. I urge my colleagues to support that request.

But the overall budget is just a little more than $30 million. According to testimony by Dr. Marcus Key, Director of NIOSH, it would take NIOSH approximately 20 years to develop criteria standards for only 1,000 of the many thousands of chemicals in the environment—if they were able to produce 50 criteria a year. But under the 1974 budget presented by this administration, Dr. Key testified that they would realistically be able to produce only about nine new criteria standards. The increased moneys voted by the Appropriations Committee will permit NIOSH to accelerate their activities slightly. But overall, the budget makes a farce of the law.

I want to commend NIOSH for the excellent job they have done under the most severe financial constraints. They acted immediately and responsibly on the vinyl chloride issue as soon as it was brought to their attention. But as Dr. Joseph Wagoner, head of NIOSH's field studies, pointed out, the vinyl chloride investigation amounts to "stealing from Peter to pay Paul." There is no telling what the impact of NIOSH's crash program on vinyl chloride will be on the many other crisis areas they are investigating.

If Congress is serious about meeting the intent of the Occupational Health and Safety Act—namely to "assure as far as possible every working man and woman in the Nation safe and healthful working conditions"—then the budget for NIOSH for research and for OSHA to enforce the law must be greatly increased.

Mr. PODELL. Mr. Chairman, the appropriations bill before us for Health, Education, and Welfare is of the utmost importance and urgency. There is money already appropriated, that is being held back by the Agency.

As a Congressman from New York, this problem concerns me a great deal. For New York, perhaps more than any other city, finds itself with its youth suf-

fering injustices because of this administration's refusal to release appropriated funds.

As one who has never given up the quest for equity, I would like to relate an injustice that has occurred to one of my younger constituents. This student applied for financial aid for her education in June 1973, asking an award of $549 for which she was eligible. After months of fighting and bureaucratic redtape, she received word that she would be awarded $113, 20 percent of the amount that she was entitled to receive under the Federal standards. As of today, an entire year later, this student has received no money whatsoever and is in danger of being unable to continue her education.

Denying the aid to this young person to which she is entitled under law is criminal. This is but one of the many cases I have seen.

This bill must be passed in full and with all speed if the young people of my district and yours are to have an equitable chance at higher education.

Mr. BINGHAM. Mr. Chairman, there has been a great deal of discussion about changing our national priorities in the last several years. The general thrust of these discussions has been to cut back our spending on military programs and target more of our national resources on domestic human needs. The progress of this debate can be measured better in this bill than in any other. To the degree that the funds appropriated in the Labor-HEW bill increase from year to year, we are making progress in changing our priorities. This bill provides funds for an impressive array of programs, from student assistance to unemployment insurance, from job safety programs to drug abuse treatment. The $32.82 billion provided in this bill for these and many other programs is $4 billion larger than the same appropriation last year, and thus represents some real progress in the effort to "humanize" the national budget.

However, this bill still falls short in a number of areas.

VETERANS COST OF INSTRUCTION PROGRAM

I am disappointed to note that the committee did not recommend an increase in funds for the veterans cost of instruction—VCI—program. Perhaps the $23,750,080 which the committee recommended, a slight decrease from the $25,000,000 appropriated last year, is the most we can expect since the administration once again opposed any funding at all. The VCI program was established in 1972 to provide financial incentives for colleges and universities to seek out and enroll Vietnam-era veterans and give them counseling, remedial training, and other supportive services they need to succeed in higher education. More than 1,000 schools have received grants under this program, and I know many thousands of veterans have climbed back onto the education ladder through VCI assistance. Since the program has only been in operation for 1 year, the committee did not have evaluations of the program's success in hand and could not justify increased funding. This is unfortunate, since this reduced funding level will make successful VCI programs less likely. Only a few colleges will receive large enough grants to operate the full range of services necessary and thereby insure that many of the several million veterans who have previously failed to return to school on the GI bill will do so. I hope that the committee will examine the VCI program carefully in the coming months and, that, when its potential impact is fully documented, its funding will be sharply increased.

COMMUNITY SERVICE EMPLOYMENT PROGRAM

Another area in which increased funding should be available is the Community Service Employment Program for Older Americans. It utilizes the skills and energies of our senior citizens and gives an added boost to their lives by renewing their community involvement. Such programs are essential if the elderly are to remain active participants in our society.

In 1966 I sponsored legislation to establish a National Community Service Corps for Older Americans. Since that time various demonstration projects have begun, administered originally under authority granted in the Economic Opportunity Act but finally established with separate statutory authorization in title IX of the Older Americans Act. Projects such as Green Thumb, operated in rural areas by the National Farmers Union, and Senior Aides, administered by the National Council of Senior Citizens, have demonstrated that Older Americans can make valuable contributions in health, education, and community services while improving their meager incomes. Additionally, the national contractors administering the programs demonstrated their ability to operate programs effectively. Clearly without their expertise and knowledge the Community Services Employment program would not be able to operate well. Operation Mainstream, for instance, operated in part by the National Council of Senior Citizens, has had considerable success in New York and across the country in employing senior citizens. This program for low-income persons, 55 years of age or older, involves senior citizens who want to become active in community services. It prepares them for regular employment, refreshes their job skills, and provides them with a modest stipend. During the first year of operation in New York approximately 100 seniors were enrolled in the program, of whom some 60 were placed in regular employment. Across the Nation some 2,000 elderly poor are employed by the National Council of Senior Citizens in 25 different States. It would be a great disservice to the senior citizens of this Nation if programs such as these were not expanded or administered by the same national contractors. I commend the Committee on Appropriations for insuring that the current national contractors continue to administer these programs.

The Department of Labor has finally allocated $10 million for fiscal year 1974 for the continuation of these senior citizen employment programs, this represents only one-sixth of the amount suggested by the Congress in the original legislation. The Appropriations Committee has now appropriated that same $10 million for fiscal year 1975. Though this represents a 100-percent increase over the President's budget request for the programs, in light of the 11-percent increase in the cost of living, this level of funding cannot lead to expansion or improvement of the Community Service Employment programs, not to mention the difficulty in maintaining the same level of achievement it has had in the past. Certainly a program as worthwhile as this should be given the opportunity to flourish, as Congress intended by their increased authorizations for fiscal year 1975. Congress authorized $100 million understandably so that the Community Service Employment programs would not suffer from the effects of our tremendous inflation.

When we passed the Older Americans Act in 1965 Congress made a commitment to the elderly of this Nation to help solve some of the basic problems of old age. We must not renege on this promise, but rather go ahead and give those who desire to play a constructive role in our society the chance to serve their communities through gainful employment.

SOCIAL SERVICES

Mr. Chairman, there is a third appropriations category to which I would like to draw the attention of the House. This bill appropriates $1.7 billion for social services administered by the Social and Rehabilitation Service of HEW under the Social Security Act. The administration had requested $2 billion for these programs, still less than the $2.5-billion ceiling enacted by the Congress in 1972. These funds are used by a wide variety of State and local institutions to provide supporting services such as day care, mental health, family planning, and foster homes to move people off the welfare rolls or to help them stay off welfare. Each State is allowed a portion of the $2.5 billion ceiling equal to its portion of the national population.

Because of a still boiling controversy about the kinds of programs these funds can be used for and how they should operate, many States have not requested their full allocations. Only 13 States—Alabama, California, Colorado, Delaware, Georgia, Idaho, Maryland, New Mexico, New York, Oklahoma, South Carolina, Washington, and Wisconsin—are expected to apply for and receive their full entitlements for fiscal year 1975. Since the other 37 States will not be using their full share, the committee has only appropriated a portion of the full $2.5 billion allowed for these important social services.

The painful irony here is that not only is less being spent than Congress intended, but these 13 States are being unfairly penalized. In New York, for example, HEW provided $566 million for these social services in fiscal year 1972, before the ceiling went into effect. In fiscal year 1973, the ceiling went into effect in the second quarter, and New York's payments were reduced to $320.4 million, thus cutting off many successful programs. In fiscal year 1974, New York has only received $220.5 million, less than half what it had received 2 years before. This fiscal year will bring

no increase in New York's allocation, despite the fact that $800 million could be available for additional social services within the $2.5 billion ceiling. Those programs throughout the State which have not been shut down will now be slowly strangled as inflation drastically reduces the buying power of their already reduced grants.

The solution to this problem lies in legislation to allow portions of the $2.5 billion allotted for these programs to be reallocated to those States which need additional services but which have used up their allotments. Such legislation has passed the Senate as an amendment to H.R. 3153, but that bill has been stalled in conference. I intend to press for action to solve this problem, and I hope the Appropriations Committee will make additional funds available as soon as reallocation has been authorized.

Mr. HANSEN of Idaho. Mr. Chairman, I want to commend the House Appropriations Committee, and especially the Labor-HEW Subcommittee, for its diligent and responsible efforts in developing sound legislation. This bill will provide the needed funds to continue our commitment to improving the quality of life for all citizens.

One particular area of this legislation deserves special praise, Mr. Chairman, because it puts the committee on record in support of one of the most worthwhile research efforts I can imagine—that directed toward finding a cure for paraplegia. I applaud the committee's decision to increase the appropriation for the National Institute of Neurological Diseases and Stroke so it can continue the great work it is doing under the able leadership of an outstanding administrator, Dr. Donald Tower. More importantly, however, I am gratified by the language in the committee report stating that:

> This is an area long overdue for special emphasis and should receive every possible consideration.

Only recently have we found that regeneration of the central nervous system is possible. I have been associated for the past few years with a group of physicians, public officials—including some of my distinguished colleagues in this body—and others in periodic meetings to review developments and to discuss the next steps that can be taken to promote the needed research.

I am pleased that the committee has now provided national leadership by lending its support to efforts to achieve the goal of liberating paraplegics from their wheelchairs. I cannot imagine any problem where the payoff can be greater when the problem is solved, both in terms of dollars and in terms of human values. The committee should be commended for giving high priority to this goal.

Mr. ANDERSON of Illinois. Mr. Chairman, I will oppose the amendment to be offered by the gentleman from Wisconsin. Knowing the appetite of this body for spending, and the $100 billion worth of deficits that proclivity has generated in the last 5 years, and having observed for some 14 years now the recurrent attempts to add little extras here and there to this appropriations bill, I have set for myself a very hard and fast rule: In the case of appropriations bills, the burden of proof is on the amendment.

If a convincing case can be made that the Appropriations Committee has not made a wise decision on any particular line item in the budget, I am prepared, of course, to support an amendment to increase the authorized spending level. But it was not out of mere fascination with accounting that the subcommittee chaired by the distinguished gentleman from Pennsylvania (Mr. FLOOD) labored over this bill for months and published a hearing record that covers more than 7,000 pages. That record clearly indicates that the subcommittee gave the request very careful scrutiny in this instance, and that the $2.15 billion appropriated represents a reasoned judgment as to the optimal balance between requirements for manpower training funds and our ability to meet them.

I have therefore listened to the gentleman's arguments very carefully and must frankly say he has not convinced me that the decision of the subcommittee should be overruled.

First, the entire amendment seems to be premised on the assumption that the unemployment rate will rise to 6 percent or more by this fall. I certainly do not claim to be an infallible economic prognosticator, but I nevertheless find it hard to share the gentleman's certainty about that prospect. After all, we have been through the worst of the economic havoc occasioned by the oil embargo; yet the unemployment rate is still just above 5 percent. I can recall dire warnings made last October and November that we would have 7 or 8 percent unemployment by spring. The record indicates, however, that the unemployment rate has hardly budged during the intervening months. Indeed, total civilian employment has increased by more than one-half million since the time that the prophets of doom were predicting the worst depression since the 1930's.

The gentleman has also argued that the appropriations level provided by this bill will result in reduced funding for many cities and local communities around the country. I am certainly prepared to concede that in some limited instances there may be a cutback, because that inevitably accompanies a major program reform such as that we adopted with the Comprehensive Employment and Training Act. But when I examine the total amounts that will be available nationally for manpower training, I find it difficult to believe that this problem will be very widespread. According to page 199 of the committee hearings, the total amount of budget authority for public employment and State and local manpower training programs in fiscal year 1974 was $1.408 billion; this bill provides $1.769 billion. Moreover, because the supplemental was enacted only 22 days before the end of the fiscal year, almost all of the funds provided in that bill for titles I and II will be available for obligation during fiscal year 1975. In short, this bill provides for substantially higher overall funding levels than last year, and in light of that I do not see how very many areas of the country can possibly end up with a reduction in funding.

The gentleman has argued, of course, that the relevant standard of comparison is fiscal year 1973, when the public employment program was fully operative; and that if you add together the total amounts that were available under the old manpower training program and the public employment program, these sums substantially exceed the amounts provided for titles I and II during fiscal year 1975.

Well, I am prepared to concede that the gentleman's numbers are correct, but I do not think the same can be said for his premises and reasoning. I think we should recall that when the public employment program was adopted in 1971, the unemployment rate was in excess of 6 percent. I think we should also remember that general revenue sharing had not yet been enacted. And we should not ignore the fact that the present $12 to $15 billion surplus being experienced by State and local governments at present had not yet appeared.

Mr. Chairman, when you add all of these factors together I think you get a far different picture than that portrayed by the sponsor of this amendment. Conditions today on both the economic side and the State and local fiscal side are far different than they were 2 and 3 years ago. If the purpose of this amendment is merely to "hold-harmless" local area funding during the transition to the CETA program, then I do not think the $300 million is necessary because this year's budget clearly provides for a substantial increase over funding available last year. And if, to the contrary, the underlying intent of this amendment is to reinstate a large-scale public employment program, then I think the gentleman has simply misread the evidence.

If there is any single overriding priority in national economic policy at this moment, it is to cool what has become the most ravaging period of inflation in our national history. That objective, I hardly need remind you, will not be furthered by increasing what is already an inflationary $305 billion budget. If the gentleman wishes to attempt to cope with that problem—which is our real economic problem at present—let him find an economist who will argue that reviving a large scale public employment program is the answer; and let him take his case to the House Education and Labor Committee and urge that the 1971 act be reauthorized. But for today, let us vote down this amendment so that we can get on with finding solutions to the economic difficulties of 1974, not those of 1971.

Mr. RANGEL. Mr. Chairman, I rise in support of Mr. BIAGGI'S amendment which would add $2.9 million to the Labor-HEW appropriations bill for research programs on drug antagonists. As you know Mr. Chairman, I represent a district in the heart of New York City where over half of the Nation's heroin addicts reside, a city that has been called the capital of the drug market, and a city that estimates that over 60 percent of all of its crime is drug related. Consequently, I am aware firsthand, of the destructive impact of drugs and particularly heroin on a community. I am also

aware of the success and failures of our rehabilitation programs.

Mr. Chairman, when we think of heroin rehabilitation, we immediately refer to the so-called success of methadone. Unfortunately, many of the people of this country consider methadone treatment a panacea.

Unfortunately, these people are primarily concerned about reducing crime and reducing the threat to material security generally associated with the drug problem. To them, rehabilitation is synonymous with control. I submit, Mr. Chairman, that methadone should be viewed as only a step toward a drug that would truly suppress the desire for and the action of heroin. A drug that would truly reduce dependence. Methadone is not the panacea to heroin addiction.

Methadone, being a narcotic, produces both psychological and physiological dependences very rapidly. In our quest for rehabilitation we are indeed rapidly converting heroin addicts to methadone addicts, and thus producing some of the same human misery that is generally associated with heroin. In fact Mr. Chairman, in my city of New York, during the last half of 1973, 390 deaths and 532 injuries were associated with methadone. During that same period 170 deaths and 383 injuries were associated with heroin. One could easily conclude, that in terms of human destruction, methadone has become a much greater problem than heroin.

I would hope that our society has not reached the point that we place a higher value on material security than on human welfare. I hope that we do not accept control for rehabilitation and reduction in material crime as a reduction in human misery. I hope that this Congress will not accept methadone as the panacea, but see fit to provide the necessary resources to the scientific community for research toward an effective and long-lasting antagonist.

Mr. ROSTENKOWSKI. Mr. Chairman, public service employment programs are some of the most useful and effective tools the Congress has given the States and local governments to combat the consequences of high unemployment. Funds from these programs are used to train and locate job opportunities for the unemployed. This assistance is vitally needed, especially in the inner cities, where chronic employment problems cause social instability.

This year, if the predictions of many noted economists are accurate, the unemployment rate is expected to increase a full percentage point. Congress must deal with this rise by attempting to compensate for the loss of work and jobs. Certainly we are not on the right track in trimming funds from one of the most effective means of dealing with an escalating unemployment rate. If Congress passes this bill in its present form more than half of the communities in this country will have to withstand a drastic reduction in public service jobs.

The amount appropriated in this bill for these programs is roughly $300 million short of the funding level for fiscal year 1973, when the unemployment rate was lower than what it will be for the next year. The communities which will be affected by this cut have been informed that they might compensate for this by using money from the Comprehensive Employment Training Act. But, in a large majority of cases, those same communities will be receiving even less money in the coming year than they did for training programs in the last year.

The amendment offered by my colleague, the gentleman from Wisconsin (Mr. OBEY) resolves both these difficulties by increasing the amount of funds to be distributed under title I of the CETA by $300 million. Thus, the communities experiencing these debilitating reductions will at least be funded at last year's level. By increasing the allocation of these funds, spending for public employment will be maintained at about last year's level. This is one of the best ways in which we can deal with rising unemployment, while maintaining our anti-inflationary policies.

I urge all members to support this amendment in order to better combat the twin problems of inflation and unemployment.

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

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

COMPREHENSIVE MANPOWER ASSISTANCE

For expenses necessary to carry into effect the Comprehensive Employment and Training Act of 1973, and sections 326 and 328 of the Trade Expansion Act of 1962 (19 U.S.C. 1951 and 1961) $2,150,000,000, plus reimbursments, to remain available until June 30, 1976: *Provided*, That this appropriation shall be available for the purchase and hire of passenger motor vehicles, and for construction, alteration, and repair of buildings and other facilities and for the purchase of real property for training centers as authorized by the Comprehensive Employment and Training Act of 1973.

AMENDMENT OFFERED BY MR. OBEY

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

The Clerk read as follows:

Amendment offered by Mr. OBEY: On page 2, line 14, strike out "$2,150,000,000" and insert "$2,450,000,000".

Mr. OBEY. Mr. Chairman, this amendment involves one thing: Jobs.

One year ago Congress was funding 140,000 public service jobs under the old PEP program. This bill, according to the committee report, will fund only 104,000 public service jobs.

I do not think that is enough. Here is why: Last year when we were funding 140,000 public service jobs, unemployment was slightly above 5 percent. This fall, unemployment is expected to rise—even by administration spokesmen such as Mr. Rush, the President's new Counsel on Domestic Affairs—to 5.8 percent.

That means there will be 5,229,000 people unemployed by this fall at the time when you and I are up for reelection. In plain English, that means that there are 120,000 more people out of work now than were out of work in fiscal year 1973, and by this fall there will be 520,000 more—the highest number since World War II.

This amendment is simple. It adds $300 million to title I of the New Manpower Act and it will add enough money to create 40,000 new jobs—bringing us up to last year's level.

That is all this amendment does. Let me give you some of the figures involved. In this bill you have $350 million for public service jobs. That is all. But none of that $350 million can be spent to create jobs in areas which have less than 6.5 percent unemployment. That is half the country? Together with carryover funds, there will be a total of a little over $970 million available for public service jobs and $70 million has already been spent.

In 1973 we appropriated $1 billion, 250 million—$350 million more than will be available for next year under the bill, and unemployment was significantly lower than the administration expects it to be even by the end of this year. We are simply trying to bring the dollar level up to about the same amount and give all areas of the country which have unemployment a chance to participate in the program.

Public service employment is the least inflationary way which the Congress can combat high unemployment. Federal Reserve Board Member Andrew Brimmer noted the low inflationary character of public service job expenditures on May 26, when he advocated tough monetary and fiscal policies coupled with more generous funds for public service employment to fight unemployment which he says will come as a byproduct of the fight against inflation. The committee will tell you that they have taken care of the problem by adding $100 million to title I and that if communities need more for public employment they can take it out of title I.

But the fact is that with the $100 million added by the committee, there is still more than $50 million less for manpower training programs than was available this year. The committee position is so weak that a vote to raise the amount in the committee bill by $200 million lost on a 6 to 5 vote. Even the subcommittee which dealt with this bill and claims to know the most about it was divided virtually 50–50.

The fact is simple. We have passed a new manpower bill which is supposed to give State and local governments more ability to attack manpower training programs and job-creating programs in their own way. But if we do not pass this amendment, two-thirds of the prime sponsors in the country will receive less money for title I—to deal with both training and job-creating programs—than they received last year just to deal with training programs.

I do not think that's enough. I do not think the American people will think that is enough, and I hope you do not either.

The question is simple. If you think you can go back home and explain to your mayors, county boards, city councils, police departments, and your unemployed that you thought the public service jobs program could be funded at a level that would provide x percent less jobs than it did a year ago, you vote against my amendment. If you do not think that is a very good argument and if you think you should be providing the same number

of jobs that we provided last October, you will vote for my amendment.

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

Mr. OBEY. I yield to the gentleman from Pennsylvania.

Mr. BARRETT. Mr. Chairman, I rise in strong support of the gentleman's amendment. I think this amendment is very much needed at this time.

I want to compliment the Committee on the basis of indicating they are fundamentally in sympathy with the philosophy of the Comprehensive Employment Training Act, I think this Comprehensive Employment Training Act is something which is very much needed today. It gives these boys and girls employment who are now unemployed and who do not have an employment they have a chance to be trained for. I would like to point out the OIC of Philadelphia originated this.

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

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

Mr. OBEY. I yield to the gentleman from Pennsylvania.

Mr. BARRETT. Mr. Chairman, this is an opportunity for training more boys and girls not only in Philadelphia but throughout the country. If this country is to be strong from without, it must primarily be strong from within. In order to be strong we must give these boys and girls adequate training so they may have adequate income.

Mr. OBEY. I thank the gentleman for his comments.

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

Mr. Chairman, I want to approach this amendment from two different perspectives. If Members will just bear with me, I think I can make it very clear why this amendment should be supported.

My brother Clarence Mitchell, Jr., whom many of the Members know, was recently attacked on the way into his home. He was shot, and even after he was shot, he fought off his attackers. Finally two young men were apprehended and arrested. Neither has any prior criminal record. When they were asked why they were not working, they pointed out they had been trying to find jobs. They also pointed out they had made the rounds of every manpower program existing in my city, only to be advised that the manpower programs could not take on anyone else simply because there was not any more money.

Now, let me approach it from the other perspective. After this Congress enacted the Safe Streets Act, providing LEAA money, we have consistently given more money for LEAA, but, despite the fact that we have consistently increased the budget for LEAA, we have seen a constant rise in crime.

So it is fairly obvious to me that the increased funding for LEAA is not going to appreciably diminish the amount of crime in this country. I think my colleague, the gentleman from Wisconsin (Mr. OBEY) has focused in on the crucial issue. We resolve this problem of crime in our cities and our counties—and by the way, crime is constantly rising in the suburbs—we resolve this difficult problem by giving jobs to people.

I see no reason why anyone should oppose the Obey amendment. Just consider the high rate of unemployment, that is predicted to go even higher, which impacts heavily in minority communities. I see no reason why we should not take this opportunity to support the amendment. We have the chance to address ourselves to the very fundamental and critical problem that LEAA will not solve and that speeches will not solve.

I urge support for this amendment. It is needed. It is necessary. It is critical if we are going to do the right thing on behalf of people who really want to work, and want to contribute to society and want to be a meaningful part of society.

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

Mr. MITCHELL of Maryland. I yield to the gentleman from Illinois.

Mr. MICHEL. I wonder if the gentleman could tell me in the two references he made how they would be employed under the particular kind of amendment provided for here today?

Mr. MITCHELL of Maryland. To the extent that either of those two young men could get into a meaningful training program their pursuit of criminal activity may have been deterred.

May I continue?

Mr. MICHEL. Yes. We are not against the manpower training program. This amendment does not help those people out in their particular training program. It calls for public service employment and these people are not in that category.

Mr. MITCHELL of Maryland. I am trying to answer that question, if the gentleman will give me a little more time.

One of the better aspects of the manpower training programs is that they go through the process of grooming people, giving them additional training so that they can enter into public service jobs. That is the method by which many of the manpower training programs operate. That would be a way we could perhaps help these young men who did this atrocious thing.

Mr. MICHEL. I just say to the gentleman that the record and the statistics would show that it is really the unskilled and the untrained that the gentleman lists here that do not benefit from this program at all. It is those that have skills as public service employees——

Mr. MITCHELL of Maryland. Unfortunately. I am not a member of the committee, and therefore do not have the same information as my colleague, but I would indicate to him that in traveling around this country, I have found many, many public service programs that do not exclude the unskilled and the untrained.

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

Mr. Chairman, let us not kid the troops. It is all very well to come here and break down and cry about what this problem is. Nobody in this House, including anybody who speaks to this amendment, is more concerned, and everybody in this House knows it, than this subcommittee. Who in the world has been carrying the ball on these programs for years and years but this committee on these bills? Who in the world knows more about unemployment than I do personally in my district in the coal fields?

When I came here, we had unemployment case loads—this is 30 years ago when I first stood in this well—of 19.7 percent. We know about unemployment.

Have we heard of the Agnes disaster 2 years ago?

Two years ago, the 22d of June. How would you like to be named FLOOD and come from Wilkes-Barre, Pa. If you saw that in the movies, you would walk out. I know about unemployment, but I rise in opposition to the amendment.

This is the Appropriations Committee—the Appropriations Committee. I sympathize with the Member offering this amendment—you know very well I do; of course I do; we all do. That has got nothing to do with the case here.

As the members of this subcommittee know, I personally would have been very willing to include a somewhat larger amount for public service employment—of course.

However, as I stated in my opening remarks, this bill represents a consensus. The toughest law in the world is the law of inflation. This is a compromise. Legislation is the art of compromise. I am not arguing the merits. This is the wrong committee, the wrong place, and the wrong time.

In this case, what was the consensus? The consensus of the subcommittee was to increase by $100 million over the budget. The President asked for a certain figure. We agreed to an over-the-budget figure of $100 million. Now, wait until you hear this: Then, together with the funds that we provided in the second Supplemental Appropriations Act, which became law on June 8, just a couple of weeks ago—remember? We voted a respectable and a very defensible amount of money for the employment and training under the current economic conditions. Let me quote from the committee report. This is the committee report we filed on this:

> The bill includes $350 million, the amount of the budget request—

Watch this—

> For carrying out title II of the act, which provides for programs of transitional public service employment in areas with an unemployment rate of 6½ percent or more for 3 consecutive months.

Now, listen to this; do not get carried away; watch—just try and handle this:

> Together with funds appropriated earlier this month in the second Supplemental Appropriation Act for 1974, the amount in the bill provides a total of $970 million—

Nearly a billion dollars. Wow, what do you want, diamonds? For public service employment? We are not for this? We are chiselers? We are not for this program—a billion dollars—wow.

Well, according to the Department of Labor statistics, this bill will support the public service employment programs through December 1975.

The CHAIRMAN. The time of the

gentleman from Pennsylvania has expired.

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

Mr. FLOOD. In the event of a sharp rise in unemployment, the expenditure of these funds could and should be accelerated to bring more unemployed people under the public service. Of course, it should be if it happens. If it happens, yes.

Under the law sponsors may also use funds that they receive under title I of this same law to provide public service jobs if this seems desirable.

Think about your own backyard. If this seems desirable in light of local circumstances, this can be done by your own people with the money under title I.

If you need it, there it is.

I would like to make two additional points, Mr. Chairman. The first is this: If it is a fact, as the proponents of this amendment allege, that two-thirds of the prime sponsors in this country will receive less money under title I in the committee bill than they received for training purposes alone, last year that that situation—now, listen—that situation, if it is so as a fact, is not due to the shortage of funds. It has nothing to do with the money. Do you understand that?

That is not the problem. It is due to the formula for distributing the funds—which you wrote into the Comprehensive Employment and Training Act which became law just 6 months ago, and you voted for it. You said so.

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

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

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

(By unanimous consent, Mr. FLOOD was allowed to proceed for 3 additional minutes.)

Mr. FLOOD. Mr. Chairman, I believe the authors of this law, if they do not like this, must see that their problem is the distribution formula in the law. What should they do? Change the law. That is what you are here for. Change the law that you voted for. Do that instead of appropriating an additional $300 million.

Mr. Chairman, if we are going to appropriate these additional funds, why not appropriate this money under title II rather than title I? The title I funds are targeted to the area of the higher rate of unemployment of 6.5. The gentleman's amendment has additional funds in title I, but those funds do not go, in this amendment, into the areas where there is high unemployment.

Furthermore, it will not help a bit.

The decision to use these funds is entirely up to the prime sponsors so that—watch this—there is absolutely no assurance whatsoever that one dime of that $300 million my friend is talking about will be used for public service employment, no assurance that they will spend a dime for it. That is what you are doing.

Mr. Chairman, I certainly would hope that the Members defeat this amendment.

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

Mr. FLOOD. Yes, certainly.

Mr. OBEY. If unemployment rises, as the administration expects it to, does the gentleman not think that any mayor not using it for public service jobs would be an idiot?

Mr. FLOOD. That is a matter of opinion. That is why we are here.

Mr. OBEY. You are willing to take the money for jobs out of the training.

Mr. FLOOD. Certainly, if and when it becomes necessary. You know very well that this money can be used at the source itself under the authority of the title that we are talking about. There is no way in the world that you can say one penny of the $300 million for the thing you are talking about should be spent otherwise, not at all. You cannot tell this House that.

Mr. OBEY. Where would we get it from to do otherwise?

Mr. FLOOD. There is no need to do it now.

Mr. CONTE. I move to strike the necessary number of words and rise in support of the amendment.

Mr. Chairman, I am pleased to cosponsor this amendment with my good friend and distinguished colleague, the gentleman from Wisconsin (Mr. OBEY).

The chairman made a very eloquent plea against this amendment. He says that this committee has been carrying the ball for a long time in this particular area, and no doubt they have, but they have not been carrying the ball long and hard enough.

What we want is a touchdown here. We do not want to be short of a first down.

Then the gentleman asks, "What do you want. Do you want diamonds? Do you want diamonds? Do you want diamonds?"

I will answer the gentleman from Pennsylvania in this way: We do not want diamonds; we want jobs. We want bread on the table—bread on the table—bread on the table. That is what we want: jobs, not diamonds.

Mr. Chairman, I am pleased to cosponsor this amendment with my distinguished colleague, the gentleman from Wisconsin (Mr. OBEY).

There are compelling reasons for our offering this amendment.

We are now changing over from our traditional, nationally directed manpower programs to a modified form of special revenue sharing. We are placing extraordinarily heavy responsibilities for this new program on State and local governments. At the same time, inflation and the minimum wage increase are raising program costs. And, there are strong indications that we face an increase in unemployment in the next 12 months.

I have been, and am, a strong supporter of the concept of revenue sharing. But when we are asking State and local governments to take over the responsibility for special programs, as we are with the manpower programs, we must make sure that adequate resources accompany that responsibility.

The committee bill does not provide those resources. As we pointed out in our additional views to the committee's report, even with the anticipated carryover funds from the supplemental fiscal year 1974 appropriation, there will be a substantial reduction in job programs next year. Two-thirds of the prime sponsors in the country will, we calculate, receive less money for title I under the committee's bill than they had for training programs last year.

At the same time, title I is going to have to provide supplementary resources for public service employment. In many areas, title I funds will be the only source of funds for public employment.

We have predictions from economists in and outside of the Federal Government that unemployment will reach 6 percent in this coming fiscal year. I might add that in Massachusetts it is already 7.7 percent. With the June graduating class now entering the job market, we can anticipate higher unemployment by the end of the summer and belt-tightening to fight inflation will add its toll in joblessness.

No one claims that public service employment is the long-term solution to our unemployment problem. But it is the least inflationary way we can meet the immediate situation and, in human terms, it is far and away the best course.

With the $350 million in the committee's bill for title II, and a carryover of about $550 million from the fiscal year 1974 supplemental, there will be about $900 million available for public service jobs. That is about $350 million below what the Congress approved in fiscal year 1973 when the unemployment rate was almost a percentage point below what economists now project for the next year.

Aside from the level of funding, many high unemployment communities do not qualify for title II. In some cases we know that this is because of requirements written into the implementing regulations or the lack of uniformity in the Bureau of Labor Statistics' computation of local unemployment rates. In our additional views to the committee report, my colleagues and I noted that the Manpower Administration's region IV, which contains 13 percent of the unemployed in the country, receives only 4.5 percent of funds to be allocated under title II. Ironically, in my own district in western Massachusetts, the town with the highest unemployment rate is not eligible for title II.

We cannot impose on title I the weight of making up the overall reduction in public employment funds, of providing the only resources for public employment in other communities not eligible for title II, and still expect State and local governments to maintain the basic training programs that are the only long-term solution to our unemployment and under employment problems.

Our passage of the Comprehensive Employment and Training Act carried with it the commitment to provide the resources to make it work. The present and projected economic situation only deepens that commitment. I urge all of my

colleagues, most strongly, to support this amendment.

This amendment has been offered by me, Congressman OBEY, and Congressman PATMAN.

I might mention here that I have received word from many reliable sources today—and I have not been able to verify it—that the Department of Labor sent down to OMB a supplemental request for $280 million for the very thing we are asking for here on the floor of the House of Representatives today. I hope we will see the wisdom of passing this amendment.

Mrs. GREEN of Oregon. Mr. Chairman, I move to strike the requisite number of words and I rise in support of the amendment.

Mr. Chairman, let me start where the gentleman from Massachusetts left off.

I think the rumors are more than rumors. It is my understanding that the recommendation is going to come up requesting $280 million more for jobs.

It seems to me today that the House could take some leadership and we could act in the light of what the problems are. In 1973 we had an unemployment rate of 5.2 percent and we appropriated $1.2 billion. In 1975 the estimates are that we are going to have at least 5.8 percent unemployment, and perhaps higher, and we are appropriating in the bill $970 million. I really do not understand the logic of this.

We heard eloquently about diamonds. Mr. Chairman, I know of nothing that is sadder in the country than the man who is without a job, because that man has been robbed not of diamonds but he has been robbed of his dignity and of his self-respect; and he may lose the respect of his children at home when he is not the breadwinner and cannot bring home money to supply the family needs.

May I also suggest, as I see it, that the amendment offered by the gentleman from Wisconsin is actually an amendment which would save money in the total HEW budget. Why do I say that? Because if you do not have a job and if there is no money to buy the necessities of life, under our system there is one great alternative: go on welfare.

About 4 years ago I asked the Library of Congress to do a study for me of what a family of four could receive if they went on welfare and if that family were able to take advantage of all the programs we provide in addition to the ADC cash payments such as free medical care, food, stamps, free legal aid, housing subsidies, and so forth, and so forth. The Library of Congress reported to me—and I use Portland, Oreg., as an example because the welfare figures differ in different areas. A family of four in Portland, Oreg., if they are on welfare and take advantage of all the programs available could get over $11,000 in cash and in kind and there would not be one day of work done and they would not pay back 1 cent of income taxes to the Federal Government.

Then I asked about a hypothetical family of nine on welfare; if that family took advantage of all the programs in addition to the ADC, if they took advantage of all the other programs, they might receive in cash and kind of $21,000. I have to advise that we do not have enough housing or enough Head Start programs for everybody, so I am not saying everyone on welfare receives it, but if a family of nine on welfare takes advantage of all of the programs, that family could have I repeat an income in cash and in kind of over $21,000; and not one member of that family would have to work one single day and they would not pay back to the Government a single dime in income taxes.

When we have unemployment that is at the present rate and may go over 6 percent, as the gentleman from Wisconsin and the gentleman from Massachusetts have both said, if you do not supply a job which will give the families money, dignity and self-respect and help the family unit stay together, then the alternative is welfare. Welfare is nothing but a paying-out program with nothing being paid back in income taxes to the Federal Government.

The gentlewoman from Michigan, MARTHA GRIFFITHS, I think has done a superb job in the study of our welfare program. Her report is about to be released. And when that hits the fan, when that hits the House and hits the press, I suggest to the chairman of my committee there may be welfare families who can buy diamonds, but the unemployed family and too proud to go on welfare will not have the bread.

So I regard the amendment that is being offered by the gentleman from Wisconsin a humane and compassionate step that will help to allow a family unit to stay together, to allow them to retain dignity and self-respect, and at the same time that family would be paying back income taxes to the Federal Government; therefore the Government itself would be better off in terms of total budget.

So, Mr. Chairman, I urge the support of the Members for the amendment which has been offered by the gentleman from Wisconsin, and was cosponsored by the gentleman from Massachusetts, and also the gentleman from New Jersey (Mr. PATTEN).

Mr. O'NEILL. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, it is with some reluctance and with diffidence, of course, that one rises in opposition to the chairman, the gentleman from Pennsylvania (Mr. FLOOD) in whom we have great respect and great admiration, but I rise in strong support of the amendment as offered by the gentleman from Wisconsin (Mr. OBEY) the so-called Obey-Conte-Patten amendment, to increase by $300 million the appropriation for the Comprehensive Employment and Training Act.

This money will be used primarily for public service jobs, and is necessary in order to allow the States and the local governments to operate their manpower training programs.

The truth of the matter is that if we do not have this program, the public employment program will be cut back by as much as two-thirds in about half of the communities in this country.

I would particularly like to say to those Members who are on my side of the aisle, that rarely on a Monday do I come in and not hear certain complaints. The complaints mostly are about inflation, about the frustration at home, about the economy, about what has happened, and is there not a way that we can put a legislative package together whereby we can help the economy?

The Speaker has been keenly aware of this, and everybody else has been aware of it, and right at this particular time we have had a group of some of the finest and greatest economists in the world downstairs, and the Democratic Members have been listening to their arguments for some 2 or 3 hours.

They have been hearing from such people as:

Dr. Otto Eckstein, president of Data Resources, Inc.; former member of the President's Council of Economic Advisers.

Dr. John Kenneth Galbraith, professor of economics, Harvard University; noted author.

Dr. Walter W. Heller, professor of economics, University of Minnesota; former Chairman of the President's Council of Economic Advisers.

Dr. Leon Keyserling, consulting economist; former Chairman of the President's Council of Economic Advisers.

Dr. Robert Lekachman, professor of economics, City University of New York.

Dr. Arthur Okun, economist, Brookings Institution; former Chairman of the President's Council of Economic Advisers.

Dr. Paul Samuelson, professor of economics, Massachusetts Institute of Technology; Nobel Prize winner.

Dr. Charles L. Schultze, economist, Brookings Institution; former Director, U.S. Bureau of the Budget.

Dr. James Tobin, professor of economics, Yale University; former member of the President's Council of Economic Advisers.

We realize that most everybody has a pessimistic view of our economy.

I think we can ill afford at this particular time to inadequately fund the PEP program. This issue is being discussed downstairs.

We have asked them if they can recommend any kind of a package that we can put together, and the first thing that they have said about this is, yes, of course there is a package. The first thing is that there should be more public service jobs. They are all in agreement on that, and they also recommend a tax cut for the lower income people, and a closing of the existing tax loopholes.

And in speaking of such a package, these prominent economists agree that we should put more funds into job training programs such as suggested by the amendment offered by the gentleman from Wisconsin (Mr. OBEY) which, makes adequate funds available for public service employment. These economists point out that this is the least inflationary way in which the Congress can combat unemployment. But interestingly, a member of the Federal Reserve Board, Mr. Andrew Brimmer, noted that monetary and fiscal policies coupled with more generous funds for public service jobs are the primary means to fight unemploy-

ment. It will stimulate the economy and moderate a further rise in unemployment while acting, at the same time, as a by-product against inflation.

I agree with the gentlewoman from Oregon. She is positively right. We know how many families would be working for a minimum wage. There are four or five children, or four or five in the family, and they cannot get by, so a husband runs away or leaves his job so the family can go on welfare. If we had a program like this, a PEP program to augment the salary of the father, it would unite the family and it would keep the family together. We need a program of this type, and it is not funded in an adequate manner. We must add at least $300 million onto this at the present time.

I speak strongly because I have a type of a district that is an in-town area, which is also a tenement district, and which is an area in which people at this time of the year, students particularly who are fresh out of school, are looking for jobs. I just cannot stress too strongly to the Members the need for a program of this type.

We have bipartisan support, the gentleman from Wisconsin, the gentleman from Massachusetts, and the gentleman from New Jersey who are all coauthors of the amendment.

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

Mr. O'NEILL. I yield to the gentleman from New Jersey.

Mr. PATTEN. I thank the gentleman for yielding.

Within the month, in my district, RCA at Woodbridge, N.J., told 600 people to look for other work because the market is gone with the new solid state TV tubes, that they would be laid off.

A week ago Tuesday, the Phelps-Dodge plant in South Brunswick laid off 1,700 people, and as far as I can find out, I think it is due to inflationary factors. This was the leading factory in the world for making long tubes. No plant can make a longer copper tube than this plant. So I want to associate myself with the remarks of the gentleman. I know this amendment is good, and this is the way we should go.

Mr. O'NEILL. Mr. Chairman, I appreciate the gentleman's remarks. May I just say the recent statistics compiled on those who benefited from the program speak for themselves. Twenty percent of those who participated in the public employment program were teenagers; 27 percent were Vietnam veterans; 85 percent of all those who participated were not receiving any unemployment compensation.

Mr. Chairman, if it were not for these programs, 85 percent of the people who are on the program would have been on welfare. I believe in the amendment. I think it is a worthwhile amendment, and I urge that we adopt it.

Mr. McKINNEY. Mr. Chairman, I move to strike the necessary number of words and I rise in support of the amendment. Mr. Chairman, without a doubt, the top priority facing us today is jobs. Rarely in recent history have there been such an abundance of questions and an absence of answers to what ails us. The experts are stumped. The economists are bewildered. And the average guy on the street is confused and frustrated. At a time when the key themes are uncertainty and doubt, conventional textbook solutions seem almost a quaint relic of a simpler, bygone era.

Almost every solution under the sun, from cutting taxes to creating recession, has been put forward. Yet, as we struggle to make sense out of a confused picture, I think that it is vitally important not to lose sight of the practical effects of our current woes: People are being thrown out of work, and all too often, we do not have adequate resources to take care of them. As we stand here in Congress, debating abstract economic theory, this one fact keeps coming through loud and clear. The need for congressional action should be so apparent by now that I am shocked we have to debate it every year as if it were some fresh, new revelation.

In that light, Mr. Chairman, I think that the amendment offered by my colleagues, Congressmen OBEY, CONTE, and PATTEN, is of critical importance. It would be a mockery of the Comprehensive Employment and Training Act of 1973 not to add $300 million in title I appropriations for the coming fiscal year. The rationale for this amendment—as well as the program in general—is quite sound.

Under title I, the public employment programs provide State and local governments with both the opportunity and the means to hire people for public service employment. Title I money has not been used exclusively for public service employment in the past, but with the projected increase in the unemployment rate, I think local governments should have this flexibility to deal with problems as they occur in their particular areas. Title I is the vehicle for channeling this money directly where it can do the most good and ease some of the unemployment crunch we will be feeling in the next few months. And, as Mr. OBEY has noted, unless we can pass this amendment, two-thirds of the prime sponsors in this country will receive less title I money than they received for training programs last year.

The $300 million is not a whopping giveaway. It is, in fact, roughly $50 million below what Congress approved for fiscal year 1973, and I only wish that even more money could be made available. I do not consider this money inflationary, either, so long as we maintain tight fiscal and monetary policies. Funding public employment programs is not inconsistent with sound fiscal management. It is only when Congress abdicates its responsibility to keep the lid on Federal spending that we are confronted with the untenable position of rampant inflation and galloping unemployment. Maintaining funding for local employment opportunity while holding the line elsewhere is a totally responsible and sound way of dealing with the problem of unemployment.

For these reasons, Mr. Chairman, I intend to vote for the Obey amendment to the Labor-HEW appropriations bill. But our responsibility to the workingman should not end there. Of vital and perhaps even more importance is the strengthening of our present unemployment compensation programs. Let's face it. Even with another $300 million to hire people for public service employment, a lot of people are either out of work right now or will be out of work in the very near future, barring some unforeseen dramatic shift in our economic picture.

Let me take this opportunity to emphasize once again the importance of passing H.R. 14691, the Special Unemployment Compensation Act of 1974, and passing it now. That bill, which I cosponsored with Congressman ESCH, would represent a tremendous step forward in providing money to people who are out of work at the time they need it most. More importantly, it would come directly to those areas where unemployment is highest at a time when those areas need it rather than wait for the rest of the State to catch up. Let me illustrate. In Connecticut, unemployment was 5.6 percent in May of this year. In January 1971, when I first took office, it was 8.5 percent. In Bridgeport, unemployment is currently 7.6 percent. While that is a reduction from 11.7 percent when I took office, it is still far from the healthy economic picture I'd like to see. The same fact of life applies to Stamford and Norwalk as well. Unemployment in Stamford is currently 5 percent, down from 7.2 percent, and Norwalk is currently 5.2 percent, down from 7.1 percent in January 1971.

The figures have improved somewhat since 1971, but they are still far from encouraging. They do underscore the need to trigger money into these areas as soon as the need arises and to make that money reflect the actual unemployment rate in the particular local region, not some unrelated statewide total.

Under H.R. 14691, the benefits will begin flowing as soon as the particular labor market area exceeds a 4.5 percent rate of unemployment. The bill would extend an additional 13 weeks of Federal unemployment compensation where the insured unemployment rate was either 4.5 percent for the previous 13 weeks or 4 percent for the previous 13 weeks, and equaling or exceeding 120 percent of the base period of October 1, 1972 through September 29, 1973. It will also extend benefits an additional 13 weeks over and above all existing programs, thus stretching possible maximum benefits to 52 weeks of unemployment insurance.

When I took office in 1971, the people of my district were hamstrung by the existing program, which did not really reflect the wrenching unemployment of our area because some other parts of Connecticut were not as hard hit. Had H.R. 14691 been in effect at that time, it would have made the shift from wartime to peacetime less devastating than it actually was. Sad to say, the need for such an approach to unemployment did not end with our involvement in Vietnam. Even though the war is now behind us, the energy crisis has brought on another unemployment crunch in just an unrelenting and oppressive a manner as before. It will not be enough merely to plan for the future and talk of self-sufficiency some 15 years from now. What we have to do is to make sure that the people who are bearing the brunt of the

energy shortage are compensated now. I can think of no better way of doing it than through H.R. 14691.

I was encouraged that the Ways and Means Committee held hearings on unemployment compensation legislation in April, but so far nothing has come out of that committee. I hope that the committee does not decide to shelve this bill just because the most dramatic part of last winter's energy shortage is now behind us. For 1974 to go by with no reform of the unemployment compensation system would be an absolute crime. I hope that the committee will work promptly on this bill in the near future and report out some solid legislation for the full House to pass. The day for contemplation and consideration is over. The time for action is now.

Mr. MICHEL. Mr. Chairman, I move to strike the necessary number of words and I rise in opposition to the amendment.

May I first address myself to the prospect of a budget amendment that was alluded to here earlier. Let me just talk to the Members about the politics on both sides of the aisle, about busting the budget. If there is the prospect some time down the road in the next few months of beefing up this program, let us force them downtown to come up with a budget amendment and make ourselves look good. We do not need that right at this particular time. I would say to the Members, frankly, on both sides, in a political sense, why go busting the budget? Why do we not force the folks downtown, if it is really that bad, to come up here with a budget amendment? We will honor it, and I am convinced, as wedded as my administration is to this concept, that if it is that bad, they will be up here with one of those things.

We are drawing to the close of the current fiscal year 1974. The chairman just made reference to the second supplemental that was signed 20 days ago, and of all that money in there that obviously was not spent in fiscal year 1974—we are just beginning the fiscal year 1975 July 1—how much do we have available?

For fiscal year 1975, roughly the same amount of money as was actually spent in 1973 is available for public employment. In the second supplemental for fiscal year 1974 passed just 2½ weeks ago, we appropriated $370 million under title II of CETA, plus $250 million for the continuation of the PEP program, for a total of $620 million. Now, in this 1975 bill, there is an additional $350 for title II public employment program. With the recent enactment of the 1974 supplemental and the additional funds in this bill, a total of $970 million is available during 1975 for public employment programs, a level equal to the amount spent as opposed to funds obligated in 1973.

In terms of the funds actually spent by local communities in 1973, expenditures were one billion dollars, not the $1,250,000,000 appropriated and obligated.

How much have we got available? I am not going to repeat these amounts time after time, but we do have a good portion in here. Let me give the Members a couple of figures on man-years and employment and training, from two tables I will insert in the RECORD.

ACTUAL USE OF FUNDS

[Dollar amounts in millions]

	1973		1974		1975	
	Man-years	Amount	Man-years	Amount	Man-years	Amount
ACTUAL USE OF FUNDS						
Training programs	563,000	$1,359	643,000	$1,746	658,000	$1,419
State and local	332,000	702	378,000	1,010	378,000	1,019
Summer	141,000	239	190,000	397	190,000	400
National	90,000	418	75,000	339	90,000	381
Public employment	145,000	1,014	86,000	600	139,000	970
EEA	145,000	1,014	86,000	600	36,000	250
CETA, title II					103,000	720
Grand total	708,000	2,373	729,000	2,346	797,000	2,389

	1973		1974		1975	
	Man-years	Amount	Man-years	Amount	Man-years	Amount
APPROPRIATIONS						
Training Programs	606,000	$1,549	568,000		568,000	$1,419
State and local	356,000	890	378,000	$1,010	(378,000)	(1,019)
Summer	150,000	239	190,000	397	(190,000)	(400)
National	100,000	420	75,000	339	90,000	381
Public employment	180,000	1,250	89,000	620	50,000	350
EEA			36,000	250		
Title II, CETA			53,000	370	50,000	350
Grand total	786,000	2,799	732,000	2,356	708,000	2,150

My friend, the gentleman from Maryland (Mr. PARREN MITCHELL) was asking about an increase in State and local training programs. In 1975 we have 378,000 man-years for State and local people who can be trained; in summer employment, 190,000—remember, that each summer job is one-fourth of a man-year; in funds provided for by the committee in the national training program, another 90,000; in public employment, 139,000; and in the EEA there are 36,000; and in title II, there are 103,000. So we have 797,000 man-years of training and employment for 1975 as against 708,000 man-years in 1973. That is a significant increase.

My dear friend, the gentleman from Massachusetts, made the point of needing to restore the funds to the 1974 level that existed for two-thirds of 400 prime sponsors who are administering manpower training programs. However, the gentleman neglects to say that in his comparison there is the remaining 20 percent of funds we are also appropriating in relation to title I of the Comprehensive Employment and Training Act. Funds for this item, in this bill, amount to $360 million that those same people he is concerned about, our mayors and our city officials and our State officials are going to be able to use for these different programs that we have authorized in that 20 percent. It is broken down into several specific categories—5 percent for this and 6 percent for another category and 4 percent for another, but that is right in here.

Right now no one knows for sure how much each sponsor will receive from this source of funds. I checked this morning to try to get some figures. Yesterday my Governor sent me an urgent telegram saying that it means $15 million for Illinois and I should support it. I fired back a telegram asking him to tell me where that money will be spent and how many people he will have on the rolls. I am waiting for a response. He does not know and those people who are urging our Governors to wire us do not know what is in this bill and they do not know how many who are going to be in employment are going to be stricken from the rolls. All they know is there was a big hump out because the money could not be all spent in 1974.

We cannot compare apples and oranges. It is the number of people actually in the training programs and how many people are actually working that is what counts. It cannot just be on the basis of the appropriation figures for fiscal year 1973 or 1974 or 1975 and the apparent levels of the funds. It is when those funds can be spent, and how many people are on the rolls. I submit we will have 797,000 man-years in public service employment and training programs as against 708,000 in 1973.

Even if we have to do something down the road, I would point out we have not even begun the fiscal year. Can we not give them until September or October sometime to determine whether or not we really are going to have to beef up this program? Beyond that time, when we go home for election we will have had at least one more supplemental before that time, I suspect, unless something tragic and different altogether happens. I urge the Members to stick with the committee and then they can go home in good conscience and tell their people we have appropriated a sufficient amount of money to cover this problem.

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

Mr. Chairman, under our legislative system we work largely through the various committees of the House. We assign tax legislation to one committee and appropriations to another, and so forth. The budget was assigned to the Appropriations Committee. When the record $304 billion spending budget was submitted by the President in February, there was a

hue and cry from throughout the country that this was too much, that it was highly inflationary, and that it ought to be reduced.

Some of the leaders in the Congress on both sides of the aisle said we must cut the budget, they said the Committee on Appropriations must cut the budget. We said we have to get spending under control, and we proceeded to enact a budget control bill. We claim that we are serious about monitoring the spending in the budget. We said we must use some restraint and not vote for every popular sounding budget-busting amendment that is offered.

All the legislation in the world, budget control or otherwise, is not going to be effective unless we have the will to hold the line on spending. Well, here we have a test of whether or not we have the will to vote down this amendment and hold the line on spending. If the amendment were twice as much or three times as much, there are many Members of the House who would feel compelled to vote for it. Of course, I understand that; but I would hope that the majority of the Members of the House would be like the majority of the members of the Committee on Appropriations and would feel that what has been recommended is a fairly reasonable solution to the problem.

As the gentleman from Illinois just said, if a budget amendment is submitted later and if the situations worsens and it becomes imperative that we spend more and more in this field for this purpose, then that can be considered at that time.

So what total does the budget call for? Many of us objected that it was quite high. There is $304 billion in spending requested—$304 billion in spending—what is that money for? A large portion of it is really for jobs. We have a $304 billion budget and much of it is for jobs.

The total Federal spending for jobs is not by a long shot just the $300 million being talked about today. A big chunk of the whole budget of $304 billion is related to jobs. It provides jobs, jobs, jobs, and more jobs.

Now, is this enough under all the circumstances? Including amounts already in this bill something like $970 million will have been provided since June 8 for public service jobs.

Have we entirely forgotten revenue sharing, the $6 billion a year that is being poured out to the communities and States and the cities? Have we forgotten that? What is that money? It is jobs, jobs, jobs. Have we forgotten all the other manpower programs and all the other Government programs that have the effect of providing jobs?

I would hope that we would show some restraint at this time and if the situation worsens and we need to supplement what is already being provided, we could consider it at a later date; but let us show restraint at this time and let us vote down the amendment which is pending.

Let us adopt a bill that has been worked out so painstakingly over a period of about 5 months. It would seem that with a $304 billion budget, much of which is for jobs, there is reasonably adequate provision made. With all the money for people programs, it would seem that the bill as recommended by the committee is reasonably good in view of the fact that the national debt is skyrocketing, and that the deficit for this year is about $18 billion, and the estimated deficit for next year is about $20 billion.

The good that the amendment might do might be outweighed by the overall inflationary effect it and similar, well motivated, but fiscally unwise, amendments will have. I hope the amendment will be defeated.

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

Mr. Chairman, today more than 4,700,000 fellow citizens are out of work and millions more are significantly underemployed and are earning less than a living wage. Economists and others predict that this situation will worsen before the end of the year and we face the distinct possibility of seeing more than 5 million unemployed men and women in just a few short months. This figure does not include the additional millions who have despaired of finding gainful employment and are not actively seeking work.

Tragically, the legislation before us this afternoon barely touches the surface of this long-standing and pernicious unemployment crisis. The funds appropriated by this measure will fall far short of providing relief for those millions of Americans who are not working and offers little hope or encouragement for the future. This administration's callous disregard for the plight of the unemployed and underemployed has been amply demonstrated by its request of the absolute minimum under title II of the Comprehensive Employment and Training Act—$350 million. The authorization is open ended and the administration could have requested funds to at least attempt some meaningful effort to provide work opportunities through public service employment.

By playing the numbers game and including those funds appropriated in the second supplemental appropriations bill, the administration has attempted to picture the allocation of almost a billion dollars for public service employment under CETA's title II. As the Appropriations Committee report notes, however, this figure—$970 million—

will support public service employment programs through December of 1975, with a *peak* enrollment of 104,000 persons in March and April of 1975." (emphasis added).

In my opinion this is nothing more than a cruel hoax being perpetrated on the unemployed and underemployed as CETA and the Emergency Employment Act seemed to provide some small degree of hope and relief for those seeking work.

While it is quite true that local communities and other CETA prime sponsors can utilize title I funds also for public service employment, they have other priorities they are attempting to meet under the program. Even with some additional carryover funds from the second supplemental it is reported that many areas throughout the Nation will have less funds during fiscal year 1975 for public service employment and job training than they had for job training alone in fiscal year 1974. Furthermore, it is imperative that we consider the fact that during much of fiscal year 1974 the unemployment rate hovered around 5 percent. The level of public service jobs will decrease by about 30 percent with the funds appropriated under this legislation while there will be an increase over last year of some 15 percent in the number of unemployed based on the predictions of a 6-percent unemployment rate during fiscal year 1975.

Our distinguished and able colleague from Wisconsin (Mr. OBEY) has offered a timely and urgently required amendment. By adding some $300 million to title I the prime sponsors will have the wherewithall to carry out larger or additional public service employment programs. This is not an especially generous amount as, coupled with funds already appropriated under the second supplemental, the amendment will bring the level of funding for public service employment back to about what it was for fiscal year 1973. Without this modest increase communities throughout the country will be forced to attempt to offset the decrease in public employment in their locations with training moneys which have also been reduced. I fear that this will be an impossible task and that both the CETA prime sponsors as well as those individuals who could benefit from the public service employment program will suffer irreparable harm. We cannot let this occur and we must move promptly and decisively to enact the Obey amendment to add $300 million to title I.

Although I am certainly hopeful that these additional funds will be utilized to expand and increase public service employment opportunities, I also want to encourage the prime sponsors and the Labor Department to use some of these moneys to fully and effectively implement the congressional mandate to focus attention on the unique and special needs of those persons of limited English-speaking ability as outlined in section 301(b) of CETA. I commend the distinguished gentleman from Pennsylvania (Mr. FLOOD) and his colleagues on the Appropriations Committee for calling attention to this particular feature of CETA in its committee report.

As the committee has so clearly indicated, it "expects the Secretary to give this responsibility (section 301(b)) immediate and serious attention and to allocate sufficient funds to carry it out effectively, giving due consideration to those community-based organizations which are experienced in dealing with the problems of Americans with limited English-speaking ability."

This language, coupled with previous language during House and Senate consideration of CETA, should leave no doubt in the minds of Labor Department officials that the Congress fully intends and directs that not only is 301(b) to be completely carried out but that significant efforts must be made to meet the needs of those fellow Americans who do not speak English as their mother tongue—whether they be the Spanish-speaking in the Northeast and Southwest, French-speaking in Maine or Louisiana, Oriental languages in the West or numerous other tongues which are used

as the lingua franca of a particular ethnic group or community. It is particularly important that this close attention be given to the limited English-speaking as there is little question that they account for a very large percentage of the unemployed and underemployed and are greatly in need of the assistance provided by CETA.

Mr. Chairman, the measure before us today has great significance for the victims of the administration's inept economic policies and the persistent unemployment dilemma which they have so seriously exacerbated. It has been the blacks, the Spanish-speaking, women, youth, Vietnam veterans, older Americans, the impoverished and disadvantaged who have been forced to bear the brunt of the high levels of unemployment and who have suffered on account of the lack of sufficient job training and manpower programs. Their plight has certainly been further aggravated by soaring inflation and the failure of Mr. Nixon and his advisers to effectively come to grips with these and related problems. Thus, we must take affirmative steps to enable State and local governments to meaningfully carry out those programs we authorized under CETA. We must give them the ammunition with which to cope with the unemployment crisis, particularly in those areas where the jobless level surpasses certain rates, including those communities which fail to meet the 6.5 percent unemployment requirement of title II but nevertheless are experiencing significant manpower needs.

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

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

Mr. OBEY. Let me make a few points, in closing, in response to the gentleman from Texas, the chairman of the committee on Appropriations. No. 1, the subcommittee which dealt with this issue voted on a 6-to-5 vote against an amendment very similar to the amendment I am offering today.

In fact, a majority of the Members who served on the subcommittee who were present voted for it, and it was only because the ranking minority member and the chairman of the full committee have a right to vote in subcommittee that the amendment failed at that time.

No. 2, as has been already suggested, the OMB has already received a request from the Labor Department, we are informed, for $280 million in additional funds for title I. Why should we not provide the money when we know it is necessary? Why should we wait for their official recommendation when we know they have already sent that down to OMB.

No. 3, Region No. 4, which includes every State east of the Mississippi and south of Kentucky, has 15 percent of the unemployment in the country. Under title II, they only get 4 percent of the funds. This will help correct that.

No. 4, remember that the unemployment estimate upon which the President's budget was built was 5.3 percent. The administration itself expects unemployment now to rise to 5.8 percent. The facts are there. We need the money. I think we recognize it and I hope we support it.

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

Mr. BADILLO. I yield to the gentleman from Massachusetts.

Mr. CONTE. Mr. Chairman, I would like to commend the gentleman from Wisconsin and associate myself with his remarks.

Furthermore, I would pay a lot more attention to the chairman of the Appropriations Committee if, when he was in the well, he showed the same feeling for holding the budget in line when it came to items affecting cotton. Last week we tried to save millions of dollars out of the budget on Cotton, Inc. He was up there battling me tooth and nail.

I felt that if he feels this way all the way across the budget, except when it affects his own backyard. This is a good amendment. It puts bread on the table and gives people the dignity they require. That is what people want—jobs.

Mr. PERKINS. Mr. Chairman, I rise in support of the Obey amendment. I think it is important for all Members to understand that by adopting this amendment we are not adding more funds for manpower and employment programs than we have had to date; we are just getting even with where we were 2 years ago.

The new Comprehensive Manpower Act—CETA—is a combination of the old manpower training programs and the public service employment programs funded by the Emergency Employment Act of 1971. The combined funding level for these programs 2 years ago today was $2.9 billion. As you can see by referring to page 82 of the committee's own report, the current and projected funding levels are $2.26 billion and $2 billion respectively. Anyone who can perform simple arithmetic can figure out that you cannot run programs at the same levels with $700 million fewer dollars. When you add to this the fact that the formula in the CETA Act causes a major redistribution of the available funds you are faced with the situation of having to cut way back on good programs like Mainstream and public service employment, because there just is not enough money to sustain them at past levels.

This is particularly true in the Southeastern States which were adversely affected by the formula. Even if we had the same amount of money as before, the South would lose money, because of the shifts in distribution under the formula. This makes the impact of the cuts particularly severe in that region. The only way we can ease the situation is to pony up some more money—at least as much as we had 2 years ago.

It is so important to keep people employed and here is the one program everyone agrees is absolutely noninflationary that does just that. I hope the Congress will agree that we should at least get these employment programs that have done so much good back to the same levels they were operating at 2 years ago.

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

The CHAIRMAN. The Chair will count.

Mr. CONTE. Mr. Chairman, I withdraw my point of order.

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

There was no objection.

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

The question was taken; and the Chairman announced that he was in doubt.

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 231, noes 171, not voting 32, as follows:

[Roll No. 339]

AYES—231

Abzug	Gibbons	Nix
Adams	Gilman	Obey
Addabbo	Ginn	O'Hara
Alexander	Gonzalez	O'Neill
Anderson, Calif.	Grasso	Owens
	Gray	Patman
Andrews, N. Dak.	Green, Oreg.	Patten
	Green, Pa.	Pepper
Annunzio	Gude	Perkins
Ashley	Gunter	Peyser
Aspin	Hamilton	Pike
Badillo	Hammer-schmidt	Podell
Barrett		Price, Ill.
Bell	Hanley	Pritchard
Bennett	Hanna	Quie
Bergland	Harrington	Railsback
Bevill	Hawkins	Randall
Biaggi	Hays	Rangel
Biester	Hechler, W. Va.	Rees
Bingham	Heckler, Mass.	Reid
Blatnik	Heinz	Reuss
Boggs	Helstoski	Riegle
Boland	Hicks	Rinaldo
Bolling	Hillis	Robison, N.Y.
Bowen	Holtzman	Rodino
Brademas	Horton	Roe
Breaux	Howard	Rooney, Pa.
Breckinridge	Hungate	Rose
Brooks	Johnson, Calif.	Rosenthal
Brown, Calif.	Jones, Ala.	Rostenkowski
Buchanan	Jones, N.C.	Roush
Burke, Mass.	Jordan	Roy
Burton, John	Kastenmeier	Roybal
Burton, Phillip	Kazen	Ryan
Carney, Ohio	Kluczynski	St Germain
Chisholm	Koch	Sandman
Clark	Kyros	Sarasin
Clausen, Don H.	Lagomarsino	Sarbanes
	Leggett	Schroeder
Clay	Lehman	Seiberling
Cochran	Lent	Shipley
Cohen	Litton	Sisk
Collins, Ill.	Long, La.	Slack
Conte	Long, Md.	Smith, Iowa
Conyers	Luken	Spence
Corman	McCloskey	Staggers
Cotter	McCormack	Stanton,
Cronin	McDade	J. William
Culver	McFall	Stanton,
Danielson	McKay	James V.
Davis, S.C.	McKinney	Stark
de la Garza	Mallary	Steele
Delaney	Maraziti	Steiger, Wis.
Dellums	Mathias, Calif.	Stephens
Denholm	Matsunaga	Stokes
Dent	Mazzoli	Stratton
Dingell	Meeds	Stuckey
Donohue	Melcher	Studds
Drinan	Metcalfe	Sullivan
Dulski	Mezvinsky	Symington
du Pont	Minish	Thomson, Wis.
Eckhardt	Mink	Thornton
Edwards, Calif.	Mitchell, Md.	Tiernan
Eilberg	Mitchell, N.Y.	Traxler
Evans, Colo.	Moakley	Udall
Fascell	Mollohan	Ullman
Fish	Moorhead, Pa.	Van Deerlin
Flowers	Morgan	Vander Veen
Foley	Mosher	Vanik
Ford	Moss	Vigorito
Fraser	Murphy, Ill.	Waldie
Froehlich	Murphy, N.Y.	Walsh
Fulton	Murtha	Wampler
Fuqua	Natcher	Whalen
Gaydos	Nedzi	White
Giaimo	Nichols	Whitten

Widnall	Wolff	Young, Ga.
Wilson, Charles H., Calif.	Wright	Young, Tex.
	Wyman	Zablocki
	Yates	

NOES—171

Abdnor	Forsythe	Passman
Anderson, Ill.	Fountain	Pettis
Andrews, N.C.	Frelinghuysen	Pickle
Archer	Frenzel	Poage
Arends	Frey	Powell, Ohio
Armstrong	Gettys	Price, Tex.
Ashbrook	Goldwater	Quillen
Bafalis	Gross	Rarick
Baker	Grover	Regula
Bauman	Gubser	Rhodes
Beard	Guyer	Robinson, Va.
Blackburn	Haley	Rogers
Bray	Hanrahan	Roncalio, Wyo.
Broomfield	Harsha	Roncallo, N.Y.
Brotzman	Hastings	Runnels
Brown, Mich.	Henderson	Ruppe
Brown, Ohio	Hinshaw	Ruth
Broyhill, N.C.	Hogan	Satterfield
Broyhill, Va.	Holt	Scherle
Burgener	Hosmer	Schneebeli
Burke, Fla.	Huber	Sebelius
Burleson, Tex.	Hudnut	Shriver
Burlison, Mo.	Hunt	Shuster
Butler	Hutchinson	Sikes
Byron	Ichord	Skubitz
Camp	Jarman	Smith, N.Y.
Carter	Johnson, Pa.	Snyder
Casey, Tex.	Jones, Okla.	Steed
Cederberg	Kemp	Steelman
Chamberlain	Ketchum	Steiger, Ariz.
Chappell	King	Stubblefield
Clancy	Kuykendall	Symms
Clawson, Del	Landgrebe	Talcott
Cleveland	Landrum	Taylor, Mo.
Collier	Latta	Teague
Collins, Tex.	Lott	Thone
Conable	Lujan	Towell, Nev.
Conlan	McClory	Treen
Daniel, Dan	McCollister	Vander Jagt
Daniel, Robert W., Jr.	McEwen	Veysey
	McSpadden	Waggonner
Davis, Ga.	Mahon	Ware
Davis, Wis.	Mann	Whitehurst
Dellenback	Martin, Nebr.	Wiggins
Dennis	Martin, N.C.	Williams
Derwinski	Mathis, Ga.	Wilson, Bob
Devine	Mayne	Wilson, Charles, Tex.
Dickinson	Michel	
Downing	Milford	Winn
Duncan	Miller	Wyatt
Edwards, Ala.	Mizell	Wydler
Erlenborn	Montgomery	Wylie
Eshleman	Moorhead, Calif.	Young, Alaska
Evins, Tenn.		Young, Fla.
Findley	Myers	Young, Ill.
Fisher	Nelsen	Young, S.C.
Flood	O'Brien	Zion
Flynt	Parris	Zwach

NOT VOTING—32

Brasco	Goodling	Madigan
Brinkley	Griffiths	Mills
Burke, Calif.	Hansen, Idaho	Minshall, Ohio
Carey, N.Y.	Hansen, Wash.	Preyer
Coughlin	Hébert	Roberts
Crane	Holifield	Rooney, N.Y.
Daniels, Dominick V.	Johnson, Colo.	Rousselot
	Jones, Tenn.	Shoup
Diggs	Karth	Taylor, N.C.
Dorn	Macdonald	Thompson, N.J.
Esch	Madden	Yatron

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Mr. FLOOD. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. WRIGHT, 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. 15580) 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, had come to no resolution thereon.

PERSONAL EXPLANATION

Mr. TAYLOR of North Carolina. Mr. Speaker, on rollcall No. 339 on June 27, 1974, I was recorded as not voting. I was present for this rollcall and voted "no." I do not know why the vote was not tabulated by the electronic equipment.

I ask unanimous consent that this statement be placed right after this rollcall in the permanent CONGRESSIONAL RECORD.

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

There was no objection.

DISCHARGING CONFEREES FROM FURTHER CONSIDERATION OF H.R. 14833, AND CONSIDERING SENATE AMENDMENTS THERETO

Mr. ULLMAN. Mr. Speaker, I ask unanimous consent that the conferees on the part of the House be discharged from further consideration of the bill (H.R. 14833) to extend the Renegotiation Act of 1951 for 18 months; and I ask unanimous consent to take from the Speaker's table the bill H.R. 14833, together with the Senate amendments thereto, and consider the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 1, lines 5 and 6, strike out "December 31, 1975". and insert: "June 30, 1975".

Page 1, after line 6, insert:

SEC. 2. Section 1631 of the Social Security Act is amended by adding the following at the end thereof:

"REIMBURSEMENT TO STATES FOR INTERIM ASSISTANCE PAYMENTS

"(g)(1) Notwithstanding subsection (d)(1) and subsection (b) as it relates to the payment of less than the correct amount of benefits, the Secretary may upon written authorization by an individual, withhold benefits due with respect to that individual and may pay to a State (or political subdivision thereof as may be agreed to by the Secretary and the State from the benefits withheld an amount sufficient to reimburse the State (or political subdivision thereof) for interim assistance furnished on behalf of the individual by the State (or political subdivision thereof).

"(2) For purposes of this subsection, the term benefits means supplemental security income benefits under this title and any State supplementary payments under section 1616 or under section 212 of Public Law 93-66 which the Secretary makes on behalf of a State (or political subdivision thereof) that the Secretary has determined to be due with respect to the individual at the time the Secretary makes the first payment of benefits. A cash advance made pursuant to section 1631(a)(4)(A) shall not be considered as the first payment of benefits for purposes of the preceding sentence.

"(3) For purposes of this subsection, the term 'interim assistance' means assistance financed from State or local funds and furnished for meeting basic needs during the period, beginning with the month in which the individual filed an application for benefits (as defined in paragraph (2)), for which he was eligible for such benefits.

"(4) In order for a State to receive reimbursement under the provision of paragraph (1), the State shall have in effect an agreement with the Secretary which shall provide—

"(i) that if the Secretary makes payment to the State (or subdivision of the State as provided for under the agreement) in reimbursement for interim assistance (as defined in paragraph (3)) for any individual in an amount greater than the reimbursable amount authorized by paragraph (1), the State (or subdivision of the State as provided for under the agreement) shall pay to the individual the balance of such payment in excess of the reimbursable amount as expeditiously as possible, but in any event within ten working days or a shorter period specified in the agreement; and

"(ii) such other rules as the Secretary finds necessary to achieve efficient and effective administration of this provision and to carry out the purposes of the program established by this title, including protection of hearing rights for any individual aggrieved by action taken by the State (or subdivision of the State as provided for under the agreement) pursuant to this subsection.

"(5) The provisions of subsection (c) shall not be applicable to any disagreement concerning payment by the Secretary to a State pursuant to the preceding provisions of this subsection nor the amount retained by the State (or subdivision of the State as provided for under an agreement under paragraph (4)).

"(6) The provisions of this subsection shall expire on June 30, 1975. At least sixty days prior to such expiration date, the Secretary shall submit to Congress a report assessing the effects of actions taken pursuant to this subsection, including the adequacy of interim assistance provided and the efficiency and effectiveness of administration of such provisions. Such report may include such recommendations as the Secretary deems appropriate.".

Page 1, after line 6, insert:

SEC. 3. The last sentence of section 203(e)(2) of the Federal-State Extended Unemployment Compensation Act of 1970 (as added by section 20 of Public Law 93-233 and amended by section 2 of Public Law 93-256) is further amended by striking out "1974" and inserting in lieu thereof "1975".

SEC. 4. Section 204(b) of the Emergency Unemployment Compensation Act of 1971 is amended by striking out "903(b)(3)" and inserting in lieu thereof "905(d)".

Page 1, after line 6, insert:

SEC. 5. (a) Section 1611 of the Social Security Act (as enacted by section 301 of Public Law 92-603 and as in effect on July 1, 1974) is amended—

(1) in subsection (a)(1)(A), by inserting "(or, if greater, the amount determined under section 1617)" immediately after "$1,752";

(2) in subsection (a)(2)(A), by inserting "(or, if greater, the amount determined under section 1617)" immediately after "$2,628";

(3) in subsection (b)(1), by inserting "(or, if greater, the amount determined under section 1617)" immediately after "$1,752"; and

(4) in subsection (b)(2), by inserting "(or, if greater, the amount determined under section 1617)" immediately after "$2,628".

(b) Part A of title XVI of the Social Security Act (as enacted by section 301 of Public Law 92-603) is amended by adding at the end thereof the following new section:

"COST-OF-LIVING ADJUSTMENTS IN BENEFITS

"SEC. 1617. (a) Whenever the Secretary, pursuant to section 215(i) makes a determination that a base quarter in a calendar year is also a cost-of-living computation quarter, he shall determine and publish in the Federal Register (together with, and at the

same time, as the material required by section 215(i)(2)(D) to be published therein by reason of such determination) the supplemental security benefit rate (as determined under subsection (b)) which shall be effective for the period beginning with the month following the first month that the increase (if any) in benefits payable under title II becomes effective under section 215(i) by reason of such determination by the Secretary.

"(b)(1) As used in this section, the term 'supplemental security benefit rate' means whichever of the following is the greater—

"(A) the dollar amounts (namely, $1,752 and $2,628, referred to in sections 1611(a)(1)(A), 1611(a)(2)(A), 1611(b)(1), and 1611(b)(2)), or

"(B) the dollar amounts (referred to in such sections) which were in effect immediately prior to the most recent increase under this section.

"(2) The supplemental security benefit rate which shall be effective by reason of an increase brought about by the application of subsection (a) shall be such rate, as in effect immediately prior to such increase, plus a per centum thereof equal to the per centum of increase in benefits payable under title II brought about pursuant to section 215(i).".

(c) Section 211(a)(1)(A) of Public Law 93-66 (as in effect on July 1, 1974) is amended by striking "$876" and inserting in lieu thereof "an amount equal to 50 per centum of the amount specified in section 1611(a)(1)(A)".

(d) Title XVI of the Social Security Act is further amended by adding immediately after section 1617 (as added by subsection (b)) the following new section:

"OPERATION OF STATE SUPPLEMENTATION PROGRAMS

"SEC. 1618. (a) In order for any State (other than the Commonwealth of Puerto Rico, Guam, or the Virgin Islands) which has at any time after December 1973 had in effect a program of supplementation payments described in section 1616(a) to be eligible for payments pursuant to title XIX, with respect to expenditures for any calendar quarter which begins—

"(1) after June 30, 1975, or, if later,

"(2) after the calendar quarter in which supplementation payments are first made under such program,

such State must have in effect an agreement with the Secretary whereby the State will—

"(3) continue to operate such program,

"(4) maintain, under such program, a level of benefits which (prior to application of the provisions of paragraph (5)) is not lower than the level of benefits under the program for the first month that the program was in effect, or (if later) January 1974, and

"(5) in determining eligibility for and the amount of payment to which any applicant or recipient is entitled under the program disregard an amount of the income, including income in the form of benefits payable under section 1611, of such applicant or recipient equal to the amount, if any, by which—

"(A) The aggregate amount of the increases which have occurred in the level of supplemental security benefits payable under this title as a result of cost-of-living adjustments under section 1617 (as determined under regulations of the Secretary) since the first month with respect to which payments were made under the State program of supplementation, exceeds

"(B) the aggregate amounts of the increases over the level specified in paragraph (4) which have occurred in the level of benefits under such State program.

"(b) The Secretary, in determining for purposes of subsection (a) the level of benefits provided under a State supplementation program and the aggregate amount of any increases in such level, shall (after reviewing the program as it affects the various classes and categories of beneficiaries covered thereunder) consider the program as it affects the vast majority of beneficiaries; and the Secretary shall not determine that a State has failed to meet the requirements imposed by paragraph (4) or (5) of such subsection solely because its supplementation program does not meet, in one or more respects or in the case of one or more classes or categories of beneficiaries, such requirements, if the Secretary finds that the level of benefits provided under such program to the beneficiaries thereunder, when such beneficiaries are viewed as a single group, is not significantly lower than the level which would obtain if such requirements were fully met in every respect and in the case of each and every class or category of beneficiaries.".

(e) Section 212(a)(3)(C)(i) of Public Law 93-66 is amended by inserting "(except that, there shall not be counted so much of any such benefit for any month as is attributable to any increase made in the level of supplemental security income benefits pursuant to section 1617 of such Act)" immediately after "Social Security Act".

(f) The limitation imposed by section 401(a) of the Social Security Amendments of 1972 on the amount payable to the Secretary of Health, Education, and Welfare by a State pursuant to its agreement or agreements under section 1616 of the Social Security Act shall be applied without regard to paragraph (2) of such section in the case of an amount equal to one half of so much of the expenditures under the agreement or agreements as are necessary in order to enable the State to meet the requirements imposed by section 1618 of the Social Security Act or to meet the requirement imposed by the amendment made by subsection (e) of this section.

Page 1, after line 6, insert:

SEC. 6. Section 249B of the Social Security Amendments of 1972 is amended by striking out "June 30, 1974" and inserting "June 30, 1977" in lieu thereof.

Page 1, after line 6, insert:

SEC. 7. (a) Section 15(c)(2) of Public Law 93-233 is amended by striking out "December 1, 1974" and inserting in lieu thereof "March 1, 1975" and by striking out "July 1, 1975" and inserting in lieu thereof "March 1, 1976".

(b) Section 15(c)(5) of Public Law 93-233 is amended by striking out "March 1, 1975" and inserting in lieu thereof "June 1, 1975" and by striking out "October 1, 1975" and inserting in lieu thereof "June 1, 1976".

(c) Section 15(d) of Public Law 93-233 is amended by striking out "January 1, 1975, except that if the Secretary of Health, Education, and Welfare determines that additional time is required to prepare the report required by subsection (c), he may, by regulation, extend the applicability of the provisions of subsection (a) to cost accounting periods beginning after June 30, 1975" and inserting in lieu thereof "July 1, 1976".

Page 1, after line 6, insert:

SEC. 8. (a) Section 1902(a)(14) of the Social Security Act is amended to read as follows:

"(14) effective January 1, 1973, provides that—

"(A) in the case of individuals receiving aid or assistance under a State plan approved under title I, X, XIV, or XVI, or part A of title IV, or who meet the income and resources requirements of the one of such State plans which is appropriate—

"(i) no enrollment fee, premium, or similar charge, and no deduction, cost sharing, or similar charge with respect to the care and services listed in clauses (1) through (5) and (7) of section 1905(a), will be imposed under the plan, and

"(ii) any deduction, cost sharing, or similar charge imposed under the plan with respect to other care and services will be nominal in amount (as determined in accordance with standards approved by the Secretary and included in the plan), and

"(B) with respect to individuals who are not receiving aid or assistance under any such State plan and who do not meet the income and resources requirements of the one of such State plans which is appropriate or who, after December 31, 1973, are included under the State plan for medical assistance pursuant to section 1902(a)(10)(B) approved under title XIX—

"(i) there may be imposed an enrollment fee, premium, or similar charge which (as determined in accordance with standards prescribed by the Secretary) is related to the individual's income, and

"(ii) any deductible, cost-sharing, or similar charge imposed under the plan will be nominal;".

(b) The amendment made by subsection (a) shall be effective January 1, 1973 (or earlier if the State plan so provided).

Page 1, after line 6, insert:

SEC. 9. (a) The staff of the Joint Committee on Internal Revenue Taxation shall conduct a comprehensive study and investigation of the operation and effect of the Renegotiation Act of 1951, as amended, with a view to determining whether such Act should be extended beyond June 30, 1975, and, if so, how the administration of such Act can be improved. The Joint Committee staff shall specifically consider whether exemption criteria and the statutory factors for determining excessive profits should be changed to make the Act fairer and more effective and more objective. The Joint Committee staff shall also consider whether the Renegotiation Board should be restructured.

(b) In conducting such study and investigation the staff of the Joint Committee on Internal Revenue Taxation shall consult with the staffs of the Renegotiation Board, the General Accounting Office, the Cost Accounting Standards Board, and the Joint Economic Committee.

(c) The staff of the Joint Committee on Internal Revenue Taxation shall submit the results of its study and investigation to the Committee on Ways and Means of the House of Representatives and to the Committee on Finance of the Senate on or before May 31, 1975, together with such recommendations as it deems appropriate.

Page 1, after line 6, insert:

SEC. 10. (a) Section 211(a) of the Social Security Act is amended by adding at the end thereof the following new paragraph:

"An agreement between an owner or tenant of land and another person under which such other person is to manage and supervise the production of agricultural or horticultural commodities on such land shall not be considered to be an arrangement (described in paragraph (1)(A) of the first sentence of this subsection) which provides for material participation by the owner or tenant in production or management, if under such agreement it is the responsibility and duty of such other person, as the agent of such owner or tenant, to manage and supervise such production (including the selection of the tenants or other personnel whose services will be utilized in such production) without personal participation therein by such owner or tenant, and if, in fact, there is no personal participation by such owner or tenant in such production or management.".

(b) Section 1402(a) of the Internal Revenue Code of 1954 (relating to definition of net earnings from self-employment) is amended by adding at the end thereof the following new paragraph:

"An agreement between an owner or tenant of land and another person under which such other person is to manage and supervise the production of agricultural or horticultural commodities on such land shall not be considered to be an arrangement (described in paragraph (1)(A) of the first sentence of this subsection) which provides for material participation by the owner or tenant in production or management, if under such arrangement it is the responsibility and duty of such other person, as the agent of such owner or tenant, to manage and supervise such production (including the selection of the tenants or other personnel whose services will be utilized in such production) without personal participation therein by such owner or tenant, and if, in fact, there is no personal participation by such owner or tenant in such production or management.".

(c) The amendments made by this section shall apply with respect to taxable years beginning after December 31, 1973.

Amend the title so as to read: "An Act to extend the Renegotiation Act of 1951 for twelve months, and for other purposes."

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

Mr. GROSS. Mr. Speaker, reserving the right to object, I would ask the gentleman from Oregon, since it was almost impossible to hear the amendments when they were read, whether this deals exclusively with the Renegotiation Act extension?

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

Mr. GROSS. Of course, I will yield to the gentleman.

Mr. ULLMAN. Mr. Speaker, in response to the inquiry of the gentleman from Iowa, I would say that the bill that the House passed is the extension of the Renegotiation Act. The Senate added eight amendments. It is the purpose of this Member to request that seven of the amendments be rejected, and that the other amendment dealing with a 1-year extension of the present authority for certain States to make payments under the Extended Unemployment Compensation Act, be accepted with an amendment, which would merely extend that authority for 1 month. It expires as of the 1st of July this year, and we would merely ask that it be extended to the 1st of August.

Mr. GROSS. Mr. Speaker, further reserving the right to object to the unanimous-consent request of the gentleman from Oregon, I would ask the gentleman whether this extension deals exclusively with the Renegotiation Act, and whether all amendments to this act, as read by the Clerk, are germane to the bill?

Mr. ULLMAN. It is our purpose to pass the Renegotiation Act amendment exactly the way we passed it in the House, but we would add one amendment, that was added by the Senate, having to do with the extension of the Extended Unemployment Compensation Act, and make that a 1-month extension.

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

Mr. SPEAKER. Is there objection to the request of the gentleman from Oregon?

Mr. PICKLE. Mr. Speaker, reserving the right to object, does the gentleman from Oregon have a further explanation of the measure before us, or has the gentleman concluded his statement?

Mr. ULLMAN. Mr. Speaker, if the gentleman will yield, I have concluded my statement, but I would be happy to respond to any questions the gentleman may have.

Mr. PICKLE. The reason I asked for this reservation is because I understood the gentleman's proposal that the committee was simply extending the unemployment benefit program, that is, the extended program, for 30 days' time, until August 1, 1974.

Mr. ULLMAN. The gentleman is correct.

Mr. PICKLE This does not affect the formula or the triggering mechanism that is in the law at this time?

Mr. ULLMAN. It does not affect the permanent provisions.

Mr. PICKLE. It does not affect that?

Mr. ULLMAN. This is a simple extension of the existing law for 1 month.

Mr. PICKLE. If it is extended for 30 days' time, as I understand it, it would probably cost some $25 million on the part of the Federal Government and approximately $25 million on the part of the States?

Mr. ULLMAN. That figure is a maximum total of $50 million divided between the States and the Federal Government, of which a maximum of $25 million would be Federal expenses.

Mr. PICKLE. Yes, but $25 million from the States.

Mr. ULLMAN. Yes That would be a maximum figure.

Mr. PICKLE. The gentleman said it would be a total of approximately $50 million?

Mr. ULLMAN. State and Federal.

Mr. PICKLE. Mr. Speaker, the House should remember that when we extend these benefits, under the program 37 States are paying for the unemployment extended benefits of 13 other States basically. We have extended this program three and four times, always with the assurance that the committee was going to come forth with some kind of proposal that would reach for more equity, because 37 States should not have to pay indefinitely for the unemployment benefits of the other 13 States. What is the intent of the committee 30 days from now, by August 1?

Mr. ULLMAN. It is our hope that within this 30-day period we will be able to take a look at the whole program and, if need be, change the formula and bring it back within that period in a permanent form.

Mr. PICKLE. Then it is the gentleman's hope that he can actually present us some kind of a new formula within this 30-day extension time?

Mr. ULLMAN. That is correct.

Mr. PICKLE. And that this will not be extended on and on, but we will reach some conclusion on it?

Mr. ULLMAN. I certainly hope so.

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

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

Mr. SCHNEEBELI. Mr. Speaker, reserving the right to object, this request has been cleared with the people on this side of the aisle.

Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

MOTION OFFERED BY MR. ULLMAN

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

The Clerk read as follows:

Mr. ULLMAN moves that the House insist on its disagreement to Senate amendments Nos. 1, 2, 4, 5, 6, 7, 8, and 9, and to the Senate amendment to the title of the bill.

The motion was agreed to.

MOTION OFFERED BY MR. ULLMAN

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

The Clerk read as follows:

Mr. ULLMAN moves that the House recede from its disagreement to Senate Amendment numbered 3 and concur therein with an amendment as follows: In lieu of the matter proposed to be added by the Senate amendment, add the following (on page 1, after line 6):

SEC. 2. The last sentence of section 203(e)(2) of the Federal-State Extended Unemployment Compensation Act of 1970 is amended by striking out "July 1, 1974" and inserting in lieu thereof "August 1, 1974".

The motion was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. ULLMAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the legislation just considered by the House.

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

There was no objection.

SENATE JOINT RESOLUTION 218, TO PROVIDE FOR EXTENSION OF THE EXPORT-IMPORT BANK ACT OF 1945

Mr. PATMAN. Mr. Speaker, I ask unanimous consent for the immediate consideration of the Senate joint resolution (S.J. Res. 218) to extend by 30 days the expiration date of the Export-Import Bank Act of 1945.

The Clerk read the title of the Senate joint resolution.

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

Mr. ASHBROOK. Mr. Speaker, I categorically object.

The SPEAKER. Objection is heard.

DEPARTMENTS OF LABOR, AND HEALTH, EDUCATION, AND WELFARE, AND RELATED AGENCIES APPROPRIATION BILL, 1975

Mr. FLOOD. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 15580) 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.

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

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill H.R. 15580, with Mr. WRIGHT in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses for the Occupational Safety and Health Administration, $100,816,000.

AMENDMENT OFFERED BY MR. SYMMS

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

The Clerk read as follows:

Amendment offered by Mr. SYMMS: On page 6, line 17, strike the figure "$100,816,000" and insert the figure "$70,400,000".

Mr. SYMMS. Mr. Chairman, I will be very brief. My amendment very simply would put the OSHA appropriation back to where it was last year, back to $70.4 million. This amendment is not an anti-safety amendment, but a stop harassment amendment. There are countless bills before the Education and Labor Committee, to amend OSHA; there is one before the Education and Labor Committee calling for the outright repeal of the act which has over 50 sponsors on it. There is nothing in our country today that is causing any more complaints by the American people than OSHA, with the exception of inflation. I think this would not disband OSHA completely but at least it would put them on record that the American people are dissatisfied. Certainly they can live with $70.4 million. They have money even for TV programs to tell the people how wonderful OSHA is. It would seem to me that this amendment is proper more than fair and would be a good place to save money for the hard-working American taxpayer.

Mr. FLOOD. Mr. Chairman, I had no advance warning that this amendment would be offered. It is a very bad amendment, and I urge all Members to vote against it. If we do not like the Occupational Health and Safety Act, we should repeal it, rather than cutting the appropriations necessary to carry it out. What this amendment would do is to cut back the funds for grants to States which have elected to operate their own occupational safety and health programs. It would deny them the funds they need to carry out the law. It would discourage other States from entering the program. I hope that Members will be wise enough to realize that this amendment would not be in the best interests of the American people.

Mr. Chairman, we do not even have a copy of this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Idaho (Mr. SYMMS).

Mr. PATTEN. Mr. Chairman, I would like to speak against the amendment. We did not even know what it was.

The CHAIRMAN. The Chair will advise the gentleman that the Chair is attempting to protect the rights of all Members and if there is a Member who desires to be heard, the Chair will recognize that Member. Does the gentleman from New Jersey desire to be heard?

Mr. PATTEN. I would like to tell the Members that this is no increase. OSHA was never financed for a year.

The CHAIRMAN. Is any Member seeking recognition?

If not, the question is on the amendment offered by the gentleman from Idaho (Mr. SYMMS).

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

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 179, noes 218, not voting 37, as follows:

[Roll No. 340]

AYES—179

Abdnor	Davis, S.C.	Hunt
Alexander	Davis, Wis.	Hutchinson
Andrews, N.C.	de la Garza	Ichord
Archer	Denholm	Jarman
Arends	Dennis	Johnson, Pa.
Armstrong	Devine	Jones, N.C.
Ashbrook	Dickinson	Jones, Okla.
Bafalis	Downing	Kazen
Baker	Duncan	Kemp
Bauman	du Pont	Ketchum
Beard	Edwards, Ala.	King
Bennett	Eshleman	Kuykendall
Bowen	Evins, Tenn.	Lagomarsino
Bray	Findley	Landgrebe
Breaux	Fish	Latta
Broomfield	Fisher	Lent
Brown, Mich.	Flynt	Lott
Broyhill, N.C.	Fountain	Lujan
Broyhill, Va.	Frey	McClory
Buchanan	Froehlich	McCollister
Burgener	Gettys	McEwen
Burke, Fla.	Gilman	McSpadden
Burleson, Tex.	Ginn	Mallary
Butler	Goldwater	Mann
Byron	Green, Oreg.	Martin, Nebr.
Camp	Gross	Martin, N.C.
Carter	Grover	Mathis, Ga.
Chamberlain	Gubser	Mayne
Chappell	Gunter	Miller
Clancy	Guyer	Mitchell, N.Y.
Clausen, Don H.	Haley	Mizell
Clawson, Del	Hammer-schmidt	Montgomery
Cleveland	Hanrahan	Moorhead, Calif.
Cochran	Harsha	Myers
Collier	Hastings	Nelsen
Collins, Tex.	Henderson	O'Brien
Conable	Hinshaw	Parris
Conlan	Hogan	Passman
Daniel, Dan	Holt	Pettis
Daniel, Robert W., Jr.	Hosmer	Poage
Davis, Ga.	Huber	Powell, Ohio
	Hudnut	Price, Tex.
Quillen	Snyder	Veysey
Randall	Spence	Waggonner
Rarick	Steed	Walsh
Rhodes	Steelman	Wampler
Robinson, Va.	Stephens	Ware
Rogers	Stubblefield	White
Roncallo, N.Y.	Stuckey	Whitehurst
Rose	Symms	Whitten
Runnels	Talcott	Wiggins
Ruth	Taylor, Mo.	Wilson, Bob
Satterfield	Taylor, N.C.	Winn
Scherle	Teague	Wylie
Schneebeli	Thomson, Wis.	Wyman
Sebelius	Thone	Young, Fla.
Shriver	Thornton	Young, Ill.
Shuster	Towell, Nev.	Young, S.C.
Sikes	Treen	Young, Tex.
Skubitz	Vander Jagt	Zion

NOES—218

Abzug	Grasso	Pickle
Adams	Gray	Pike
Addabbo	Green, Pa.	Podell
Anderson, Calif.	Gude	Price, Ill.
Anderson, Ill.	Hamilton	Pritchard
Andrews, N. Dak.	Hanley	Quie
Annunzio	Hanna	Railsback
Ashley	Hansen, Idaho	Rangel
Aspin	Harrington	Rees
Badillo	Hawkins	Regula
Barrett	Hays	Reid
Bell	Hechler, W. Va.	Reuss
Bergland	Heckler, Mass.	Riegle
Bevill	Heinz	Rinaldo
Biaggi	Helstoski	Robison, N.Y.
Biester	Hicks	Rodino
Bingham	Hillis	Roe
Blatnik	Holtzman	Roncalio, Wyo.
Boggs	Horton	Rooney, Pa.
Boland	Hungate	Rosenthal
Bolling	Johnson, Calif.	Rostenkowski
Brademas	Jones, Ala.	Roush
Breckinridge	Jordan	Roy
Brooks	Kastenmeier	Roybal
Brotzman	Kluczynski	Ruppe
Brown, Calif.	Koch	Ryan
Brown, Ohio	Kyros	Sandman
Burke, Mass.	Leggett	Sarasin
Burlison, Mo.	Lehman	Sarbanes
Burton, John	Litton	Schroeder
Burton, Phillip	Long, La.	Seiberling
Carney, Ohio	Long, Md.	Shipley
Casey, Tex.	Luken	Sisk
Cederberg	McCloskey	Slack
Chisholm	McCormack	Smith, Iowa
Clay	McDade	Smith, N.Y.
Cohen	McFall	Staggers
Collins, Ill.	McKay	Stanton, J. William
Conte	McKinney	Stanton, James V.
Conyers	Madden	Stark
Corman	Mahon	Steele
Cotter	Maraziti	Steiger, Wis.
Cronin	Mathias, Calif.	Stokes
Culver	Matsunaga	Stratton
Danielson	Mazzoli	Studds
Delaney	Meeds	Sullivan
Dellenback	Melcher	Symington
Dellums	Metcalfe	Tiernan
Dent	Mezvinsky	Traxler
Dingell	Michel	Udall
Donohue	Milford	Ullman
Drinan	Minish	Van Deerlin
Dulski	Mink	Vander Veen
Eckhardt	Mitchell, Md.	Vanik
Edwards, Calif.	Mollohan	Vigorito
Eilberg	Moorhead, Pa.	Waldie
Erlenborn	Morgan	Whalen
Evans, Colo.	Mosher	Widnall
Fascell	Moss	Williams
Flood	Murphy, Ill.	Wilson, Charles H., Calif.
Flowers	Murphy, N.Y.	Wilson, Charles, Tex.
Foley	Murtha	Wolff
Ford	Natcher	Wright
Forsythe	Nedzi	Wyatt
Fraser	Nichols	Wydler
Frelinghuysen	Nix	Yates
Frenzel	Obey	Young, Alaska
Fulton	O'Hara	Young, Ga.
Fuqua	O'Neill	Zablocki
Gaydos	Owens	Zwach
Giaimo	Patman	
Gibbons	Patten	
Gonzalez	Pepper	
	Perkins	
	Peyser	

NOT VOTING—37

Blackburn	Coughlin	Dorn
Brasco	Crane	Esch
Brinkley	Daniels, Dominick V.	Goodling
Burke, Calif.	Derwinski	Griffiths
Carey, N.Y.	Diggs	Hansen, Wash.
Clark		Hébert

Holifield	Madigan	Rousselot
Howard	Mills	St Germain
Johnson, Colo.	Minshall, Ohio	Shoup
Jones, Tenn.	Moakley	Steiger, Ariz.
Karth	Preyer	Thompson, N.J.
Landrum	Roberts	Yatron
Macdonald	Rooney, N.Y.	

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. STEIGER OF WISCONSIN

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

The Clerk read as follows:

Amendment offered by Mr. STEIGER of Wisconsin: Page 6, line 17, insert the following immediately before the period: ", together with $5,000,000 to be available for reimbursement to States under section 7(c)(1) of the Occupational Safety and Health Act of 1970 (29 U.S.C. 656(c)(1)) for the furnishing of consultation services to employers under section 21(c) of such Act (29 U.S.C. 670(c))".

Mr. STEIGER of Wisconsin. Mr. Chairman, if there has ever been a thread of what people talk about in terms of the Occupational Safety and Health Act, it is the complaint that legitimately is made, particularly by small business employers, that they do not have safety professionals, that they do not have a staff, and that they are not able to secure information concerning how the act affects their particular operation.

This amendment is designed to provide $5 million to enable the Department of Labor to enter into agreements, under section 7(c)(1) of the Occupational Safety and Health Act of 1970, for State personnel to furnish consultant services to employers under section 21(c) of the act. In yesterday's RECORD on page 21296 I have clearly delineated my intent as to purpose, intent, history, and expected approach.

Mr. Chairman, I well understand the very deep feelings that have been generated across the United States and reflected fairly accurately on the vote on the amendment that was just defeated. Thus, I have sought for the last 2½ years to find a way to enable the Congress to respond responsibly to the needs of small employers.

The distinguished chairman of the Subcommittee on Environmental Problems Affecting Small Business of the Select Committee on Small Business, the gentleman from Missouri (Mr. HUNGATE) has been one of those Members who has been most in the forefront of this effort. There are many Members in the Chamber who have joined in sponsoring the bill that I introduced to provide for consultant services.

Mr. Chairman, this amendment is a very simple amendment. It provides $5 million to meet the needs of employers who want to find out how the Occupational Safety and Health Act applies to their operations.

Mr. Chairman, the amendment I am offering this afternoon on behalf of myself and the gentleman from Missouri (Mr. HUNGATE) is endorsed by the National Small Business Association, the Men's Retailers of America, the American Retailer Federation, and the National Association of Manufacturers and, last but not least, by the Secretary of Labor and by the Office of Management and Budget. At this point, Mr. Chairman, I want to include the full text of all supporting messages:

WASHINGTON, D.C.,
June 26, 1974.

Congressman WILLIAM STEIGER,
Longworth House Office Building,
Washington, D.C.

DEAR CONGRESSMAN STEIGER, the American Retail Federation which represents thousands of small retailers through its 50 States and 32 national association affiliates highly endorses your small business OSHA consultation amendment to the Labor HEW appropriations bill. The Federation believes that this amendment with the proper type of administration will not only help to alleviate the burden of this law for small businesses, but will further the basic premise of OSHA in promoting the safety and health of employees.

EUGENE A. KEENEY,
President, American Retail Federation.

WASHINGTON, D.C.,
June 26, 1974.

Congressman WILLIAM STEIGER,
Capitol, D.C.:

Menswear Retailers of America, the National Trade Association representing 8,000 menswear specialty stores supports small business OSHA amendment seeking consultative visits. Our small business members fully support the congressional intent of OSHA but realistically it must be recognized that retail stores are among the least vulnerable in subjecting employees to "imminent work hazards." We believe that a consultative inspection provision would remove potential harassment of small retailers while at the same time the intent of the law would be complied with in full.

MENSWEAR RETAILERS OF AMERICA.

JUNE 26, 1974.

Hon. WILLIAM A. STEIGER,
House Office Building,
Washington, D.C.

Representative William A. Steiger has indicated he will offer an amendment to the labor-HEW appropriations bill Thursday, June 27, Rep. Steiger's amendment would appropriate an additional $5 million for States to provide on-site consultative services to assist employers in meeting their OSHA requirements. NAM strongly believes additional assistance is needed if employers are to further comply with OSHA. Onsite consultation is particularly needed by small employers. This provision in no way would weaken OSHA enforcement, at least 21 States presently provide on-site consultation as part of their OSHA-approved State plan. This amendment would broaden coverage to all States.

NAM strongly urges you to support Rep. Steiger's efforts to enhance safety in the workplace, a concern in which we all share.

E. DOUGLAS KENNA,
President, National Association of Manufacturers.

NATIONAL SMALL BUSINESS ASSOCIATION,
Washington, D.C., June 24, 1974.

Hon. WILLIAM STEIGER
Longworth House Office Building,
Washington, D.C.

DEAR MR. STEIGER: We have been apprised of your intention to offer an amendment to the Labor-HEW appropriation bill designed to provide on-site consultation services for business. It is our understanding that the amendment will call for a five million dollar appropriation to be administered by the Department of Labor, which in turn will make grants to the states for the purpose of establishing on-site consultative services.

This approach would certainly seem to answer the needs of the millions of small businesses who are in desperate need of help in their compliance efforts. NSB feels that this will alleviate any need for directly amending the Act to accomplish the same purpose. Furthermore, we understand that by allowing the states to do this, the consultation will not be limited to firms employing 25 or less. There are a great many medium-sized businesses who are in need of this service.

We are informed that amendments may also be introduced to exempt smaller firms from compliance. While on the surface this action would seem to take care of the problem for small business, we found, in effect that the exemption, as voted during the preceding Congress was so limited and so narrow that only the smallest of the smalls would have benefited. A the same time, any outright exemption would tend to counter the stated purpose of the Act itself, mainly to provide the safest possible work-place. NSB certainly has no desire to take such a position. Our problem, and that of our membership, with the Act has always been in the administration thereof.

Once again to the extent that your proposed amendment will supply the needed consultation services and will further assist small business in coming into compliance, the National Small Business Association wholeheartedly supports your effort.

Sincerely,

MILTON D. STEWART,
Vice-President.

U.S. DEPARTMENT OF LABOR,
Washington, D.C., June 27, 1974.

Hon. WILLIAM A. STEIGER,
House of Representatives
Washington, D.C.

DEAR CONGRESSMAN STEIGER: I understand that you intend to introduce on the Floor of the House of Representatives an amendment to H.R. 15580, the HEW-Labor appropriations bill, which would provide additional funds to enable the Labor Department to enter into agreements with the States under the authority of section 7(c)(1) of the Williams-Steiger Occupational Safety and Health Act of 1970. Under these agreements, State personnel would furnish consultation services to employers under section 21(c) of the Act on occupational safety and health matters.

I firmly believe that consulting with employers, particularly smaller employers, is highly desirable not only as a means of disseminating needed information on matters related to worker safety and health but also as a means of facilitating compliance by employers with their legal obligation under the Act.

The Department is already engaged in extensive efforts to advise and consult with employers as to effective means of preventing occupational injuries and illnesses. Your amendment would make additional funds available for augmenting this important activity and would also permit this Department to make maximum use of existing State capabilities and expertise in safety and health matters.

Sincerely,

PETER J. BRENNAN,
Secretary of Labor.

The letter from the Secretary of Labor says, and I would like to quote just a part of it:

I understand that you intend to introduce on the Floor of the House of Representatives an amendment to H.R. 15580, the HEW-Labor appropriations bill, which would provide additional funds to enable the Labor Department to enter into agreements with the

States under the authority of section 7(c)(1) of the Williams-Steiger Occupational Safety and Health Act of 1970. Under these agreements, State personnel would furnish consultation services to employers under section 21(c) of the Act on occupational safety and health matters.

I firmly believe that consulting with employers, particularly smaller employers, is highly desirable not only as a means of disseminating needed information on matters related to worker safety and health but also as a means of facilitating compliance by employers with their legal obligation under the Act.

Mr. Chairman, I call the attention of the members of the committee to the fact that in yesterday's RECORD on page 21296 I inserted a lengthy discussion of what was involved in this effort. I hope the committee will be willing to accept this amendment. I think it would responsibly deal with the problems that small employers have with the act and enable us to get out from under the biggest problem, which is a fear of the unknown.

Mr. FRASER. Will the gentleman yield?

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

Mr. FRASER. If I understand the gentleman's amendment correctly, he is providing $5 million to establish a program of counseling small business in their efforts to comply with the regulations. Is that right?

Mr. STEIGER of Wisconsin. That is correct.

Mr. FRASER. Mr. Chairman, based on my understanding of the amendment, I am inclined to support it. I think it is a helpful and desirable measure to assist small business.

Mr. STEIGER of Wisconsin. I thank the gentleman.

I yield to the gentleman from Pennsylvania.

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

I want to commend the gentleman for offering this amendment. I think it would have been very effective and helpful if we could have had an amendment such as this when we considered this appropriation a year ago. I strongly support the gentleman's amendment.

Mr. STEIGER of Wisconsin. I thank the gentleman from Pennsylvania deeply for that statement.

I now yield to the gentleman from Florida (Mr. YOUNG).

Mr. YOUNG of Florida. I thank the gentleman for yielding.

I want to ask him this question. Is the $5 million an additional amount to that already appropriated?

Mr. STEIGER of Wisconsin. It is an additional $5 million in addition to that found in the committee bill.

I urge support of the amendment.

Mrs. GREEN of Oregon. Mr. Chairman, I rise in support of the amendment.

I yield to the gentleman from Missouri.

Mr. HUNGATE. Mr. Chairman, I thank the gentlewoman for yielding.

As the gentleman from Wisconsin stated, we are both supporting this amendment.

The purpose of the amendment is to provide an additional $5 million for consultation. We held hearings in the Small Business Committee on this matter all around the country a year ago and we also held some this year. We are not seeking any loopholes or taking anybody out from under this act. We find that the small businessman wants to comply with the act. What they see they need is they need to find out if they are able to get funds and what the obstacles are. They have to be able to call someone who can tell them how they can act so that they will not incur a fine. Or perhaps a man has a machine which may be a $100,000 machine which no longer meets the compliance standards of the health and safety standards. Under this amendment that small businessman can call up and ask if the new machine will comply with the standards. At present they will not tell him. We think he has a right to that educational service.

I certainly urge all Members to support this amendment which in no way weakens the act.

Mrs. GREEN of Oregon. Mr. Chairman, I yield to the gentleman from Missouri (Mr. RANDALL).

Mr. RANDALL. I thank the gentlelady for yielding. Mr. Chairman, I rise in strong support of this amendment and commend the gentleman from Wisconsin for offering the amendment.

Mr. Chairman, we are talking, as our colleague just finished saying, about small business. We are talking about the little fellows who have maybe 2, 3, 4 or 5 or as many as 10 or 15 or 20 employees.

It was heartrending for me to see some small businesses closed up which I observed during the period from January 1, 1974, until January 21 when we returned to open the session. I visited one small business they had just threatened to put out of business.

Well, with this kind of amendment the businessman can ask what it is they may have to do in order to comply with the requirements in order that they will not be closed up.

I went to one place of business and there observed all of the guardrails and heavy screens that they had put around a piece of heavy machinery. Nobody could have possibly come close enough to that piece of machinery to be hurt even if he had tried. It was simply ridiculous for OSHA inspectors to say this piece of machinery had to be scrapped because I saw with my own eyes—there was simply no way for an operator to be hurt.

This sort of an amendment makes sense. It makes sense for small business. All of the Members supported OSHA but we are for OSHA for big industry. We are all aware of accidents where employees have fallen into molten metal vats, never to be recovered, or terrible injuries where they are chewed up by assembly lines. I had in mind accidents such as these in big industry—and also the mining industry. Here we are talking about small businesses. That is what this is all about. I believe this amendment deserves the support of all of us.

Mrs. GREEN of Oregon. It seems to me this would reduce a great deal of the opposition to OSHA because OSHA at the present time does, as the two gentlemen have said, just go in and close down businesses, or impose fines. I think this is a violation of the judicial process. If we can give more help in counseling, advice, I would think OSHA would be a much stronger agency with far less hostile opposition.

Mr. McKINNEY. Mr. Chairman, will the gentlewoman yield?

Mrs. GREEN of Oregon. I yield to the gentleman from Connecticut.

Mr. McKINNEY. Mr. Chairman, I rise in support of the amendment to provide for a program of grants to States for onsite consultation services to assist businesses for compliance with the Occupational Safety and Health Act.

While I support the concept and aim of OSHA, I have long believed that the legislation as presently constituted lacks any incentive or emphasis on assisting employers to comply with its terms. And indeed an interpreter is needed to decipher the OSHA regulations. Because of this, we have incurred a climate of hostility, fear, and frustration between employers and the Department of Labor. What we must strive to achieve in reform of OSHA is the restoration of cooperation in attaining on-the-job safety for employees. In this respect I have advocated a two-step inspection procedure as far more equitable than that which is currently in effect. The first visit would provide onsite consultation and advice to employers on the interpretation and application of safety standards. The second visit would then follow, at which time the actual inspection would occur.

And this, gentlemen, would be largely accomplished by Mr. STEIGER's amendment. Onsite consultative services would provide employers with the necessary information to maintain a safe and healthy environment for their workers without the past confusion surrounding OSHA inspections. We must accept that employers, especially small ones, require assistance in understanding and complying with the complex and all too often monolithic standards of OSHA.

I would like to bring to the attention of my colleagues a proposal for reform of OSHA developed by the Stamford Area Commerce and Industry Association, whose membership of 300 include the national and multinational corporations headquartered in southwest Fairfield County, Conn., as well as the area's local business organizations. The membership vitally affected by OSHA both as employers of several hundred thousand persons in the United States and as producers of products used by millions of other employers covered by OSHA, support the act as an appropriate expression of the Federal Government's interest in the safety and health of the American worker. However, on the basis of their experience with their own company-directed occupational safety and health programs, their experience in operating for many years under various State programs, and their experience with OSHA, the members of SACIA believe modifications of OSHA would improve the act's effectiveness as a vehicle for improved occupational safety and health while at the same time reducing

some of the unnecessary burdens on employers who are attempting to comply with all of its requirements.

The SACIA proposal has direct bearing on the amendment before us, that is, they recommend that the Secretary of Labor should provide "consultative inspections" or "advisory evaluations," and that such assistance should be available to all employers subject to the act. At this point I insert in the RECORD the background statement of SACIA in support of their recommendation and, by extension, the amendment before us:

Considerably greater training, education, and assistance is required if OSHA's goal of creating a safer work environment is to be achieved in a smooth, orderly, and reasonably economic manner. The scope, depth, and complexity of OSHA requirements make them difficult if not impossible to interpret and implement without such guidance. It is imperative that OSHA involvement with organizations seeking to conform their operations to its requirements be broadened beyond the current, essentially punitive approach. Many companies proceeding in good faith to upgrade their operations are doing so with little or no assurance that the steps they are taking are necessary, desirable, or will, in fact, lead to compliance. This problem exists for large as well as small companies, and it is important that they be able to avail themselves of sound OSHA guidance to ensure that the steps they contemplate are appropriate, since in many cases the expenditures required are considerable.

It had proposed that the present inspection system be continued but that, independently, a mechanism be created through which companies can seek and obtain guidance, including on-site inspection and consultation, that will enable them to move forward with safety measures with certitude that these measures will be productive. This will maximize the benefits to be derived from the safety-related expenditures being made and, at the same time, will have long-term beneficial effects as an educational program that will upgrade the professionalism of safety personnel and speed full compliance with OSHA regulations.

Mr. ROUSH. Mr. Chairman, will the gentlewoman yield?

Mrs. GREEN of Oregon. I yield to the gentleman from Indiana.

Mr. ROUSH. Mr. Chairman, I rise today to support the amendment that will provide for consultative inspections, on-site consultation for businesses seeking compliance with the regulations of the Occupational Safety and Health Act.

Without attorneys on retainer, safety professionals, or industrial hygienists on their staffs, many employers, small businessmen in particular, have had great difficulty in complying with the often complex and highly technical health, safety standards, despite their desire and intent to do so.

The goals of the Occupational Safety and Health Act, a safe and healthy working place for every American worker, are universally accepted. What I found objected to in the many letters I receive is the administration of the act. Often businessmen have questions about the regulations, they are confused as to whether they are violating the act, uncertain as to the meaning of the new rules. Yet, if they invite an OSHA inspector to visit they are liable to be found in noncompliance and fined. Thus there is no way, short of hiring expensive technical assistance, which many cannot afford, that the small business can readily and rapidly bring itself into compliance. Accordingly some have protested the law itself.

However, the general consensus today is that OSHA is working. Not as it should, but the idea has gained acceptance. The National Small Business Association wrote the chairman of the Select Small Business Subcommittee indicating their support for the amendment that we are considering today. This amendment would provide funding through the Department of Labor by means and grants to the States for the purpose of establishing onsite consultative services. I believe this amendment has broad support. The National Small Business Association in indicating their support for this amendment made clear their commitment to the idea of assistance in carrying out the law versus legislation to exempt businesses from it.

Mr. HANSEN of Idaho. Mr. Chairman, will the gentlewoman yield?

Mrs. GREEN of Oregon. I yield to the gentleman from Idaho.

Mr. HANSEN of Idaho. Mr. Chairman, I fully support the amendment offered by my colleague from Wisconsin (Mr. STEIGER). The adoption of this amendment would help break down the wall of resistance and hostility to the Occupational Safety and Health Act that has been built in the small business sector. The heavy emphasis on the enforcement functions of the law has far outweighed the minimal efforts applied to the educative functions of the law, and the resulting imbalance in priority emphasis has resulted in a proportional distortion of perception on the law in the small business sector. This distorted perception has been engendered by fear of the unknown. Fear is a powerful motivator—and it has been used to secure OSHA compliance. However, in the long run, fear is a debilitating influence. I can understand why this motivational force has been employed to date, given the small number of inspectors compared with the target population. However, fear is a positive motivator only when a clearly defined course of action to avoid punishment is available. In the absence of such a clearly defined course of action, tension and anxiety build up. And it is this tension and anxiety that have been exploited by those who seek to eviscerate the law or wipe it off the books entirely.

We can remove this fear and anxiety by providing an opportunity for the small businessman to obtain consultation on potential problem areas in his business, on the site where his business activities take place.

Offsite consultation is simply not adequate to meet the special needs of the small business sector. Can we expect the small businessman to bring his machinery to some neutral territory for inspection? Can we realistically expect him to memorize every detail of his business, the machinery in his shop, the work habits of his employees, and relate these to an offsite counselor? Requiring him to seek advice in such a manner is not unlike arranging the terms of a duel on some neutral ground. How can we expect any businessman to develop a positive perception on the merits of voluntary compliance under such conditions? There is a vast difference between the capabilities, the capital and the legal resources that are available to the small and large business sectors. This onsite consultation amendment seeks to restore a balance between the comparative advantages held by either sector.

This is a positive step in the right direction to encourage voluntary compliance. Further, this amendment indicates the good faith of the Congress to the thousands of small businessmen around the Nation who look to us for meaningful reforms in the law to help them comply with this important national program.

Mr. STEIGER's amendment has been designed to overcome the objections of those who envision a potential problem in investing both the enforcement and the educative function within a single agency. There are concerns that an agency so charged with this dual function might well emphasize one aspect over the other. Possibly, the educative function could outweigh the enforcement function. Although I see little likelihood of this possibility, I recognize the sincerity that generates this concern in some sectors. On the other hand, we cannot ignore the fact that the educative functions of the law must be exercised to their full potential if the ultimate goal of voluntary compliance is to be achieved. Mr. STEIGER's amendment separates the educative/consultative function from the enforcement function, and vests the consultative authority within the States. This is a proper role for the States to assume, and it will do much to encourage the adoption of the larger scope of the program on the State level.

There are, of course, other areas in the law that continue to cause some problem in the small business sector. I believe that many of these problem areas can be corrected administratively, and we will not need to develop legislative approaches if the Department of Labor is responsive to these needs. I believe a greater emphasis should be placed on the issuance of specific advice on compliance at the time a citation is issued. Too often, the advice is nonspecific, causing uncertainties and accompanying delays because the businessman is not sure that the action he is taking will put him in compliance with the law. This problem is further complicated if the small businessman seeks Small Business Administration funding under the terms of the law to finance needed modifications to gain compliance status. At the present time, SBA OSHA loan programs have not been administered with vigor, because even the SBA is unsure that such loans will result in compliance status. Specificity of advice could solve this problem, and this correction could be accomplished through administrative channels.

Also, I would urge consideration of the extension of the time allotted to the

businessman to file an appeal on a citation and/or penalty. The law currently requires him to file such notice within 15 days after receipt of citation. Because of the limited access to engineering counseling and legal advice in many areas of our country, on which a businessman might base a decision on whether or not to appeal a citation, I believe this time limit should be extended to 30 days. This extension would not adversely affect the concept of the law, but it would allow the businessman a little more time in which to make what could be a most important decision.

I know that many of my colleagues are aware that there are areas in the law that require review and possible reform. The Select Labor Subcommittee oversight hearings on OSHA currently being conducted are a testimony to this recognition of problem areas in the law. However, the reform efforts of this Congress must proceed at a pace that will satisfy the businessmen of this Nation that we are in earnest about seeking fair changes that will encourage voluntary compliance. In my own congressional district, onsite consultation is viewed as a top priority in the small business sector. A recent questionnaire survey I conducted on OSHA indicated overwhelming support for the onsite consultation idea.

This amendment does not eviscerate the law. It seeks to strengthen the law by encouraging a more favorable attitude—a receptivity—in an economic sector that employs most of the workers covered under the law. We cannot ignore the rights of American workers for a safe and healthful working environment. But also, we cannot ignore the legitimate needs of the small businessmen of this Nation who support the concepts of the law but who are having trouble in understanding the exact application of the law to their individual businesses. These businessmen are not seeking to escape their responsibilities to their workers—they are trying to find out exactly what these responsibilities are and how they can go about implementing safety and health programs. We need to meet small business halfway in this effort. Onsite consultation is one of the keys to greater understanding, and ultimately acceptance, of the needs to promote a safe and healthy work environment.

I urge my colleagues to support this worthy and very much needed amendment to the Occupational Safety and Health Act.

Mr. MAYNE. Mr. Chairman, will the gentlewoman yield?

Mrs. GREEN of Oregon. I yield to the gentleman from Iowa.

Mr. MAYNE. Mr. Chairman, I rise in support of the amendment offered by the distinguished member of the House Select Subcommittee on Labor from Wisconsin (Mr. STEIGER), and thank my good friend, the gentlewoman from Oregon (Mrs. GREEN), for her generosity and graciousness in yielding me this time.

In the last Congress, I appeared before the House Select Subcommittee on Labor in its oversight hearings with regard to the Occupational Safety and Health Act and its administration, and testified with regard to the folly of strict application of the act and the regulations which had promulgated to the small farmer and small business. Some of the regulations since have been modified, having been proved to be impractical if not ridiculous, but there is still further need for revision of the regulations toward more commonsense approaches.

However, the greatest folly still remains in the act and any strict application of it—the fact that the law provides for mandatory fines and penalties upon the Occupational Safety and Health Administration inspector first coming upon the jobsite and finding conditions which he determines are not in strict conformity with the prescribed standards.

It is difficult enough for the giant corporation to keep up with the many laws and regulations affecting its operations, including OSHA, but at least through its corporate network it has some chance of keeping informed and making the requisite modifications in its plants and work rules so as to be compatible with the latest rulings in Washington or the regional OSHA office. But how is a small farmer or the entrepreneur of a small family business to keep track of these complex regulations and rulings?

I must confess my amazement that farmers and independent businesses are able to keep up as well as they do with the myriad regulations affecting them, but surely it can be no real surprise to find that the "word" does not always get around, or that small store owner, the dirt farmer, the family doctor or corner druggist, or the owner-operator of the rural gasoline station may be somewhat confused on just how a complicated regulation designed for larger operations might be applied in his particular situation.

These employers do not wish to maintain unsafe conditions, but they are often not really aware that their working conditions might somehow be considered hazardous to the health and safety of their employees. Once they are apprised fully of where allegedly dangerous conditions exist and how those conditions might be improved to meet the standards promulgated for their type of operation, I believe you will find most of these employers willing to do what they can to make the changes sought.

But they have found they cannot under the law ask the Federal OSHA inspector to look over their plant or operation and advise them where they might be deficient so that they can comply with the law and regulations, for it appears the law requires a mandatory fine to be imposed, as well as other action which often would impose hardship as well as inconvenience upon the employer, whenever an inspector determines that the site does not perfectly meet the uniform standards set in Washington.

As I stated in the hearings in the last Congress, there is an urgent need to amend the Occupational Safety and Health Act to permit employers to ask the OSHA inspector to come to the site and advise just where conditions are substandard and how the employer might correct the conditions, without running the risk of being subjected to mandatory penalties on that first visit. Onsite consultation should be expressly authorized for in the act and in the regulations. If, after having been informed that the worksite is unsafe or unhealthy, the employer does not make any good-faith effort to bring the worksite up to standard within a reasonable period of time, then imposition of sanctions might be considered in order to bring about compliance—but not before then.

The intent of the act after all was not to see how much could be collected in fines, or to harass employers and drive them out of business, but to obtain, basically through education and cooperation, the improved conditions necessary to assure that employees are not unnecessarily subjected to hazards to health and safety which could have been avoided by use of reasonable care and precautions on the part of the employer.

I have introduced or cosponsored legislation in the last Congress and again in this Congress which would amend the Occupational Safety and Health Act to provide for onsite consultation and advice. It is ridiculous and intolerable for inspectors to be required to issue citations when violations are found on the first visit, especially for small firms and farmers which cannot afford to hire their own OSHA compliance specialists. I am grateful that the Select Subcommittee on Labor has been holding oversight hearings this spring in which it has considered these and other amendments, but must regret that the subcommittee has not yet reported such urgently needed amendments for early enactment.

In the meantime, however, at least 21 States presently provide onsite consultation as part of their OSHA-approved State plan. The amendment proposed by the Member from Wisconsin (Mr. STEIGER) would appropriate an additional $5 million to the OSHA for grants to States for the provision of onsite consultative services to assist employers in meeting their OSHA requirements, thus providing incentive to the rest of the States to join in providing onsite consultation as part of their respective State plans.

There appears to be ample authority in sections 21(c) and 7(c)(1) of the Occupational Safety and Health Act to carry out such a program through State plans. Until such time as we are able to achieve enactment of an amendment to the act specifically providing for onsite consultation, whether by Federal OSHA or State OSHA inspectors—an amendment I would urge be given top priority by the leadership of the Education and Labor Committee and by the House leadership—the Steiger amendment to the present bill will provide urgently needed interim relief making it possible to continue efforts to enhance safety in the workplace. I respectfully request all in this House to support this amendment.

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

Mr. Chairman, this amendment obviously is worth while. I think it is a good one. It is good because it recognizes the problem but, in my opinion, it does not solve the problem.

It recognizes the problem because under present circumstances and in most States of the Union a business firm cannot be entered by an inspector from OSHA for the first time without facing the likelihood of a citation for violations. There are only about 20 of the States of the Union which are under State agency enforcement of OSHA.

As I understand the amendment offered by the gentleman from Wisconsin, it would only go to States where the State agency is the enforcement agency, not to the other States where Federal enforcement is the rule. The basic flaw lies in the Federal law which was passed in 1970 which denies the privilege of any Federal inspector under OSHA entering into premises first for the benefit of advice and counsel only. He simply cannot legally enter into these premises except to enforce the law.

I submit that the amendment offered by the gentleman from Wisconsin (Mr. STEIGER), while a good amendment, does not correct that basic problem.

Mr. Chairman, I would like to ask the gentleman from Wisconsin this question: How many States would be affected by the gentleman's amendment?

Mr. STEIGER of Wisconsin. Fifty States.

Mr. FINDLEY. Would all of them assuredly participate? There is no way to know, is there?

Mr. STEIGER of Wisconsin. No, there is not.

Mr. FINDLEY. How can you tell? They all now have the option to be a State agency for enforcement of OSHA, but they all have not wanted to do so.

So how can $5 million more bring all the State agencies into the act so that they will then enforce OSHA and have consultation service?

Mr. STEIGER of Wisconsin. I believe that there are 21 States, if my memory is correct—and I will correct the record if I am wrong—which have State-approved plans that do authorize onsite consultation.

Mr. FINDLEY. That is all to the good.

Mr. STEIGER of Wisconsin. So that the fact situation is such, in my view, that in those approved State-plan States employers are able to get that kind of consultation.

Mr. FINDLEY. That is right.

Mr. STEIGER of Wisconsin. The purport of my amendment is to give all of the 50 States, and the territories, an opportunity with the Labor Department and the State agency to come in for this service. I cannot put forth any assurances—and I do not think that anybody can—that every State will want to do this. But I think clearly it is in the fundamental interest of, and I think it is important to enable, the States to do this job.

Mr. FINDLEY. But every State should have recognized this fundamental principle of equity a long time ago, but most of them have not done so.

Mr. STEIGER of Wisconsin. I do not think the gentleman from Illinois should be comparing apples with oranges, because there is a very different issue involved here politically, both in terms of manufacturers and labor about the State-approved plan concept, and my amendment does not get into that problem. It does provide an inducement to the States.

Mr. FINDLEY. May I ask one further question? How soon would the gentleman from Wisconsin expect this to be effective in a State that elects to go along?

Mr. STEIGER of Wisconsin. As soon as there is a contract approved and trained personnel available to provide the service.

Mr. FINDLEY. It may be months, then?

Mr. STEIGER of Wisconsin. I do not see that, frankly, as a lengthy period of time. I do see it as being important in terms of providing consultant officers who are trained and who know the standards. I am sure the gentleman from Illinois would want that.

Mr. FINDLEY. Let me ask the gentleman one further question. Let us assume a State elects not to go the route of being the enforcement agency for OSHA, but, nevertheless, wants to cooperate under the terms of the gentleman's amendment. Can it do so?

Mr. STEIGER of Wisconsin. Yes, sir, it can, and the gentleman will see in my statement yesterday the legal opinion of the Department of Labor, which speaks to that very question.

Mr. FINDLEY. And the advice of counsel given by such State agency inspectors would be accepted in full faith by the Federal agency—am I correct?

Mr. STEIGER of Wisconsin. It would clearly be an important ingredient in terms of good faith.

Mr. FINDLEY. That is not much of an assurance, though. How does this really help the small manufacturing firm that has to shoot in the dark and can have no assurance that when that fateful day comes that a Federal OSHA inspector enters he has complied with regulations and will not be faced with 15 or 20 or 25 citations, even though he conscientiously and at great expense has tried to interpret the regulations properly?

Mr. STEIGER of Wisconsin. May I say to the distinguished gentleman in the well that same problem would arise if we had a Federal law consultant separate from a compliance officer.

Mr. FINDLEY. They ought to be one and the same thing.

Mr. STEIGER of Wisconsin. No. Even then the gentleman is as familiar as I am with the problem that I have seen rise in the State of Wisconsin from the Department of Agriculture inspectors, one of whom came along one week and the next one came along the second week, and they gave differing interpretations to the poor guy who ran the meat market in terms of what he was supposed to do to comply.

My amendment, in my view, clearly enables the employer to seek and gain the kind of consultant advice that makes sense.

Mr. FINDLEY. Mr. Chairman, while I support the amendment as a step forward, it is only a recognition, not a solution of the problem.

The CHAIRMAN. The time of the gentleman has expired.

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

At the outset I should like to direct these remarks to the gentleman from Wisconsin (Mr. STEIGER). The record shows, as of this time, 26 States of the 50 States have approved plans by OSHA. Of these 26 States, 21 States are authorized to provide onsite consultant services, and of these authorized States only 5 States are providing the services. That is the situation as it exists as of this time.

That is in response to the gentleman's inquiry to Mr. STEIGER. It may appear that this is easy legislation which we should immediately approve, and many did do just that. I want to give the other side of the argument, and I ask my colleagues to give close attention for the simple reason that they are dealing with a very important substantive change, although on the surface it appears to be a procedural change.

Let me give my colleagues some facts. The gentleman from Wisconsin (Mr. STEIGER) suggested that many of the national organizations are supporting his amendment, and they may well be. Let me give the Members a list of those that are not supporting the amendment which he proposes in its present form. They are organizations such as the National Chamber of Commerce, Associated General Contractors of the United States of America, the American Institute of Industrial Engineers, the American Society for Quality Control, the Society of Manufacturing Engineers, the National Society of Professional Engineers, and many others.

Let me try, hopefully, in the limited time that I have, to explain the practical situation as it exists.

Congressman DANIELS is now unavoidably detained in Switzerland. He is attending an ILO meeting which is very important to our Committee on Education and Labor. He did authorize oversight hearings and legislative hearings on this very matter. In fact, we just completed two hearings this week during which I substituted as the chairman.

My good friend, the gentleman from Wisconsin (Mr. STEIGER), and he is my friend, appeared and had the opportunity to question the witnesses who testified. At these hearings we found most of the controversy centered about, in, and around this amendment. Should the States furnish the proper agencies to provide these inspection services as distinguished from the parent organization which is OSHA? As of this time only five States have made an attempt to do this, to actually go onto the premises and to give advice, to help the many complaints we have heard.

The committee generally feels a change must be made in this area. We have a consensus as far as that item is concerned. Changes must be made, but this is so complex and I am going to endeavor to explain why it is so complex and why we are hesitating. We know a change must be made and there must be

an enlargement in this area because there have been so many complaints. I say this with sincere respect for my colleague; however, the amendment is premature and he has jumped the gun. He is too early with this position. Are we going to have a committee procedure in this House or are we not? The chairman is holding these hearings. As I mentioned two of them have been held this week and one of them was held yesterday. Now we have this premature amendment at this time and under these circumstances.

Let me go into some of the ramifications of all the mischief this amendment causes. It raises many questions. For instance, what kinds of services would be provided by the States? There is the crux of the question. What kinds will be furnished? Will they include engineering services or highly technical services? And when they do provide these services, are there not going to be questions as to whether or not the employees should have the right to ask for consultative services? Why should not a group of people, if there is no collective bargaining organization, if they so desire, have the privilege or prerogative of asking for these consultative services? The gentleman's premature amendment does not cover this possible problem area.

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

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

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

Mr. GAYDOS. I yield to the gentleman from New Jersey.

Mr. HUNT. Mr. Chairman, I thank the gentleman from Pennsylvania for yielding.

I agree with the gentleman's remarks in substance. I think we do need some corrective measures on this and perhaps this is the time when we should be considering them very strongly. I have had so many complaints about the enforcement of this and I am certain the gentleman from Pennsylvania has likewise, where inspectors who come in on the job are the inspectors and then they get to be the policemen and then they get to be the judge and then they get to be the jury and finally they get to be the executioner. It is about time we have some commonsense injected whereby the man would not be required to issue a citation. The inspectors oftentimes do not want to issue the citations but they are compelled to.

I know the gentleman is sympathetic and understands this. I hope we can do something to help the little man who has today no option except to accept the citation and pay the fine. He should have an opportunity to consult somebody and the inspectors should have some leeway as to whether or not they must issue citations.

Mr. GAYDOS. Mr. Chairman, there is some merit to the amendment. I tried to make that clear, but I explained that we are looking into this and my chairman, who cannot be here today, as I stated, is holding these hearings and I believe that there is evidence that he is going to recommend changes.

This is a mischievous amendment, although the intent might be very proper. I submit for the consideration of my colleagues that we must preserve the committee system. We are going to come out with some recommendations. Many committees are going to find themselves in the same boat someday if they do not today heed my warning.

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

Mr. Chairman, we are told that this amendment is premature. What kind of consultation service will there be?

I will tell you what kind there is now. There is none, 24, 26, 50 States or any number you want. There is none.

This, at least, will be that much improvement. They agree a change should be made, but it is premature. The committee structure should be followed.

The Small Business Committee held hearings on this, after hearing from many businessmen a year ago.

We would like somebody to consult with small businessmen to give them these consultative educational services. We think they deserve that.

After numerous Members had introduced resolutions and amendments to change this act, and there were no hearings, then the Small Business Committee held hearings and highlighted this problem; but it must have been premature. The hearings were a year and a half ago to take action to solve the problem.

Again, this year, we found administrative improvement. They are doing better in administering OSHA, but we still found a crying need for consultation and educational services.

We have discussed this in meetings before the distinguished committee, and it is a distinguished committee, it has far more learning in this field than other committees of Congress, but it still insists legislation here is premature.

If we vote down this amendment of the gentleman from Wisconsin (Mr. STEIGER) it would be premature for another year.

They are giving hay to the dog and bones to the donkey.

As chairman of the Subcommittee of the House Select Committee on Small Business which has held two sets of hearings on the impact of the Occupational Safety and Health Act on small business, I am most interested in Labor Department's appropriation bill, which is scheduled to be before us today. I am particularly interested in the amendment proposed by my colleague from Wisconsin (Mr. STEIGER) who sponsored the original bill, which will authorize the Secretary of Labor to spend up to $5 million on contracts with the States to provide free OSHA consultation services to business. I support this amendment and I shall vote in favor of it.

Our hearings have established that small business objection to this act is their inability to determine what is expected of them. OSHA's regulations are voluminous, technical and complex, and small businesses do not have the resources to daily monitor the Federal Register or hire engineers to interpret the technical language contained in these regulations. The issue for these businessmen is not opposition to the concept of occupational safety or health, but rather their difficulty, indeed their inability, to properly implement the act. Small businessmen want to provide their employees with a safe and healthy working environment and what they need is assistance. As it stands now, if they invite an OSHA inspector to their establishment to assist them, he must cite any violation he observes. This has deterred such requests and, thereby, hindered the full and rapid implementation of this act.

Others have suggested that small business should be exempt from the act, and that any business with less than 50 or 25 or 15 or 10 employees should be exempt. But there is nothing inherently safe in being small. Indeed, some of the most hazardous occupations, such as logging, have only 5 employees. Additionally, when we asked one of the representatives of the construction industry who appeared before us in our February hearings what he thought of an exemption for small business with less than 15 employees, he said that:

> The large firms would be deorganizing to the point where the carpenters will be one company called AB, and the next one will be CD and everyone will have less than 15 employees so that on a construction site with 500 men, you would not have any employer on that job with more than 15 employees.

Therefore, I oppose any exemption for small business because I fear that it would create a loophole that could be misused. More importantly, my subcommittee's hearings have convinced me that small businessmen support the concept of occupational safety and health and sincerely want to comply with the act and I further believe that their employees are entitled to the same protection as those who work for large companies and that the best way to accomplish this is to provide small businessmen with the technical assistance, free of charge, that they need so that every working American can be insured of working in a safe and healthy environment.

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

Mr. HUNGATE. I yield to the gentleman from Missouri.

Mr. RANDALL. I thank the gentleman for yielding. We have heard that same old story that was heard 2 years ago, maybe as much as 3 years ago. It seems we are always going to have hearings but they never happen. There have been no hearings, or at least no results or report.

The opportunity we have today is to do something about the situation. If the Subcommittee of Labor and Education comes up with some recommendations and passes out a bill, then that is another chapter, but right here today we are talking about consulting services, and that is all—to help employers and employees—have consulting services to avoid fines and penalties.

The gentleman in the well, the gentleman from Pennsylvania a moment ago said employees would be denied consultation. There is nothing in this amendment to deny labor consultation. It might be a good idea to have some consultation.

Suppose there is a recalcitrant worker that refuses to wear a hard hat, after he is warned again and again. Well, you

know the employer would be fined for that. Maybe the employee needs some consulting service, or perhaps counseling services as well as management needs this service. But there is nothing in this amendment that denies labor the benefit of consultation just as much as management.

But let us return our attention to those hearings. For 2 or 3 years we have heard there are going to be hearings; just you wait. Now we hear that song again. But I predict all we may have is promises and more promises but no action. Let us pass this amendment. To do so will be a big step in the right direction.

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

Mr. HUNGATE. I yield to the gentleman from Pennsylvania.

Mr. GAYDOS. I would like to respond hurriedly to the gentleman. This is a complicated legislative field we are entering. We have 74 bills before this committee being introduced and being considered in these combination hearings, which are both legislative and oversight. Of the bills pertaining to the area the amendment pertains to, we have no less than 16 bills with a total signature of 80 Members, so we can see how complicated the subject matter is.

Mr. HUNGATE. I thank the gentleman for his contribution. There have been hearings on this, because I have testified at such hearings. What we seek now is legislation.

AMENDMENT OFFERED BY MR. MICHEL TO THE AMENDMENT OFFERED BY MR. STEIGER OF WISCONSIN

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

The Clerk read as follows:

Amendment offered by Mr. MICHEL to the amendment offered by Mr. STEIGER of Wisconsin: At the beginning of the Steiger amendment strike out the words "together with $5,000,000 to" and insert "of which not to exceed $5,000,000 shall".

Mr. MICHEL. Mr. Chairman, I will be very brief. We ought to move along here.

Until the gentleman from Pennsylvania took to his feet I was going to say I could not argue against anything that had been said by any Member rising in support of the Steiger amendment, because what the gentleman has said is correct. Everyone of us has a good point to make.

My only argument is rather than adding $5 million to the bill, let us do it within the amount already provided in the bill. We have added $30.4 million to the bill over last year. Let us do what he says we ought to do within that framework of what we have appropriated, and we do not bust the budget again on another item to satisfy everyone. It allows more discretion and I think it is a rational means of breaching this inflation.

I would urge that we adopt my amendment.

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

Mr. MICHEL. I yield to the gentleman from Pennsylvania.

Mr. GAYDOS. Mr. Chairman, I would like to respond in this fashion: The reason why this is such a problem area is because at the present time we have a considerable number of these. We do not have enough money, and the reason some of these problems are borne within the industry is because we do not have sufficient funds. I think it would be worse than the amendment is in its present form.

Mr. MICHEL. Well, I submit that I can sense the temper of the House here and generally what most of the Members would like to have. There is here practically a 40-percent increase over last year's expenditures in the appropriations.

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

Mr. MICHEL. I yield to my colleague from Illinois.

Mr. ANDERSON of Illinois. Mr. Chairman, I simply rise in support of the amendment of the gentleman from Wisconsin (Mr. STEIGER).

Mr. Chairman, I rise in support of the amendment offered by Mr. STEIGER of Wisconsin because it addresses itself to one of the critical problems that has arisen out of the administration of the Occupational Safety and Health Act of 1970. Hardly a week goes by that I do not receive a letter from a small businessman in the 16th District of Illinois who does not urge me to support legislation that would repeal OSHA. These small retailers and manufacturers do not write and express disdain for the goals of the program, nor do they write out of callous disregard for the safety and health of their employees. Rather, they complain that the absence of onsite consultation with OSHA examiners, designed to inform employers of existing or possible violations of OSHA regulations, places them in the position of unjustified jeopardy. These businessmen complain that the first time they see an examiner is the day of an actual inspection that may easily involve penalties amounting to many thousands of dollars.

Moreover, these businessmen contend that this OSHA showdown, and the resulting penalties, could be easily eliminated and would probably have a beneficial effect in terms of the safety of their employers. In capsule form their argument, which I find compelling, is the following: On May 29, 1971, soon after the act took effect, the Occupational Safety and Health Administration of the Department of Labor published standards which the Federal Register needed 248 pages to print. Indeed, it has been estimated that at the present time OSHA regulations and documents piled on top of each other already form a stack 17 feet high. Now what is the small employer without attorneys on retainer or safety professionals on their staff to do? Clearly as the law now reads it is his obligation to know what those regulations state and to make certain that his establishment is in compliance.

Mr. Chairman, I am convinced that without professional guidance, this goal and this order which we in Congress have given the small businessman is largely impracticable and unworkable. First of all it is unreasonable to expect most small businessmen to wade through the necessary documents or to know exactly what to do even if they did. If this is correct, then, good faith, voluntary compliance is just about impossible. And as a result, many small businessmen comply as well as they know how and sit in dread of a visit from the compliance officer, a visit which, as I have said, can easily mean costly penalties.

This approach can be best described as all stick and no carrot, and one of the most harmful side effects is the likelihood that many small businesses, who would comply if they adequately understood how to do so, hesitate or falter in this regard placing their employees in unnecessary danger.

The amendment offered by Mr. STEIGER would provide a solid framework from which we can begin to alleviate both the jeopardy to the employer and the employee. The amendment as amended proposes that out of the increase of $30.4 million for OSHA in fiscal year 1975, appropriate funding be found for a program of grants to the States for onsite consultation service to employers. I supported the original provisions of the amendment that would have provided an additional $5 million for this purpose. And I am fearful that in the absence of these additional funds this very worthwhile consultation program will be relegated to a stepsister status. I sincerely hope that these misgivings prove unfounded, because I am certain that to the extent that the OSHA program is perceived to be applying unreasonable standards its very worthwhile goals, and perhaps its long-term existence, are undermined.

Mr. MICHEL. Mr. Chairman, I urge the adoption of my amendment to the amendment.

Mr. OBEY. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Illinois to the amendment offered by the gentleman from Wisconsin.

Mr. Chairman, I think the gentleman from Wisconsin (Mr. STEIGER) has performed a useful service for all of us and for a good part of the country this afternoon by offering his amendment. I have heard complaints for a long time, and I have heard concerns expressed for a long time by small business people in my district, who say that what they want is the opportunity to consult with somebody without getting hit over the head by OSHA inspectors.

That is what the amendment of the gentleman from Wisconsin tries to do. I will vote for it unless the Michel amendment to the amendment is adopted. I would urge others on this side of the aisle to vote for the Steiger amendment unless the Michel amendment to the amendment is adopted.

If the Michel amendment to the amendment is adopted, I will vote against it for this simple reason: The hearings show that at the present rate of inspection, it would take 50 years to inspect every plant in the country—50 years.

I think the amount of money which the committee put in this bill for Federal inspectors is a responsible amount. I think it would be foolish to take $5 million out of that amount and apply it to the gentleman's amendment. I think his

amendment, as originally offered, is a decent compromise between all interests and will depolarize this entire issue. That is what we ought to be for.

Mr. Chairman, I urge the Members to vote against the amendment to the amendent offered by the gentleman from Illinois and for the amendment offered by the gentleman from Wisconsin.

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

Mr. Chairman, I purposely sat back and managed to keep my mouth shut for this long, and I guess the Members know why. I can smell a can of worms when I see one and smell one, and this, let me tell the Members, is certainly that.

We are dealing with a very delicate subject, a very important subject. This committee has conducted hearings on this at great length. As I said in reply to my friend from Iowa (Mr. GROSS) in my original statement, this committee heard this. Every member of this subcommittee examined these witnesses on this very point. If the Members doubt that, take a look at the committee record. It is an extensive record, a very careful record, and about as thorough a record on a specific point as the Members will see in appropriation bills this year.

As chairman of that subcommittee, having gone through all those and having listened and listened and waited here for nearly an hour and heard the emotions rise, and in an abundance of caution, if for no other reason, I would find myself constrained and advised to urge the Members to sustain the position of the committee on this thing and to view both the amendment to the amendment and the amendment very carefully.

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

Mr. Chairman, I am not going to take the time of the committee except to state that we are deliberating legislation in the proper form, in the proper shape, and in the proper manner with the processes of this House in our Subcommittee on Labor with this jurisdiction.

Everybody proposing to legislate under an appropriation bill has little or no information gained by our committee in over a year's hearings, consultations, and negotiations.

I do not think any of the Members know fully just what they are doing in this matter. I say that advisedly because I do not know either at this point. I think I am as well acquainted with this legislation as any man on this floor but the effect of these pending amendments cannot be assessed by debate.

What we have to do is to program in the legislation itself the manner in which we will treat minor infractions, nonserious minor infractions of the law on safety. But one does not do it by setting up an agency foreign to this piece of legislation inasmuch as every State in the Union has its own safety laws which are not anywhere near the same as this legislation is.

We have it. We are hearing it. We are consulting with the people that have this great problem of the so-called minor infraction.

As it is now, one of the great faults in the legislation is the way it is being administered. In our legislative attempt, we have to give direction to the Secretary of Labor to use the authority that we gave him and the right of discretion which we gave him in the act, but what is being done is that they are deliberately putting a penalty on every little infraction of the act without even having a clear-cut criterion that they can hand out or give out to the employer in this country so that he knows when he is violating.

Under the Coal Mine Safety Act, we had many, many tortuous years because of the way the first Coal Mine Safety Act was administered, not because of what Congress intended or wanted. I know what is needed because I have gone through that whole 37 years of mine-safety legislation. The bill was not perfect. No piece of legislation that is landmark is ever perfect. I have told the Members that so many times on this floor, that we have to come back and redo much of the legislation when it is landmark legislation.

We might be back here with pension legislation. I might be back here within 2 weeks on the minimum wage again, to undo something that we might have done wrong.

Therefore, all I ask the Members to do is to give this committee an opportunity to do the job that they have been given to do.

DOMINICK DANIELS, the Member from New Jersey, who is the chairman, is now on an official errand for this House of Representatives. While he is there, the Members are knocking out his attempt to write this legislation so that it will be understood by everybody.

I do not want to have a penalty for the first infraction. I want to have them go in, as they do in the mines, and say, "This is where you are violating the safety law. You have so long in which to correct it."

If it is a matter of such a serious violation that it could mean the death of a mineworker or an employee, of course they must then go immediately at that point and cease using the piece of machinery if it is dangerous, or tighten their bolts in the ceiling if the roof bolts are faulty or the construction of the tunnelways and the workways are contrary to the safety law.

That is all we are asking you. Give Mr. DANIELS and his subcommittee an opportunity to work with this legislation.

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

Mr. Chairman, I rise in strong support of the Steiger amendment. I must say once again, as I am just completing my first term, that I have become thoroughly convinced that one of the most legitimate, appropriate phrases I have ever heard, the "silent majority" is really in existence.

I do not see how in the world we can sit back and not at least show some type of attempt to move in a direction to correct the situation that is driving the small businessman out of business.

Every day I get correspondence, every day I get phone calls, and I know that every single Member in this room is going through the same thing. And yet we fail to react.

I know a man in Dickson, Tenn.; he has a foundry; he is charged with two minor violations, and the fine is $130. There are two pieces of equipment he has to replace as a result of that, and they cost over $500,000. He is not going to pay for it. He says, "I am passing that on to the consumer." This is inflation.

Yet we sit here and demagog about licking inflation. We say, "Look at the administration." It is we—Congress—who are causing it.

Mr. Chairman, it is time we go to work and show the small businessman that we care, and that we are going to work for him.

This may not be a perfect amendment. There may be problems with it, but, for crying out loud, the bill is not perfect, either.

We must move. We must show some support for the businessman in this legislation.

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

Mr. BEARD. I yield to the gentleman from Missouri.

Mr. HUNGATE. Mr. Chairman, we have heard discussions concerning coal mine safety, and these discussions have had some impact in the small business hearings. We heard from some small businessmen who were engaged in mining.

The first thing they had to tell us was that they, of course, have to meet the coal mine safety regulations. Then the use of dynamite, and the next thing they have to do is to comply with the Treasury regulations, and then they also have to meet the OSHA regulations. But the three sets of regulations are not the same.

This one man we talked with was perfectly frank. He said, "We have a radio on top of our equipment, and any time the Treasury man comes we will just change the sign for dynamite, because what satisfies one agency does not comply with the two others. The regulations conflict.

Mr. Chairman, we need the amendment which the gentleman proposes, and I thank the gentleman for his amendment and his contribution.

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

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

Mr. MICHEL. Mr. Chairman, I commend the gentleman for what he said in support of the Steiger amendment, particularly in what he said in support of the stand against busting the budget.

If that is true, I suggest the gentleman should support my amendment to the amendment, and under those circumstances the gentleman would give me that support, would he not?

Mr. BEARD. Mr. Chairman, I would come very close to supporting it.

Let me conclude by saying that we have in the past often seen a partnership between business, labor, and government. However, today we do not have that partnership.

Mr. Chairman, I urge the Members to vote for the Steiger amendment.

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

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

Mr. STEIGER of Wisconsin. Mr. Chairman, I thank my colleague, the gentleman from Tennessee, for his support. I am grateful for that.

We have an awful dilemma on our hands. I feel very strongly that this House ought to respond to the needs of the employers, who have beseeched, begged, implored, and pleaded legitimately to be given some assistance.

Now, having said that, I will point out that the effort that I have tried to make today, along with the gentleman from Missouri, is to find a way to meet that need.

My dilemma is simple. There are those who feel the Michel amendment ought to be adopted because that will save $5 million, and then they might be willing to vote for my amendment, as amended. There are those on the other side, as reflected by the remarks of my friend, the gentleman from Wisconsin (Mr. OBEY) who says, "If you vote for the Michel amendment, I will vote against the Steiger amendment, as amended."

On balance, I am persuaded the needs of small business would be met by voting down the Michel amendment and voting for my amendment as offered, and I hope the Members will do that.

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

Mr. Chairman, I wish to make one observation. I think it is only fair that I remind the Members before they vote on this very salient point that the gentleman from Wisconsin (Mr. STEIGER) by his amendment, has now preempted any activity on the part of the committee. If we accept the gentleman's amendment, he is telling the States, "You have a right in a limited area to now provide consultant services." That is what he is saying.

We in the committee, based upon the hearings which we are still conducting, have repeatedly said that that is not what we should do. It may well be we will do it. It may be enlarged.

We do not want to handcuff the States. We may, ultimately, give them many more areas of jurisdiction. Along with the suggestion made by my colleague concerning the SBA, I remind the Members that we have 82 SBA stations throughout the country. We have trained personnel. This is where we ultimately place the onsite consultative services.

Mr. Chairman, I am simply admonishing the Members to give this their most thorough consideration.

Mr. BROWN OF Michigan. Mr. Chairman, will the gentleman yield?

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

Mr. BROWN of Michigan. Mr. Chairman, I thank the gentleman for yielding.

I would suggest that the gentleman has probably made the strongest argument possible in favor of the Steiger amendment: if it is adopted and the committee does not like it, the members of the committee will be prompted to do something about it and we will get the needed legislation.

Mr. GAYDOS. Mr. Chairman, I would like to respond to the gentleman.

We cannot amend this bill at this time under the circumstances, because much mischief may well occur before we got around to getting that final report and reporting out proper legislation.

Mr. STEIGER of Arizona. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I beg my colleagues' indulgence on a very personal basis. I will tell my colleagues I am probably as much aware of the political significance of OSHA as anybody in this House. I have the misfortune to spell my name in the same way as the principal author of this amendment. I will tell you the reaction I get not only from my people but I feel in the country I am permitted to travel now that this bill is passed. Everywhere I go I meet with genuine dismay.

My good friend and neighbor, the gentleman from Tennessee told you we must pass the Steiger amendment in order to heed the pleas of the little folks. I am telling you he is dead wrong, and I am telling you this not out of any parochial interest in the committee's authority because, my friends, I will tell you the committee that produced this bill ought never to be listened to again on the same matter, in my opinion. That is only my opinion.

So I ask that you support the Michel amendment on the off chance that we have taken leave of our senses and are going to endorse the Steiger amendment, because at least we will not have increased the total outlay.

But make no mistake about it. You will not solve the basic problem with OSHA, the bottom line of which, my friends, is that industrial accidents have risen in the 22 months of OSHA's life. I suspect that ought to be of some concern to all of us.

If you add one dime to OSHA's function, whatever you say that dime is for, you are saying it is a good and appropriate program. OSHA is a failure. At what point in time we will come to recognize that I do not know, but I will tell you that labor thinks it is a failure. I am talking about labor at home and not labor downtown here. Industry thinks it is a failure, and the consumer thinks it is, too. Hospitals may like it, but they are the only ones, and this is not a hospital vote.

I urge you to support the Michel amendment and then defeat them both.

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

The question was taken, and the Chair announced that the ayes appeared to have it.

Mr. OBEY. Mr. Chairman, on that I demand a recorded vote.

A recorded vote was refused.

So the amendment to the amendment was agreed to.

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

The question was taken, and the Chair announced that the noes appeared to have it.

RECORDED VOTE

Mr. HUNGATE. Mr. Chairman, on that I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 301, noes 100, not voting 33, as follows:

[Roll No. 341]

AYES—301

Abdnor	Davis, Ga.	Huber
Adams	Davis, S.C.	Hudnut
Alexander	Davis, Wis.	Hungate
Anderson, Calif.	de la Garza	Hunt
	Dellenback	Hutchinson
Anderson, Ill.	Denholm	Ichord
Andrews, N.C.	Dennis	Jarman
Andrews, N. Dak.	Derwinski	Johnson, Pa.
	Devine	Jones, Ala.
Archer	Dickinson	Jones, N.C.
Arends	Dingell	Jones, Okla.
Armstrong	Downing	Kastenmeier
Ashbrook	Drinan	Kazen
Ashley	Duncan	Kemp
Aspin	du Pont	King
Bafalis	Edwards, Ala.	Kuykendall
Baker	Erlenborn	Lagomarsino
Bauman	Eshleman	Landrum
Beard	Evans, Colo.	Latta
Bell	Evins, Tenn.	Leggett
Bennett	Findley	Lent
Bergland	Fish	Litton
Biester	Fisher	Long, La.
Blackburn	Flowers	Long, Md.
Boggs	Flynt	Lott
Boland	Foley	Lujan
Bowen	Forsythe	Luken
Bray	Fountain	McClory
Breaux	Fraser	McCloskey
Breckinridge	Frelinghuysen	McCollister
Brinkley	Frenzel	McCormack
Brooks	Frey	McDade
Broomfield	Froehlich	McEwen
Brotzman	Fuqua	McKay
Brown, Mich.	Gettys	McKinney
Brown, Ohio	Giaimo	McSpadden
Broyhill, N.C.	Gibbons	Mahon
Broyhill, Va.	Gilman	Mallary
Buchanan	Ginn	Mann
Burgener	Goldwater	Martin, N.C.
Burke, Fla.	Grasso	Mathias, Calif.
Burleson, Tex.	Green, Oreg.	Mathis, Ga.
Burlison, Mo.	Gross	Matsunaga
Butler	Grover	Mayne
Byron	Guyer	Mazzoli
Camp	Haley	Meeds
Carter	Hamilton	Melcher
Casey, Tex.	Hammer-schmidt	Mezvinsky
Cederberg		Michel
Chamberlain	Hanley	Milford
Chappell	Hanna	Miller
Clancy	Hanrahan	Mink
Clausen, Don H.	Hansen, Idaho	Mitchell, N.Y.
	Harrington	Mizell
Clawson, Del	Harsha	Montgomery
Cleveland	Hastings	Moorhead, Calif.
Cohen	Hays	
Collier	Hechler, W. Va.	Moorhead, Pa.
Collins, Tex.	Heckler, Mass.	Mosher
Conable	Heinz	Murtha
Conlan	Henderson	Myers
Conte	Hicks	Nedzi
Coughlin	Hillis	Nelsen
Crane	Hinshaw	Nichols
Culver	Hogan	O'Brien
Daniel, Dan	Holt	Owens
Daniel, Robert W., Jr.	Horton	Parris
	Hosmer	Passman

Patman	Sebelius	Towell, Nev.
Perkins	Seiberling	Traxler
Pettis	Shipley	Treen
Peyser	Shriver	Van Deerlin
Pickle	Shuster	Vander Jagt
Pike	Sikes	Vander Veen
Poage	Sisk	Veysey
Powell, Ohio	Skubitz	Vigorito
Preyer	Smith, Iowa	Waggonner
Price, Tex.	Smith, N.Y.	Walsh
Pritchard	Snyder	Wampler
Quie	Spence	Ware
Railsback	Stanton,	Whalen
Randall	J. William	White
Rarick	Stark	Whitehurst
Regula	Steed	Whitten
Rhodes	Steele	Widnall
Riegle	Steelman	Wiggins
Robinson, Va.	Steiger, Ariz.	Williams
Robison, N.Y.	Steiger, Wis.	Wilson, Bob
Rogers	Stephens	Wilson,
Roncallo, Wyo.	Stratton	Charles, Tex.
Roncallo, N.Y.	Stubblefield	Winn
Rose	Stuckey	Wolff
Roush	Studds	Wright
Rousselot	Sullivan	Wyatt
Roy	Symington	Wydler
Runnels	Symms	Wylie
Ruppe	Talcott	Wyman
Ruth	Taylor, Mo.	Young, Alaska
Sandman	Taylor, N.C.	Young, Fla.
Sarasin	Teague	Young, Ill.
Satterfield	Thomson, Wis.	Young, Tex.
Scherle	Thone	Zablocki
Schneebeli	Thornton	Zwach

NOES—100

Abzug	Gaydos	Podell
Addabbo	Gonzalez	Price, Ill.
Annunzio	Gray	Rangel
Badillo	Green, Pa.	Rees
Barrett	Gubser	Reuss
Bevill	Gude	Rinaldo
Biaggi	Helstoski	Rodino
Bingham	Holtzman	Roe
Blatnik	Johnson, Calif.	Rooney, Pa.
Bolling	Jordan	Rosenthal
Brademas	Ketchum	Rostenkowski
Brown, Calif.	Kluczynski	Roybal
Burke, Mass.	Koch	Ryan
Burton, John	Kyros	St Germain
Burton, Phillip	Landgrebe	Sarbanes
Carney, Ohio	Lehman	Schroeder
Chisholm	McFall	Slack
Clay	Madden	Staggers
Collins, Ill.	Maraziti	Stanton,
Conyers	Martin, Nebr.	James V.
Corman	Metcalfe	Stokes
Cotter	Minish	Tiernan
Cronin	Mitchell, Md.	Udall
Danielson	Mollohan	Ullman
Delaney	Morgan	Vanik
Dellums	Moss	Waldie
Dent	Murphy, Ill.	Wilson,
Donohue	Murphy, N.Y.	Charles H.,
Dulski	Natcher	Calif.
Eckhardt	Nix	Yates
Edwards, Calif.	Obey	Young, Ga.
Eilberg	O'Hara	Young, S.C.
Fascell	O'Neill	Zion
Flood	Patten	
Ford	Pepper	

NOT VOTING—33

Brasco	Griffiths	Mills
Burke, Calif.	Gunter	Minshall, Ohio
Carey, N.Y.	Hansen, Wash.	Moakley
Clark	Hawkins	Quillen
Cochran	Hébert	Reid
Daniels,	Holifield	Roberts
Dominick V.	Howard	Rooney, N.Y.
Diggs	Johnson, Colo.	Shoup
Dorn	Jones, Tenn.	Thompson, N.J.
Esch	Karth	Yatron
Fulton	Macdonald	
Goodling	Madigan	

So the amendment as amended was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. FINDLEY

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

The Clerk read as follows:

Amendment offered by Mr. FINDLEY: On Page 6, after line 17, add the following:

"None of the funds appropriated by this Act shall be expended to pay the salaries of any employees of the Federal Government who inspect firms employing twenty-five or fewer persons to enforce compliance with the Occupational Safety and Health Act of 1970."

POINT OF ORDER

Mr. GAYDOS. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state his point of order.

Mr. GAYDOS. Mr. Chairman, I have to raise a point of order for the reason it is a limitation on an appropriation bill.

Very hurriedly, let me state that a limitation on an appropriation bill is legitimate if and only if:

First, it is worded so that it limits the use of money, rather than limiting the discretion of an Executive officer to carry out his duties;

Second, it applies only to the use of the present appropriation rather than attempting to legislate a permanent restraint on the spending authority of an Executive officer.

An amendment which forbids the Secretary of the Treasury from paying the salary of OSHA inspectors out of the current DOL appropriation for the inspections of premises of employers with 25 or fewer employees, would seem to meet these criteria. There are, however, three arguments which seem to indicate that this limitation is in fact legislation and therefore not appropriate under House rule 21, clause 2.

First, section 8(f) of the act provides that an employee in any size business may file a complaint with the Secretary of Labor, and the Secretary must respond to such complaint. Further, this employee right is protected by the anti-discrimination clause of section 11(c) of the act. Failure to provide the Secretary with the funds to respond to these employee complaints leaves these employees with a protected right but without a remedy, a situation abhored by the law. It effectively amends OSHA to remove the right for a group of employees, and there is no rational basis for this sort of discrimination. While it is well established that the Congress may pass a law creating a Government authority or function and then withhold funds from it, it is questionable whether there is any precedent for using a limitation to delete the remedy for a legislatively established right vested in an individual. The mover of the amendment should be asked to provide such a precedent.

Second, the inspectors used by the Secretary of Labor to carry out all investigations are assigned to regions at the present time on the basis of the concentration of businesses in each region—all businesses. The vast majority of businesses do employ under 25 persons, and following the terms of the amendment, these could no longer be counted in the computation by the Secretary of Labor used in allocating inspection personnel. This means that a huge reallocation of present personnel has to take place.

Further, it may mean extra training of the inspectors currently operating in regions where there are mostly small businesses, so that they can be used to double up in those regions where there are more large businesses. In short, the amendment imposes a substantial burden upon the Secretary of Labor, and the precedents are clear that a limitation may not impose any additional duties upon an executive officer.

Finally, OSHA is a carefully developed law which was the result of deliberate balancing of employee and employer rights by the appropriate committees of the Congress, and any change in that balance effectively constitutes legislation. Since the amendment would change the rights of some employees, it should, therefore, not be attached to an appropriations bill.

The CHAIRMAN. Does the gentleman from Illinois desire to be heard on the point of order?

Mr. FINDLEY. Yes, Mr. Chairman.

Mr. Chairman, in fact this language is so close to being identical to a number of other similar amendments offered and sustained by rulings of the chair, that I am surprised that any point of order would be raised. It is clearly within the rule that it is retrenchment on its face. It establishes no obligation on the part of the executive branch for additional duties. It requires no determination. It does not go beyond the fiscal year involved, and it simply withholds the salaries for a specified purpose.

So, I see no valid basis for a point of order.

The CHAIRMAN (Mr. WRIGHT). The Chair is prepared to rule.

The gentleman from Pennsylvania makes a point of order that the amendment offered by the gentleman from Illinois constitutes legislation on an appropriation bill, as distinguished from an authorization, and therefore it would be in violation of clause 2, rule XXI.

The Chair has examined the amendment and the provisions of the Occupational Safety and Health Act, Public Law 91–596. The amendment would prohibit the use of funds in the bill for the payment of the salaries of Federal employees who inspect firms employing 25 or fewer persons with respect to compliance under that act.

Clearly, as the gentleman from Pennsylvania acknowledges, and as all the precedents would attest, the House could refuse to appropriate any sums whatever for the administration of the act in question. Or, it could prohibit the appropriation of any funds to pay the salaries of any inspecting officers under the act. This particular amendment merely limits the use of funds in the bill for a certain described category of such employees.

The gentleman from Pennsylvania suggests that this fact would render the burden upon the executive branch and the administrators to make precise determinations, and that it would have a discriminatory effect.

The Chair has examined several precedents which relate to restrictions on the payment of appropriations for certain salaries or expenses. On June 6, 1963, Chairman Keogh ruled that to a bill appropriating funds for the Department of Agriculture, an amendment providing that—

None of the funds herein shall be used to pay the salary of any . . . employee who . . . performs duties . . . incidental to supporting

the price of . . . cotton at a level in excess of 30 cents a pound.

Was a proper limitation, and admissible under the rules of the House.

On June 6, 1941, Chairman Lanham ruled that an amendment to a military appropriation bill providing that no funds therein shall be paid as compensation to any person employed in the manufacture of defense articles who stops work in excess of 10 days on a strike, or who fails to resume work within 3 days after the Government takes over such a plant, was a valid limitation.

The Chair would also simply call attention to Cannon's volume 7, paragraphs 1663 and 1689, which were cited by Chairman GIBBONS on the agriculture and environmental consumer appropriation bill on Friday last, when that chairman overruled a point of order that a limitation therein on the payment of salaries or funds in the bill constituted legislation.

The Chair feels that the amendment offered by the gentleman from Illinois is a valid limitation on the use of funds appropriated in this bill, and therefore overrules the point of order.

Mr. FINDLEY. Mr. Chairman, it is very plain from almost everything that has been said here today that there is a grave injustice in the OSHA law, and I think it is equally plain that what we have done up to now has not really provided much relief at all from that injustice.

This amendment provides us with the opportunity to give relief to the small employer, to give him relief from this unfortunate injustice until the Congress can finally change the basic law.

The gentleman from Pennsylvania (Mr. GAYDOS), who is certainly familiar with the problem here, stated, and I think I have his words correctly, "We know a change has to be made." In effect, he pleaded with the Congress to give the Committee on Education and Labor time to bring forward a change in the basic law. Our friend, the gentleman from Pennsylvania (Mr. DENT), said that he does not want to be hit with a fine the first time an inspector would come into his plant. Who would? Yet that is the fact of the law today, and that is the fact of the enforcement every day from now on until the basic law is changed. The Steiger amendment is not going to change that one bit.

I think the gentleman from Pennsylvania (Mr. GAYDOS) pointed out that even though 26 States have approved a State agency enforcement of OSHA and 21 of these have approved on-site consultation service within their State, only 5 of the 21 have seen fit to implement this.

I asked the gentleman from Wisconsin (Mr. STEIGER), "How long is it going to be until we have the assurance that on-site consultation and advice will be available throughout all the States of the Union under your amendment?" Of course, he could not answer.

The $5 million is not going to go very far, and based on the past record of the State agencies, it is not going to go very far at any time.

What is needed today is relief for the employer of, let us say, 25 workers or less to relieve him of this injustice, this harassment, for the fiscal year we are now in, which would give ample time to the Committee on Education and Labor and the other institutions of the Congress to bring forth the needed reform in the basic OSHA law. That is the only way we are going to get the law changed, to lift this injustice from the small businessman. Otherwise they are going to be afflicted with this injustice until that distant day when the Congress finally gets around to amending the basic law. If we suspend the enforcement of OSHA as to these small firms, I think we give a desirable incentive to the institutions of the Congress to deal forthrightly with this problem and to come up with a desirable adjustment in the basic law in a short period of time.

My amendment, of course, does not suspend all enforcement. The largest firms have the staff and other resources to provide their own experts on OSHA enforcement, but the little fellow who has a staff of 25 or less can hardly be expected to provide in house or to have the resources to hire competent specialists whose word would be adequate authority for compliance.

I talked with one of the Members of this body yesterday about his own experience as a small employer in trying to comply with the regulations of OSHA. He said, "Even though I am on a committee that has studied this, I was flying in the dark. We looked around the plant. We made all kinds of changes at great expense. We spent thousands of dollars. And then the day the OSHA inspector entered the plant he found about 25 violations."

Of course, the OSHA inspector, under the existing law, could not give a warning. He could not say, "Make these changes and I will come back in 30 days, and they had better be done or you will be fined." No. Under the law the OSHA inspector had to issue a citation of violation that instant.

I say that is injustice, and I say we ought to relieve the small employers throughout the Nation regardless of where they operate from this injustice until such time as this unfortunate flaw in the basic law is changed.

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

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

Mr. SEBELIUS. We have heard there is not enough money to hire these inspectors. If they had the inhouse resources, could they then be used to inspect the larger plants?

Mr. FINDLEY. It would certainly relieve some resources for that purpose, and I think they could well be directed to that end.

Mr. SMITH of Iowa. Mr. Chairman, I rise in opposition to the amendment.

I believe we need consultation service. As a matter of fact, I am coauthor of the bill with the gentleman from Wisconsin (Mr. STEIGER) to provide it. I think the committee has been negligent in not reporting such a bill a couple of years ago.

However, this amendment seeks to exempt based upon a smaller number of employees, but smallness is not synonymous with safety. I do not think anyone will claim it is. We are not going to solve this problem by exempting employers with 25 employees or less. The highest accident rates are with employers who have 5 to 15 employees. Some industries with a $50 million investment have less than 25 employees.

Let us look at what we have done here today. It is true that some States do not now have consultation service. But by providing the money that has been provided here today, the 5 that have an operative service could get improved action immediately and the rest of the 21 will be encouraged to do so very soon. And with this carrot, others will be encouraged to provide such service soon.

Mr. Chairman, I do not in any way excuse the committee for not having reported prior to this time the amendments that are needed in this law. However, I say to the Members that we have done what is necessary today to encourage a movement in the direction that we want to go, and it would be a mistake at this time to exempt employers with less than 25 employees when they in fact have the highest rate of accidents.

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

Mr. SMITH of Iowa. I yield to the gentleman from Minnesota.

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

It has been my privilege to serve as a member of the Subcommittee on Small Business which is chaired by the gentleman from Missouri (Mr. HUNGATE). We have held extensive hearings on this matter, and employers have called our attention to a problem that would arise in the event the amendment offered by the gentleman from Illinois was adopted.

We have been told that a contractor on a construction site, frequently has subcontractors. Some of those subcontractors have more than 25 employees, some have fewer than 25 employees. The administration of safety regulations in that set of circumstances would be impossible.

Mr. Chairman, I submit the gentleman from Iowa is absolutely correct. The record of the Department of Labor reported on May 2 of this year that employers with fewer than 19 employees in the construction industry have a rate of injury of 14.3 per hundred. That is a higher rate of accidents than the transportation industry, insurance, banking, retailing, and service industries.

I believe these programs and these exemptions should be based upon the hazards, not upon the size of the establishment and urge defeat of this amendment offered by the gentleman from Illinois.

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

Mr. SMITH of Iowa. I yield to the gentleman from Massachusetts.

Mr. CONTE. Mr. Chairman, I wish to join with my friend, the gentleman from Iowa, in opposing this amendment.

We need some effort to come together on this problem. There is one other point which I do not think the gentleman brought out.

This is discriminatory. Why did the

gentleman pick the figure, 25? Why not 30? How about the employer who has 40, 50, or 60 employees?

Mr. Chairman, I think the amendment is discriminatory. Furthermore with the adoption of the Steiger amendment which will provide consultation service, we are going after the weakness in the present law and hopefully which can reinstate the $5 million for enforcement.

Mr. Chairman, I hope the amendment is defeated.

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

Mr. SMITH of Iowa. I yield to the gentleman from Wisconsin.

Mr. STEIGER of Wisconsin. Mr. Chairman, I thank the gentleman for yielding.

I share the gentleman's view. I oppose the amendment very much. However, let me clarify for the members of this committee what is, in fact, happening to the State plans. The figure, 5, is frankly leading.

There are a number of States, 21 States, which have onsite consultation authorized as part of their State plans. The problem there is their plan is not operational for enforcement or consultation.

So I would not want any Member to find himself in the position of arguing that the States are not doing their job, simply because the number is only five, when there are so many that are not operational for enforcement or consultation in any way.

Mr. SMITH of Iowa. Mr. Chairman, they will have approximately $100,000, and they can get some consultation services started with that amount of money.

Mr. McCOLLISTER. Mr. Chairman, I move to strike the requisite number of words, and I rise in support of the amendment.

Mr. Chairman, I am a part of that same subcommittee of the Select Committee on Small Business to which the gentleman from Iowa and the gentleman from Minnesota belong. I heard the same testimony that they did, and I agree with them.

I agree with them that the great urgent need of the OSHA law is to provide for consultation and inspection. The difficulty, though, is that the legislative committee having jurisdiction has had that opportunity for too long now to convince me of their real sincerity of purpose in holding those hearings and providing some legislation on the subject. I think the adoption of the amendment offered by the gentleman from Illinois would serve as a real stimulus to that committee to remedy the problem in such a way that it does address itself to the problem of providing those consultation services. Therefore I think the committee would do itself a great service in speeding along the legislative processes by adopting the amendment offered by the gentleman from Illinois, and therefore I support it.

Mr. FINDLEY. Will the gentleman yield?

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

Mr. FINDLEY. I thank the gentleman for his support.

The question was raised as to why the level was put at 25 employees or less. It could be 50, 100, or 10. The figure went up and down during the course of consideration of a similar amendment a couple of years ago in the HEW bill. I think 25 seems to me to be a logical place to draw the line, but if somebody wants to put it up higher, I will not object.

Mr. McCOLLISTER. To supplement the gentleman's remarks, the need here is to adopt the amendment offered by the gentleman from Illinois to spur action by the committee having legislative jurisdiction in order that we can approach the problem in the right way.

I quite agree that the safety record of small business is something that needs to be improved as well as that of big business. However, to do it in this fashion now where they do not have the consultation services is an almost impossible task for small business.

Mr. FINDLEY. Mr. Chairman, this amendment is not a threat to the health and safety of employees. Everyone favors health and safety standards, and I certainly accept the concept of Federal standards.

This amendment, rather, will suspend OSHA enforcement for small firms until a very outrageous procedure is changed.

OSHA was enacted with the best of intentions but the basic law has one very glaring defect. It does not permit OSHA inspectors to enter the premises of a business firm and give consultation and advice on what changes need to be made to comply with regulations. On the first call inspectors have no choice. They must issue citations for any violations.

This is outrageous. It puts small firms in special difficulty. They cannot afford to hire specialists on OSHA compliance. They have to make their own best guess on what is required by regulations—regulations which all admit are vague and difficult to interpret.

Then they face the possibility of heavy fines for innumerable violations even after they have completed a costly and conscientious effort to comply with regulations.

It is a matter of simple justice to let small employers have the advantage of official consultation and advice in advance of enforcement inspections.

But the law presently does not allow such on-site consultation and inspection in States where the Federal Government is the enforcement agency. And that affects most of the States of the Union.

Now of course the law cannot be changed in an appropriation bill. All that can be done to give adequate relief from this outrageous situation at this stage is to suspend the enforcement of OSHA for small firms. The moratorium on enforcement which would be the result of this amendment, will give the Congress time to change the basic law to permit onsite consultation and inspection.

The amendment which Mr. STEIGER of Wisconsin will offer is a step in the right direction. But it is only a small step and it does not go far enough or fast enough. It is limited to States which elect to carry out OSHA through their own agencies. Only 21 States are presently in that category. His amendment provides $5 million to help such States with onsite consultation and advice, but it carries no certainty that this will establish his reasonable procedure even to the 21 States, much less any assurance that it will reach all 50 States. And when will it be effective? How many small firms, conscientiously trying to comply with safety and health standards, will be bludgeoned by OSHA citations before relief will come by means of the Steiger amendment.

The fair and reasonable step is to suspend the enforcement of OSHA for small firms for this fiscal year. That will give Congress time to change the law—change procedures for all States—no matter what agency does the enforcement.

Mr. RANDALL. Will the gentleman yield?

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

Mr. RANDALL. Mr. Chairman, the question has been raised whether there is something magic about the number of 25. I do not know why the gentleman from Illinois picked that figure to put in his amendment. But it should be recalled that the House adopted at least on one and perhaps two occasions over the past few years while we were waiting for these OSHA hearings to be held that we hear so much about—something very similar to the amendment we are considering today. Maybe the gentleman would know best why he chose the figure of 25, because if my memory is accurate the other body cut it from 25 to 15 a few years ago. For 1 year we had the welcome spectacle of those who employed fewer than 15 being relieved from the harassment of continual inspections day after day after day by OSHA inspectors. Once again there is nothing magic about the figure of 25. If we set it at 15, the other body will raise most likely to 25. If we set at 10 the other body will raise to 15 or 20.

I hope the amendment will be adopted. It has been once, when that happened a few years ago it was accepted with acclaim and was welcomed by all small businessmen, as a relief from harassment by OSHA inspectors.

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

I will be very short and hopefully not use all of my time.

The Special Subcommittee on Education is really taking a beating today. It seems we are being accused of dilatory tactics and are not receiving any credit for putting together after 200 years in this country legislation affecting every working man, woman, and child. This covers 80 to 90 million people who are presently employed.

Everybody says this amendment is so very simple we should not have many problems. I believe we should take a little extra time and a little more effort to make sure when we make a change that it is meaningful and necessary and one which we all fully support.

I tried during the last amendment to point out the mischief that would occur as a result of that amendment, but I did not have the time to do so. The latest available statistics in 1971 from OSHA show that if you used the suggested 25-employee cutoff figure, you affect 90 percent of all business and manufacturing establishments.

The percentage of the total work force affected is 30 percent.

So it is obvious this amendment has grave implications.

Again, as I tried to convey earlier, you must proceed with caution because this amendment is all a very bad amendment.

We only recently found out about things like vinyl chloride, a very dangerous substance which all of us use. We are just finding out about asbestosis and fribrosis. These are new medical discoveries. So we are in a very complicated field, and therefore this is in reality complicated legislation. We are trying to look into these areas and meet our responsibility. I think that the Members should remember this when voting on the present amendment. When we talk about chemical and allied products, everybody thinks that great, huge giants, and big producers are involved. But that is not the truth. If you will look at the statistics you will find the truth. And you will find out that this amendment would cut off—and I am talking now of a figure of 19 rather than 25, that you will be affecting 63 percent of the establishments. You also are talking about 5 percent of the people employed in that industry.

Going to lumber and wood products, a real good area of comparison. When you talk about 19 employees or less you are talking about 84 percent of those establishments, 84 percent of the establishments located in that industry, and you are talking about 21 percent of the total employees in that industry.

Then I go down the line and point out all industries generally, the statistics show—and these are the latest statistics as of 1971 from the 1967 original census of manufacturers, that 65 percent of all of the establishments would be stripped from coverage under the existing act now in existence.

Mr. Chairman, the impact of this amendment is quite clear. It would exclude from the coverage of the Occupational Safety and Health Act approximately 90 percent of the employers and 30 percent of the employees presently covered by the act.

It would further mean the exclusion from coverage of employees in the high-hazard industries where the number of employees per employer is small.

But why should the health and safety of an employee depend on the size of the company which employs him? This was certainly not the intent of Congress when the original act was passed, and there has been no testimony at any of the oversight and legislative hearings which have been conducted by the Select Subcommittee on Labor that employees of employers with 25 or less employees do not suffer occupational injuries or incur occupational diseases.

The amendment before us which seeks to provide a moratorium on OSHA activities with respect to the so-called small employer is nothing more than a request that the Congress state loud and clear that it is not concerned with the working conditions of a very large number of American workers who are exposed to occupational injuries and diseases.

I submit that if this Congress is genuinely concerned with the safety and health of the American worker, the size of his employer should make no difference as to whether or not he is entitled to the protection provided by OSHA.

I urge the defeat of this amendment.

EFFECT OF AN EXCLUSION FROM ENFORCEMENT ACTIVITY BASED ON NUMBER OF EMPLOYEES

[In percent]

	Establishments excluded	Employees excluded
Cutoff:		
3 or less	52	6
4	63	8
5	68	10
6	72	12
7	76	14
8	79	16
9	81	18
10	83	20
11	84	22
12	85	23
13	85	24
14	86	25
15	86	25
20	89	28
25	90	30
50	95	43
100	97	53

Source: OSHA Division of Statistics (based on 1971 coverage estimates.)

EFFECT OF EXCLUSION BASED ON NUMBER OF EMPLOYEES—SELECTED INDUSTRIES

[In percent]

Cutoff	Establishments excluded	Employees excluded
Chemicals and allied products (SIC 28):		
4 or less	35	1
9 or less	49	2
19 or less	63	5
49 or less	80	12
Lumber and wood products (SIC 24):		
4 or less	62	6
9 or less	75	12
19 or less	84	21
49 or less	93	39
Miscellaneous manufacturing (SIC 39):		
4	45	2
9	59	6
19	73	12
49	87	27
All industries:		
4	38	1
9	51	2
19	65	6
49	81	14

Percentage derived from figures published in "1967 Census of Manufacturers" (issued 1971).

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

Mr. GAYDOS. I yield to the gentleman from Illinois, briefly.

Mr. FINDLEY. The gentleman from Pennsylvania makes a sound point that it is a complicated problem rewriting the OSHA law. My amendment will give the committee a full year to do this, and if that is not long enough we can adopt another amendment like this in the appropriation bill next year. We want to give the committee adequate time. We do not want to rush the committee.

Mr. GAYDOS. Mr. Chairman, my information is based on the evidence that we are receiving daily, as late as yesterday and the day before, and the point is that the number of original complaints and the intensity of those complaints have substantially diminished. I think that business is learning to live with the act. Manufacturers are finally concluding even if they have only four, five or six employees, that they should comply and must comply.

The CHAIRMAN. The time of the gentleman has expired.

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

Mr. GAYDOS. Mr. Chairman, I will yield to my colleague, the gentleman from Pennsylvania (Mr. DENT).

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

Mr. Chairman, I should like to say that we should tread very carefully in this matter of the coverage of this act because without any national safety law do the Members realize that we will be going right back to the serious number of fatal injuries, maimed and crippled workers all over this country, as used to be the case?

Do the Members realize that the small plants with 25 or under employees at the most are the most dangerous? That is because today, with the kind of machinery and equipment that we have in our production facilities, 25 men and women will turn out as much in volume of a product with this sophisticated equipment as 150 did 20 years ago.

In the coal mining industry we had two titles, title I and title II. One title covers the mines with 15 or more workers, and the other title covers the mines with 14 or under workers. In the 14 and under workers in the mines, 4½ times as many fatalities and injuries occur as in the large mines. The large industries do have safety teams; they do have safety meetings; they have safety schools. They do have on their premises trained medical personnel. They are able to give first aid, and they are able to give serious attention to injuries immediately after they happen.

But in the smaller industry, in the smaller plants in areas like mine, when they are injured, they might have to be taken 45 or 60 miles to the first place where they can get medical aid in a hospital. It is in these areas where we need a chance to write the kind of law that will not need to be restricted as to number. We will make it work.

As the gentleman said, where were all of the Members who have been here 40 or 50 or 35 years, and those who have been in this Congress almost 200 years, while all of this carnage was going on in our plants and in our mines and in our operations? Now they come around here and say we are not doing it fast enough, and the way they want to do it is to remove 90 percent of the coverage of the act.

All I want to say is, the blood will not be on my hands.

Mr. GAYDOS. The House in its wis-

dom accepted the last amendment. Please give this one a second thought. This amendment would be devastating in effect and most improper and premature.

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

Mr. Chairman, this is not the first time that we have had this amendment. One would think from the debate thus far that this was a brand new pigeon that my friend flew out here today, but that is not so. He presented this amendment before, some time ago last year, and I opposed it, and this House defeated the amendment. A rose by any other name—here it is.

It seems that I have heard this song before, and I have. The Members seem to have forgotten. There is nothing new here.

I recall we first started out with 25 or less. As a matter of fact, we stood here and debated this, I remember very well, where we had this down to three employees. Do the Members remember? Some of them will not. We had it down to three, and they were serious. What a fight we had!

We are also familiar with this kind of argument in some certain quarters. The Members know the quarters. The opponents that we have heard here now are very noble and they are very easy to hear. All we know is that there are certain weaknesses in the law itself. We are not debating that.

Will my colleagues please remember they are sitting here listening to an appropriations bill. How tired can we get of having the Committee on Education and Labor come down here time and again and use this Committee on Appropriations to try and work out this labor bill.

I have suggested to the leadership that we merge the Committee on Education and Labor with the Committee on Banking and Currency. This would be a great idea. Do the Members see what I mean?

Here they are again.

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

Mr. FLOOD. I yield to the gentleman from Connecticut.

Mr. GIAIMO. I thank the gentleman for yielding.

I can appreciate the gentleman's suggestion about merging the Committee on Education and Labor with the Committee on Banking and Currency. But in all fairness to them, I must say as a member of the Committee on Appropriations, with the number of amendments and the time that we have been taking this year, I think we also have joined their ranks.

Mr. FLOOD. Here is the catch in this. It is very difficult to determine what is a small employer. What is a small employer?

However we may define that term, should he be exempt from the requirements? From what? From having a safe and healthful place to work? What is the matter with that? This thing just defies all reason. What do they want, a license to kill? Do they want a license to kill somebody? If they have 25, they cannot do it. If they have 24, kill them all. You have a license to kill if you are under 25. One cannot believe it.

We had the Administrator for Occupational Safety and Health before our committee. We spent hours and days on this. This is what he said and this is what happened and let me read it for the Members:

Mr. FLOOD. Is the administration supporting or proposing any changes in this legislation at all, particularly relating to the small business coverage of the act?

Mr. STENDER. I don't think so, and I don't think it really is an area that should be differentiated in regard to the hazards. It doesn't matter, as far as I see it, whether an unsafe condition exists in a workplace with 5 people or 5,000. If a person is killed because of it he is just as dead in either instance. To have restrictions means you establish those kinds of quotas. Letting certain companies off would probably tend to have them relax in their surveillance of their own workplace in relation to eliminating work hazards. It seems to me it would be out of context with what we are trying to do, to allow killing and injuries in workplaces with less than so many employees, using any number you want. Experience over many years in dealing with employers is that they all want to keep a safe workplace.

Now there is no clear indication here that the jobs in the small establishments are less hazardous than in the larger firms.

The CHAIRMAN. The time of the gentleman has expired.

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

Mr. FLOOD. Mr. Chairman, I would like to point out that the people, in this Nation are becoming very aware of these requirements of the law and a fine educational process is now going on. And education and awareness are the answers to getting compliance, not this kind of debate.

Mr. Chairman, I urge now that the Members be rational. I urge them not to try to change the basic law in an appropriation bill, and most importantly I urge the Members to consider the right of those employees in the small businesses to have a safe and healthful work place.

Now I want to answer the argument here. These people are just as human as someone who works for General Motors or United States Steel, and I ask the Members not to forget it.

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

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

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

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

The last thing I would want to do to my esteemed colleague, the gentleman from Pennsylvania (Mr. FLOOD), is to accuse him of a failing memory because that would not be a nice thing to say, so I will not say it. I just want to refresh his recollection by inviting attention to the CONGRESSIONAL RECORD of June 15, 1972, which carries this report, that the House agreed to an amendment that exempts firms employing 25 persons or less from compliance with OSHA by a recorded teller vote of 213 ayes to 154 noes.

I want to add further that in the strong endorsement of this amendment in this Chamber on that date, this Chamber was reflecting the sentiment throughout the United States, not a sentiment against safety and health for employees. Quite the contrary, I do not know of a small employer any place in the Nation who is not concerned and anxious to provide proper safety and health measures for every employee. What this amendment goes to is the great injustice that is inflicted upon the employer and not the employee. The injustice is a flaw in the act, a flaw which is the responsibility of the Congress itself. I think it is simple justice for us to delay further enforcement of this act against the smaller employer until the Congress itself corrects the flaw.

I thank the gentleman for yielding.

Mr. STEIGER of Wisconsin. Mr. Chairman, I rise in strong opposition to the Findley amendment. Any effort to exempt from coverage on the basis is irrational, unwarranted, and nonsensical.

Let me share with my colleagues the view of the National Small Business Association when they state in a letter to me from Milton D. Stewart, vice president:

We are informed that amendments may also be introduced to exempt smaller firms from compliance. While on the surface this action would seem to take care of the problem for small business, we found, in effect, that the exemption, as voted during the preceding Congress was so limited and so narrow that only the smallest of the smalls would have benefited. At the same time, any outright exemption would tend to counter the stated purpose of the Act itself, mainly to provide the safest possible work-place. NSB certainly has no desire to take such a position. Our problem, and that of our membership, with the Act has always been in the administration thereof.

Sincerely,

MILTON D. STEWART,
Vice-President.

The Associated General Contractors of America testified on June 25 before the Select Subcommittee on Labor and said:

We have reviewed all of the bills pending before the House. Those which would discriminate in the application of the Act based on size of firm regardless if it be 15, 25, or 250 or less, are objectionable to the AGC. We have continuously maintained that the law should apply to all.

The National Safety Council and the administration have also strongly opposed exemption.

The evidence, Mr. Chairman, is overwhelming. To exempt from OSHA by number is mischievous and damaging. It would create havoc. No matter how strongly you feel about OSHA the size of the establishment is not the criteria on which you exempt. A small sawmill or foundry is just as hazardous as a large one.

I appreciate the support given to consultation and now that my amendment was adopted I urge all Members to oppose this amendment.

The CHAIRMAN. The question is on

the amendment of the gentleman from Illinois (Mr. FINDLEY).

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

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 201, noes 194, not voting 39, as follows:

[Roll No. 342]

AYES—201

Abdnor	Froehlich	Pike
Alexander	Fuqua	Poage
Andrews, N.C.	Gettys	Powell, Ohio
Andrews, N. Dak.	Gilman	Preyer
Archer	Ginn	Price, Tex.
Arends	Goldwater	Randall
Armstrong	Gross	Rarick
Ashbrook	Grover	Regula
Bafalis	Gubser	Rhodes
Baker	Guyer	Robinson, Va.
Bauman	Haley	Robison, N.Y.
Beard	Hamilton	Rogers
Bennett	Hammer-schmidt	Roncalio, Wyo.
Blackburn	Hanrahan	Roncallo, N.Y.
Bowen	Harsha	Rose
Bray	Hastings	Roush
Breaux	Henderson	Rousselot
Brinkley	Hinshaw	Roy
Broomfield	Hogan	Runnels
Brotzman	Holt	Ruppe
Brown, Mich.	Hosmer	Ruth
Broyhill, N.C.	Huber	Satterfield
Broyhill, Va.	Hudnut	Scherle
Buchanan	Hunt	Schneebeli
Burgener	Hutchinson	Sebelius
Burke, Fla.	Ichord	Shipley
Burleson, Tex.	Jarman	Shriver
Burlison, Mo.	Johnson, Pa.	Shuster
Butler	Jones, N.C.	Sikes
Byron	Jones, Okla.	Skubitz
Camp	Kazen	Snyder
Carter	Ketchum	Spence
Casey, Tex.	King	Steed
Cederberg	Kuykendall	Steelman
Chamberlain	Lagomarsino	Steiger, Ariz.
Chappell	Landgrebe	Stephens
Clancy	Landrum	Stubblefield
Clausen, Don H.	Latta	Stuckey
Clawson, Del	Lent	Symington
Cleveland	Litton	Symms
Cohen	Long, La.	Talcott
Collier	Lott	Taylor, Mo.
Collins, Tex.	Lujan	Taylor, N.C.
Conlan	McClory	Teague
Crane	McCollister	Thomson, Wis.
Daniel, Dan	McEwen	Thone
Daniel, Robert W., Jr.	McSpadden	Thornton
Davis, Ga.	Mahon	Treen
Davis, S.C.	Mallary	Vander Jagt
de la Garza	Mann	Veysey
Denholm	Martin, Nebr.	Waggonner
Dennis	Martin, N.C.	Wampler
Derwinski	Mathias, Calif.	Ware
Devine	Mathis, Ga.	White
Dickinson	Mayne	Whitehurst
Downing	Milford	Whitten
Duncan	Miller	Widnall
Edwards, Ala.	Mitchell, N.Y.	Wilson, Bob
Eshleman	Mizell	Winn
Findley	Montgomery	Wylie
Fish	Moorhead, Calif.	Wyman
Fisher	Myers	Young, Alaska
Flowers	Nichols	Young, Fla.
Flynt	O'Brien	Young, Ill.
Fountain	Parris	Young, S.C.
Frey	Pettis	Young, Tex.
	Pickle	Zion
		Zwach

NOES—194

Abzug	Biaggi	Burton, Phillip
Adams	Biester	Carney, Ohio
Addabbo	Bingham	Chisholm
Anderson, Calif.	Blatnik	Clay
Anderson, Ill.	Boggs	Collins, Ill.
Annunzio	Boland	Conable
Ashley	Bolling	Conte
Aspin	Brademas	Conyers
Badillo	Breckinridge	Corman
Barrett	Brooks	Cotter
Bell	Brown, Calif.	Coughlin
Bergland	Brown, Ohio	Cronin
Bevill	Burke, Mass.	Culver
	Burton, John	Danielson
Davis, Wis.	Kyros	Rinaldo
Delaney	Leggett	Rodino
Dellenback	Lehman	Roe
Dellums	Long, Md.	Rooney, Pa.
Dent	Luken	Rosenthal
Dingell	McCloskey	Roybal
Donohue	McCormack	Ryan
Drinan	McDade	St Germain
Dulski	McFall	Sandman
du Pont	McKay	Sarasin
Eckhardt	McKinney	Sarbanes
Edwards, Calif.	Madden	Schroeder
Ellberg	Maraziti	Seiberling
Erlenborn	Matsunaga	Sisk
Evans, Colo.	Mazzoli	Slack
Fascell	Meeds	Smith, Iowa
Flood	Melcher	Smith, N.Y.
Foley	Metcalfe	Staggers
Ford	Mezvinsky	Stanton, J. William
Forsythe	Michel	Stanton, James V.
Fraser	Minish	Stark
Frelinghuysen	Mink	Steele
Frenzel	Mitchell, Md.	Steiger, Wis.
Fulton	Mollohan	Stratton
Gaydos	Moorhead, Pa.	Studds
Giaimo	Morgan	Sullivan
Gibbons	Mosher	Tiernan
Gonzalez	Moss	Traxler
Grasso	Murphy, Ill.	Ullman
Gray	Murphy, N.Y.	Van Deerlin
Green, Oreg.	Murtha	Vander Veen
Green, Pa.	Natcher	Vanik
Gude	Nedzi	Vigorito
Hanley	Nix	Waldie
Hanna	Obey	Walsh
Hansen, Idaho	O'Hara	Whalen
Harrington	O'Neill	Wiggins
Hays	Owens	Williams
Hechler, W. Va.	Passman	Wilson, Charles H., Calif.
Heckler, Mass.	Patman	Wilson, Charles, Tex.
Heinz	Patten	Wolff
Helstoski	Pepper	Wright
Hicks	Perkins	Wyatt
Hillis	Peyser	Wydler
Holtzman	Podell	Yates
Horton	Price, Ill.	Young, Ga.
Hungate	Pritchard	Zablocki
Johnson, Calif.	Quie	
Jordan	Railsback	
Kastenmeier	Rees	
Kemp	Reid	
Kluczynski	Reuss	
Koch	Riegle	

NOT VOTING—39

Brasco	Hansen, Wash.	Nelsen
Burke, Calif.	Hawkins	Quillen
Carey, N.Y.	Hébert	Rangel
Clark	Holifield	Roberts
Cochran	Howard	Rooney, N.Y.
Daniels, Dominick V.	Johnson, Colo.	Rostenkowski
Diggs	Jones, Ala.	Shoup
Dorn	Jones, Tenn.	Stokes
Esch	Karth	Thompson, N.J.
Evins, Tenn.	Macdonald	Towell, Nev.
Goodling	Madigan	Udall
Griffiths	Mills	Yatron
Gunter	Minshall, Ohio	
	Moakley	

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. CAMP

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

The Clerk read as follows:

Amendment offered by Mr. CAMP: On page 6, line 17, strike out the figure, "$100,816,000."

Mr. CAMP. Mr. Chairman, we have heard a lot of rhetoric this afternoon, both pro and con, as far as OSHA is concerned. I will ask the Members to vote for this amendment which I have offered. This amendment will cure all of these problems.

I am sure that the Members have all had the same experience that I have had. If the Members will bear with me for a minute, I would like to give them a personal instance or two which has happened in my district since we created OSHA some years back.

I have as a constituent a man who runs a laundry in western Oklahoma; it is the only laundry in the town. Because of OSHA, it has resulted that the inspectors who represent that organization have told him that if he does not make certain renovations to his laundry, he will have to close down.

In effect, it would be impossible for him to spend the money to comply with the rules and regulations of the inspector. This would put some 35 to 40 people out of work and would leave the town without a laundry.

I have another instance where a man has a chemical and fertilizer operation and an inspector came in and told him he would have to put steel toes in the shoes of his employees.

I have another instance where I have a contractor who does no work underground or above ground and he has had to put hard hats on all his employees. When the inspector comes along he tells him that they are the wrong kind and he has to buy another kind costing three times as much.

I think we have all had the same experience. When we passed the law creating OSHA we put a chain around the necks of the business people of these United States. There is only one way we can take that chain off their necks, and that is by the action of this body. Let us take that chain off and set these people free.

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

Well, now, Mr. Chairman, you see what is happening? I point out to you that this is the Committee on Appropriations again and not the legislative committee. You just heard what my friend said. You passed the law, and when you passed the law it provided for enforcement. When you enact a law and establish a law calling for enforcement you expect it to be enforced. That is why you are here.

We are just as worried as you are about complaints. Of course there are complaints. They come from all places. There is no question about it. What in the world is new about that in any law calling for enforcement? I come from the coal fields. Who would be better aware of the problems of law enforcement in the field of safety than I, coming from the coal fields? Still you expect laws to be enforced within the rule of reason. Not this way. There are 5 million places of employment in this country. Try to imagine that. There are 5 million places of employment in this country.

In the Department of Labor, there are 920 compliance officers to handle 5 million places of employment, which means that each compliance officer is trying to handle 5,500 places of employment. You want the law enforced.

We have not had one single one of these items above the budget; not one. We have not done that. You can believe me that we gave this group the kind of drilling that you want us to give them when they appeared on the question of enforcing the law that you passed. The Congress passed the law. We drilled the enforcement section of the Department of Labor. We could not go half way on this responsibility. The Congress passed this law and, Mr. Chairman, unless this

law is repealed by the Congress, it must be enforced by the Congress. How much plainer can it be? The Committee on Appropriations has the responsibility of providing funds to enforce the law. That is the way we see it.

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

Mr. FLOOD. I yield to the gentleman from Indiana.

Mr. DENNIS. Mr. Chairman, the theory presented by the gentleman from Pennsylvania (Mr. FLOOD) is correct, but if the Committee on Education and Labor would ever do something about the 25 or 30 bills that are before it to amend this law we might not get this type of an amendment.

Mr. FLOOD. I will agree with my friend, the gentleman from Indiana, but do you realize before the face of this Nation this is the House of Representatives of the Congress of the United States? This is the Committee on Appropriations. We must be responsible, and provide the funds to enforce the law that you passed.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Oklahoma (Mr. CAMP).

The question was taken.

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 97, noes 295, not voting 42, as follows:

[Roll No. 343]

AYES—97

Abdnor	Downing	Montgomery
Alexander	Duncan	Moorhead, Calif.
Andrews, N.C.	Eshleman	Parris
Archer	Fisher	Powell, Ohio
Arends	Flynt	Price, Tex.
Armstrong	Froehlich	Rarick
Ashbrook	Gettys	Roncallo, N.Y.
Bafalis	Goldwater	Rousselot
Baker	Gross	Runnels
Bauman	Grover	Ruth
Beard	Gubser	Ryan
Blackburn	Guyer	Satterfield
Bowen	Haley	Scherle
Brinkley	Hanrahan	Shuster
Broomfield	Henderson	Snyder
Broyhill, Va.	Hogan	Spence
Burgener	Holt	Steed
Burleson, Tex.	Hosmer	Steiger, Ariz.
Byron	Huber	Stephens
Camp	Hutchinson	Stubblefield
Carter	Ichord	Stuckey
Clancy	Jarman	Symms
Clawson, Del	Jones, N.C.	Taylor, Mo.
Collier	Ketchum	Taylor, N.C.
Collins, Tex.	King	Teague
Conlan	Lagomarsino	Treen
Crane	Landgrebe	Waggonner
Daniel, Dan	Latta	Whitehurst
Daniel, Robert W., Jr.	Lott	Whitten
Davis, Ga.	Lujan	Wyman
Derwinski	Martin, N.C.	Young, S.C.
Dickinson	Mathis, Ga.	Zion
	Mizell	

NOES—295

Abzug	Biaggi	Burke, Fla.
Adams	Biester	Burke, Mass.
Addabbo	Bingham	Burlison, Mo.
Anderson, Calif.	Boggs	Burton, John
Anderson, Ill.	Boland	Burton, Phillip
Andrews, N. Dak.	Bolling	Butler
Annunzio	Brademas	Carney, Ohio
Ashley	Bray	Casey, Tex.
Aspin	Breaux	Cederberg
Badillo	Breckinridge	Chamberlain
Barrett	Brooks	Chappell
Bell	Brotzman	Chisholm
Bennett	Brown, Calif.	Clausen, Don H.
Bergland	Brown, Mich.	Clay
Bevill	Brown, Ohio	Cleveland
Blatnik	Broyhill, N.C.	Cohen
Boland	Buchanan	Collins, Ill.
Bolling	Burke, Calif.	Conable
Brademas	Burke, Fla.	Conte
Bray	Burke, Mass.	Conyers
Breaux	Burlison, Mo.	Corman
Breckinridge	Burton, John	Cotter
Brooks	Burton, Phillip	Coughlin
Brotzman	Butler	Cronin
Brown, Calif.	Carney, Ohio	Culver
Brown, Mich.	Casey, Tex.	Danielson
Brown, Ohio	Cederberg	Davis, S.C.
Broyhill, N.C.	Chamberlain	Davis, Wis.
Buchanan	Chappell	de la Garza
Burke, Calif.	Chisholm	Delaney
Burke, Fla.	Clausen, Don H.	Dellenback
Burke, Mass.	Clay	Dellums
Burlison, Mo.	Cleveland	Denholm
Burton, John	Cohen	Dennis
Burton, Phillip	Collins, Ill.	Dent
Butler	Conable	Devine
Carney, Ohio	Conte	Dingell
Casey, Tex.	Conyers	Donohue
Cederberg	Corman	Drinan
Chamberlain	Cotter	Dulski
Chappell	Coughlin	du Pont
Chisholm	Cronin	Eckhardt
Clausen, Don H.	Culver	Edwards, Ala.
Clay	Danielson	Edwards, Calif.
Cleveland	Davis, S.C.	Eilberg
Cohen	Davis, Wis.	Erlenborn
Collins, Ill.	de la Garza	Evans, Colo.
Conable	Delaney	Fascell
Conte	Dellenback	Findley
Conyers	Dellums	Fish
Corman	Denholm	Flood
Cotter	Dennis	Flowers
Coughlin	Dent	Foley
Cronin	Devine	Ford
Culver	Dingell	Forsythe
Danielson	Donohue	Fountain
Davis, S.C.	Drinan	Fraser
Davis, Wis.	Dulski	Frelinghuysen
de la Garza	du Pont	Frenzel
Delaney	Eckhardt	Frey
Dellenback	Edwards, Ala.	Fuqua
Dellums	Edwards, Calif.	Gaydos
Denholm	Eilberg	Giaimo
Dennis	Erlenborn	Gibbons
Dent	Evans, Colo.	Gilman
Devine	Fascell	Ginn
Dingell	Findley	Gonzalez
Donohue	Fish	Grasso
Drinan	Flood	Gray
Dulski	Flowers	Green, Oreg.
du Pont	Foley	Green, Pa.
Eckhardt	Ford	Gude
Edwards, Ala.	Forsythe	Hamilton
Edwards, Calif.	Fountain	Hanley
Eilberg	Fraser	Hanna
Erlenborn	Frelinghuysen	Hansen, Idaho
Evans, Colo.	Frenzel	Harrington
Fascell	Frey	Harsha
Findley	Fuqua	Hastings
Fish	Gaydos	Hawkins
Flood	Giaimo	Hays
Flowers	Gibbons	Hechler, W. Va.
Foley	Gilman	Heckler, Mass.
Ford	Ginn	Heinz
Forsythe	Gonzalez	Helstoski
Fountain	Grasso	Hicks
Fraser	Gray	Hillis
Frelinghuysen	Green, Oreg.	Hinshaw
Frenzel	Green, Pa.	Holtzman
Frey	Gude	Horton
Fuqua	Hamilton	Hudnut
Gaydos	Hanley	Hunt
Giaimo	Hanna	Johnson, Calif.
Gibbons	Hansen, Idaho	Johnson, Pa.
Gilman	Harrington	Jones, Ala.
Ginn	Harsha	Jones, Okla.
Gonzalez	Hastings	Jordan
Grasso	Hawkins	Kastenmeier
Gray	Hays	Kazen
Green, Oreg.	Hechler, W. Va.	Kemp
Green, Pa.	Heckler, Mass.	
Gude	Heinz	
Hamilton	Helstoski	
Hanley	Hicks	
Hanna	Hillis	
Hansen, Idaho	Hinshaw	
Harrington	Holtzman	
Harsha	Horton	
Hastings	Hudnut	
Hawkins	Hunt	
Hays	Johnson, Calif.	
Hechler, W. Va.	Johnson, Pa.	
Heckler, Mass.	Jones, Ala.	
Heinz	Jones, Okla.	
Helstoski	Jordan	
Hicks	Kastenmeier	
Hillis	Kazen	
Hinshaw	Kemp	
Holtzman	Kluczynski	
Horton	Koch	
Hudnut	Kuykendall	
Hunt	Kyros	
Johnson, Calif.	Landrum	
Johnson, Pa.	Leggett	
Jones, Ala.	Lehman	
Jones, Okla.	Lent	
Jordan	Litton	
Kastenmeier	Long, La.	
Kazen	Long, Md.	
Kemp	Luken	
Kluczynski	McClory	
Koch	McCloskey	
Kuykendall	McCollister	
Kyros	McCormack	
Landrum	McDade	
Leggett	McEwen	
Lehman	McFall	
Lent	McKay	
Litton	McKinney	
Long, La.	McSpadden	
Long, Md.	Madden	
Luken	Mahon	
McClory	Mallary	
McCloskey	Mann	
McCollister	Maraziti	
McCormack	Mathias, Calif.	
McDade	Matsunaga	
McEwen	Mayne	
McFall	Mazzoli	
McKay	Meeds	
McKinney	Melcher	
McSpadden	Metcalfe	
Madden	Mezvinsky	
Mahon	Michel	
Mallary	Milford	
Mann	Miller	
Maraziti	Minish	
Mathias, Calif.	Mink	
Matsunaga	Mitchell, Md.	
Mayne	Mitchell, N.Y.	
Mazzoli	Mollohan	
Meeds	Moorhead, Pa.	
Melcher	Morgan	
Metcalfe	Mosher	
Mezvinsky	Moss	
Michel	Murphy, Ill.	
Milford	Murphy, N.Y.	
Miller	Murtha	
Minish	Myers	
Mink	Natcher	
Mitchell, Md.	Nedzi	
Mitchell, N.Y.	Nichols	
Mollohan	Nix	
Moorhead, Pa.	Obey	
Morgan	O'Brien	
Mosher	O'Hara	
Moss	O'Neill	
Murphy, Ill.	Owens	
Murphy, N.Y.	Passman	
Murtha	Patman	
Myers	Patten	
Natcher	Pepper	
Nedzi	Perkins	
Nichols	Pettis	
Nix	Peyser	
Obey	Pickle	
O'Brien	Pike	
O'Hara	Poage	
O'Neill	Podell	
Owens	Preyer	
Passman	Price, Ill.	
Patman	Pritchard	
Patten	Quie	
Pepper	Railsback	
Perkins	Randall	
Pettis	Rangel	
Peyser	Rees	
Pickle	Regula	
Pike	Reid	
Poage	Reuss	
Podell	Rhodes	
Preyer	Riegle	
Price, Ill.	Rinaldo	
Pritchard	Robinson, Va.	
Quie	Robison, N.Y.	
Railsback	Rodino	
Randall	Roe	
Rangel	Rogers	
Rees	Roncalio, Wyo.	
Regula	Rooney, Pa.	
Reid	Rose	
Reuss	Rosenthal	
Rhodes	Roush	
Riegle	Roy	
Rinaldo	Roybal	
Robinson, Va.	Ruppe	
Robison, N.Y.	St Germain	
Rodino	Sandman	
Roe	Sarasin	
Rogers	Sarbanes	
Roncalio, Wyo.	Schneebeli	
Rooney, Pa.	Schroeder	
Rose	Sebelius	
Rosenthal	Seiberling	
Roush	Shipley	
Roy	Shriver	
Roybal	Sikes	
Ruppe	Sisk	
St Germain	Skubitz	
Sandman	Slack	
Sarasin	Smith, Iowa	
Sarbanes	Smith, N.Y.	
Schneebeli	Staggers	
Schroeder	Stanton, J. William	
Sebelius	Stanton, James V.	
Seiberling	Stark	
Shipley	Steele	
Shriver	Steelman	
Sikes	Steiger, Wis.	
Sisk	Stokes	
Skubitz	Stratton	
Slack	Studds	
Smith, Iowa	Sullivan	
Smith, N.Y.	Symington	
Staggers	Talcott	
Stanton, J. William	Thomson, Wis.	
Stanton, James V.	Thone	
Stark	Thornton	
Steele	Tiernan	
Steelman	Traxler	
Steiger, Wis.	Van Deerlin	
Stokes	Vander Jagt	
Stratton	Vander Veen	
Studds	Vanik	
Sullivan	Veysey	
Symington	Vigorito	
Talcott	Waldie	
Thomson, Wis.	Walsh	
Thone	Wampler	
Thornton	Ware	
Tiernan	Whalen	
Traxler	White	
Van Deerlin	Wiggins	
Vander Jagt	Williams	
Vander Veen	Wilson, Bob	
Vanik	Wilson, Charles H., Calif.	
Veysey	Wilson, Charles, Tex.	
Vigorito	Winn	
Waldie	Wolff	
Walsh	Wright	
Wampler	Wyatt	
Ware	Wydler	
Whalen	Wylie	
White	Yates	
Wiggins	Young, Alaska	
Williams	Young, Fla.	
Wilson, Bob	Young, Ga.	
Wilson, Charles H., Calif.	Young, Ill.	
Wilson, Charles, Tex.	Young, Tex.	
Winn	Zablocki	
Wolff	Zwach	
Wright		
Wyatt		
Wydler		
Wylie		
Yates		
Young, Alaska		
Young, Fla.		
Young, Ga.		
Young, Ill.		
Young, Tex.		
Zablocki		
Zwach		

NOT VOTING—42

Blatnik	Gunter	Minshall, Ohio
Brasco	Hammer-schmidt	Moakley
Burke, Calif.	Hansen, Wash.	Nelsen
Carey, N.Y.	Hébert	Quillen
Clark	Holifield	Roberts
Cochran	Howard	Rooney, N.Y.
Daniels, Dominick V.	Hungate	Rostenkowski
Diggs	Johnson, Colo.	Shoup
Dorn	Jones, Tenn.	Thompson, N.J.
Esch	Karth	Towell, Nev.
Evins, Tenn.	Macdonald	Udall
Fulton	Madigan	Ullman
Goodling	Martin, Nebr.	Widnall
Griffiths	Mills	Yatron

So the amendment was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN. Are there further amendments to this section of the bill? If not, the Clerk will read.

The Clerk read as follows:

CENTER FOR DISEASE CONTROL

PREVENTIVE HEALTH SERVICES

To carry out, to the extent not otherwise provided, title III of the Public Health Service Act, the Lead-Based Paint Poisoning Prevention Act, the Federal Coal Mine Health and Safety Act of 1969, and the Occupational Safety and Health Act of 1970; including insurance of official motor vehicles in foreign countries; and purchase, hire, maintenance, and operation of aircraft: $134,910,000: *Provided*, That training of employees of Federal State, and local governments and of private agencies, shall be made subject to reimbursement or advances to this appropriation for the full costs of such training.

AMENDMENT OFFERED BY MR. BIAGGI

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

The Clerk read as follows:

Amendment offered by Mr. BIAGGI: On page 10, line 9, strike "$134,910,000" and insert in lieu thereof "$137,910,000".

Mr. BIAGGI. Mr. Chairman, I do not expect to consume 5 minutes. I sincerely hope that the chairman of the committee will be sympathetic toward the suggestion. It is in line with the committee's thinking and reasoning, as included in the report.

Mr. Chairman, this amendment will add $3 million to the appropriations for the Center for Disease Control. I am seeking this increase for the purpose of expanding the efforts of the center to deal with the screening and treatment of lead-based paint poisoning cases.

Although the problem of lead-based paint poisoning is receiving the close attention of the Department of Health, Education, and Welfare, the existing programs are both fragmented and not clearly defined. Numerous other programs within HEW such as neighborhood health centers, maternal and child health programs, and medicaid, handle some aspect of lead-based paint poisoning treatment and prevention.

There is a distinct lack of unity and coherence in the important areas of diagnosis and treatment of lead-based paint poisoning. In an effort to improve the quality of programs available to treat this problem, the committee in their report strongly recommended that the Center for Disease Control—and I quote from the report—

Take the initiative in fiscal year 1975 to assist all other service-oriented programs to incorporate routine lead screening as an integral part of the delivery of health care.

I applaud the committee's directive, but I am concerned as to how the center can take this initiative without an increase in appropriations. The incidence of lead-based paint poisoning is approaching epidemic proportions in this Nation. In the first 3 months of 1974, both the number of screened and confirmed cases of lead-based paint poisoning have already surpassed the total for all of 1973.

Therefore, in an effort to both adhere to the committee's recommendation for the center, and to better respond to the growing incidence of lead-based paint poisoning, I am calling for a $3-million

increase in the appropriation for the Center for Disease Control. This is a realistic figure without which we cannot expect to make any significant progress in controlling this serious national health problem. I urge my colleagues to support this amendment.

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

Mr. Chairman, here is the classic example of what we have been talking about all day. This is exhibit A. This committee and the Members of the House established this lead-based paint poisoning provision. There is $9 million in this bill for the lead-based paint poison problem.

But all you see is really the tip of the iceberg. There are many other Federal programs which impact directly on this same problem: The maternal and child health program, No. 1; the neighborhood health centers, No. 2; the Head Start program, the big program, No. 3; the family health centers which the Congress set up 2 years ago, No. 4; the medicaid program, the great big medicaid program which the Congress created, No. 5.

There is a special section in there for the early periodic screening, diagnosis, and treatment program which the Congress insisted upon. There are five programs for which we have appropriated funds which can do the precise thing the $9 million in this bill right now can do—exactly the same thing.

There is no need for additional funds here. Let me tell the Members, there is plenty of money in here. Do the Members know what is needed? Do they know what is wrong here?

What is needed is to have those people downtown get off their bottoms and develop a coordinated attack on this problem through the means which the Congress has already provided; plus this $9 million. That is the thing here.

All the necessary money is available, so the means to the end is there, directed toward solving this very, very single problem. This is not a question of adding more money. Let us use all the tools we have provided, plus the money we now have. That will do it.

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

The amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

ALCOHOL, DRUG ABUSE, AND MENTAL HEALTH ADMINISTRATION

ALCOHOL, DRUG ABUSE, AND MENTAL HEALTH

For carrying out the Public Health Service Act with respect to mental health and, except as otherwise provided, the Community Mental Health Centers Act (42 U.S.C. 2681, et seq.), the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment, and Rehabilitation Act of 1970, the Narcotic Addict Rehabilitation Act of 1966, and the Drug Abuse Office and Treatment Act of 1972. $761,601,000.

AMENDMENT OFFERED BY MR. BIAGGI

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

The Clerk read as follows:

Amendment offered by Mr. BIAGGI: On page 14, line 5, strike "$761,601,000" and insert in lieu thereof "$764,578,000".

Mr. BIAGGI. Mr. Chairman, this amendment will increase by $2.9 million the appropriation for drug abuse prevention research as conducted by the National Institute on Drug Abuse.

The appropriation figure contained in this legislation, $34,000,000 represents a reduction of $2.9 million over the fiscal year 1974 amount. Therefore, what I am really seeking is to bring the funding level for this information agency back up to last year's level.

One of the most important aspects of drug abuse research are the efforts aimed at developing effective drug antagonists. The committee itself in the report stressed the importance of this program when they said—and I quote:

The Committee is encouraged by testimony that current research offers the possibility for the development of more effective narcotic antagonists.

A drug antagonist is a compound which suppresses in whole or in part—the actions of a particular class of drugs. These antagonists have characteristics which give them critical importance as tools in the clinical treatment of drug addiction, and as therapeutic agents which reduce drug dependence, particularly in the case of heroin addiction.

The development of an effective and long-lasting drug antagonist could serve as a milestone in the fight to rid this Nation of the evil scourge of drug abuse. Antagonists hit at the heart of the drug problem—dependence—and offer a realistic and viable alternative to drug abuse.

In addition, with proper development of drug antagonists, it may be possible to actually immunize children against the disease of drug abuse just as we now immunize them against polio or smallpox.

As important as the drug antagonist program is for this Nation, it is consistently underfunded. The appropriation level contained in this bill for overall drug research represents the most pitiful figure yet. How can we hesitate to provide the adequate funds to combat drug abuse? The incidence of this dread disease continues to rise at unprecedented levels, knowing no social, economic, or geographic boundaries.

What I am proposing this afternoon is the continuation of a commitment, a commitment to treat the victims of drug abuse and reduce the numbers of victims who might fall prey to it.

The drug antagonist program could offer a bright future for this Nation—one rid of drug abuse. We cannot hope to achieve this dream without adequate funding. My amendment does just that and I urge my colleagues to support it.

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

This is exactly the same kind of situation, exactly the same kind of argument we went through.

We are simply talking about drugs. Imagine now raising the question that you and this subcommittee of which I am chairman are not aware of the drug problem, and what we have done down through the years. I am somewhat appalled at the people who suggested doing this, knowing what we have done already. I wish they would come and appear before this subcommittee to talk about the drug problem.

We went into this matter, believe me, in great depth during these hearings. We wanted to be absolutely sure that we were providing adequate funding to fight this serious problem.

This is the Subcommittee on Appropriations for the Department of Health, Education, and Welfare. Do not think for a minute that we did not consider this.

Let me tell the Members that provided here—just listen to this—is $34 million. This will provide $6,641,000 in new research projects that we talked to them about. There are also funds for the continuation of the ongoing program. We insisted on this.

With regard to this question of drug antagonists, let me ask this: What is a "drug antagonist"? It is that thing which is used against a drug. We are informed they are very expensive. They are used in the current effort against drugs.

I myself examined Dr. Egbert at some length on this. He is the expert. He told us of the current research of two institute grantees which we know about, and they did very well. They offer us exciting possibilities. I believe Dr. Egbert when he speaks on this very thing, this effort to develop very effective narcotic antagonists. I am sure they will do the job. We have provided $34 million here.

Let me say, Mr. Chairman, that as the Members look upon the subcommittee from both sides of the aisle, if we thought for one minute that more money was needed in this area, we would have made it available long before we got here. But $34 million is sufficient to do this job and do it well.

Mr. MICHEL. Mr. Chairman, I move to strike the requisite number of words, and I rise very briefly in opposition to the amendment.

Mr. Chairman, to supplement what our good committee chairman has said, oftimes it is a little bit difficult to understand this, just from seeing some of those hard-core figures, without going back into the hearing record. There is ample justification here for what was done, because with the figure we have in here, this actually provides for an increase in research in this amount of $4,355,000.

The problem with the overall figure being what it was for 1974 is this: We had an offset of a built-in decrease resulting primarily from the transfer of funds from the Lexington Clinical Center to the Bureau of Prisons.

So, frankly, it is natural for the gentleman to be concerned about that reduced figure as it is shown here, but if we look deeply into the record, contained on page 500 of volume 3 of our hearings, it is more than adequately explained, with relation to the transfer of our funds. The gentleman can rightfully go back to his people and say that there is in this bill an increase provided for the item about which he has expressed his concern.

Mr. MITCHELL of Maryland. Mr. Chairman, I move to strike the requisite number of words, and I rise in support of the amendment.

Mr. Chairman, I believe it is very critical that we get more money for this item, because what we have done in this country is to create a brand-new drug prob-

lem, a problem which we are glossing over.

In our attempt to deal with heroin and the other addictive drugs, we have started the extensive use of methadone. Now it is being revealed that there is an increasing number of people who have become addicted to methadone. There is relatively little or no treatment available to the methadone addict.

I believe we need the increase, because the drug problem is being continued, only now under a new guise.

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

Mr. MITCHELL of Maryland. I yield to the gentleman from New York.

Mr. BIAGGI. Mr. Chairman, I would like to respond to the chairman of the committee, who amazed me in what he had to say. He said he was appalled at the introduction of this amendment.

The amendment I have introduced deals with the sum of $2.9 million, a relatively small amount. If the gentleman is appalled at that, then I am frankly amazed at his judgment.

If the gentleman listened carefully to my presentation he would have noted that I complimented the committee and used the very reports which the committee issued to bolster my position. The gentleman said that the research executives stated that in the areas of drug antagonism there are exciting possibilities.

Now, we should consider the amount of money we are spending in this areas, as contrasted to the billions of dollars we have spent on the law enforcement side, all to no avail.

You could line the borders of this Nation trying to stop the importation of drugs and fail. And we have. We have spent billions of dollars and tried every trick in the book and every program. The one program that provides the possibility for putting an end to drug abuse is the program of drug antagonism.

You may vote this up or down, but to be appalled at such a modest request to improve or increase the appropriation in the area of drug antagonism in light of the gravity of the issue is astounding.

I thank the gentleman for yielding to me.

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

The amendment was rejected.

AMENDMENT OFFERED BY MR. GROSS

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

The Clerk read as follows:

Amendment offered by Mr. GROSS: Page 14, line 5, strike out "$761,601,000," and insert "$723,467,000".

Mr. GROSS. Mr. Chairman, the purpose of this amendment is to bring the figure of $138 million for alcoholism down to the budget request of $99.866 million, in other words, a reduction of $38.134 million.

We have alcoholism programs operating, I think, in every State in the United States. We are spending money in other funds for alcoholism.

Mr. Chairman, the eagerness with which Members of the House stumbled over each other earlier this year to provide millions in Federal funds for those who have let themselves become victims of booze, leaves me wondering why—if the taxpayers are going to pick up that tab—they should not do likewise for other unfortunates in our society.

For example, why not take equal pity on those addicted to nicotine? And what about kleptomaniacs?

Then there are hundreds of thousands—perhaps millions of Americans addicted to the numbers game and to other forms of betting and gambling, including the "horse parlors." They are certainly deserving of Federal help.

In all justice, the Federal Government ought to be providing help for those citizens suffering from golf—that addictive crippling disease that has broken up untold homes and families. We should establish without delay a National Institute for Golf Widows.

I am told that in the South, millions of people are addicted to grits and it is plainly time these unfortunates receive Federal treatment and rehabilitation.

I have also heard reports that a number of once virile men now complain they are suffering from impotency brought on by Women's Liberation. Federal treatment centers should be available for these poor fellows. It is their right.

All these ills I have discussed are serious national problems and it is obvious the Federal Government is the only answer.

If the Federal Government and its bureaucracy does not step in—if Congress does not provide the help these other people so urgently need—they may well be driven to drink and then we will be right back where we were when we solved that problem with millions from the Federal Treasury.

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

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

Mr. SNYDER. Mr. Chairman, I rise in support of the amendment offered by the gentleman from Iowa (Mr. GROSS).

Coming from the good, dry State that I do, we have an economy built upon thoroughbred race horses, good bourbon whiskey, and an awful lot of Burley tobacco. They are habit-forming, and we want to keep it that way.

Mr. FLOOD. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Iowa (Mr. GROSS).

Mr. Chairman, I would advise the Members to keep this fact in mind, and I do not think that all of the people realize that this is a fact: just last year this Congress established, as a fact, that alcohol is a drug. Most people do not know that alcohol is a drug, and they do not think about it that way. The No. 1 drug abuse problem in America today is not heroin, not marihuana, the No. 1 drug abuse problem is alcohol. There are over 9 million Americans that we have classified as problem drinkers. And these affect, on the average, four other people, every time. So you have about 36 million victims of the drug alcohol.

We are making extraordinary progress in this country in the treatment and rehabilitation of the alcoholic. Progress in the rehabilitation of these people has been simply marvelous, the Members should know that, simply marvelous all over the country. You would not have believed it 5 or 10 years ago. It is a great performance.

You ought to hear this—and let me read this for you—before you go and get a drink, listen to this:

I questioned Dr. Chafetz, who is the Administrator of the National Institute of Alcohol Abuse and Alcoholism. He is in charge of this whole program having to do with alcohol.

I said:

Doctor, will you give whatever statistics you have. You gave some attention to it in your statement. Will you give us whatever statistics you have which indicate the extent that alcoholism still exists, how many alcoholics in the United States, is the problem getting better, is it getting worse?

Now, hear this, and this is Dr. Chafetz:

As a matter of fact, there is increasing evidence that the reason perhaps that young people are no longer using heroin, and not increasing their use of marihuana, is because they switched to our drug, alcohol; there is increasing evidence that along with the increasing use there are increasing problems.

Then he goes on, and this is on page 413 of our volume No. 3 of the hearings on that Institute. It is an amazing expose and report on the great work that these people are doing on the No. 1 drug addiction problem in this country.

So we cannot stop this momentum. We cannot stop this drive. I am just telling you I just think of my Uncle Tom, poor Uncle Tom. During the Spanish War he never got any farther than Chickamauga, but he went up and down that hill more times than Teddy Roosevelt knew there was a hill to the day that he died. He went down San Juan Hill. It was a joke then, not today, not today.

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

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

Mr. GROSS. I thank the gentleman for yielding.

Does the gentleman's authority say that drug addiction is on the decline?

Mr. FLOOD. Drug addiction. All right. The gentleman from Iowa must have seen the book. Here is the first sentence. Here is what Dr. Chafetz said to me.

Mr. GROSS. Who is this Dr. Chafetz?

Mr. FLOOD. He is in charge of the National Institute of Alcohol and Alcoholism, a topflight mind. Here is what he said:

I was struck with your questioning—

Meaning my questioning—

of Dr. DuPont about the apparent decrease in heroin in this country as well as the apparent stabilization of the rate of increase of marihuana use. That is not the case with alcohol today. The No. 1 drug problem is alcoholism.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa (Mr. GROSS).

The question was taken; and on a division (demanded by Mr. GROSS) there were—ayes 23, noes 91.

So the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

HIGHER EDUCATION

For carrying out, to the extent not otherwise provided, titles I, III, IV, section 745 of title VII, and parts A, B, C, and D of

title IX, and section 1203 of the Higher Education Act, the Emergency Insured Student Loan Act of 1969 as amended, section 207 and title VI of the National Defense Education Act, as amended, the Mutual Educational and Cultural Exchange Act of 1961, section 22 of the Act of June 29, 1935, as amended (7 U.S.C. 329), section 421 of the General Education Provisions Act, and Public Law 92-506 of October 19, 1972, $2,145,271,000, of which $240,300,000 for supplemental educational opportunity grants and amounts reallotted for work-study shall remain available through June 30, 1976, $23,750,000 shall be for veterans cost-of-instruction payments to institutions of higher education, and $650,000,000 shall be for basic opportunity grants (including not to exceed $11,500,000 for administrative expenses), of which $638,500,000 shall remain available through June 30, 1977, $315,000,000 for subsidies on guaranteed student loans shall remain available until expended: *Provided*, That amounts for basic opportunity grants shall be available only for full-time students at institutions of higher education who are not enrolled as regular students (as defined by the Commissioner of Education) at such institutions prior to April 1, 1973.

POINT OF ORDER

Mrs. GREEN of Oregon. Mr. Chairman, I make a point of order on the language found on page 18, line 4, beginning with the words "of which" through line 5 through "1977,"

So the language I would make a point of order against, Mr. Chairman, would read: "of which $638,500,000 shall remain available through June 30, 1977,". My point of order, Mr. Chairman, is that this appropriates funds for the basic opportunity grants through June 30, 1977. The law requires, and I cite, Mr. Chairman, in the Education Amendments Acts of 1972 this language.

No payments may be made on the basis of entitlements—

Which is the basic opportunity grants—

established under this subpart during any fiscal year unless—

And then the language continues—

funds have been appropriated for economic opportunity grants, work study, and National Defense Education Act.

This language was very carefully drawn to protect those three student aid programs. The language which we find in the bill in effect provides payments for the entitlements for a year, the year ending June 30, 1977, the school year 1976-77, a year in which no funds are appropriated for the three other student financial aid programs which are required under the law.

Mr. FLOOD. Mr. Chairman, we will concede that point of order.

The CHAIRMAN. The point of order is sustained.

POINT OF ORDER

Mrs. GREEN of Oregon. Mr. Chairman, I make a point of order against the language which occurs on page 18, beginning on line 7 and continuing through line 11 as legislation on an appropriation bill. The law at the present time, the general law says that the basic opportunity grants should be available to all students in freshman, sophomore, junior, and senior years and students in the 5th year, part-time students, and last year we had restricted it to apply to freshmen and sophomores. This language further changes the law by saying basic opportunity grants shall be available only to freshmen, sophomores, and juniors, and therefore it is legislation on an appropriation bill changing the intent of the original law.

Mr. FLOOD. Mr. Chairman, this is much, much different. I believe this language in question is clearly conditioned on the use of funds in the bill and therefore not subject to a point of order.

It is a well-established principle and I quote:

The House in the Committee of the Whole has the right to refuse to appropriate for any object either in whole or in part even though the object is authorized by law.

Mr. Chairman, in this case we are very simply eliminating the payments for these basic opportunity grants to students who are enrolled at institutions of higher learning after April 1, 1973, and excluding, expressly excluding students who were enrolled prior to April 1, 1973.

Mr. Chairman, this type and kind of limitation has been upheld here by the Chair on many, many previous occasions.

The CHAIRMAN. Does the gentlewoman from Oregon desire to be heard further?

Mrs. GREEN of Oregon. While I did not care to use the additional argument, I would point out that if a portion of a paragraph is subject to a point of order, then the entire paragraph is subject to a point of order and I cite Cannon's Precedents on page 246.

PARLIAMENTARY INQUIRY

Mr. DELLENBACK. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. DELLENBACK. Mr. Chairman, although the chairman of the subcommittee indicated his willingness to concede the first point of order made by my colleague, the gentlewoman from Oregon, did I understand the Chair had not ruled on the first point of order?

The CHAIRMAN. The Chair has sustained the first point of order.

Mr. DELLENBACK. The Chair did sustain it?

The CHAIRMAN (Mr. WRIGHT). The Chair did sustain the first point of order.

The gentlewoman from Oregon raises a second point of order against the proviso beginning on line 7 of page 18. The gentlewoman contends that this proviso constitutes legislation in an appropriation bill rather than a strict limitation upon the funds appropriated in this bill.

The gentleman from Pennsylvania makes some interesting and indeed some valid points with respect to what has been in the past and is uniformly accepted as a limitation on an appropriation bill.

The Chair must observe, however, that there is one distinguishing characteristic with regard to this proviso as it is presently written which differentiates it from valid limitations. The proviso as presently written does not specify that it is a limitation upon amounts appropriated in this bill. This, indeed, may have been the intention of those who drafted the bill, but the proviso is not drafted negatively and the Chair observes that the proviso as presently drafted would stipulate that amounts for basic opportunity grants shall be made available only to certain students.

If the Chair is correctly advised, the Chair believes that the language, literally read, could subject this proviso to the interpretation of being a limitation upon amounts previously appropriated under other acts in that it does not stipulate that its application would be intended specifically to funds provided in this bill or in this paragraph.

For that reason, the Chair sustains the point of order of the gentlewoman from Oregon.

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

The CHAIRMAN. The Chair has sustained the point of order against the proviso, as earlier the Chair had sustained the point of order against the language objected to on lines 4 and 5.

AMENDMENT OFFERED BY MR. FLOOD

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

The Clerk read as follows:

Amendment offered by Mr. FLOOD: Page 18, line 7, insert ": *Provided*, That none of the funds in this Act shall be used to pay any amount for basic opportunity grants for full-time students at institutions of higher education who were enrolled as regular students at such institutions prior to April 1, 1973."

POINT OF ORDER

Mrs. GREEN of Oregon. Mr. Chairman, a point of order.

The CHAIRMAN. The gentlewoman will state her point of order.

Mrs. GREEN of Oregon. Mr. Chairman, I make a point of order against this amendment. The point of order is what I cited a moment ago, Cannon's Procedure in the House of Representatives, on page 246:

If a part of a paragraph . . . is out of order, all is out of order and a point of order may be raised against the portion out of order or against the entire paragraph.

Mr. FLOOD. Mr. Chairman, the purpose of the amendment is to precisely meet the ruling made by the Chair in connection with the language of the act to which an objection was made and the amendment simply restores the language:

Provided, That amounts for basic opportunity grants shall be limited to first, second and third year students.

It is a question of form limitation and applies only to the funds in this bill.

The CHAIRMAN (Mr. WRIGHT). The Chair is prepared to rule.

The amendment offered by the gentleman from Pennsylvania (Mr. FLOOD), does appear to meet the tests of a limitation on an appropriation bill. It limits the funds in this specific bill and it is negatively stated. For these reasons it would clearly appear to be admissible as a limitation, distinguishable from that language which was stricken in the proviso that had appeared in the original bill.

The Chair does not understand that the gentlewoman had raised a point of order against the entire paragraph. The gentlewoman raised two specific points of order on which the Chair ruled.

If the gentlewoman had at that time intended to make a point of order against the entire paragraph she should so have stated, and the Chair believes that a point of order at this moment on those grounds would be untimely made since an amendment to the paragraph is now pending.

Mrs. GREEN of Oregon. Mr. Chairman, I did raise a point of order before the gentleman from Pennsylvania offered the new language. I raised the point of order that if a part of a paragraph is out of order, then the entire paragraph is. I stated that.

The CHAIRMAN. The Chair would observe that at the moment the gentlewoman made the observation with respect to rulings making a point of order valid or admissible on the ground that any portion of a section being held out of order would render the entire section subject to a point of order, the Chair had already ruled with specificity on the point of order that the gentlewoman had raised; it being a narrow one, a specific one. So, the Chair is prepared at this point to hold the amendment offered by the gentleman from Pennsylvania to be in order.

Mr. GIAIMO. Mr. Chairman, may I be heard on the point of order?

Mr. Chairman, the situation, as I understand it, is that when the Chair ruled in favor of the gentlewoman on her second point of order, the one which relates to the proviso, at that moment that portion of the paragraph was deleted from the bill. At that moment, an amendment was offered by the gentleman from Pennsylvania.

As I observed, at that moment the gentlewoman from Oregon rose and presented a further point of order based on the new material inserted into the bill, and based solely on the proposition that it was defective because a portion of the paragraph had been deleted, and therefore the entire paragraph was.

It seems to me she did it properly at the only possible moment she could, because that is when she first learned of the new material being offered. Therefore, it was the first opportunity she had to preserve her rights to a point of order. She based it solely on those grounds which are within the rule.

The CHAIRMAN. The Chair did not so understand it at that time. Let the Chair simply observe that if the gentlewoman had desired to make the point of order against the entire paragraph, she could have done so, and the paragraph could have then be ruled out of order and stricken from the bill.

That having been done, the gentleman from Pennsylvania would have been at perfect liberty to offer a new paragraph with the language so perfected as to meet the tests of the rules of the House. It occurs to the Chair that we are right where we would have been in any event.

Mr. FLOOD. Mr. Chairman, I might say, having listened to the Chair for the last 2 or 3 minutes, I could not have done it better myself. It is crazy procedure, and the Chairman has heard me say it before.

The amendment simply restores the language as it should be in the bill on the basis of the point of order.

PARLIAMENTARY INQUIRY

Mr. DELLENBACK. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. DELLENBACK. Mr. Chairman, I have a further proposed amendment to the higher education paragraph beginning on page 17, line 12, and continuing on to page 18, line 11.

Should it be at this time as an amendment to the amendment of the gentleman from Pennsylvania, or after we have acted on his amendment, am I in a position then to make a further amendment to that paragraph?

The CHAIRMAN. The Chair will respond that further amendments would indeed be in order if the gentleman has any that he desires to offer, and unless his amendment were offered as a substitute for or an amendment to the amendment offered by the gentleman from Pennsylvania now pending, there would be no purpose in his offering an amendment at this point. The Chair will protect the gentleman's rights.

The question is on the amendment offered by the gentleman from Pennsylvania (Mr. FLOOD).

The amendment was agreed to.

AMENDMENTS OFFERED BY MR. DELLENBACK

Mr. DELLENBACK. Mr. Chairman, I offer four amendments and ask unanimous consent that they be considered en bloc.

The Clerk read as follows:

Amendments offered by Mr. DELLENBACK: On page 17, line 21, strike "$2,145,271,000" and insert in lieu thereof "$2,168,271,000".

On page 18, line 7, insert before the word *"Provided"* the following: ", $39,000,000 shall be for making payments to states for grants to students under the state student incentive grant program, of which any amount not require for continuation grants shall be used for initial year grants, and $6,000,000 shall be for comprehensive statewide planning by state postsecondary education commissions".

On page 20, line 11, strike "$100,000,000" and insert in lieu thereof "$130,000,000".

On page 20, line 20, strike "$11,500,000" and insert in lieu thereof "$18,500,000".

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

Mr. OBEY. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard.

AMENDMENT OFFERED BY MR. DELLENBACK

Mr. DELLENBACK. Mr. Chairman, I offer two amendments and ask unanimous consent that they be considered en bloc.

The Clerk read as follows:

Amendments offered by Mr. DELLENBACK: On page 17, line 21, strike "$2,145,271,000" and insert in lieu thereof "$2,168,271,000".

On page 18, line 7, before the word "Provided" insert the following: ", $39,000,000 shall be for making payments to states for grants to students under the state student incentive grant program, of which any amount not required for continuation grants shall be used for initial year grants, and $6,000,000 shall be for comprehensive statewide planning by state postsecondary education commissions".

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

There was no objection.

Mr. DELLENBACK. Mr. Chairman, the hour grows late, and some of us have been waiting now for 9½ hours to deal with this particular amendment.

May I say simply what it is that the amendment proposes. It proposes to do two things. One, it proposes to deal with the States student incentive grant program which was created under the education amendments of 1972. Two, it proposes to increase the appropriation for statewide planning for post-secondary education.

Mr. Chairman, those are the two things that this amendment proposes.

On the first point, in the 1972 amendments, we, the Congress, created the first student incentive grant program. It is a program whereby for each Federal dollar that goes into the program, under the terms and conditions that we then created, there is to be a match of $1 from the State involved. Last year we had the first appropriation for this program. It was an appropriation that ended up with $19 million going out in the form of such grants.

I call to the attention of my colleagues the fact that 50 States and territories have indicated that they would match their share of that appropriation for initial year grants.

The bill that is before us, before the adoption of my amendment, proposes that $19 million be appropriated this year. However, I call to the attention of my colleagues the fact that there is no word in the bill as to whether the money is to be used for continuing grants, continuation of what has been done in prior years, or whether the money is for initial year grants.

The first part of the amendment which I have offered first makes clear that we are increasing the amount by $20 million, and then we are making clear that the amounts paid to the States for grants to students under the State student incentive grant program are to be used for initial year grants over and above any amount not required for continuation grants.

So we are making clear both that there will be money to continue what 50 States have begun and that we add thereto $20 million.

Mr. Chairman, I call to the attention of my colleagues the fact that this is an incentive to the States; that, by appropriating this $20 million, we have clearly the indication that the States have enthusiastically seized upon this program and will appropriate another $20 million, and we will end up with $40 million going into a badly needed addition to student aid.

So far as the second portion of this amendment is concerned, I call to the attention of my colleagues the fact that 47 States and territories have designated new State commissions to deal with comprehensive planning. May I call to the Members' attention that we are not here dealing with operating programs; we are talking about giving the States the economic aid they need to plan comprehensively.

Last year, with the moneys that were appropriated, each State received only approximately $26,000. That is not enough to plan comprehensively with any

degree of capacity, and yet these States so badly need this particular type of aid that they went forward, I think in the confident hope and expectation that this year we would increase the appropriation for this purpose.

Mr. Chairman, this amendment would add $3 million for these State commissions to the $3 million recommended by the committee, giving us some capacity to pass out to States enough funds to plan intelligently, comprehensively, and with real dedication, so that we can look to the future. That is all this amendment proposes.

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

Mr. DELLENBACK. I will be glad to yield to my colleague, the gentleman from Illinois.

Mr. YOUNG of Illinois. Mr. Chairman, is it our understanding that the funds which are to be disbursed to the students, with these State student incentive grants, are to be disbursed under the criterion that they will be disbursed by the States, and under that criterion will the discretion of the States be sufficiently broad to permit middle-income families to have students who can qualify for these scholarships?

Mr. DELLENBACK. Mr. Chairman, the thread that runs through both of these amendments, I will state for the benefit of the gentleman from Illinois (Mr. YOUNG), is that this gives to the States great flexibility, but not complete flexibility. When we talk about planning for postsecondary education, we set up certain criteria in the law, but the planning is to be done by the State.

So it is also in this student incentive grant program. We have in the law created certain requirements that must be met, but there is great flexibility in the individual States. The States must pay attention to substantial financial need, but they have great flexibility as to how to determine on an individual basis what is substantial financial need.

Mr. YOUNG of Illinois. Mr. Chairman, I thank the gentleman.

Mr. DELLENBACK. Mr. Chairman, I thank the gentleman for his interest.

The time is late. I urge that we make this investment of dollars in badly needed areas. It will pay off, without any question, for higher education.

The CHAIRMAN. The time of the gentleman from Oregon (Mr. DELLENBACK) has expired.

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

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

Mr. DELLENBACK. I yield to the gentleman from Indiana.

Mr. BRADEMAS. Mr. Chairman, I rise in support of the amendment offered by the gentleman from Oregon (Mr. DELLENBACK) which would add $20 million for scholarships to needy students given through the States, and to add $3 million for State postsecondary education planning commissions.

The State student incentive grants, authorized in the Education Amendments of 1972, are designed to encourage States to set up their own scholarship funds for needy students who wish to further their education after high school.

While some States had such programs, this Federal program was enacted to set up an incentive fund to match each dollar that States would themselves appropriate, to spur the creation and expansion of programs in more States. Each State dollar is matched by a Federal dollar, so that our Federal appropriations have double leverage.

The States responded magnificently to this new measure. But although 30 States in 1974 had scholarship programs which qualified for the Federal matching funds, and 47 have signified they will participate in 1975, the administration failed to request even the $19 million necessary to keep the fund operating at its present level.

The committee wisely restored the $19 million for 1975, but even so, there would at this level be very few new scholarships awarded, as most of this sum would have to go to continuing the awards for second-year students.

Thus, I am pleased to associate myself with the suggestion to add an additional appropriation for 1975, of $20 million, to allow for a new round of initial grants to students participating in the State programs, subject, of course, to the same matching requirement in the States, which would bring the total new moneys available up to $40 million.

This seems an excellent way to gain a larger return on our Federal investment.

POSTSECONDARY EDUCATION PLANNING COMMISSIONS

The second addition to the committee's reported bill, Mr. Chairman, concerns State postsecondary education planning commissions. Again a new effort authorized by the Education Amendments of 1972, these commissions were to be established in any State that wished to be eligible for certain postsecondary planning grants.

For, Mr. Chairman, as we look at the spectrum of institutions in postsecondary education, we can see a tremendous variety of institutions with little mutual dialog. The new commissions were to be broadly representative of this diversity, to include both public and private, nonprofit and proprietary institutions, and may include teachers, administrators, students, and representatives of other concerned groups and the public.

In fiscal year 1974, $3 million was available for grants to these commissions to enable them to take up their role as planning bodies for postsecondary education in each State.

Yet, for 1975, the President's budget asks nothing for these commissions. Perhaps in the mistaken notion that they were only to review academic facility construction programs, for which Federal support was also being terminated, the administration apparently thought there was nothing left for the commission to do.

Mr. Chairman, nothing could be further from the truth.

While the commission could, by law, serve that review purpose, there is far more significant work that they should be doing, to study and document the full spectrum of postsecondary education needs and resources in each State. The committee must be supported in restoring the $3 million, and I am suggesting that a serious program of grants to these commissions will require another $3 million beyond the committee's recommended amount—for a total of $6 million.

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

Mr. DELLENBACK. I yield to the gentleman.

Mr. BIAGGI. Mr. Chairman, I rise in support of the amendment offered by the gentleman. Mr. Chairman, I rise to urge every Member of the House to carefully consider the amendments to the higher education section of the Labor-HEW appropriation bill, and to vote favorably on them when they come to a vote.

We in the Education and Labor Committee, and particularly those of us sponsoring these amendments who sit on the Special Subcommittee on Education which deals with higher education matters generally, have taken a long and careful look at this year's appropriation bill. As usual with those who sit on authorization committees, we always can and do find some program is not receiving the appropriation we think it should. We also recognize there are budgetary limitations and we respect them. Thus, when we offer these particular amendments they represent, in our judgment, absolutely necessary corrections. Let me detail why.

The first amendment is to the State student incentive grant appropriation. The current appropriation is $19 million. We are proposing to add an additional $20 million. Most of the $19 million will fund the continuing education—through matching of State scholarships—of those students funded for the first time last year, the beginning of the program. This is right, but it leaves virtually no money for new students. Without the $20 million, and the like amount it will generate in matching State scholarships, we will be funding a one-time-only group on its way through school. This was not the intent of the program, and it is not fair, and it should not be allowed to happen. I strongly urge the House to make this program make sense, and make it equitable by passing this amendment.

Two, we propose to provide $6 instead of $3 million for new postsecondary education planning commissions. The current figure is not enough because many more States signed up for it than we expected. More money is needed to get the program moving. Make no mistake, this is not just another study commission. Planning commissions will study several important questions. Perhaps the most notable is the question of support for middle-income students who are being priced out of the college market and who are not eligible for most Federal aid because of present family income limits on much of our Federal assistance. Not less important will be the study of the development of occupational programs, much needed in today's tight job market, and needed for the handicapped, whom we have so long neglected. In sum, I strongly urge this amendment be adopted.

Three, we propose to provide $7 mil-

lion in addition to the recommended $11.5 million for the fund for the improvement of postsecondary education. This program is the primary vehicle for funding innovative programs designed to not only make our education more relevant, but also more productive in the face of enrollment problems and the increased cost 4 years at a residential college. This is the program which underwrites some of the costs of the famous "University Without Walls" program. Last year, the fund received over 2,800 applications, and was able to fund only 70 of them. Of the $11.5 million in the bill, $8 million is necessary to support existing programs, leaving a paltry $3.5 million for new programs. We propose to make that $10 million in new money by raising the total amount to $18.5 million. Again, I urge the House to make this program make sense, and adopt this amendment.

Finally, we propose to add $30 million to the $100 million budget for the National Institute for Education. This would bring them up to the figure they asked for. The Institute is the primary Federal effort in education research and will not receive State support. We should fund it fully and generously. If they say they need this money, I think they ought to have it. Too often the Higher Education Subcommittee has dealt with problems without enough information. We want to be sure that enough is being done to remedy that defect so that we may more intelligently legislate in the area of education. Mr. Chairman, these are sensible amendments and necessary ones. I urge prompt passage.

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

Mr. Chairman, after all that has gone on here today I would certainly be disappointed at not having an opportunity to discuss an appropriation bill with the distinguished members of the Committee on Education and Labor. I did not think I would last that long, but I am glad for the opportunity.

Let me point this out to you: What would the gentleman's amendment do? It would increase the student incentive grants and the State commissions—hear this—these are two programs which were not even in the President's budget. The committee recommended holding these programs to last year's funding. We agreed to that and we did it. The student incentive grant program was funded for the first time in fiscal year 1974. It is so new that the regulations were issued just 3 weeks ago. Imagine that. At this time, 14 States are not participating at all. There is no question but that this is a good student program. We appropriated the money for it. We are not quarreling about that at all. That is not the point here. The bill already includes $1.9 billion for student aid. And what is that? That is an increase of $300 million over last year. There is just no reason to add more money for student aid.

Now for the State commission part of it. This bill includes $3 million, which is the amount they had last year. The gentleman for no apparent reason at all wants to double that amount. Just like that. Three lousy million dollars. There was nothing at all in the budget for these commissions. There is no need to double the program.

Mr. MICHEL. Mr. Chairman, I rise in opposition to the amendment, and I will be very brief.

I have a difficult time really finding out how valuable this kind of a program is. If our States were not doing one tinker's damn worth of work of this field, I would say there might be some justification for it. But, the States themselves are putting up $400 million in scholarship assistance now. We have $1.9 billion in this bill for student assistance now.

The budget requested no funds for State student incentive grants and the committee restored funding to the fiscal 1974 level of $19 million. This is a brand new program so let's not jump in any deeper until we see how it does.

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

Mr. Chairman, I rise in support of the amendment offered by the gentleman from Oregon (Mr. DELLENBACK). I will just address myself to the State student incentive grant program.

When this was enacted in the education amendments of 1972 I really did not think very much of it at that time. I thought we were just going to be rewarding the States who had programs already.

There were 28 States that had programs when we started out. I believe the committee on their own initiative put in the $19 million last year, rather than the administration requesting it, and the effect of that has caused 50 States and territories to take part in the program.

What you have is $19 million for the initial year program, That, conceivably then, with just the $19 million, would follow those students, and have very little for the next initial year students.

So what the gentleman from Oregon proposes to do is about the same thing as the committee did last year, put in a chunk of money for another initial year. So there is money that you have in the bill that takes care of those you helped last year, there will be a little bit more because of students who dropped out, and you will be able to take care of the next year's students with this amendment.

Therefore, Mr. Chairman, I urge my colleagues to support the amendment.

Mr. PEYSER. Mr. Chairman, I move to strike the requisite number of words, and I rise in support of the amendment; in fact, both of these amendments.

Mr. PEYSER. Mr. Chairman, I think these amendments do serve a real purpose, because the educational community is in constant need of help and increased support.

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

Mr. PEYSER. I yield to my colleague, the gentleman from Oregon (Mr. DELLENBACK).

Mr. DELLENBACK. Mr. Chairman, may I just say insofar as these amounts are concerned—and I do hate to disagree with my friend and colleague, the gentleman from Illinois (Mr. MICHEL)—but this is not an insignificant amount with which we are dealing.

The State of California is estimated to get for this initial year $2,800,000-plus.

The State of New York is estimated to get $1,740,000-plus.

The State of Texas is estimated to get $998,000.

The State of Michigan is estimated to get $832,000—and so on down the line.

When one measures this in terms of the numbers of students who will be helped, and in terms of the number of students who might very well not otherwise be able to continue on and get a higher education, this is anything but an insignificant program.

This program has shown itself to be possessed of the catalytic ability that we were hoping it would have. Instead of just being there, it has served as a spur to get States to do things they were not otherwise willing to do. This is not matching dollars that were not otherwise being spent, this is based on what they did before. They get their matching dollars only if they go beyond what they were doing before.

So, Mr. Chairman, I urge the adoption of this very important and valuable amendment.

Mr. O'HARA. Mr. Chairman, will the gentleman yield?

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

Mr. O'HARA. Mr. Chairman, I want to concur in the remarks made by the gentleman from Oregon (Mr. DELLENBACK). This is a good program. Every dollar we put in produces much more than that in terms of State effort. I think it is one of the wisest expenditures we will make. I hope we will agree to the amendment.

The CHAIRMAN. The question is on the amendments offered by the gentleman from Oregon (Mr. DELLENBACK).

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

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

A recorded vote was refused.

So the amendments were rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

LIBRARY RESOURCES

For carrying out, to the extent not otherwise provided, titles I ($44,155,000) and III ($2,594,000) of the Library Services and Construction Act (20 U.S.C. ch. 16); and title II (except section 231) and title VI ($5,000,000) of the Higher Education Act; $63,724,000.

AMENDMENT OFFERED BY MR. BIAGGI

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

The Clerk read as follows:

Amendment offered by Mr. BIAGGI: On page 18, line 14, directly following "($44,-

155,000)" insert a comma and the following language: "II,"

On page 18, line 17, strike "$63,724,000." and add the following language: "$78,724,000, of which $15,000,000, to remain available through June 30, 1976, shall be for grants for public library construction under title II of the Library Services and Construction Act."

Mr. BIAGGI. Mr. Chairman, I rise in support of my amendment to provide $15 million for grants for public library construction under title II of the Library Services and Construction Act.

In fiscal year 1973, the administration impounded the $15 million appropriated for library construction by Congress. In December 1973, the funds were finally released and obligated this past year. No new funds were appropriated in fiscal 1974 since the impounded 1973 funds had still not been fully distributed. Now $13 million of the $15 million of fiscal 1973 funds have been obligated. Therefore, if we are to continue this program in operation it is essential that new funds be appropriated in fiscal 1975. My amendment will retain the same funding level as fiscal 1973, a reasonable amount.

There is a great deal of talk these days about personal freedom and individual rights. Basic among these is the right to gain knowledge and the freedom to read what we choose in our democratic society. However, for many Americans, knowledge and reading materials are denied them, because of the lack of library facilities in their area. The Library Services and Construction Act has done much to see more and more Americans have access to a good community library. But much more must be done. It has been estimated that as many as 1,500 library construction projects must be undertaken in the next 5 years. Many of them will not be undertaken without Federal support.

These facilities in the neighborhood help poor and middle-class residents who very often cannot afford the luxury of traveling to major metropolitan libraries Little children who are learning to read find a neighborhood library essential.

In my own district, for example, we are planning a new Belmont Community Library and Cultural Center. As a member of the Advisory Committee for the library, I am anxious to see this project completed. It is in the final design stages and we hope to begin construction in the next few months.

However, that construction may not take place without the $350,000 in matching funds from the Federal Government that would be available if my amendment is passed. The children of the Belmont community in the Bronx will be denied easy access to knowledge and reading materials. The elderly of the Belmont community will be denied a center for meeting with friends and a friendly place in which to relax and keep their minds active. And those of all ages will be denied the ready availability of the great works of man for their personal knowledge and enrichment.

In addition, this library facility will serve as a cultural center for the Italo-American community in the area. Children of Italian ancestry would be able to read and learn about their rich cultural background and heritage. Italian-American social and cultural groups in the area will have a place for holding meetings and events. Such activities help preserve the cultural plurality that is America.

I urge my colleagues to support this amendment.

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

The amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

NATIONAL INSTITUTE OF EDUCATION

For carrying out section 405 of the General Education Provisions Act, including rental of conference rooms in the District of Columbia, $100,000,000.

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

Mr. Chairman, I am surprised that the committee would put $100 million in this bill for the National Institute of Education. In view of what I read in the hearings last year and information obtained since, I asked the General Accounting Office to take a look at the NIE operation, and the GAO provided a preliminary report a few days ago.

The National Institute of Education, on March 5 of this year, spent $67,000 on one conference at a Northern Virginia motel.

Last April the NIE sent 43 employees to Chicago to attend a conference at a cost of $8,750. Why 43 employees would be sent to a conference in Chicago is beyond me.

NIE also admits holding "Thank God It's Friday" parties at headquarters, complete with spirits appropriate to the occasion.

The General Accounting Office says the average salary of this outfit, on the basis of 385 employees, is $18,638. In addition to these employees, NIE employs innumerable consultants, and I have a list of them.

I am not prepared to offer an amendment to cut this appropriation. The committee has looked at this program and yet it has come in with $100 million for the operation of the National Institute of Education. I am convinced, under the circumstances such an amendment would be unavailing.

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

Mrs. GREEN of Oregon. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I am pleased that my colleague, the gentleman from Oregon, is not offering the amendment to which he referred earlier and which was included in the package to increase funds for N.I.E.

I want to support the statements made by the gentleman from Iowa (Mr. GROSS). I did not intend to offer an amendment, but if there is one thing it seems to me that this House ought to look at it is the $18 billion in research, contracts, and grants in the Department of Health, Education, and Welfare in 1971—and I suppose more now.

When Commissioner Marland of the Office of Education was before the committee I asked him how many contracts and grants there were; I asked him to define the difference between contracts and grants; he and I agreed it was a distinction without a difference. He said there were some 50,000 contracts and grants that require some degree of monitoring. You and I know there is absolutely no possibility of monitoring 50,000 contracts and grants.

As we go on, we find there were 9,000 contracts and grants in the Office of Education that were never closed out. Let me say first of all that this was before the time of Secretary Weinberger and Under Secretary Carlucci, and I think those men are to be commended for their efforts to bring some order out of the chaos. There were 9,000 contracts or grants which had never been closed out and therefore no one ever knew if the money was spent wisely, if they spent the money for the purposes for which it was appropriated, or if there were good results or bad results, and if there were good results whether the good results were disseminated across the country.

Then in the regional offices there were 3,000 contracts and grants never closed out at all. Nobody obviously had ever monitored to see if the funds had been spent as they should have been spent.

In addition, there were 6,000 contracts and grants that were lost and never closed out. They were filed in some box and no one could ever find them, nor ever totaled up to see if they expended the money for the purposes in the application or if any beneficial results were obtained.

During the testimony I suggested to Secretary Weinberger that we might well have a moratorium on all contracts and grants for 2 years. Weinberger replied:

I think that you and I would be in rather full agreement about that but some of the U.S. District Courts and some of your colleagues were not receptive to the basic idea of slowing down or stopping things for a while. It is a continuing source of great alarm because as you are aware there are substantial additions to this number made each year. It is nothing that can be defended. It does have to be handled in a better way.

Mr. BROWN of Ohio. Mr. Chairman, will the gentlewoman yield?

Mrs. GREEN of Oregon. I yield to the gentleman from Ohio.

Mr. BROWN of Ohio. Mr. Chairman, I appreciate the gentlewoman yielding.

Before the gentlewoman leaves this body I would like to ask her advice on a particular point she has raised in her remarks here. I realize the hour is late, but it has been my understanding for some time that no one does operate an oversight function with reference to some of these programs in Health, Education, and Welfare.

The gentlewoman served on the Committee on Education and Labor of this

Congress at one time. I wonder why the Committee on Education and Labor in some oversight way does not look into some of the functions that it authorizes and for which we appropriate money, so that we can find out whether or not these programs are worthy which are presented to us to be enacted as having social merit, as having functional merit, in terms of getting more productivity out of education—and why these programs never get any oversight.

Mrs. GREEN of Oregon. If I may reply to the gentleman from Ohio, I think the most scandalous thing about the operations of the House of Representatives and the entire Congress is that we never do follow up and see if the money is spent wisely.

The CHAIRMAN. The time of the gentlewoman has expired.

(By unanimous consent Mrs. GREEN of Oregon was allowed to proceed for an additional 4 minutes.)

Mrs. GREEN of Oregon. Mr. Chairman, the most scandalously neglected thing of all is that we never pay any attention after we appropriate millions and millions of dollars. In my judgment there are hundreds of millions of dollars that are absolutely wasted. They are going down the drain. There are no results. While the average classroom is crying for funds, we go on with these contracts and grants to the tune of billions of dollars. As I see it—much of this is simply a new form of patronage.

This new form of patronage—a new form of rewarding one's friends, by both those in the legislature and the executive branch, is a story that needs to be recorded—but would take hours.

I will say to the gentleman that when I was on the Committee on Education and Labor and in my subcommittee I wanted to have investigations of this and I was blocked by members of my own subcommittee. A few did not want any critical question raised. I had an Ad Hoc Subcommittee on Discrimination on the Basis of Sex, and as some of my colleagues know, I used this as a circuitous route so we could look at some of these contracts and investigate them, because those who wanted to block any investigation were not members of that subcommittee. These hearings have been printed and if anyone wants to take the time to read them, they can see we should stop this nonsense of spending hundreds of millions of dollars and seldom finding out what happened.

Mr. BROWN of Ohio. If the gentlewoman will yield further, as the ranking Republican member of the Subcommittee on Intergovernmental Relations, I have pleaded for some time on that committee for some oversight study on these educational grants. We never seem to be able to look at them after we authorize and appropriate the money.

Because she is in the majority, the gentlewoman discourages me, as one of the Members of the minority, when the gentlewoman tells me she had difficulty getting oversight even though she holds a senior position in the majority in this Congress.

Perhaps the way to do it is for there to be an ad hoc study of this outside of Congress or within the Congress by some of the Members that are concerned. Perhaps we can urge the administration to conduct a study of its own function. But, that never seems to have worked in the past.

I think there is a need for this oversight. I think the gentlewoman has put her finger on it as a new form of patronage.

One of the unfortunate things that is happening this year is that the gentlewoman from Oregon is leaving the Congress, but I hope she will write some things about this concern of hers, so that the public will be alerted to it, because it does not get the attention it needs here in Congress.

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

Mrs. GREEN of Oregon. I yield to the gentleman from Iowa.

Mr. GROSS. I deeply regret that the gentlewoman from Oregon is leaving Congress, and this is one of the reasons. She is a member of the Appropriations Committee and she would, I am sure, do an excellent job in probing some of these programs and this one in particular.

The answer to the question, as she has suggested, as to why there is no effective oversight of these programs, is because too many committees, and too many members of too many committees are devising new ways and means of spending more money instead of trying to save some money for the people of this country.

Mrs. GREEN of Oregon. Well, I thank my colleagues very much for these comments.

Let me say also that the situation is a little more complex. One of the agencies that we are going to fund, the Director said to his advisory committee of public members that their purpose was to self-destruct. This is the Action program, but they had, at the same time, people going around the country, even to Oregon, to see ways they could expand their programs.

We start a program and it is almost impossible to terminate it because first we build up a constituency within the Congress. We build up a constituency within the executive department and we build a constituency in the academic community, and build up a constituency across the country. Then, we can hardly ever bring a program to a stop after we have once started it.

While I am on my feet, Mr. Chairman, I would say that I think maybe it may come as a surprise to some of my colleagues to know that for the last few years we have been funding Nader's Raiders groups. How do the Members like that? We have been appropriating funds and we have been assigning so-called volunteers to Ralph Nader's Public Interest Research Groups.

PIRG's are organized in 32 States, and mine is one of them. They do research, lobby, raise funds, recruit new members. They do various things which some people approve of and perhaps some of us do not, but in this great program called Volunteers, in ACTION, the full-time people are just as much volunteers as everyone of us here. Everyone of us volunteered for our jobs, and we are being paid for them. Every full-time person in ACTION is being paid with Federal tax dollars, including the people that were assigned to Ralph Nader's offspring groups.

Mr. Chairman, I suggest we look more closely at a lot of programs and perhaps then save a few billion dollars of taxpayers' money.

AMENDMENT OFFERED BY MR. ASHBROOK

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

The Clerk read as follows:

Amendment offered by Mr. ASHBROOK: Page 20, line 11, strike "$100 million" and insert "$10 million."

Mr. ASHBROOK. Mr. Chairman, because my amendment is short, I need not take more than 30 seconds. There is a line from "1776" which says, "Is anyone listening? Does anyone care?"

Mr. Chairman, I would like to offer this amendment as a tribute to the gentlewoman from Oregon, EDITH GREEN. We can cut $90 million out of this and let them squawk over at the Institute. I think it would be great for them.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio (Mr. ASHBROOK).

The question was taken; and the Chairman announced that he was in doubt.

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 44, noes 331, not voting 59, as follows:

[Roll No. 344]

AYES—44

Archer	Daniel, Robert W., Jr.	Martin, Nebr.
Ashbrook	Flynt	Mathis, Ga.
Baker	Fulton	Miller
Bauman	Ginn	Poage
Beard	Gross	Powell, Ohio
Brinkley	Gubser	Price, Tex.
Burleson, Tex.	Henderson	Rarick
Camp	Hogan	Satterfield
Clancy	Huber	Snyder
Clawson, Del	Ichord	Steiger, Ariz.
Collier	Ketchum	Symms
Collins, Tex.	Kuykendall	Taylor, Mo.
Conlan	Landgrebe	Treen
Crane	Landrum	Waggonner
Daniel, Dan		Zwach

NOES—331

Abdnor	Barrett	Broomfield
Abzug	Bell	Brotzman
Adams	Bennett	Brown, Calif.
Addabbo	Bergland	Brown, Mich.
Alexander	Bevill	Brown, Ohio
Anderson, Calif.	Biaggi	Broyhill, N.C.
Anderson, Ill.	Biester	Burgener
Andrews, N.C.	Bingham	Burke, Fla.
Andrews, N. Dak.	Blackburn	Burke, Mass.
Annunzio	Boggs	Burlison, Mo.
Armstrong	Boland	Burton, John
Ashley	Bowen	Burton, Phillip
Aspin	Brademas	Butler
Badillo	Bray	Byron
Bafalis	Breaux	Carney, Ohio
	Breckinridge	Carter
	Brooks	Casey, Tex.

Cederberg	Jones, N.C.	Rogers
Chamberlain	Jones, Okla.	Roncallo, Wyo.
Chappell	Jordan	Roncallo, N.Y.
Chisholm	Kastenmeier	Rooney, Pa.
Clay	Kazen	Rose
Cleveland	Kemp	Rosenthal
Cohen	King	Roush
Collins, Ill.	Koch	Roy
Conte	Kyros	Roybal
Conyers	Lagomarsino	Runnels
Corman	Latta	Ruppe
Cotter	Leggett	Ruth
Coughlin	Lehman	St Germain
Cronin	Lent	Sandman
Culver	Litton	Sarasin
Danielson	Long, La.	Sarbanes
Davis, Ga.	Long, Md.	Scherle
Davis, S.C.	Lott	Schneebeli
Davis, Wis.	Lujan	Schroeder
de la Garza	Luken	Sebelius
Delaney	McClory	Selberling
Dellenback	McCloskey	Shipley
Dellums	McCollister	Shriver
Denholm	McCormack	Shuster
Dennis	McDade	Sisk
Dent	McEwen	Skubitz
Derwinski	McFall	Slack
Dickinson	McKay	Smith, Iowa
Dingell	McKinney	Smith, N.Y.
Donohue	McSpadden	Spence
Downing	Madden	Staggers
Drinan	Mahon	Stanton,
Dulski	Mallary	J. William
Duncan	Mann	Stanton,
du Pont	Maraziti	James V.
Eckhardt	Martin, N.C.	Stark
Edwards, Calif.	Mathias, Calif.	Steed
Eilberg	Matsunaga	Steele
Erlenborn	Mayne	Steelman
Eshleman	Mazzoli	Stephens
Evans, Colo.	Meeds	Stokes
Fascell	Melcher	Stratton
Findley	Metcalfe	Stubblefield
Fish	Mezvinsky	Stuckey
Fisher	Michel	Studds
Flood	Milford	Sullivan
Flowers	Minish	Symington
Foley	Mink	Talcott
Ford	Mitchell, Md.	Taylor, N.C.
Forsythe	Mitchell, N.Y.	Teague
Fountain	Mizell	Thomson, Wis.
Fraser	Mollohan	Thone
Frenzel	Montgomery	Thornton
Frey	Moorhead,	Tiernan
Froehlich	Calif.	Towell, Nev.
Gaydos	Moorhead, Pa.	Traxler
Gettys	Morgan	Ullman
Giaimo	Mosher	Van Deerlin
Gibbons	Moss	Vander Jagt
Gilman	Murphy, Ill.	Vander Veen
Goldwater	Murtha	Vanik
Gonzalez	Myers	Veysey
Grasso	Natcher	Vigorito
Green, Oreg.	Nedzi	Waldie
Green, Pa.	Nichols	Walsh
Gude	Nix	Wampler
Guyer	Obey	Ware
Haley	O'Brien	Whalen
Hamilton	O'Hara	White
Hanley	O'Neill	Whitehurst
Hanna	Owens	Whitten
Hanrahan	Patman	Widnall
Hansen, Idaho	Patten	Wiggins
Harrington	Pepper	Williams
Harsha	Perkins	Wilson, Bob
Hastings	Pettis	Wilson,
Hawkins	Peyser	Charles H.,
Hays	Pickle	Calif.
Hechler, W. Va.	Pike	Wilson,
Heckler, Mass.	Podell	Charles, Tex.
Heinz	Preyer	Winn
Helstoski	Price, Ill.	Wolff
Hicks	Pritchard	Wright
Hillis	Quie	Wyatt
Hinshaw	Railsback	Wydler
Holt	Randall	Wylie
Holtzman	Rangel	Wyman
Horton	Regula	Yates
Hosmer	Reid	Young, Alaska
Hudnut	Reuss	Young, Fla.
Hunt	Riegle	Young, Ga.
Hutchinson	Rinaldo	Young, Ill.
Jarman	Robinson, Va.	Young, S.C.
Johnson, Calif.	Robison, N.Y.	Young, Tex.
Johnson, Pa.	Rodino	Zablocki
Jones, Ala.	Roe	Zion

NOT VOTING—59

Arends	Brasco	Burke, Calif.
Blatnik	Broyhill, Va.	Carey, N.Y.
Bolling	Buchanan	Clark
Clausen, Don H.	Gunter	Nelsen
Cochran	Hammer-schmidt	Parris
Conable	Hansen, Wash.	Passman
Daniels, Dominick V.	Hébert	Quillen
Devine	Holifield	Rees
Diggs	Howard	Rhodes
Dorn	Hungate	Roberts
Edwards, Ala.	Johnson, Colo.	Rooney, N.Y.
Esch	Jones, Tenn.	Rostenkowski
Evins, Tenn.	Karth	Rousselot
Frelinghuysen	Kluczynski	Ryan
Fuqua	Macdonald	Shoup
Goodling	Madigan	Sikes
Gray	Mills	Steiger, Wis.
Griffiths	Minshall, Ohio	Thompson, N.J.
Grover	Moakley	Udall
	Murphy, N.Y.	Yatron

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MRS. GREEN OF OREGON

Mrs. GREEN of Oregon. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mrs. GREEN of Oregon: Page 20, line 11, after "District of Columbia", strike out "$100,000,000" and insert "$80,000,000."

Mrs. GREEN of Oregon. Mr. Chairman, what I would have to say about research and grants and National Institute of Education and Office of Education may be repetitious in a few instances, because some of the people who are not on the floor now were not on the floor a few moments ago.

With some reluctance I voted against the amendment which was offered by the gentleman from Ohio which would have cut the $100 million in research at NIE to $10 million, because it seemed to me that was a little bit too strong, although I would not in any sense try to argue that, because I do not think I could produce the evidence.

But I am offering this amendment to cut $20 million out of research for the National Institute of Education.

Mr. Chairman, there will undoubtedly be attempts made to say that some of the things I am citing are in the Office of Education, and that they are not in the National Institute of Education.

My studies—that my own congressional office has done research on contracts and grants covering a period of more than 3 years, show that the American people are not getting their moneys' worth. I say to my colleagues in the House that there has been nothing that I have observed in the 20 years that I have been in the Congress that I think is such an appalling waste of money as the billions of dollars which this Congress votes for research, for contracts and grants, for studies, for evaluations for reports that are never read.

The NIE was established in 1972 in the Higher Education Act. I accepted that, not because I liked it at all, but because it was one of those compromises that I thought would help to get out a decent bill. I must add, as you know, that I voted against the conference report finally on that 1972 Higher Education Act because I thought it was so bad.

If we cut $20 million out of the National Institute of Education they will still have $5 million more than they had last year. Last year $75 million was appropriated. It seems to me that $5 million is pretty generous in terms of inflation.

In addition to this, nobody knows, because we cannot get an answer, how many hundreds of millions of dollars are being spent not only in the Office of Education, but in the regional offices of education, and by States and cities with Federal, State, and local matching funds on all kinds of research. Nobody has been able to give me an answer as to the total amount. In addition, foundations, private organizations are spending millions.

A few moments ago when some of the Members were not here, I said that in the Office of Education there are—and these were Commissioner Marland's words—50,000 live contracts or grants that require some degree of monitoring.

The GAO has done several investigations and studies for me; in their studies of the Office of Education on the research and on the contracts their report was the contracts and grants department is in absolute chaos. No one knows to whom the funds are going, for what purposes they are spent, or what the results are.

When I asked them to find a particular contract and grant, the Office of Education assured me that they did not give this corporation any money.

Then it was a very interesting coincidence that the president of that company came to my office later that week. How he happened to know I was interested in their particular contracts, I leave to the imagination of my colleagues.

In the course of the conversation I said, "By the way, do you have any Federal funds?" He immediately listed three allocations that he had. Then the OE said, "Oh, we made a mistake. We could not find it."

I said, "You could keep a card catalog with a cross reference, if you know what the man's name is and you know the title and subject matter. It seems to me you would be able to get some order out of it."

I suggest to the Members that the NIE is not one single bit different from the Office of Education except in name. In fact when many contracts and grants were moved over to NIE, the Director of it complained, because he was required to take a lot of the personnel and a lot of the contracts and grants from OE over to NIE.

The CHAIRMAN. The time of the gentlewoman has expired.

(By unanimous consent, Mrs. GREEN of Oregon was allowed to proceed for 5 additional minutes.)

Mrs. GREEN of Oregon. Mr. Chairman, let me also suggest that in the RECORD this last year there were 9,000 grants or contracts that had never been closed out. Therefore, no one knew whether the money was spent for the purposes for which they applied or if the results were good or bad, or if somebody else was duplicating the same kind of research. At the regional offices there were 3,000 contracts or grants that were never closed

out, and there were 6,000 additional contracts and grants that were never closed out, because they were lost. They were put in some box, and nobody could find the box, so they never knew whether the millions of dollars that were given to various people had spent those moneys for the purposes for which they applied, or whether they had been spent wisely or foolishly.

Mr. Chairman, let me give the Members about three instances. Let me repeat what I said a moment ago that in my judgment the two people who are trying their best to bring some order out of that impossible situation are Mr. Weinberger and Mr. Carlucci. I say that as a Democrat. In my judgment, they are the first Secretary and Under Secretary who have tried to do anything about it, and I think as Democrats we ought to give them our support in trying to straighten out the mess that is down there.

Let me give the Members some examples. There is one contract which was on a competitive bid to begin with, and they estimated it would cost $540,000. They funded it at $900,000. There was a $90,000 overrun, the same as in the military. They disallowed almost $300,000 in a GAO study and also in an HEW internal audit.

Then this corporation had the intestinal fortitude to go to Secretary Richardson—and say, "We would like to have this contract renewed for the next year even before the final HEW audit is completed."

So Secretary Richardson made the commitment to them that they would get the contract on a sole-source basis for the next year. What was the purpose of it? To send out undergraduate and graduate students to see if they could collect accurate information. That was stated in Mr. Richardson's first press conference. That was the purpose of the $900,000.

I told them at the time that I could have told them the answer for $1.50. Some kids can and some cannot. They did not need to spend $900,000.

Another example was a contract that was given; almost $300,000 was disallowed, and part of it was the salary of $50,000 to the director. They disallowed in both the OE and in the GAO audit $10,000 in salary. And what does OE do? They hire that director at a salary of $4,250 a month so that he could make up the $20,000 which had been disallowed, and part of it was the salary of Education in 2 years salaries.

I asked him what he was doing as a consultant. We never got an answer on that.

Then there is another contract. At OE, they are not supposed to have a sole source if it is over $25,000. I will refrain from going into the story of E. Howard Hunt's involvement, but, believe me, I can document it if the Members want to come to my office.

Mr. E. Howard Hunt was the chief program officer, and there was an objection at the sole source board meeting, because he was involved in the Watergate break-in. He was also a $100-a-day consultant at the White House. Even though there were objections to that contract being extended on a sole-source basis, it was granted.

Let me give the Members one more example, and then I will stop.

There was recently a contract which was given for $2.5 million to produce some films. They were supposed to produce eight films and they produced one, and it was of such low quality that they actually rejected it and said they would not show it. So then, on some kind of basis, they gave this company because of their wonderful past performance $3.5 million more to produce 65 films.

This is the kind of stuff we are financing and that the taxpayers in the Members' districts are paying for and that my taxpayers are paying for, when our schools and our classrooms do not have enough money to keep their doors open for the 180 days; our schools do not have enough money to pay teachers decent salaries and they do not have enough money for basic essentials, but we can pay out millions and millions and say, oh, yes, there is an unlimited amount the Federal Treasury can give out in research, some of it for esoteric research but some of it just plain nonsense, and we ought to stop it.

Mr. RANDALL. Mr. Chairman, the RECORD will show that I voted against the amendment to delete about $90 million in funding from the National Institute of Education leaving only about 10 million in funding.

But, Mr. Chairman, I supported enthusiastically the amendment of the gentlelady from Oregon (Mrs. GREEN) to reduce National Institute of Education funding by approximately $20 million or to bring it down to substantially the figure of last year's appropriation.

There have been many accounts written about the research programs undertaken under this authorization. I must say that not all of them have been praiseworthy. Some have. Some have not. Some projects deserve to be continued. There is no use to gut the entire program and take away as much as 90 percent of all funding. But there is strong merit in the sensible approach of the gentlelady from Oregon to reduce by $20 million and thereby hold this appropriation in line with the funding of former years.

There was a rollcall vote on the rather unreasonable reduction of $90 million. There should have been a demand for a rollcall vote on the more reasonable and meritorious amendment of the gentlelady from Oregon. It was approved by a loud voice vote, but if there had been a record vote by our electronic process, I am sure there would have been only a tiny handful voting against her amendment.

Mr. FLOOD. Mr. Chairman, it is 25 minutes to 9 and we just heard my admired and beloved friend, the gentlewoman from Oregon, talking about the Department of Education. Much of what she said is true. I have been dealing with it for many years and I have little trouble quarreling with the gentlewoman at all. But now she had 5 minutes and then she had some more time after that, but what is before us, Mr. Chairman, is an amendment on NIE. With the exception of the first sentence, recognizing the amendment, the gentlewoman said nothing about the amendment at all but talked about what went on for many, many years at the Department of Education, and all of that was true. I went through it, too. I said the same thing and so have many of the Members.

What we were applauding, and so did I, what we were standing for and so did I, was respect for the gentlewoman of course, but not for the argument, because it has nothing to do with the case at all, nothing at all to do with this amendment, not a word about the amendment.

Now fun is fun, but may I suggest that this committee cut the NIE $30 million. We cut it $30 million.

Just because you hear this in this guise and in this light—and let me add this, my friend, spoke about Caspar Weinberger and Frank Carlucci from my home town of Pittsburgh. What a great job Carlucci and Weinberger are doing, they are both marvelous men, so she said. These are the two men who have strongly supported the NIE. These were the men that testified before the committee urging us to have this done. Secretary Weinberger and Under Secretary Carlucci are the men who espoused the cause of NIE.

Now, do not make a farce out of something for which you voted and appropriated millions of dollars.

This is a proposal to do exactly the opposite of what the Congress originally intended in creating the NIE. It was espoused by the administration and proposed in the budget. But it was cut back by your committee by $30 million. It is my hope that this National Institute of Education will do the things needed to benefit your kids, to teach them new ways to learn. These are things that you insist back home that you want done at every parent-teacher meeting you have attended—every one of you. That is what NIE is supposed to be all about. You asked for it.

Mrs. GREEN of Oregon. Mr. Chairman, will the gentleman yield?

Mr. FLOOD. Oh, yes, of course.

Mrs. GREEN of Oregon. I want to preface this by saying that I love men, too.

But the gentleman from Pennsylvania is not suggesting that NIE was a creation of Secretary Weinberger.

Mr. FLOOD. Oh, no, no.

Mrs. GREEN of Oregon. I just wanted to make that clear, because it was something that they inherited. This came into being before Mr. Weinberger was ever appointed Secretary and before Mr. Carlucci was Under Secretary.

Mr. FLOOD. The gentlewoman does know that Frank Carlucci did everything he could about the NIE. That was the thing he wanted more than anything else. I respect his opinion. I thought you did, too.

Mrs. GREEN of Oregon. That must

have been a day when I was absent, because I did not see him crying.

Mr. Chairman, will the gentleman yield further?

Mr. FLOOD. I yield to the gentlewoman.

Mrs. GREEN of Oregon. The point I tried to make was that there is no difference in the research being done in the Office of Education and that being done or proposed to be done in the National Institute of Education. If you put them side by side, you could not tell a bit of difference between them.

The CHAIRMAN. The time of the gentleman has expired.

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

Mr. Chairman, as the chairman of the subcommittee indicated, the subcommittee has cut $30 million from the administration's request.

Now, what are we talking about on research? Let us look at some other areas. Those of us who come from agricultural America recognize what the Federal Government has done to enable us to produce more crops. If we only produced what we did 25 years ago, we could not feed our own people. We are feeding not only our own people, but about 1 acre in every 4 goes overseas. Why? One of the reasons is because the Federal Government put money into research.

This Nation is a powerful nation militarily. Why? Because it puts money into research and this Congress has put money into research for the military.

Some time ago we were concerned because we did not have adequate health in the Nation. We have put a tremendous amount of money into research on health in the National Institutes of Health.

Now, the small proportion of what we spend for education goes for research. What has happened in education? The costs have gone up dramatically.

Yes, some of the costs come from increased enrollment. Some come from increases in the cost of living, but a tremendous amount just has been a mushrooming cost in education. It has been projected that if the gross national product and the increase in education continue at their present increases, we will have a higher expenditure for education about the year 2030 than we have of gross national product.

We need to do something in research to provide an adequate education at a price we can afford, and we also have to make certain that those children who in the educational system used to just leave and go someplace else, and that we could ignore and who are now living in the ghettos of the cities or in some of the hollows of rural America, we need to learn the skills and how to reach them so that they can live the kind of life that the men and women of this Congress are able to enjoy.

That is what it is all about. There are going to be mistakes made. There were mistakes in the military; mistakes in the expenditure for health research; mistakes made in agricultural research, and there are going to be mistakes here.

The gentlewoman from Oregon is absolutely correct in what she says about the way research grants many times have been handed out contracts. I think we ought to listen to her on that, but that does not mean that we then cut out the money to get the research done. We need this research. We ought to do the oversight to make certain that those contracts are put out in a way in which we get the greatest amount of good for the dollars expended. That is our responsibility, and that is the responsibility of the Secretary of HEW.

Mr. BROWN of Ohio. Mr. Chairman, will the gentleman yield?

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

Mr. BROWN of Ohio. Mr. Chairman, I believe in research also, and I think oversight is a form of research.

I would like to ask the gentleman from Minnesota, as I asked the gentlewoman from Oregon, if the Education and Labor Committee ever has done any oversight on all these programs for which they authorize the grant money?

Mr. QUIE. I would say to the gentleman that we have, as the Education and Labor Committee, done a very poor job of oversight.

Mr. BROWN of Ohio. I concur in that.

Mr. QUIE. Let me then add that the Education and Labor Committee has geared itself up in the last few years to where now it is doing a far superior job of oversight than we have ever done before. When we passed the Education Act of 1972, we began to do a good oversight job, first, as OE wrote the regulations, and then what is happening to expenditures of money, such as we have never done before. I believe the committee is now moving in the good and responsible way it should have before.

Mr. BROWN of Ohio. If the gentleman will yield further, I am not sure I can agree about how responsible it is now.

The gentleman's admission inspires me to admit, as a member of the Government Operations Committee that, on that committee, we do not do the oversight either which should be done in this particular area, and that is why the gentleman would like to cut $20 million out of it, and that is why I support it.

Mr. QUIE. I do not believe just cutting the amount of money is then going to enable us to get the changes in the contracts. Let us not lose sight of the research in education which is necessary.

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

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

Mr. STEIGER of Arizona. Mr. Chairman, I thank the gentleman for yielding to me, because I think everybody shares my high regard for the gentleman, and it distresses a lot of us to see him on the wrong side of an issue.

I will tell my friend that I think his comment about agricultural research is not a valid one, because I think my friend knows better than, or as well as, anybody in this Chamber, that agricultural research has not increased production in this country. It was economic incentive, perhaps federally inspired; certainly not research.

Mr. QUIE. I disagree.

Mr. STEIGER of Arizona. I will not debate that with the gentleman. I will tell the gentleman that I think the genleman's observation and his candor in recognizing that oversight has been deficient, even though it is now improved upon, is like saying that when you are laying on the floor, you cannot fall out of bed. So, I suggest to the gentleman that until we cut back, we cannot experience this particular process.

Mr. GROSS. Mr. Chairman, I move to strike the next to the last three words.

Mr. Chairman, I ask the chairman of the subcommittee, the gentleman from Pennsylvania (Mr. FLOOD) who insisted this money is necessary for the education of children, if it is education on the part of NIE, the National Institute of Education, to spend $67,000 on one meeting at a motel in Arlington, Va., in March of this year?

Is it educating children to send 43 employees of NIE to Chicago in April, at a cost of more than $8,000, to a conference? Is it educating children to stage "Thank God It's Friday" parties, accompanied with the spirits that go with it at National Institute of Education headquarters in Washington?

Mr. Chairman, I could repeat the additional information obtained by the General Accounting Office, which I gave to the House earlier today concerning the NIE operation, but I will not take the time.

The amendment by the gentlewoman from Oregon is the minimum cut that should be made in this extravagant and wasteful operation in fact this outfit ought to be abolished.

In all reason and sanity the gentlewoman's amendment must be supported.

Mr. MICHEL. Mr. Chairman, I move to strike the last three or four words or whatever is necessary.

I never thought I would come to this point where I would be here making any kind of comment with respect to an amendment to cut an appropriation bill. I obviously will not and do not have the heart in the argument I make here that I had earlier in the day, where I really felt strongly about it, because I know particularly of these things which Mr. GROSS alludes to and Mrs. GREEN does likewise. But it points up several things.

No. 1, as I recall, this was a program that was authorized for $550 million over 3 years. That is how wise we were when we struck that magic authorizing figure some time ago, $550 million over 3 years.

The gentleman from Pennsylvania (Mr. FLOOD), our chairman, said that we do not like what we have been hearing and seeing about it. Therefore, we cut it $30 million, from $130 million to $100 million.

We were told in the hearing record that we have obligations of $91 million. There was a request in the supplemental for which no money at all was provided.

We ran into a real bust on the other

side of the Capitol, so there was no money in the supplemental. I think if we go into cutting this beyond the $100 million mark, we are going to run into some real trouble with respect to the $91 million of obligations that they tell us they have.

I would like to make an appeal to the Members that our committee has done the best job we thought we could by cutting the $30 million, and I would appreciate the Members standing by the committee on this particular amendment.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from Oregon (Mrs. GREEN).

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

OFFICE OF THE ASSISTANT SECRETARY FOR EDUCATION

SALARIES AND EXPENSES

For necessary expenses to carry out section 402 of the General Education Provisions Act, not to exceed $1,000 for official reception and representation expenses, $2,437,000.

POINT OF ORDER

Mr. SYMMS. Mr. Chairman, I have a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. SYMMS. Mr. Chairman, the point of order is against the language found on page 20, lines 13 through 16, specifically reading "not to exceed $1,000 for official reception and representation expenses." I make the point of order that that part is not authorized by law. Therefore, the paragraph is out of order.

The CHAIRMAN. Does the gentleman make a point of order against the entire paragraph or against the language contained on the lines mentioned?

Mr. SYMMS. Page 20, lines 13 through 16.

The CHAIRMAN. The gentleman's point of order is made against the entire paragraph?

Mr. SYMMS. Yes, sir.

The CHAIRMAN. Does the gentleman from Pennsylvania desire to be heard on the point of order?

Mr. FLOOD. Yes, of course. I am still not clear. I understood the point of order would be made against that part of the section which did not have authorization. That would be "not to exceed $1,000 for official reception and representation expenses." That, of course, would be very properly subject to a point of order, since it is not authorized.

But, of course, under no circumstances is that the fact with reference to the title, "Salaries and Expenses," and "to carry out section 402 of the General Education Provisions Act," and then the total. That was my understanding.

The CHAIRMAN (Mr. WRIGHT). The Chair will observe that the gentleman from Idaho (Mr. SYMMS) made a point of order against the entire paragraph, and under the rules of the House, if a part of a paragraph is invalid and a point of order is made against the paragraph in its entirety by reason of its invalidity, then the paragraph must be stricken.

The gentleman from Pennsylvania (Mr. FLOOD) as the Chair understands it, has conceded that the language, referring to "$1,000 for official reception and representation expenses," is not authorized in law, and if that is the case, then obviously the Chair will sustain the point of order.

Mr. FLOOD. Mr. Chairman, has the Chair ruled?

The CHAIRMAN. The Chair sustains the point of order.

AMENDMENT OFFERED BY MR. FLOOD

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

The Clerk read as follows:

Amendment offered by Mr. FLOOD: On page 20, line 12, insert the following:

OFFICE OF THE ASSISTANT SECRETARY FOR EDUCATION

SALARIES AND EXPENSES

For necessary expenses to carry out section 402 of the General Education Provisions Act, $2,437,000.

Mr. FLOOD. Mr. Chairman, I think under the circumstances, in view of the previous ruling of the Chair, the Chair understands exactly what I have done. By offering this amendment, I have restored the language in the bill without the limitation.

Mr. Chairman, I believe this amendment will speak for itself.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania (Mr. FLOOD).

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 207. Appropriations in this Act for the Health Services Administration, the National Institutes of Health, the Center for Disease Control, the Alcohol, Drug Abuse, and Mental Health Administration, the Health Resources Administration and the Office of the Secretary shall be available for expenses for active commissioned officers in the Public Health Service Reserve Corps and for not to exceed two thousand eight hundred commissioned officers in the Regular Corps; expenses incident to the dissemination of health information in foreign countries through exhibits and other appropriate means; advances of funds for compensation, travel, and subsistence expenses (or per diem in lieu thereof) for persons coming from abroad to participate in health or scientific activities of the Department pursuant to law; expenses of primary and secondary schooling of dependents in foreign countries, of Public Health Service commissioned officers stationed in foreign countries, at costs for any given area not in excess of those of the Department of Defense for the same area, when it is determined by the Secretary that the schools available in the locality are unable to provide adequately for the education of such dependents, and for the transportation of such dependents between such schools and their places of residence when the schools are not accessible to such dependents by regular means of transportation; rental or lease of living quarters (for periods not exceeding 5 years), and provision of heat, fuel, and light, and maintenance, improvement, and repair of such quarters, and advance payments therefor, for civilian officers and employees of the Public Health Service who are United States citizens and who have a permanent station in a foreign country; not to exceed $9,500 for official reception and representation expenses when specifically approved by the Assistant Secretary for Health; purchase, erection, and maintenance of temporary or portable structures; and for the payment of compensation to consultants or individual scientists appointed for limited periods of time pursuant to section 207(f) or section 207(g) of the Public Health Service Act, at rates established by the Assistant Secretary for Health, or the Secretary where such action is required by statute, not to exceed the per diem rate equivalent to the rate for GS–18.

POINT OF ORDER

Mr. SYMMS. Mr. Chairman, I make a point of order against section 207 on page 32, lines 2 through line 5, the language "not to exceed $9,500 for official reception and representation expenses."

Mr. FLOOD. Mr. Chairman, obviously this is not in order. We passed this. The Clerk read it, let me assure you.

The CHAIRMAN. The Chair will state we had not completed the reading of that paragraph, and for that reason a point of order would be timely made if the point of order were to lie.

Mr. FLOOD. Does not the Chair believe me? I did not do this out of pique. I waited and watched it very carefully. Section 208 was announced, and the gentlewoman from Oregon was about to present an amendment on section 208. We had passed that point.

The CHAIRMAN. The Chair will advise the gentleman that the Clerk had not read section 208. He had not read it, and therefore the point of order was timely made against language in section 207.

The gentleman will state his point of order.

Mr. SYMMS. The language to be found on page 32, lines 2 and 3 and the first word on line 4, reading "not to exceed $9,500 for official reception and representation expenses," is not authorized by law.

The CHAIRMAN. Does the gentleman from Pennsylvania desire to be heard on that?

Mr. FLOOD. Mr. Chairman, do I understand now, in view of the obvious confusion as to what I thought was going on, although I may have been the only one who was confused, is the gentleman making a point of order against the entire section or part of the section, or just what is this?

Mr. SYMMS. Mr. Chairman, the point of order is against page 32, the language to be found on lines 2, 3, and 4, reading "not to exceed $9,500 for official reception and representation expenses." That part is not specifically approved by law and the point of order is specific as to that point taken.

The CHAIRMAN. The gentleman from Idaho makes a point of order, as the Chair understands it, against the language beginning with the word "not" at the end of line 2 on page 32 and concluding with the semicolon following the word "Health" on line 5.

Mr. SYMMS. That is right, Mr. Chairman. On line 5.

The CHAIRMAN. Does the Chair cor-

rectly interpret the gentleman's point of order?

Mr. SYMMS. That is right, Mr. Chairman.

Mr. FLOOD. Following the semicolon on line 2 and ending with the first semicolon on line 5 after the word "Health."

The CHAIRMAN. The Chair understands that is the language to which the gentleman from Idaho lodged a point of order.

Mr. FLOOD. Oh, yes.

The CHAIRMAN. If indeed the amount is not authorized by law, and no authorization has been cited, the Chair sustains the point of order.

The CHAIRMAN The Clerk will read.

The Clerk read as follows:

SEC. 208. No part of the funds contained in this title may be used to force any school or school district which is desegregated as that term is defined in title IV of the Civil Rights Act of 1964, Public Law 88-352, to take any action to force the busing of students; to force on account of race, creed, or color the abolishment of any school so desegregated; or to force the transfer or assignment of any student attending any elementary or secondary school so desegregated to or from a particular school over the protest of his or her parents or parent.

AMENDMENT OFFERED BY MRS. GREEN OF OREGON

Mrs. GREEN of Oregon. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mrs. GREEN of Oregon: On page 32, delete the words beginning on line 14, "which is", through words "Public Law 88-352," on line 16; and on line 18, delete words "so desegregated", and on line 20, delete words "so desegregated".

Mr. WHITTEN. Mr. Chairman, will the gentlewoman yield?

Mrs. GREEN of Oregon. I yield to the gentleman from Mississippi.

Mr. WHITTEN. Mr. Chairman, may I say that I have discussed this amendment with the gentlewoman from Oregon since I was the author of the provisions which she would amend. These sections were approved by the Congress several years ago. The language which is proposed to be stricken was written at the time when we thought it well to point out that schools had been desegregated by a statute which defined desegregation. Then with time and in view of decisions of the Federal courts the references to the statute or the definitions set out in the statute seem to no longer be necessary.

I agree with the gentlewoman from Oregon that there is no necessity to keep this language in the bill.

Again having personally been the author of these sections of the law and having urged the Congress to adopt them, I will now support the gentlewoman from Oregon in striking out the words she proposes. This action will not weaken the law but could strengthen it.

Mr. FLOOD. Mr. Chairman, will the gentlewoman yield?

Mrs. GREEN of Oregon. I yield to the gentleman from Pennsylvania.

Mr. FLOOD. Mr. Chairman, I might say that the gentlewoman from Oregon has spoken to me about this amendment, and also the gentleman from Mississippi (Mr. WHITTEN) who was the author of the amendment originally, and of course that being the case, we would accept the amendment offered by the gentlewoman from Oregon (Mrs. GREEN).

Mrs. GREEN of Oregon. Mr. Chairman, I would hope it would not be necessary to take the time of the Committee to discuss this, because the amendment simply clarifies the language that is in the present law.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from Oregon.

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 209. No part of the funds contained in this title shall be used to force any school or school district which is desegregated as that term is defined in title IV of the Civil Rights Act of 1964, Public Law 88-352, to take any action to force the busing of students; to require the abolishment of any school so desegregated; or to force on account of race, creed, or color the transfer of students to or from a particular school so desegregated as a condition precedent to obtaining Federal funds otherwise available to any State, school district, or school.

Mrs. GREEN of Oregon. Mr. Chairman, the language in my next amendment which I seek to delete is identical to the amendment which we have just agreed to, and this amendment would delete the words, "which is" on page 32 in line 24, and the word "desegregated" on line 1, page 33, and on line 4, the words "so desegregated" and on line 6 the words "so desegregated", these appearing on page 33, so that this would conform to the deleted language in the amendment which we just adopted in section 208.

This amendment has again been discussed with the gentleman from Mississippi (Mr. WHITTEN) and also with the distinguished Chairman, the gentleman from Pennsylvania (Mr. FLOOD).

The CHAIRMAN, The Chair will state that the Clerk had not read the amendment, and that perhaps the Clerk should now read the amendment at this point, so that the Members may fully understand what is in the amendment proposed by the gentlewoman from Oregon.

AMENDMENT OFFERED BY MRS. GREEN OF OREGON

Mrs. GREEN of Oregon. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mrs. GREEN of Oregon: On page 32 delete the words beginning on line 24 "which is" through the words "Public Law 88-352," on line 2, page 33.

Delete the words "so desegregated" on page 33, lines 4 and 6.

Mr. FLOOD. Mr. Chairman, will the gentlewoman yield?

Mrs. GREEN of Oregon. I yield to the gentleman from Pennsylvania.

Mr. FLOOD. I thank the gentlewoman for yielding.

For the same reasons, Mr. Chairman, as cited by the gentleman from Mississippi, the author of the original amendment, we, of course, agree.

Mr. YATES. Mr. Chairman, will the gentlewoman yield for a question?

Mrs. GREEN of Oregon. I yield to the gentleman from Illinois.

Mr. YATES. I thank the gentlewoman for yielding.

Under the terms of the language as amended, supposing a court orders a community to engage in a busing operation. Does the gentlewoman's amendment mean that none of the funds may be used to carry out the order of the court?

Mrs. GREEN of Oregon. This is the same language that has been in the bill for 5 or 6 years. It means that no funds in this title may be used to force the busing of students to achieve a particular racial balance.

Mr. YATES. It does mean that?

Mrs. GREEN of Oregon. Yes.

Mr. YATES. If the gentlewoman will yield further, to all intents and purposes then the Department of Health, Education, and Welfare could not follow a court order?

Mrs. GREEN of Oregon. The funds in this title shall not be used for the purposes of forced busing of students.

Mr. YATES. Even though ordered by a court?

Mrs. GREEN of Oregon. The funds in this title shall not be used to force schools or school district to force the busing of students.

Mr. SMITH of Iowa. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I think there may be some misunderstanding, and I would like to point out a couple of things about sections 208 and 209 that have been carried in this bill. For a number of years we had a great deal of difficulty, a great deal of controversy, on these antibusing sections. But the controversy had finally been settled and not argued on this bill the past couple of years. No questions have been raised about the provisions in the bill for the last couple of years because, apparently, people on both sides were pretty well satisfied with the language in the act.

Clearly, in my judgment, these sections do not say that the local school district cannot use funds for busing. What they say is that the Federal Government cannot tell the local school district that they shall use that particular tool. It does not relieve them of the obligation to overcome segregation, but it also says the Federal Government will not tell them which of the various tools available they must use. We have been over this argument a number of times and I thought we had finally settled it. I hope we do not open it back up this year. For the last 2 years, it seemed to satisfy everyone so well that no one raised a question and I hope we will not reopen it.

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

Mr. SMITH of Iowa. I yield to the gentleman from Illinois.

Mr. YATES. I thank the gentleman for yielding.

Does the gentleman have the same interpretation of the sections as the gentlewoman, namely, that if a court were to order a community to provide busing of students to the schools, that the funds could not be used for that purpose?

Mr. SMITH of Iowa. It says money in this bill which is distributed by the Department of Education cannot be used to force them to use busing as the tool to overcome desegregation. In other words, they can use whatever tool they want to.

Mr. YATES. Even though ordered by a court?

Mr. SMITH of Iowa. Yes.

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

Unfortunately, I was out ill when we first debated the Elementary and Secondary Education Act, and embarked on this rampage against busing. I did not have an opportunity, nor did many of the Members have an opportunity, to speak on this issue when Mr. ESCH moved to instruct the conferees. It was a quick motion. It was rammed through, and no one had an opportunity to speak. Nor did we have an opportunity to speak this morning when my colleague, the gentleman from Louisiana, made a similar motion to instruct conferees. It was rammed through with no opportunity to speak.

I must have an opportunity to speak. I think my colleagues ought to stop and realize what they are doing, not so much in terms of the busing issue, but what we are doing to polarize the Nation again. Here is the reality. It is an ugly reality, and I do not like it. But, nevertheless, here is the reality. We have a percentage of people in our black community who hate whites simply because they are white. The Members know it and I know it. We get manifestations of this hatred all the time. I hate it, I deplore it, I think it is the wrong thing to do, but every time we fan the flames of this busing issue we enable that percentage to gain a psychological advantage. That is what we are doing. I think we ought to deal with reality.

I have heard so many of the rabid antibusing fans stand up and say, "The black population in my district does not want to be bused." I am sure there is a percentage that does not want to be bused; however, I think I can explain to the Members why they do not want to be bused. If indeed the Members were black and, since 1954, had struggled and fought to see a Supreme Court decision finally implemented, but time after time, and year after year, in one piece of legislation or another, had been kicked in the teeth, the Members also would say, "I do not care to bother with whites. I do not want any part of white America."

Every time we fan the flames of this issue, every time we do it, we are simply adding to the polarization that is already in this country.

There is one other point about this amendment that absolutely confounds me and amazes me: That this body will consider a motion which will enable a local school district or a local political subdivision to defy a Federal court decision. It is incredible that this body which makes the law would attempt to pass an amendment which enables defiance of law.

I do not want to be the one down here saying these things. I do not want to be the bad guy in the well saying these things, but why do we not wake up? It is not a matter of busing any longer. It is a question of whether or not 22 million-plus black Americans in this country are going to be further shoved away from the body politic of the Nation because this Congress seizes every opportunity to fan the flames of racism.

Maybe we do it directly, maybe we do it indirectly, that does not matter, but we do it nevertheless. I tell the Members right now that when we take these actions in 1970 and 1972 and 1974, all we are doing is setting a stage for a prolonged, protracted antagonism between the races in 1984 and in 1994 and in the year 2024. That is what we are doing.

I have no hope at all that this amendment will be defeated. The House has made it so clear what its intention is that I have no hope at all that this and the other amendments that will be brought forth on antibusing will be defeated. I have no hope whatsoever, but I hope that somebody in this House, I do hope that some Members in this House will stop to examine our actions in terms of the legacy that we are leaving for another generation to come.

Mr. DAN DANIEL. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I yield to the gentlewoman from Oregon (Mrs. GREEN).

Mrs. GREEN of Oregon. Mr. Chairman, I thank my colleague for yielding.

I had not intended to go into the arguments. It seems to me we have argued it so many times for so many years that I do not imagine what anybody says will make any difference.

I have said before in regard to polarization which my colleague from Maryland has just referred to that I think there is nothing that has increased polarization so much as the forced busing. The communities are against it, most schools are against it, most children are against it, and most parents are against it.

The real problem in this country is that we are trying to cross two barriers at the same time. I say this to my colleague, the gentleman from Maryland. I think we are trying to cross, desperately, as a country the racial barrier and the class barrier. In my judgment we have more problems as a result of trying to cross the class barrier than we have as a result of trying to cross the racial barrier, but we always place it on the basis of race, a black and white issue, when in my judgment it is not and it should not be talked about in those terms. This is what is increasing the polarization within the country.

I suggest also to my colleagues that the deterioration of the schools we are witnessing across the land, and most especially in our urban schools, causes me to wonder what this generation of students is going to think a few years hence. In many many hundreds of schools, today, policemen are just as essential as teachers. What a sad commentary.

I suspect that there will be greater polarization than we have ever seen. I suggest that some of our present students, maybe 10 or 15 years from now, are going to look back on this period of time as a period when their elders practiced easy virtue, and at what cost to the quality of education in this country, it would be impossible to predict. To try to settle all the racial problems and all of the class problems, to try to force one institution in our society—the schools to assume the major responsibility for social reform, I think is a major error and is doomed to failure. The problems of our schools are the problems of our society.

In addition, I remind you, that in the Black Caucus in Gary, Ind., 2 or 3 years ago, the resolution was passed by the Black Caucus in opposition to forced busing of students.

I also remind you that the National Congress of Parents and Teachers that historically had taken the position in favor of forced busing, in their last convention, maybe two conventions ago, reversed their position and came out with a resolution opposed to the forced busing of students. This is now before the various State PTA's, as I understand it, for ratification.

We are not discussing busing to achieve an educational goal. We are talking about forced busing based on a very, very superficial consideration, and that is the pigmentation of the skin. What utter nonsense to put anybody in any classroom solely on the basis of the pigmentation of the skin.

We cannot have superficial answers to very complex problems and hope to reduce polarization. If we could just once and for all get this busing issue behind us, then we could go ahead and talk about the quality of education and do those things that are going to make a difference 10 and 20 years from now to boys and girls who are in the classrooms today and who are receiving a most inferior education.

Mr. MITCHELL of Maryland. Mr. Chairman, will the gentleman yield?

Mr. DAN DANIEL. I yield to the gentleman from Maryland.

Mr. MITCHELL of Maryland. It is exceedingly difficult for me, being a relatively new Member in the House, who does not command the respect that my distinguished colleague from Oregon commands, and does not have the skills she has, to engage in debate with her.

It is difficult for me to answer her, but let me try.

She spoke about what transpired at the National Black Convention in Gary, Ind. What she said did indeed transpire. Some of the people who were there—unfortunately, I was not there when that vote took place—some of the people there were those who in 1954 and as late as 1958 were saying, "Yes, we believe in the concept of integrated education."

But by her statement the gentlewoman makes the precise point for me. By the actions of this House, and the actions of other groups all over this country, we have forced them into another position, that is, the position taken at Gary, Ind.

We talk about quality education. I want that. You want that? There is nobody in this House who does not want it. I do not think there is any Member of this House, if he honestly examined the schools in his particular area would be able to say that the predominantly black schools are equal in terms of curriculum, in terms of facilities, in terms of books or anything else that we want to name. Until that equality develops, until we have that kind of equality, I want that black kid bused to the place where he is going to get quality education.

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

I wish I might have the attention of the gentleman from Maryland.

May I say that the discussions which have been held here do exist in some places. We read and hear of them. I happen to come from a district that is about 50–50. My county is about 50–50. I sent the sections which would be amended here to the people of my county by mail. My support was overwhelming. The provisions adopted by the Congress and signed by the President 5 or 6 years ago read as follows:

SEC. 208. No part of the funds contained in this title may be used to force any school or school district (which is desegregated as that term is defined in title IV of the Civil Rights Act of 1964, Public Law 88–352) to take any action to force the busing of students; to force on account of race, creed, or color the abolishment of any school (so desegregated); or to force the transfer or assignment of any student attending any elementary or secondary school (so desegregated) to or from a particular school over the protests of his or her parents or parent.

SEC. 209. No part of the funds contained in this title shall be used to force any school or school district (which is desegregated as that term is defined in title IV of the Civil Rights Act of 1964, Public Law 88–352) to take any action to force the busing of students; to require the abolishment of any school (so desegregated); or to force on account of race, creed, or color the transfer of students to or from a particular school (so desegregated) as a condition precedent to obtaining Federal funds otherwise available to any State, school district, or school.

The words which would be stricken from the law are in parentheses.

The provision means that the money we appropriate for education cannot be used to force busing against the wishes of parents. It does not say the court cannot for such a provision would be subject to a point of order; it does not say others cannot for that too would not be permissible here; again, it does say the money we provide here for education shall not be available to use force to make the child go to a school against the wishes of his or her parents, whatever color they may be. Nor shall a school be abolished. That is all that is here. That is all that is permissible.

The issue which has been discussed by my colleagues is a very emotional one, but it is not and should not be involved in the bill before us. The money in this bill shall go for education, as it is intended. It does not say it cannot be used to help a child go to a school that a court may decide though you and I may disagree with such court action. It does say the education department cannot force him or her to go to a particular school against the protests of his or her parent or parents.

The provisions are sound. I wish they had been better enforced. The gentlewoman would strike out the reference which I made to the statutory provision. She believes it will help the legislation. The statute to which reference is made is no longer the basis for segregation. Now such actions are the result of court orders. The pending amendments do not have the effect some of my colleagues fear nor do they bring about or prevent changes many would like to see. The sections have been the law for 5 or 6 years and if enforced would do lots of good. The changes suggested will do no damage. Enforcement would help.

Mr. MITCHELL of Maryland. Mr. Chairman, will the gentleman yield?

Mr. WHITTEN. I am happy to yield to the gentleman from Maryland.

Mr. MITCHELL of Maryland. Mr. Chairman, may I respond to the gentleman? Point No. 1, in response to the question by my colleague from New York as to whether or not this will enable a local school district to defy the Federal court; the response was "Yes," from some Member. That is point No. 1.

Point No. 2, I hope the Members realize that when they have many black people in their districts—the gentleman from Mississippi said 50–50—they still want to give the answer, many of them, which they think will satisfy you.

The third thing is, whether we play around with the language, whether it is done by statute or by court order, inferentially—even beyond inferentially—what we are really doing is establishing a concept that segregated schools could be necessary, ought to be necessary and are necessary. That is what we are inferentially doing, whether we read it that way or not.

Mr. WHITTEN. Mr. Chairman, I beg to differ with the gentleman. These sections have been on the statute books 5 or 6 years, and in my judgment do not touch the issue the gentleman is describing, and in no way do they stop any court from doing what it has been doing all along. It does prevent the use of the personnel of the Department of Education and the money in this bill "to force," a child or children to go to a particular school over the protest of the childs parent or parents.

Mr. MITCHELL of Maryland. I heard that in 1954. The gentleman is right here.

Mr. WHITTEN. I have been right on these sections of the law since they were adopted 5 or 6 years ago. All education could be better if they were carried out.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from Oregon (Mrs. GREEN).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. ASHBROOK

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

The Clerk read as follows:

Amendment offered by Mr. ASHBROOK: On page 33, after line 8, insert the following:

"SEC. 210. No funds appropriated for the purpose of carrying out any applicable program may be used for the transportation of students or teachers (or for the purchase of equipment for such transportation) in order to overcome racial imbalance in any school or school system, or for the transportation of students or teachers (or for the purchase of equipment for such transportation) in order to carry out a plan of racial desegregation of any school or school system."

Mr. ASHBROOK. Mr. Chairman, it will not be necessary for me to take 5 minutes. The House voted on this on two occasions previously.

This is the identical language of my antibusing amendment to H.R. 69, adopted overwhelmingly by this body, which is now in conference. I offer this because there is a possibility that H.R. 69 will reach an impasse. The House has spoken on a number of occasions, and I feel it appropriate to have this amendment adopted in the appropriation bill at this time.

Mr. SMITH of Iowa. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, in the colloquy which preceded the offering of this amendment, I think it was made clear that the provisions which have been carried in this bill for a number of years prohibit the Department of Education from using its funds to force a local district to use busing as the one of several alternatives to overcome a desegregation problem.

With that the committee and the House has been in agreement. The House has been in agreement for a number of years that local choice should not be denied, but I would like to point out that this amendment does just the opposite. It denies the local educational institution the opportunity to choose to use busing if it chooses to do so.

I think one who is for local school districts, or local government having some independence and freedom of choice to make their own decisions as to how they want to overcome their problems should be against this amendment.

The proponents are attacking it from a different end. This is an appropriation bill. This is not the authorization bill. We are going to fight this out on the authorization bill anyway, but when we finally settled this in this appropriation bill, we thought everybody was satisfied and carried identical language. But this amend-

ment would deny the use of the funds by a local district as a tool it may want to use.

Mr. Chairman, I urge the Members to reject this amendment to keep the two amendments in the bill that have been in it for several years and to which everyone seems to agree.

I want to say this in closing: A vote on the authorization bill for a similar amendment does not mean that the Members need to vote for putting it on this bill. We already have provisions in this bill upon which we previously agreed. Therefore, I would urge that we leave the bill the way it is and not place this additional prohibition upon local school districts against choosing the tool they may want to use.

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

There is little I can add to what the distinguished gentleman from Iowa, a member of the committee for many years, has said. This, again, is an attempt to use the appropriation bill to resolve this busing issue.

The legislative committee, as many people have said here, has been at this for months and years. I remind Members that these provisions were in this very bill; in this very same spot, for several years.

You all agree that the use of these funds by HEW has been effective just the way you wanted it. These provisions here have been effective against the busing problem that has been raised by everyone.

Let us not tie this bill down again here by attempting to reopen the busing question.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio (Mr. ASHBROOK).

The question was taken; and on a division (demanded by Mr. ASHBROOK) there were—ayes 70, noes 78.

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 231, noes 137, not voting 66, as follows:

[Roll No. 345]

AYES—231

Abdnor	Brinkley	Clawson, Del
Alexander	Brooks	Cleveland
Anderson, Calif.	Broomfield	Collins, Tex.
	Brotzman	Conlan
Andrews, N.C.	Broyhill, N.C.	Crane
Andrews, N. Dak.	Buchanan	Cronin
	Burgener	Daniel, Dan
Annunzio	Burke, Fla.	Daniel, Robert W., Jr.
Archer	Burke, Mass.	
Arends	Burleson, Tex.	Davis, S.C.
Armstrong	Burlison, Mo.	Davis, Wis.
Ashbrook	Butler	de la Garza
Bafalis	Byron	Delaney
Baker	Camp	Denholm
Bauman	Carney, Ohio	Dennis
Beard	Carter	Derwinski
Bennett	Casey, Tex.	Devine
Bevill	Cederberg	Dickinson
Biaggi	Chamberlain	Dingell
Blackburn	Chappell	Downing
Bowen	Clancy	Dulski
Bray	Clausen, Don H.	Duncan
Breaux		du Pont
Eilberg	Lott	Schneebeli
Eshleman	Lujan	Sebelius
Fisher	Luken	Shipley
Flowers	McCollister	Shriver
Flynt	Mahon	Shuster
Ford	Mann	Sikes
Forsythe	Maraziti	Skubitz
Fountain	Martin, Nebr.	Snyder
Frey	Mathias, Calif.	Spence
Froehlich	Mathis, Ga.	Steed
Gaydos	Mazzoli	Steele
Gettys	Michel	Steelman
Giaimo	Milford	Steiger, Ariz.
Gibbons	Miller	Stephens
Gilman	Minish	Stubblefield
Ginn	Mitchell, N.Y.	Stuckey
Goldwater	Mizell	Sullivan
Grasso	Montgomery	Symms
Green, Oreg.	Moorhead, Calif.	Talcott
Gross		Taylor, Mo.
Gubser	Murtha	Taylor, N.C.
Guyer	Myers	Teague
Haley	Natcher	Thone
Hanley	Nedzi	Tiernan
Hanrahan	Nichols	Towell, Nev.
Harsha	O'Hara	Traxler
Hastings	Parris	Treen
Hays	Passman	Vander Jagt
Heckler, Mass.	Patman	Vigorito
Henderson	Patten	Waggonner
Hillis	Pettis	Walsh
Hinshaw	Pickle	Wampler
Hogan	Pike	Ware
Holt	Poage	White
Hosmer	Powell, Ohio	Whitehurst
Huber	Preyer	Whitten
Hudnut	Price, Tex.	Williams
Hunt	Randall	Wilson, Bob
Hutchinson	Rarick	Wilson, Charles, Tex.
Ichord	Regula	
Jarman	Rhodes	Winn
Johnson, Pa.	Rinaldo	Wolff
Jones, Ala.	Robinson, Va.	Wright
Jones, N.C.	Roe	Wyatt
Kemp	Rogers	Wydler
Ketchum	Roncallo, N.Y.	Wylie
King	Rooney, Pa.	Veysey
Kuykendall	Roy	Wyman
Lagomarsino	Runnels	Yatron
Landgrebe	Ruth	Young, Alaska
Landrum	Ryan	Young, Fla.
Latta	St Germain	Young, Ill.
Lent	Sarasin	Young, S.C.
Litton	Sarbanes	Young, Tex.
Long, La.	Satterfield	Zablocki
Long, Md.	Scherle	

NOES—137

Abzug	Gude	Owens
Adams	Hamilton	Pepper
Anderson, Ill.	Hanna	Perkins
Ashley	Hansen, Idaho	Price, Ill.
Badillo	Hawkins	Pritchard
Barrett	Hechler, W. Va.	Quie
Bell	Heinz	Rangel
Bergland	Helstoski	Rees
Biester	Hicks	Reuss
Bingham	Holtzman	Riegle
Boland	Horton	Robison, N.Y.
Brademas	Johnson, Calif.	Rodino
Breckinridge	Jones, Okla.	Roncalio, Wyo.
Brown, Calif.	Jordan	Rose
Brown, Mich.	Kastenmeier	Roush
Brown, Ohio	Kazen	Roybal
Burton, John	Koch	Ruppe
Burton, Phillip	Kyros	Schroeder
Chisholm	Leggett	Seiberling
Clay	Lehman	Sisk
Cohen	McClory	Slack
Collins, Ill.	McCloskey	Smith, Iowa
Conable	McCormack	Smith, N.Y.
Conte	McDade	Staggers
Conyers	McEwen	Stanton, J. William
Corman	McFall	
Coughlin	McKay	Stanton, James V.
Danielson	Madden	
Dellenback	Mallary	Stark
Dellums	Martin, N.C.	Steiger, Wis.
Dent	Matsunaga	Stokes
Donohue	Mayne	Stratton
Drinan	Meeds	Studds
Eckhardt	Melcher	Symington
Edwards, Calif.	Metcalfe	Thomson, Wis.
Erlenborn	Mezvinsky	Ullman
Evans, Colo.	Mink	Van Deerlin
Fascell	Mitchell, Md.	Vander Veen
Findley	Mollohan	Waldie
Fish	Morgan	Whalen
Flood	Mosher	Widnall
Foley	Moss	Wiggins
Fraser	Murphy, Ill.	Wilson, Charles H., Calif.
Frelinghuysen	Nix	
Frenzel	Obey	
Gonzalez	O'Brien	Yates
Green, Pa.	O'Neill	Young, Ga.

NOT VOTING—66

Addabbo	Fuqua	Minshall, Ohio
Aspin	Goodling	Moakley
Blatnik	Gray	Moorhead, Pa.
Boggs	Griffiths	Murphy, N.Y.
Bolling	Grover	Nelsen
Brasco	Gunter	Peyser
Broyhill, Va.	Hammer-schmidt	Podell
Burke, Calif.		Quillen
Carey, N.Y.	Hansen, Wash.	Railsback
Clark	Harrington	Reid
Cochran	Hébert	Roberts
Collier	Holifield	Rooney, N.Y.
Cotter	Howard	Rosenthal
Culver	Hungate	Rostenkowski
Daniels, Dominick V.	Johnson, Colo.	Rousselot
	Jones, Tenn.	Sandman
Davis, Ga.	Karth	Shoup
Diggs	Kluczynski	Thompson, N.J.
Dorn	McKinney	Thornton
Edwards, Ala.	McSpadden	Udall
Esch	Macdonald	Zion
Evins, Tenn.	Madigan	Zwach
Fulton	Mills	

So the amendment was agreed to.

The result of the vote was announced as above recorded.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

FEDERAL MEDIATION AND CONCILIATION SERVICE

SALARIES AND EXPENSES

For expenses necessary for the Federal Mediation and Conciliation Service to carry out the functions vested in it by the Labor-Management Relations Act, 1947 (29 U.S.C. 171–180, 182), including expenses of the Labor-Management Panel and boards of inquiry appointed by the President; hire of passenger motor vehicles; not to exceed $1,000 for official reception and representation expenses; and rental of conference rooms in the District of Columbia; $15,521,000.

POINT OF ORDER

Mr. GROSS. Mr. Chairman, I make a point of order against the language to be found on page 34, in lines 16 and 17, the language in point being: "not to exceed $1,000 for official reception and representation expenses;".

Mr. Chairman, I make a point of order on the basis that this is an appropriation not authorized by law.

The CHAIRMAN. Does the gentleman from Pennsylvania desire to be heard on the point of order?

Mr. FLOOD. Mr. Chairman, what I should like to know, as I inquired before on the other amendment, is whether the point of order is being made just against that part of the section.

The CHAIRMAN. The Chair would advise the gentleman that the point of order raised by the gentleman from Iowa is made against language on page 34, lines 16 and 17: "not to exceed $1,000 for official reception and representation expenses;".

Mr. FLOOD. Mr. Chairman, I concede the point of order.

The CHAIRMAN (Mr. WRIGHT). The gentleman from Pennsylvania concedes the point of order, and the point of order is sustained.

The Clerk will read.

Interrupting the reading.

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

Mr. Chairman, I take this time, first of all, to commend the Members of the House for their deportment in the consideration of this HEW bill, and second, to inform the Members that I will have a motion to recommit, a simple motion to recommit, because of what I consider to be the phony cut of some $878 million

in the public assistance item and the $300 million added on to the $100 million already over the budget on the public employment item.

And then finally I should like to say that I am not sure whether we have run our course here this evening on amendments. We can, of course, wrap this up in short order if we will simply permit those who have any more amendments to have their say and hopefully dispose of them with voice votes in view of the good number of Members on the floor.

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

Mr. Chairman, I have some information which I put before the Committee which I intend to place in the RECORD at this point:

I would like to take this opportunity to bring to your attention some information that my office has developed with respect to the Federally funded Migrant Health Program.

While I understand that the bill under consideration today does not contain funds for migrant health programs, since new authorization is pending, I nevertheless wanted to bring this information to your attention. I hope it may be helpful during your funding deliberations later this year.

As you know, during your hearings on this bill, a number of questions dealing primarily with the cost of migrant health programs were submitted to the Department. In my opinion, HEW's answers, appearing in Part III of your hearings, were less than satisfactory. I was particularly interested in the fact that the statistics on the migrant health project in my district was listed as being "not available." It just so happens that the cost to the Federal government for each patient treated by the Agricultural Workers Health Project of the San Joaquin County Medical Society is one of the lowest in the nation. I am also proud of the society's program from the standpoint of the quality of the care that it provides.

My concern, Mr. Chairman, is that this exemplary project is not receiving the level of Federal support that it deserves in order to administer to the migrant health population.

By way of background, it is apparent that there has been a conflict between the San Joaquin project and the Department of Health, Education, and Welfare. This conflict centers around the philosophy of health care delivery to migrants.

In meeting with members of the San Joaquin Migrant Health Program, they advised me that HEW has been insistent with respect to the construction of a permanent facility for the care of migrants as a quid pro quo for additional money. But it has been demonstrated again and again that medical care must be taken to migrants at their campsites and to take care of more serious problems subsequently at the hospital or a physician's office.

I believe too, Mr. Chairman, that there is a desire on the part of certain individuals in the Migrant Health Program to discriminate against medical health programs initiated and closely related to medical societies. I would point out, however, that the San Joaquin project does have a board made up of consumers who can see the value of a responsive and responsible migrant health program. They have no desire to mix politics and medicine but to merely make sure their compatriots in the field have adequate health care. These consumer board members are mystified by HEW's refusal to increase the scope of the San Joaquin project.

I would add, to alleviate apparent HEW concerns about Medical Society involvement, that this particular medical society in the 1950's initiated the concept of peer review as part of a union sponsored health insurance program. It is a society of highly progressive physicians, and many of the decisions we make today in this chamber with respect to government involvement in the medical field, is because of the innovative spirit of the San Joaquin Medical Society.

Mr. Chairman, I am placing in the record now a copy of the migrant health projects funding-fiscal year 1974—and service characteristics. These are essentially the same statistics that were provided to your subcommittee. However, we have added one additional element. We have equated out the costs per patient/physician encounter by dividing this number into the amount of the Federal grant.

HEW claims without explanation that this is not a fair way to judge cost effectiveness of a program. However, while there may be some extenuating circumstances, it seems to me that one of the easiest ways to find out whether or not a program is cost effective, as in this case, is to take the number of patient/doctor meetings and divide them into the size of the grant. As you will note, Mr. Chairman, the results are startling. In one California project every time a doctor sees a patient it costs the Federal taxpayers $177.39. As you will note, the San Joaquin County Medical Society costs were $17.29. In comparing the two projects further, the San Joaquin County Project had half as much money and saw 4½ times as many patients.

Also I am providing a chart which illustrates the percentage of migrant clinics with their patient/physician encounter cost factors broken down by $10 increments. As you will note, Mr. Chairman, as provided to your committee, the Department did not have statistics for 27 percent of the projects it funds. In dollars and cents this amount is $5.2 million or approximately one-sixth of the total appropriation. Eight percent of their projects have a patient/physician cost factor of $100 and over. This accounts for $2.4 million in Federal funds to treat 18,561 patients.

I hope, Mr. Chairman, that you will find this information of value in your continuing deliberations about migrant health programs.

Cost per patient/physician encounter	Percent of migrant clinics with this cost factor	Migrant health dollars invested in this category	Number
$100 (and over) per encounter	8	$2,487,606	18,561
$90 to $100 per encounter	2	575,613	6,089
$80 to $90 per encounter	1	172,000	2,021
$70 to $80 per encounter	1	25,077	357
$60 to $70 per encounter	7	1,611,477	26,146
$50 to $60 per encounter	4	390,791	6,984
$40 to $50 per encounter	4	$787,246	18,642
$30 to $40 per encounter	15	4,269,510	129,001
$20 to $30 per encounter	14	3,439,662	149,687
$10 to $20 per encounter [1]	11	1,379,258	106,288
0 to $10 per encounter	3	146,842	17,893
No data available	27	5,225,418	

[1] San Joaquin agricultural workers' health project, $17.29 per encounter.

MIGRANT HEALTH PROJECTS—FUNDING FISCAL YEAR 1974 AND SERVICE CHARACTERISTICS

Region: Grantee, location	Size of grant	Number of physician encounter	Size of target population	Cost per patient/physician encounter	Comments
Region I:					
New England Farm Workers Council, Springfield, Mass.	$145,050	NA			
Shade Tobacco Growers Association, Windsor, Conn.	145,050	2,221		$65.30	
Region II:					
School of P.H., University of Puerto Rico, San Juan, P.R.	215,000	8,512		25.25	
University of Rochester, Rochester, N.Y.	89,573	2,261		39.61	
Board of Chosen Freeholders, Bridgeton, N.J.	53,646	4,621		11.60	
Ulster County Department of Health, Kingston, N.J.	25,077	357		70.24	
Salem County D.H. Board of Chosen Freeholders, Woodstown, N.J.	29,336	1,007		29.13	
Department of Health, Commonwealth of Puerto Rico, San Juan, P.R.	296,500	7,084		41.85	
Suffolk County Department of Health, Riverhead, N.Y.	160,937	1,568		102.63	
Rochester General Hospital, Rochester, N.Y.	274,471	6,538		41.98	
Project Reach, Inc., Perkinsville, N.Y.	94,263	2,320		40.63	
St. Anthony Community Hospital, Warwick, N.Y.	112,731	6,436		17.51	
Visiting Nurse Association Middlesex County, Inc., North Brunswick, N.J.	35,000	NA			
Oak Orchard, Inc., Rochester, N.Y.	275,530	NA			
Gloucester County, N.J., Gloucester, N.J.	137,536	NA			
Region III:					
Pennsylvania Department of Health, Harrisburg, Pa.	211,939	NA			
Virginia State Department of Health, Richmond, Va.	122,012	2,700		45.18	
District No. 6 Health Department, Martinsburg, W. Va.	63,528	3,028		20.98	
National Migrant Workers Council, Washington, D.C.	185,797	NA			
Delaware State Health Department	30,624	NA			

MIGRANT HEALTH PROJECTS—FUNDING FISCAL YEAR 1974 AND SERVICE CHARACTERISTICS—Continued

Region: Grantee, location	Size of grant	Number of physician encounter	Size of target population	Cost per patient/ physician encounter	Comments
Region IV:					
South Carolina State Board of Health, Columbia, S.C	76,871	2,855		26.92	
Department of Health & Rehabilitation Services, Jacksonville, Fla	1,555,145	74,519		20.86	
Henderson County Migrant Council, Inc., Hendersonville, N.C	24,629	1,472		16.73	
N.C. Department of Human Resources, Raleigh, N.C	101,671	927		109.67	
Sampson County Health Department, Clinton, N.C	27,700	422		65.63	
South Carolina State Board of Health, Columbia, S.C	36,190	982		36.85	
Wilson County Health Department, Wilson, N.C	[1] 0	3,900			
Johnson County Health Department, Smithfield, N.C	21,500	3,308		6.49	
Community Health of South Dade, Inc., Miami, Fla	843,000	13,906		60.62	
Avon-Park-Frostproff-Wauchula Community Development Corp., Frostproff, Fla	223,586	NA			
West Orange Farm Workers Health Association, Apopka, Fla	161,508	NA			
Region V:					
Ohio Department of Health, Columbus, Ohio	229,957	19,836		11.59	
Northwest Michigan Health Services, Inc., Traverse City, Mich	183,075	1,773		103.25	
Amos, Inc., Indianapolis, Ind	150,500	170		85.29	
Health Delivery, Inc., Saginaw, Mich	395,227	4,144		95.37	
Illinois Migrant Council, Chicago, Ill	180,386	1,945		92.74	
La Clinica de Los Campesinos, Wautoma, Wis	170,000	NA			
Minnesota Migrant Health Services, Moorehead, Minn	172,000	2,021		85.10	
Darka-Mercer-Shelby Regional Service, Inc., Greenville, Ohio	85,500	NA			
B.C.V. Health Services, Inc., St. Joseph, Mich	455,000	NA			
Clinicas Migrantes Regional, Tiffin, Ohio	90,000	NA			
Hartville, Migrant Council, Inc., Hartville, Ohio	50,000	NA			
S.O.L. Regional Health Services, Inc., Fremont, Ohio	385,255	NA			
Region VI:					
Zapata County Texas Commissioners Center, Zapata Tex	60,469	5,085		11.89	
Cameron County Health Department, San Benito, Tex	134,777	4,340		31.05	
Jim Wells County Commissioner's Center, Alice, Tex	51,803	1,614		32.09	
Gonzales County Medical Society, Gonzales, Tex	140,800	5,504		25.58	
Community Action Council of South Texas, Rio Grande City, Tex	100,212	3,683		27.20	
Catholic Charities, Inc., Harlingen, Tex	723,284	21,622		33.45	
La Salle County Commissioner's Court, Cotulla, Tex	65,118	6,985		9.32	
Las Cruces Committee on Migrant Health, Las Cruces, N. Mex	36,720	3,289		11.16	
Jim Hogg County Commissioner's Court, Hebbronville, Tex	26,398	1,299		20.32	
Laredo-Webb County Health Department, Laredo, Tex	318,749	9,258		34.42	
Southwest Migrant Association, San Antonio, Tex	184,731	NA			
Del Rio-Val Verde County Health Department, Del Rio, Tex	60,224	7,600		7.92	
Deaf Smith County Public Health Clinic, Inc., Hereford, Tex	86,494	1,371		63.08	
Oklahoma State Department of Health, Oklahoma City, Okla	85,126	1,341		63.47	
De Leon Municipal Hospital, De Leon, Tex	74,992	NA			
San Marcos-Hays County Health Department, San Marcos, Tex	50,764	1,387		96.59	
South Mutual Help Association, Inc., Abbeville, La	341,570	NA			
Home Education Livlihood Program, Albuquerque, N. Mex	404,895	NA			
Hidalgo County Health Care Corp., Edinburg, Tex	657,944	19,830		33.17	
San Patico Company Commission on Youth Education, Sinton, Tex	427,372	14,632		29.20	
Coastal Bend Migrant Council, Corpus Christi, Tex	234,959	7,551		31.11	
Region VII:					
Demlo Housing Corp., Lilbourn, Mo	81,605	NA			
Nebraska State Health Department, Lincoln, Nebr	115,903	3,050		38.00	
Kansas State Department of Health, Topeka, Kans	189,529	1,224		154.84	
Muscatine Migrant Committee, Muscatine, Iowa	68,500	1,229		55.73	
Migrant Action Program Inc., Mason City, Iowa	62,563	1,200		52.13	
Los Cincos Pueblos, Inc., Bonner Springs, Kans	73,000	3,156		23.13	
Region VIII:					
Colorado Department of Health, Denver, Colo	255,107	4,250		60.02	
Montana SDH and Environmental Sciences, Helena, Mont	45,000	870		51.72	
Plan de Salud Del Valle, Inc., Fort Lupton, Colo	400,000	12,971		30.83	
Weld County Opportunity Agency, Greeley, Colo	142,565	3,694		38.59	
Utah Migrant Council, Inc., Salt Lake City, Utah	214,728	3,685		58.27	
Northwestern Community Action Program of Wyoming, Inc., Thermopolis, Wyo	30,000	NA			
Minnesota Migrant Health Service	20,000	NA			
South Dakota	10,000	NA			
Region IX:					
Maricopa County Health Department, Phoenix, Ariz	295,000	28,520		10.34	
Yuma County Health Department, Yuma, Ariz	169,000	2,635		64.13	
San Joaquin Medical Society, Stockton, Calif	322,000	18,621		17.29	
Stanislaus Medical Society, Modesto, Calif	141,000	6,039		23.34	
Kern County Health Committee, Lamont, Calif	588,000	NA			
Orange Cove Family Health Center, Orange Cove, Calif	767,894	7,525		102.04	
Clinica De Salubridad de Campesino's, Brawley, Calif	719,000	4,053		177.39	
Arizona Job Colleges, Inc., Casa Grande, Ariz	286,000	12,971		22.04	
Merced General Hospital, Merced, Calif	230,000	6,996		32.87	
Riverside County Department of Public Health, Riverside, Calif	59,703	4,503		13.25	
San Luis Obispo County Health Department, San Luis Obispo, Calif	141,000	6,637		21.24	
Sutter County General Hospital, Yuba City, Calif	77,403	6,005		12.88	
Santa Cruz County Health Department, Santa Cruz, Calif	164,000	5,915		27.72	
Regional Rural Health Program, Woodland, Calif	365,000	NA			
Region X:					
Oregon Department of Human Resources, Salem, Oreg	$30,000	NA			
Farm Workers Family Health Center, Toppenish, Wash	700,000	21,325		$32.82	
Idaho Migrant Council, Inc., Boise, Idaho	383,000	12,120		31.60	
North Central Washington Migrant Health, Wenatchee, Wash	215,000	1,321		174.65	
Whatcom Skagit Rural Opportunity Project, Mount Vernon, Wash	107,000	7,900		13.54	
Valley Migrant League, Salem, Oreg	452,300	NA			
Region III: Virginia State Department of Health, Richmond, Va	122,012	2,700		45.18	
Region IV: North Carolina Department of Human Resources, Raleigh, N.C	101,671	927		109.67	
Region V: La Clinica de Los Campesinos, Wautoma, Wis	170,000	NA			
Region VI:					
Community Action Council of South Texas, Rio Grande City, Tex	100,212	3,683		27.20	
San Patico County Commission on Youth Education, Sinton	427,372	14,632		29.20	
Region IX:					
Maricopa County Health Department, Phoenix, Ariz	295,000	28,520		10.34	
Yuma County Health Department, Yuma, Ariz	169,000	2,635		64.13	
San Joaquin Medical Society, Stockton, Calif	322,000	18,621		17.29	
Region X:					
Farm Workers Family Health Center, Toppenish, Wash	700,000	21,325		32.82	
North Central Washington Migrant Health, Wenatchee, Wash	215,000	1,321		174.65	

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 404. The Secretary of Labor and the Secretary of Health, Education, and Welfare are each authorized to make available not to exceed $7,500 from funds available for salaries and expenses under titles I and II, respectively, for official reception and representation expenses.

POINT OF ORDER

Mr. GROSS. Mr. Chairman, I make a point of order against the language to be found on page 37, beginning with line 21 and running through line 25 as being appropriation not authorized by law.

The CHAIRMAN. Does the gentleman from Pennsylvania desire to be heard on the point of order?

Mr. FLOOD. Mr. Chairman, I understand this is the entire paragraph this time?

The CHAIRMAN. The gentleman raises a point of order against the entire section.

Mr. GROSS. Mr. Chairman, I am just trying to strike some more booze money.

Mr. FLOOD. It is the entire section 404?

Mr. Chairman, we concede the point of order.

The CHAIRMAN. The point of order is conceded and sustained.

The Clerk will read.

The Clerk read as follows:

SEC. 411. No part of any appropriation contained in this Act shall be available for paying to the Administrator of the General Services Administration in excess of 90 percent of the standard level user charge established pursuant to section 210(j) of the Federal Property and Administrative Services Act of 1949, as amended, for space and services.

AMENDMENT OFFERED BY MR. RONCALLO OF NEW YORK

Mr. RONCALLO of New York. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. RONCALLO of New York: Amend H.R. 15580 by adding a new section 412 on page 39 of the bill as follows:

SEC. 412. No part of the funds appropriated under this Act shall be used in any manner directly or indirectly to pay for abortions or abortion referral services, abortifacient drugs or devices, the promotion or encouragement of abortion, or the support of research designed to develop methods of abortion, or to force any State, school or school district or any other recipient of Federal funds to provide abortions or health or disability insurance abortion benefits. As used in this section, abortion means the intentional destruction of unborn human life, which life begins at the moment of fertilization.

POINT OF ORDER

Mr. YATES. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. YATES. Mr. Chairman, I make a point of order against the amendment on the ground that this is legislation in an appropriation bill and it requires the imposition of new duties upon members of the executive branch, upon other officers of the Federal Government in order to determine when life begins. When does fertilization occur?

As part of this amendment, the Chair will note that abortion means the intentional destruction of unborn human life, which life begins at the moment of fertilization. That imposes duties upon somebody to determine as of what point, as of what moment in time that occurs.

For these reasons, Mr. Chairman, and also it restricts the definition of the term and it imposes new duties on outside officials in determining whether the definition has been complied with.

Therefore, Mr. Chairman, I make a point of order against the amendment.

The CHAIRMAN. Does the gentleman from New York desire to be heard on the point of order?

Mr. RONCALLO of New York. Mr. Chairman, in order to conform, I have stricken the last sentence from the amendment.

The CHAIRMAN. The Chair would advise the gentleman that he cannot withdraw or modify his amendment, except by unanimous consent.

Mr. RONCALLO of New York. Mr. Chairman, I am conceding the point of order and offering another amendment.

The CHAIRMAN. The gentleman concedes the point of order and the Chair sustains the point of order. The amendment is ruled out.

AMENDMENT OFFERED BY MR. RONCALLO OF NEW YORK

Mr. RONCALLO of New York. Mr. Chairman, I offer another amendment.

The Clerk read as follows:

Amendment offered by Mr. RONCALLO of New York:

Amend H.R. 15580 by adding a new section 412 on page 39 of the bill as follows:

SEC. 412. No. part of the funds appropriated under this Act shall be used in any manner directly or indirectly to pay for abortions or abortion referral services, abortifacient drugs or devices, the promotion or encouragement of abortion, or the support of research designed to develop methods of abortion, or to force any State, school or school district or any other recipient of Federal funds to provide abortions or health or disability insurance abortion benefits.

POINT OF ORDER

Mr. YATES. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it

Mr. YATES. Mr. Chairman, I make a point of order against the second amendment proposed by the gentleman from New York.

My grounds are the same as to the previous amendment, Mr. Chairman; namely, that this is legislation on an appropriation bill.

Second, that it requires new duties on the part of officials in connection with the operation of this amendment.

I particularly call the attention of the Chair to the use of the term "promotion or encouragement of abortion."

This phrase will require additional duties on the part of the outside officials. Therefore, it goes beyond the scope of an appropriation provision.

Therefore, Mr. Chairman, I press my point of order.

The CHAIRMAN. Does the gentleman from New York desire to be heard on the point of order?

Mr. RONCALLO of New York. Merely that the duties do not call for more or less duties than the administration must invoke at the present time.

Mr. ECKHARDT. Mr. Chairman, I should like to be heard on the point of order.

The language of the revised section 412 necessarily requires a definition of what constitutes the moment of fertilization, in that the term abortifacient drug or devices is used.

Now, the question of whether or not a drug or device is abortifacient depends on the moment of fertilization. If it is to be not abortifacient, it prevents fertilization. If it comes under the language of this act, the moment of fertilization must occur before the drug or the device acts upon the inseminated egg.

Therefore, there is an absolutely necessary determination by the agency of the moment of fertilization.

Furthermore, there is the term abortion, the term abortion must necessarily determine the definition as contained in the last line and, therefore, requires affirmative duties on the part of the agency.

Mr. BAUMAN. Mr. Chairman, may I be heard on the point of order?

The CHAIRMAN. The gentleman from Maryland is recognized.

Mr. BAUMAN. Mr. Chairman, as originally offered, the amendment of the gentleman from New York definitely did require some sort of action on the part of the Government officials, but I heartily disagree with the statements that have been made here.

There are no additional duties imposed whatsoever. In fact, like the antibusing amendment in the two other sections, it is a limitation on the expenditure of funds in this bill just as the rules provide. No new duties and no directions are allowed. Abortion is a well understood term, and is found in any dictionary. It is perfectly admissible under the rules of the House.

The CHAIRMAN (Mr. WRIGHT). The Chair is prepared to rule.

As originally offered, the amendment contained a definition of abortion which would have defined that term as being the intentional destruction of unborn human life, which subjected the amendment to a successful challenge on the ground that it would have imposed upon an administrator the responsibility of determining a question of another person's intent.

There have been precedents under which that type of a requirement has been held to be legislation on an appropriation bill.

As presently constituted, the amendment secondly offered by the gentleman from New York, in the opinion of the Chair, contains no direction nor immediately discernible new duty encumbent upon its administrator beyond the fact that every limitation is a compilation of words if it is written into a law, and it always would devolve upon an administrator to interpret the meaning of the words therein contained. It would be, of course, manifestly contrary to the main thrust of the rulings of the Chair if limitations were to be construed as legislation merely because their enactment would require some statutory interpretation.

Under the circumstances, the Chair, its present occupant having carefully examined the amendment and carefully listened to the arguments, is constrained to overrule the point of order.

Mr. RONCALLO of New York. Mr. Chairman, this session of Congress, the House and the Senate, as you know, on numerous occasions has voted overwhelmingly for amendments to prohibit various Federal agencies from using tax funds for promoting abortion.

Congress has never authorized a single dollar to be expended for abortion, and yet millions of taxpayers' funds are being used to pay for killing the unborn. In the Family Planning and Population Service Act of 1970, Congress even ex-

plicitly prohibited the use of Federal funds where abortion is a method of family planning. Title X, section 1008 provides:

None of the funds appropriated under this title shall be used in programs where abortion is a method of family planning.

Under these circumstances, one would think that the Department of Health, Education, and Welfare would not use taxpayers' funds for abortion, but this is not the case. From April 1971 to August 1972, the Department of Health, Education, and Welfare paid 2.7 million Federal dollars for 27,000 abortions in New York State.

More than 10 percent of the 214,000 abortions performed in New York State during its first year of abortion on demand were paid for by medicaid funds. Twenty-five thousand abortions were paid for in 1 year in California with medicaid funds at an average cost of $450. The California State Legislature has reported that 6,000 of the so-called free abortions were given to persons who had ample income to pay for abortion. The Department of Health, Education, and Welfare is attempting to force all States to provide abortion under their medicaid programs.

The April 1974 issue of Clearinghouse Review, and Office of Economic Opportunity financed publication, states in an article entitled, "The Right to Abortion Under Medicaid":

One can argue that Congress intended the term "family planning services" in the medicaid legislation to include abortion as part of a well-balanced family planning program.

It is absurd to conclude, in light of Congress over 100-year old opposition to abortion, that Congress is requiring abortion programs under the title XIX medicaid program because Congress has not adopted a specific denunciation of abortion under that section as well as under the Family Planning Act. My amendment is necessary because the Department of Health, Education, and Welfare is misconstruing congressional intent, just as the author of this article does.

The amendment does not seek to change any substantive legislative policy because there is no legislative authorization or policy providing for Federal abortion funding. The amendment prevents the misuse of Federal funds under existing programs. It would not prohibit any State or private organization or person from using its own funds for abortion but would prohibit the use of Federal funds appropriated under this act for abortion.

Federal funds under this act could not be used in any manner directly or indirectly to encourage abortion. The Department of Health, Education, and Welfare could not in any way perform abortions, fund abortion programs, or force States, school districts, or other subdivisions of the State to provide abortion benefits as a condition for receiving Federal funds. Likewise, the Labor Department could not use funds received under this act to force Government contractors to provide abortion insurance or other abortion benefits to its employees as a condition for receiving Government contracts.

The Department of Health, Education, and Welfare has issued proposed regulations to force public and private schools to pay for abortion insurance coverage, and other abortion benefits, and the Labor Department has proposed regulations to force Government contractors to provide insurance for abortion as a condition for Federal Government support or participation in Federal contracts. The absurd theory for such Federal bureaucratic dictatorship is that it is sex discrimination to provide any type of health insurance which does not pay for killing unborn children by abortion.

Abortion is defined in the amendment as the intentional destruction of unborn human life, which life begins at the moment of fertilization. The amendment would prohibit the use of Federal funds appropriated under this act for all medical procedures performed or drugs used for the purpose of killing an unborn child or directly attacking an unborn child, even if it is alleged that the abortion is necessary to save the life of the mother; however, the amendment would allow the use of Federal funds to remove a cancerous womb or a damaged Fallopian tube, which procedures result indirectly in the death of the unborn child, since the purpose of these procedures is not the intentional destruction of the unborn child and is not an attack on the unborn child.

The law in this country has never regarded such operations as abortions and neither does my amendment. The amendment would not prohibit the use of Federal funds for any necessary and proper medical treatment which attacks a disease and is performed to attack a disease even if it indirectly results in the death of an unborn child, but it would halt the use of these Federal funds to directly destroy an unborn child for any reason.

Mr. Chairman, the committee has recommended that $6.3 billion be appropriated for medicaid programs. It would be totally irresponsible on our part to close our eyes and duck our duty, as an enormous number of human lives will be destroyed by these moneys under this appropriation bill unless this amendment is adopted now. Let the public funds be used for truly helping the poor rather than killing their unborn children. Mr. Chairman, I ask for the yeas and nays on the amendment and for permission to insert the following material in the RECORD.

THE EARLY BIOGRAPHY OF EVERYMAN

(By Bart T. Heffernan, M.D.)

We have seen in recent years a strange but sad to say not a new phenomenon in the affairs of men. The data of science has been manipulated, denied or distorted to fit a political or sociologic posture. Like the German doctors of the recent past and the late Mr. T. D. Lysenko in Russia, the abortionists have propagandized our citizens with pseudo science in order to protect the theories and humanitarian claims of their cause. The blob theory, the main tenant of the tissue-of-the-mother school of embryology, has been advanced for public scrutiny without so much as a note of public criticism from the intellectual community or the medical profession.

Our society, because of the failures and rationalizations of its intellectuals, stares at the wall of the abortarium and fails to see that it is no different from the barbed inclosures of another time. It is clean, aseptic and run by well dressed efficient men in white. The victims are anonymous and unseen. Pseudo science has redefined them in order to rob them of their rights.

It is in response to this tragedy that the following data has been assembled. We should read it with interest and some fascination for it represents a biography of everyman during those moments of his greatest potential and most rapid development.

THE UNBORN OFFSPRING OF HUMAN PARENTS IS AN AUTONOMOUS HUMAN BEING

Even before implantation in the wall of the uterus the unborn child may be responsible for the maintenance of the pregnant state in the maternal metabolism. The child whose tissue is antigenically different from the mother sets up protective mechanisms to prevent maternal immunologic responses from causing fetal distress. The newly formed child has a remarkable degree of metabolic autonomy. For example, the fetal endocrinie system functions autonomously.

The recent recognition of this autonomy has led to the development of new medical specialties concerning the unborn child from the earliest stages of the pregnancy, i.e., fetology and perinatology.

Modern obstetrics has discarded as unscientific the concept that the child in the womb is but tissue of the mother. As Dr. H. M. I. Liley, the New Zealand pediatrician, and research assistant to her famous husband, Dr. Albert Liley who perfected the intrauterine transfusion, has said:

"Another medical fallacy that modern obstetrics discards is the idea that the pregnant woman can be treated as a patient alone. No problem in fetal health or disease can any longer be considered in isolation. At the very least two people are involved, the mother and her child."

From conception the child is a complex, dynamic, rapidly growing individual. By a natural and continuous process the single fertilized ovum, will, over approximately nine months, develop into the trillions of cells of the newborn. The natural end of the sperm and ovum is death unless fertilization occurs. At fertilization a new and unique individual is created which, although receiving one-half of its chromosomes from each parent, is really unlike either.

The moment of fertilization is to the individual as the spark of divine light was to the creation of the world. The events that follow are self-generated by the new individual under the guidance of his new and absolutely unique hereditary plan. The new combination of chromosomes sets in motion the individual's life controlled by his own individual code (genes) with its fantastic library of information projected from the past or the helix of Desoxyribonucleic acid or DNA. A single thread of DNA from a human cell contains information equivalent to six hundred thousand printed pages with five hundred words on a page, or a library of one thousand volumes. The stored knowledge at conception in the new individual's library of instructions is fifty times more than that contained in the Encyclopedia Britannica. These unique and individual instructions are operative over the whole of the individual's life and form a continuum of human existence even into succeeding generations. Dr. Hymie Gordon, Chief Geneticist at the Mayo Clinic, states it thus:

". . . from the moment of fertilization, when the deoxyribose nucisic acids from the spermatozoon and the ovum come together to form the zygote, the pattern of the individual's constitutional development is irrevocably determined; his future health, his future intellectual potential, even his future criminal proclivities are all dependent on the sequence of the purine and pyrimidine bases in the original set of DNA molecules of the unicellular individual. True, environmental influences both during the intra-uterine period and after birth modify the indivi-

dual's constitution and continue to do so right until his death, but it is at the moment of conception that the individual's capacity to respond to these exogenous influences is established. Even at that early stage, the complexity of the living cell is so great that it is beyond our comprehension. It is a privilege to be allowed to protect and nurture it."

About seven to nine days after conception, when there are already several hundred cells of the new individual formed, contact with the uterus is made and implantation begins. Blood cells are formed by 17 days and a heart as early as 18 days. This embryonic heart which begins as a simple tube starts irregular pulsations at 24 days which, in about one week, smooth into a rhythmic contraction and expansion.

Straus, et al. have shown that the Electrocardiogram (ECG) on a 23 mm embryo (7.5 weeks) presents the existence of a functionally complete cardiac system and the possible existence of a Myoneural or humoral regulatory mechanism. All the classic elements of the adult ECG were seen. Marcel and Exchaquet observed occasional contractions of the heart in a 6 mm (2 week) embryo. They also obtained tracings exhibiting the classical elements of the ECG tracing of an adult in a 15 mm embryo (5 weeks).

One commentator has indicated that about 4 days postconception under a special microscope the prospective sex can already be determined.

Commencing at 18 days the developmental emphasis is on the nervous system even though other vital organs, such as the heart, are commencing development at the same time. Such early development is necessary since the nervous system integrates the action of all other systems. By the end of the 20th day the foundation of the child's brain, spinal cord and entire nervous system will have been established. By the 6th week after conception this system will have developed so well that it is controlling movements of the baby's muscles, even though the woman may not be aware that she is pregnant. By the 33rd day the cerebral cortex, that part of the central nervous system that governs motor activity as well as intellect may be seen.

The baby's eyes begin to form at 19 days. By the end of the first month the foundation of the brain, spinal cord, nerves and sense organs is completely formed. By 28 days the embryo has the building blocks for 40 pairs of muscles situated from the base of its skull to the lower end of its spinal column. By the end of the first month the child has completed the period of relatively greatest size increase and the greatest physical change of a lifetime. He or she is ten thousand times larger than the fertilized egg and will increase its weight six billion times by birth, having in only the first month gone from the one cell state to millions of cells.

Shettles and Rugh describe this first month of development as follows:

"This, then, is the great planning period, when out of apparently nothing comes evidence of a well integrated individual, who will form along certain well-tried patterns, but who will, in the end, be distinguishable from every other human being by virtue of ultra microscopic chromosomal differences."

By the beginning of the second month the unborn child, small as it is, looks distinctly human. Yet, by this time the child's mother may not be aware that she is pregnant.

As Shettles and Rugh state:

"And as for the question, 'when does the embryo become human?' the answer is that it *always* had human potential, and *no other*, from the instant the sperm and the egg come together because of its chromosomes." (Emphasis in original.)

At the end of the first month the child is about ¼ of an inch in length. At 30 days the primary brain is present and the eyes, ears and nasal organs have started to form. Although the heart is still incomplete, it is beating regularly and pumping blood cells through a closed vascular system. The child and mother do not exchange blood, the child having from a very early point in its development its own and complete vascular system. Even at 5½ weeks the fetal heartbeat is essentially similar to that of an adult in general configuration. The energy output is about 20% that of the adult, but the fetal heart is functionally complete and normal by 7 weeks.

By the end of the seventh week we see a well proportioned small scale baby. In its seventh week, it bears the familiar external features and all the internal organs of the adult, even though it is less than an inch long and weighs only 1/30th of an ounce. The body has become nicely rounded, padded with muscles and covered by a thin skin. The arms are only as long as printed exclamation marks, and have hands with fingers and thumbs. The slower growing legs have recognizable knees, ankles and toes. Shettles and Rugh describe the child at this point of its development as a 1-inch miniature doll with a large head, but gracefully formed arms and legs and an unmistakably human face.

The new body not only exists, it also functions. The brain in configuration is already like the adult brain and sends out impulses that coordinate the function of the other organs. Reflex responses are present as early as 42 days. The brain waves have been noted at 43 days. The heart beats sturdily. The stomach produces digestive juices. The liver manufactures blood cells and the kidneys begin to function by extracting uric acid from the child's blood. The muscles of the arms and body can already be set in motion.

After the eighth week no further primordia will form; *everything* is already present that will be found in the full term baby. As one author describes this period:

"A human face with eyelids half closed as they are in someone who is about to fall asleep. Hands that soon will begin to grip, feet trying their first gentle kicks."

From this point until adulthood, when full growth is achieved somewhere between 25 and 27 years, the changes in the body will be mainly in dimension and in gradual refinement of the working parts.

The development of the child, while very rapid, is also very specific. The geneic pattern set down in the first day of life instructs the development of a specific anatomy. The ears are formed by seven weeks and are specific, and may resemble a family pattern. The lines in the hands and fingerprints start to be engraved by eight weeks and remain a distinctive feature of the individual.

The primitive skeletel system has completely developed by the end of six weeks. This marks the end of the child's embyonic (from Greek, to swell or teem within) period. From this point, the child will be called a fetus (Latin, young one or offspring).

In the third month, the child becomes very active. By the end of the month he can kick his legs, turn his feet, curl and fan his toes, make a fist, move his thumb, bend his wrist, turn his head, squint, frown, open his mouth, press his lips tightly together. He can swallow and drinks the amniotic fluid that surrounds him. Thumb sucking is first noted at this age. The first respiratory motions more fluid in and out of his lungs with inhaling and exhaling respiratory movements.

The movement of the child has been recorded at this early stage by placing delicate shock recording devices on the mother's abdomen and direct observations have been made by the famous embryologist, Davenport Hooker, M.D. Over the last thirty years, Dr. Hooker has recorded the movement of the child on film, some as early as six weeks of age. His films show that prenatal behavior develops in an orderly progression.

The prerequisites for motion are muscles and nerves. In the sixth to seventh weeks, nerves and muscles work together for the first time. If the area of the lips, the first to become sensitive to touch, is gently stroked, the child responds by bending the upper body to one side and making a quick backward motion with his arms. This is called a total pattern response because it involves most of the body, rather than a local part. Localized and more appropriate reactions such as swallowing follow in the third month. By the beginning of the ninth week, the baby moves spontaneously without being touched. Sometimes his whole body swings back and forth for a few moments. By eight and a half weeks the eyelids and the palms of the hands become sensitive to touch. If the eyelid is stroked, the child squints. On stroking the palm, the fingers close into a small fist.

In the ninth and tenth weeks, the child's activity leaps ahead. Now if the forehead is touched, he may turn his head away and pucker up his brow and frown. He now has full use of his arms and can bend the elbow and wrist independently. In the same week, the entire body becomes sensitive to touch.

The twelfth week brings a whole new range of responses. The baby can now move his thumb in opposition to his fingers. He now swallows regularly. He can pull up his upper lip; the initial step in the development of the sucking reflex. By the end of the twelfth week, the quality of muscular response is altered. It is no longer marionette-like or mechanical—the movements are now graceful and fluid, as they are in the newborn. The child is active and the reflexes are becoming more vigorous. *All this is before the mother feels any movement.*

The phenomenon of "quickening" reflects maternal sensitivity and not fetal competence. Dr. Hooker states that fetal activity occurs at a very early age normally in utero and some women may feel it as early as thirteen weeks. Others feel very little as late as twenty weeks and some are always anxious because they do not perceive movement.

Dr. Liley states:

"Historically 'quickening' was supposed to delineate the time when the fetus became an independent human being possessed of a soul. Now, however, we know that while he may have been too small to make his motions felt, the unborn baby is active and independent long before his mother feels him. Quickening is a maternal sensitivity and depends on the mother's own fat, the position of the placenta and the size and strength of the unborn child."

Every child shows a distinct individuality in his behavior by the end of the third month. This is because the actual structure of the muscles varies from baby to baby. The alignment of the muscles of the face, for example, follow an inherited pattern. The facial expressions of the baby in his third month are already similar to the facial expression of his parents.

Dr. Arnold Gesell states that: "By the end of the first trimester (12th week) the fetus is a sentient moving being. We need not pause to speculate as to the nature of his psychic attributes but we may assert that the organization of his psychosomatic self is now well under way."

Further refinements are noted in the third month. The fingernails appear. The child's face becomes much prettier. His eyes, previously far apart, now move closer together. The eyelids close over the eyes. Sexual differentiation is apparent in both internal and external sex organs, and primitive eggs and sperm are formed. The vocal cords are completed. In the absence of air they cannot produce sound; the child cannot cry aloud until birth, although he is capable of crying long before.

Dr. Liley relates the experience of a doctor who injected an air bubble into a unborn baby's (eight months) amniotic sac in an attempt to locate the placenta on x-ray. It

so happened that the air bubble covered the unborn baby's face. The moment the unborn child had air to inhale, his vocal cords became operative and his crying became audible to all present, including the physician and technical help. The mother telephoned the doctor later to report that whenever she lay down to sleep, the air bubble got over the unborn baby's face and he was crying so loudly he was keeping both her and her husband awake.

The taste buds and salivary glands develop in this month, as do the digestive glands in the stomach. When the baby swallows amniotic fluid, its contents are utilized by the child. The child starts to urinate.

From the twelfth to the sixteenth week, the child grows very rapidly. His weight increases six times, and he grows to eight to ten inches in height. For this incredible growth spurt the child needs oxygen and food. This he receives from his mother through the placental attachment—much like he receives food from her after he is born. His dependence does not end with expulsion into the external environment. We now know that the placenta belongs to the baby, not the mother, as was long thought.

In the fifth month, the baby gains two inches in height and ten ounces in weight. By the end of the month he will be about one foot tall and will weigh one pound. Fine baby hair begins to grow on his eyebrows and on his head and a fringe of eyelashes appear. Most of the skeleton hardens. The baby's muscles become much stronger, and as the child becomes larger his mother finally perceives his many activities. The child's mother comes to recognize the movement and can feel the baby's head, arms and legs. She may even perceive a rhythmic jolting movement—fifteen to thirty per minute. This is due to the child hiccoughing. Dr. Keith Russell of the University of California at Los Angeles reports clicking sounds from the pregnant woman's uterus are fetal hiccoughs stimulated by swallowing amniotic fluid. The doctor can already hear the heartbeat with his stethoscope.

The baby sleeps and wakes just as it will after birth. When he sleeps he invariably settles into his favorite position called his "lie." Each baby has a characteristic lie. Dr. Liley states that fetal comfort determines fetal position. When he awakens he moves about freely in the buoyant fluid turning from side to side, and frequently head over heel. Sometimes his head will be up and sometimes it will be down. He may sometimes be aroused from sleep by external vibrations. He may wake up from a loud tap on the tub when his mother is taking a bath. A loud concert or the vibrations of a washing machine may also stir him into activity. The child hears and recognizes his mother's voice before birth. Movements of the mother, whether locomotive, cardiac or respiratory are communicated to the child. Emotional distress in the mother is communicated to the child and is manifest by a marked increase in activity.

In the sixth month, the baby will grow about two more inches, to become fourteen inches tall. He will also begin to accumulate a little fat under his skin and will increase his weight to a pound and three-quarters. This month the permanent teeth buds come in high in the gums behind the milk teeth. Now his closed eyelids will open and close, and his eyes look up, down and sideways. Dr. Liley feels that the child may perceive light through the abdominal wall. *Dr. Still has noted that electroencephalographic waves have been obtained in forty-three to forty-five day old fetuses, and so conscious experience is possible after this date.*

The electrophysiologic rhythm develops early. Detailed EEG tracings have been taken directly from the head end of the 16mm (crown rump) human embryo at 40-odd days of gestation in Japan.

As one writer said:

"Thus at an early prenatal stage of life the EEG reflects a distinctly individual pattern that soon becomes truly personalized."

In the sixth month, the child develops a strong muscular grip with his hands. He also starts to breathe regularly and can maintain respiratory response for twenty-four hours if born prematurely. He may even have a slim chance of surviving in an incubator. The youngest children known to survive were between twenty to twenty-five weeks old. The concept of viability is not a static one. Dr. Andre Hellegers of Georgetown University states that 10% of children born between twenty weeks and twenty-four weeks gestation will survive. Modern medical intensive therapy has salvaged many children that would have been considered non-viable only a few years ago. The concept of an artificial placenta may be a reality in the near future and will push the date of viability back even further, and perhaps to the earliest stages of gestation. After twenty-four to twenty-eight weeks the child's chances of survival are much greater.

This review has covered the first six months of life. The individuality of the unborn human being is clear to all unbiased observers. Dr. Arnold Gesell has said:

"Our own repeated observation of a large group of fetal infants (an individual born and living at any time prior to forty weeks gestation) left us with no doubt that psychologically they were individuals. Just as no two looked alike, so no two behaved precisely alike. One was impassive when another was alert. Even among the youngest there were discernable differences in vividness, reactivity and responsiveness. There were genuine individual differences, already prophetic of the diversity which distinguishes the human family."

When one views the present state of medical science, we find that the artificial distinction between born and unborn has vanished. As Dr. Liley says:

"In assessing fetal health, the doctor now watches changes in maternal function very carefully, for he has learned that it is actually the mother who is a passive carrier, while the fetus is very largely in charge of the pregnancy."

The new specialty of fetology is being replaced by a newer specialty called perinatology which cares for its patients from conception to about one year of extrauterine existence. The Cumulative Index Medicus for 1969 contains over 1400 separate articles in fetology. For the physician, the life process is a continuous one, and observation of the patient must start at the earliest period of life.

A large number of sophisticated tools have been developed that now allow the physician to observe and measure the child's reactions from as early as ten weeks. This has been termed fetal interrogation by Dr. C. Norman Smith of the University of London. At ten weeks it is possible to obtain the electrocardiogram of the unborn child. At this stage also the heart sounds can be detected with new ultrasonic techniques. The heart has already been pumping large volumes of blood to the fast growing child for six weeks. With present day technology, the heart of the child is now monitored during critical periods of the pregnancy by special electronic devices, including radiotelemetry. Computer analysis of the child's ECG has been devised and promises more accurate monitoring and evaluation of fetal distress. A number of abnormal electrocardiographic patterns have been found before birth. These patterns forewarn the physician of trouble after delivery. Analysis of heart sounds through phonocardiography is also being done. A further check on intrauterine conditions is afforded by a telemetering system based on the MRC radio pill. This is a miniature transistor transmitter sealed Perspex which is introduced into the uterus through the cervix to lie outside the membranes above the presenting part of the child. The signal is picked up by a receiver and allows continuous observation of maternal and fetal heart-beat and uterine contraction.

With the new optical equipment, a physician can now look at the amniotic fluid through the cervical canal and predict life-threatening problems that are reflected by a change in the fluid's color and turbidity. In the future, the physician will undoubtedly be able to look directly at the growing child using new fiber optic devices (through a small puncture in the uterus) and thereby diagnose and prescribe specific treatment to heal or prevent illness of deformity.

For the child with severe anemia, the physician now gives blood, using an unusual technique developed by Dr. A. Liley of New Zealand. This life saving measure is carried out by using new image intensifier X-ray equipment. A needle is placed through the abdominal wall of the mother and into the abdominal cavity of the child. A special catheter has been developed for simultaneous intrauterine transfusion and fetal electrocardiography. For this procedure the child must be sedated (via maternal circulation) and given pain relieving medication, since it experiences pain from the puncture and would move away from the needle if not premedicated. As Dr. H. M. I. Liley states:

"When doctors first began invading the sanctuary of the womb, they did not know that the unborn baby would react to pain in the same fashion as a child would. But they soon learned that he would. By no means a 'vegetable' as he has so often been pictured, the unborn knows perfectly well when he has been hurt, and he will protest it just as violently as would a baby lying in a crib."

The gastro-intestinal tract of the child is outlined by a contrast media that was previously placed in the amniotic fluid and then swallowed by the child. We know that the child starts to swallow as early as fourteen weeks; estimates about 1 liter a day. The child drinks more if the fluid is artificially sweetened and less if it is given an unpleasant taste. When the gastro-intestinal tract is outlined by contrast media pathologic conditions can be diagnosed just as they are in the adult patient, i.e., diaphragmatic hernia.

Some children fail to get adequate nutrition when in utero. This problem can be predicted by measuring the amount of estradiol in the urine of the mother and the amount of PSP excreted after it is injected into the child. Recent work indicates that these nutritional problems may be solved by feeding the child more directly by introducing nutrients into the amniotic fluid which the child normally swallows (250 to 700 cc a day). In a sense, we well may be able to offer the child that is starving because of a placental defect a nipple to use before birth.

The amniotic fluid surrounding the unborn child offers the physician a convenient and assessable fluid that he can now test in order to diagnose a long list of diseases, just as he tests the urine and blood of his adult patients. The doctor observes the color and volume of amniotic fluid and tests it for cellular element, enzymes and other chemicals. He can tell the sex of his patient and gets a more precise idea of the exact age of the child from this fluid. He can diagnose conditions such as the adrenogenital syndrome, hemolytic anemia, adrenal insufficiency, congenital hyperanemia and glycogen storage disease. Intrauterine convulsive disorders have been diagnosed in utero. Some of these, and hopefully in the future all of these, can be treated before birth.

At the time of labor, the child's blood can be obtained from scalp veins and the exact chemical balance determined before birth. These determinations have saved many children who would not have been considered in need of therapy had these tests not been

done. The fetal EEG has also been monitored during delivery.

A great deal of work has been done to elucidate the endocrinology of the unborn child. Growth hormone is elaborated by the child at seventy-one days, and ACTH has been isolated at eleven weeks gestation. The thyroid gland has been shown to function at ten and a half weeks, and the adrenal glands also at about this age. The sex hormones—estrogen and androgen—are also found as early as nine weeks.

Surgical procedures performed on the unborn child are few. However, surgical cannulation of the blood vessels in an extremity of the child has been carried out in order to administer blood. Techniques are now being developed on animals that will be applicable to human problems involving the unborn child. Fetal surgery is now a reality in the animal laboratory, and will soon offer help to unborn patients.

Dr. Ronald E. Meyers, Chief of the National Institutes of Health Laboratory of Perinatal Physiology in San Juan, states that with more experience the human fetologist will be able to look forward to a survival rate of at least 60%. Fetologists at Columbia University and Yale University hope to operate on certain heart and blood vessel defects, diaphragmatic hernia, fetal tumors, hearing defects and hydrocephalus

The whole thrust of medicine is in support of the notion that the child in its mother is a distinct individual in need of the most diligent study and care, and that he is also a patient whom science and medicine treats just as it does any other person.

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

Mr. Chairman, I find it interesting that an amendment of this kind is offered, and that the Members of this House are prepared to vote without any consideration or discussion. I think it is very important that we deal with what this amendment means, even as amended.

We should be aware of the consequences of approving such a blunderbuss restriction. A young girl or any woman who is raped could be denied anticonception drug treatment under this amendment. Family planning would be prohibited. The morning-after pill would be proscribed. Five to 8 million women who use the intrauterine device as a contraceptive would be denied access to this method of birth control.

There was no effort made here previously to describe what an abortifacient device is. For example an intrauterine device is an abortifacient device. In the opinion of doctors and according to the Gould Medical Dictionary an intrauterine device—IUD—is "a mechanical device which is placed in the uterine cavity to prevent implantation or growth of the embryo."

That is prohibited here. Yet, it is a simple contraceptive used widely in this country.

We are not only voting on abortion. We are not voting our religious or conscientious view. The Members will be voting to deny access to what are acceptable methods of birth control, what are acceptable methods of family planning which we have enacted into law in this Congress. This appropriation bill contains sums of money authorized for family planning.

This amendment makes absolutely no sense. We cannot attempt to write medical definitions into appropriation legislation. The House merely creates endless mischief if it does so.

The rules of this House permit amendments which limit appropriations, but to use these rules to write medical definitions into an appropriations bill is mindless legislation.

We are all entitled to our points of view. We are all concerned with the right to life, but we should also be concerned with preserving the essence of our democratic society, which allows all viewpoints to flourish and compete for support.

Those who are personally opposed to abortion are free to model their own lives on that precept. They are also free to state their views publicly, to argue, to seek to persuade other Americans of the rightness of their morality or dogma. But they have no right to demand that all Americans conform to their particular beliefs. They have no right to punish women who disagree with them. They have no right to meddle in the personal lives of women.

I believe that those Members who vote here tonight must make it very clear to themselves that they are not only voting for or against abortion. Words of abortion, yes, are used in this amendment but the issues involved here do not refer solely to abortion. They refer also to family planning. They refer to other matters, such as research, disability, insurance and States rights. It seems to me that we cannot continue to allow this kind of amendment to clutter up our normal and proper legislative process.

The Supreme Court has held that there is a right to an abortion. We have a right to discuss the pros and cons of that in its proper place. This is not the proper place.

Mr. Chairman, I would urge the Members of this body to vote down this amendment, wherever we stand on the issue of abortion. This issue is being used in an improper way at a late hour of night, 10:15. It is being used to inflame all of us here, to make Members feel that unless they vote for this word "abortion" as it happens to appear in this amendment, somehow or other their political lives will be affected.

The fact is that there is an entire sex of women who do have a constitutional right to abortion under a right of privacy. The Supreme Court has decided it, and it ill behooves this body to take it away in this mindless fashion.

Mr. DU PONT. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I am not going to take anywhere close to the 5 minutes allotted. I think we have had enough of this bill, but I do want to register my very strong disagreement with the statement that the gentleman from New York has offered, and not on the question of abortion.

It is very simply on the question of family planning services, which many of us in this House of Representatives have fought for a good number of years.

I do not know how the Members of this House, added up in numbers, feel concerning the question of abortion. Some feel quite strongly, to be sure. However, I do know that a majority of the Members of this House, a substantial majority of the Members, have year after year approved funds for research in family planning, for research in contraception, and for family planning programs. That is true in this bill, it is true in the Foreign Aid bill, and it is true in many kinds of appropriation bills.

I think to take this amendment and, in the guise of dealing with the emotional question of abortion, to throw out the years of work—that go back all the way to 1960—and the progress we have made toward fulfilling the most basic civil right of all—and that is the basic right of whether or not to have children—to throw all of that out the window, I think, would be a tragedy.

Mr. Chairman, I urge the defeat of this amendment.

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

Mr. Chairman, I have voted against most amendments limiting abortion which have been offered on this floor; I have voted for some of them. I voted, for instance, for the amendment offered by the gentleman from Wisconsin (Mr. FROEHLICH) 2 weeks ago.

I do not like abortion. It personally disgusts me. I am a Catholic. I do not believe in it. However, I also do not believe in this amendment.

We have approximately $287 million in family planning money in this bill which would be affected by this amendment and the way I understand this amendment—and I am not a lawyer; every time somebody stands up and accuses me of being one, I stand up and defend my character—and the way I read this amendment, it would prevent, for instance, the use of the morning-after pill. I doubt seriously if there are very many people who want to prevent the use of that device.

I believe as a Catholic, and I believe as a person who is opposed to abortion personally, that the best way that we can discourage abortion is to promote family planning. This amendment discourages family planning, and we ought to vote it down.

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

Mr. Chairman, I am just as impatient as the rest of the Members, and I would like to quit as much as any of the other Members.

Somewhere around 46 years ago a man I know was married. In 6 years he will celebrate his 50th wedding anniversary, if God allows him to live that long. Early in life, after the birth of two children, he was blessed as we were with our two children, he was told that if his wife had any more children it would probably cost her her life.

I am a Catholic. That has nothing to do with this, except this point: I think the gentleman who offered this amendment probably could belong to the same religion. We have in our religion a method by which, if we practice it, without the use of devices, just certain restraints, we could save lives. He did save his wife's life until this moment. That method is known as the rhythm method. It is no different than any of these other methods that are used to prevent conception.

Believe me when I tell all of you tonight we are treading on dangerous ground. Men and women have to have the right to decide that which they must use in times when it is necessary. I disbelieve at this moment that this Congress will interfere in these things between man and wife that are their own personal deep-rooted rights as human beings.

This amendment has no business on this floor tonight; it has no right even to be talked about. We are getting to the point where if the public in the United States is losing faith in Congress, this will add to it.

Defeat this amendment.

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

Mr. Chairman, I was going to avoid getting involved in this debate tonight, but there have been so many erroneous things said and so many misstatements made that I feel compelled to speak. There has been so much misinformation spread about what this amendment does and does not do that I must speak.

The only thing this amendment does is to prohibit spending money under this bill for abortion. Period. It says it only prohibits those drugs and devices which by definition are abortifacient. In other words, those drugs and devices which cause abortion. They are the only ones prohibited.

So when someone says that this amendment in any way constrains family planning or birth control it is simply in error. It only prohibits those drugs which are abortifacient, which by its very definition means something that causes an abortion.

So if you are opposed to abortion, you will support the Roncallo amendment and if you are in favor of it, you will vote against it.

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

Mr. Chairman, I apologize to the members of the committee for taking their time at this late stage, but I do think that this is a serious matter.

I disagree completely with what the gentleman from Maryland said. This does not prevent abortion. This prevents family planning and/or abortion for people who are not of wealthy means. The fact of the matter is that whether you are for or against abortion, it is not going to be determined here tonight.

As I understand it—and I believe we all do—abortion is legal under the Constitution as interpreted by the Supreme Court of the United States. If we want to do something about that, so be it; let us do it in the proper way and in the proper procedure. However, the fact of the matter is that this is a limitation of funds for the Government not to use any of these moneys for the means and in the manners specified. That means those who can afford the drugs or the devices or the abortion itself can continue to do so under the law as it is presently in existence in the United States.

So to adopt this amendment would mean that only those who do not have the means and the wherewithal shall be deprived of something which is legal in this Nation of ours for all who can pay.

I know of the great lobby and the great pressures which are being put on Members in this entire area of the right to life. All that one has to do is to recall the original amendment that was introduced by the gentleman from New York which had a definition of when life begins at the instant of fertilization. And the Congress of the United States, in its great and infinite wisdom, is going to determine tonight when life begins, when theologians, scientists, and philosophers have disagreed for centuries and cannot obtain agreement even today why they have disagreed for thousands of years, as to when life begins.

But this noble Congress of ours in its infinite wisdom is going to determine it tonight.

This is a mischievous amendment, designed to try to terrify us into doing what we really know to be wrong.

Abortion at the present time is legal in this Nation, and, therefore, we should allow the Federal Government to provide funds for family planning and for all of those things which people who have the money to take care of themselves and provide for themselves can do. All we are doing here tonight is to deprive only those poor people from the services which you and I and everyone else in these United States can enjoy.

Take the popular cause, or the safe cause, and vote for this amendment, or do what is right and stand up and vote down this amendment, and give the lie to what so many citizens in this Nation are saying about us, that we as a Congress do not have the courage to do what is necessary and what is right in this Congress.

I oppose this amendment, and urge its defeat.

AMENDMENT OFFERED BY MR. FROEHLICH AS A SUBSTITUTE FOR THE AMENDMENT OFFERED BY MR. RONCALLO OF NEW YORK

Mr. FROEHLICH. Mr. Chairman, I offer a substitute for the amendment.

The Clerk read as follows:

Amendment offered by Mr. FROEHLICH as a substitute for the amendment offered by Mr. RONCALLO of New York:

SEC. 412. No part of the funds appropriated under this Act should be used in any manner to pay for abortions, except to save the life of the mother.

Mr. FROEHLICH. Mr. Chairman, I urge the adoption of this amendment.

The CHAIRMAN. The question is on the amendment offered as a substitute by the gentleman from Wisconsin (Mr. FROEHLICH) for the amendment offered by the gentleman from New York (Mr. RONCALLO).

The substitute amendment for the amendment was rejected.

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

Mr. Chairman, I personally feel that the State should not be in the position of either favoring or opposing abortion, and I do not feel that we should be paying for abortions. Perhaps in that sense I would differ from a number who have spoken before. I have voted for a number of so-called antiabortion amendments in the House in the past. But I do feel, as the only obstetrician and gynecologist in the House, that I should give my interpretation of the term "abortifacient drugs or devices". Certainly the interuterine device acts by not allowing the fertilized egg to implant.

The effect of morning-after pills, or any large doses of estrogen which might be given in anticipation of fertilization, if that fertilization indeed occurs, prevents the endometrium from developing satisfactorily for the fertilized ovum to implant.

By the same token the recognized birth control pills, which are most commonly used at times act by not permitting the fertilized ovum to implant. The majority of the time, they are contraceptive because they inhibit ovulation and preclude subsequent fertilization. By any reasonable interpretation of the language of this amendment we are knocking out $287 million for present ongoing programs of family planning. I do not think the House wishes to do that.

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

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

Mr. SNYDER. I thank the gentleman for yielding.

Mr. Chairman, it seems to me that somehow we miss the point. Some here are apparently for abortion, and some are against it. I happen to be against it, but I think that is beside the point. I just do not see where the Federal Government should be paying for it.

The question, I think, here is whether the Federal Government wants to pay for any family planning and thereby prevent abortion.

Mr. ROY. I agree with the gentleman from Kentucky that a great number of people find abortion repugnant. I personally would like to prevent abortion, but I think if we pass this particular amendment we are going to be encouraging abortion. I do not think there is any question but that this amendment eliminates all family planning money.

Mr. RONCALLO of New York. Mr. Chairman, will the gentleman yield?

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

Mr. RONCALLO of New York. I thank the gentleman for yielding.

I just want to clear up the legislative intent that there was no effort in my amendment to limit family planning, or eliminating family planning funds.

Mr. ROY. I would say to the gentleman that the language is unequivocal. It prevents the payment for common family planning drugs and devices.

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

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

Mr. Chairman, I must in all fairness say that this amendment is very poorly drawn. It would prevent, in my opinion, an operation to save the life of a mother. I cannot go with that. I do not believe in abortion except in three cases, and they are incest, rape, or to save the life of the mother. I do believe in that.

As far as the real family planning goes, when that bill was passed it contained no money for abortions. Mr. ROGERS, the gentleman from Florida, and I had to go up there where the distinguished Chairman is right now and promise John McCormack, the Speaker at that time, that there would be no

money in there for abortions in the family planning bill.

In its present form I do think that this amendment is certainly not good. It is not well drawn. It would go much further than it should go. When a bill of the right nature, of the right sort, that is well written is brought up, then the House could consider it, but certainly I oppose this.

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

Mr. Chairman, I ask for this time merely to help clarify the issues before the House. I would request the Chair to order the Clerk to reread the amendment.

The CHAIRMAN. Without objection, the Clerk will reread the amendment.

There was no objection.

The Clerk reread the amendment.

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

AMENDMENT OFFERED BY MR. WHITE TO THE AMENDMENT OFFERED BY MR. RONCALLO OF NEW YORK

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

The Clerk read as follows:

Amendment offered by Mr. WHITE to the amendment offered by Mr. RONCALLO of New York: Strike the words "abortifacient drugs or devices"

Mr. WHITE. Mr. Chairman, this amendment merely seeks to clarify the confusion and remove any possibility of family planning obstructions. I might point out that the language I seek to remove is not necessary to the gentleman's objective, because the amendment he presented already says funds cannot be used in any manner directly or indirectly to pay for the promotion or encouragement of abortion. We do not want to disturb family planning, and will not if my amendment is adopted.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas (Mr. WRIGHT) to the amendment offered by the gentleman from New York (Mr. RONCALLO).

The question was taken; and on a division (demanded by Mr. DINGELL) there were—ayes 106, noes 140.

So the amendment to the amendment was rejected.

AMENDMENT OFFERED BY MR. FROEHLICH TO THE AMENDMENT OFFERED BY MR. RONCALLO OF NEW YORK

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

The Clerk read as follows:

Amendment offered by Mr. FROEHLICH to the amendment offered by Mr. RONCALLO of New York: In the Roncallo amendment strike out all after the word "abortions" in line 2.

Mr. FROEHLICH. Mr. Chairman, if this amendment to the Roncallo amendment is adopted, the amendment as amended will read as follows:

SEC. 412. No part of the funds appropriated under this Act shall be used in any manner directly or indirectly to pay for abortions.

Mr. Chairman, on this I demand a recorded vote.

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

Mr. Chairman, I will take exactly 1 minute. It has been asserted that it does not matter whether we vote for or against this amendment. That is not true. I wish it were, but the fact is that what this amendment does is to prohibit even therapeutic abortion under medicaid, if any jurisdiction pays for that, and some do.

I will be damned if I a male legislator, will vote to prohibit a woman from having a therapeutic abortion necessary to save her life by any action I take tonight. I am going to vote against this and you should too.

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

I want to make a different point to this House tonight, a different point than is being made. I think it is an important point and I hope that this exercise we have gone through here will cause us to take an action that should have been taken long ago.

Now, the point has been made, and I think rightly so, that this procedure is no way for this House to consider the problem of abortion; but we are forced to this because we are not treating the problem the way we should be. We should be considering the question of a constitutional amendment on this issue; but the House has been denied that right. That would be the proper way to handle this issue of great importance to our Nation and the people we represent.

I hope as a result of what we are going through tonight that the leadership of this House and those with the responsibility for doing so will finally and at last begin some hearings before the Committee on the Judiciary on the constitutional amendments on abortion, so that we can treat this question with the deliberation, consideration, and the respect it deserves.

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

Mr. WYDLER. I yield.

Mr. McKINNEY. Mr. Chairman, I would hope that some day we would recognize that the human beings of this country, whether they are on welfare, State aid or Federal aid, are every bit as equal as someone who is not.

I would also hope someday that we will realize that those mature adults that sent us to the House and to the Senate have the right to determine what they do with their bodies, what they do with their sex lives and how they live, within the limits of their own lives.

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

Mr. Chairman, several people have indicated that we should not give antiabortion statements or pro-abortion statements. That is a game, and I did not come here to play games, Mr. Chairman.

We have given speeches that maybe this will not quite deal with the question of abortion. Maybe we are simply talking about family planning. That is a game, and I did not come here to play games.

Some of us on the floor have said, "Let us play this little parliamentary game where so many speeches do not deal with this critical question." Every single Member of this House, all 435 Members, know that whatever we do, we are voting a choice. Many of us feel that we would take home in a primary or general election our remarks on abortion. Let us have guts enough to face this question.

I want to face it, and I have a statement to make. If we have to be here all night, Mr. Chairman, I just want to have my 5 minutes to make my statement.

This is my statement:

Mr. Chairman, I take this, another opportunity to express how deeply concerned I am that abortion be available to all women without restriction by State or Federal law. I am disturbed by this amendment. I thought that the Supreme Court had appropriately decided this issue in January 1973. It disturbs me that we are again being asked despite that decision to remove a woman's basic human right to decide when to have her own children.

It disturbs me that the leaders of a pluralistic society are being asked to support an amendment addressing the religious views of some. It disturbs me further, Mr. Chairman, that Congress has already made a number of attempts through antiabortion provisions attached to other legislation, to limit the access of women to abortion.

The impact of these provisions and this amendment is to make abortion less available to the poor women of this country who cannot afford either to have an abortion, or to go to another community when the only hospital in their area will not perform abortions.

Finally, Mr. Chairman, it disturbs me that some of our colleagues would force so many of our young, poor, and nonwhite women seek abortions from unskilled quacks or by some self-induced means.

Passage of this amendment would mean a return to the deplorable conditions of illegal abortions. A study in New York reported by Dr. Christopher Tietze, indicates that if abortion were not legally available, of every 10 women now having legal abortions, 7 would resort to illegal abortion rather than be forced to bear an unwanted child. The medical profession estimates that 1 million illegal abortions were performed annually in the 1960's with 5,000 abortion related deaths per year and hundreds of thousands of medical complications. Most of those who died were poor women or women of minority groups. The affluent of our country have always had access to safe abortions—the hardship of forcing women to back-alley abortionists is experienced mostly by the poor and nonwhite.

I would agree, of course, that any person or group of people has the right to explain a point of view and to try to convince this body to concur. Perhaps that is the function of this debate. The question of abortion, however, is, and always has been, a matter of individual conscience. Regardless of the law, abortion has always been a question which women themselves have resolved.

The large number of abortions performed while they were illegal substantiated this fact. Any attempt to directly

or indirectly amend the constitution to meet the religious requirements of some is a blatant contradiction of the freedom guaranteed by the Bill of Rights.

An extraordinary amount of facts and emotional considerations were available to the justices when they ruled by a strong 7 to 2 majority to legalize abortion. That should have laid this issue to rest. Mr. Chairman, I urge defeat of this amendment.

MOTION OFFERED BY MR. MICHEL

Mr. MICHEL. Mr. Chairman, I offer a motion.

The Clerk read as follows:

Mr. MICHEL moves that all debate on the bill conclude in 5 minutes.

The motion was agreed to.

The CHAIRMAN. Members standing at the time the motion was made will be recognized for approximately one-third minute each.

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

Mr. KOCH. Mr. Chairman, some of the people who oppose abortion today opposed contraception 20 years ago because of their personal conscience or religious beliefs.

State legislatures and the Supreme Court struck down the restrictions imposed by statute on contraception. The Supreme Court about a year ago struck down the limitation on abortion and said it was a constitutionally protected right.

No one demands that anybody have an abortion. Whatever our own personal conscience or religious beliefs are, let us not impose them on others. We must respect each other's personal beliefs. We must not permit the state to impose itself into the most private lives of our citizens and interfere with their personal consciences and the decision of a woman in consultation with her physician to determine whether or not she will have an abortion. Let us defeat the amendment.

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

Mr. HANLEY. Mr. Chairman, I have just one question I wish to ask of the chairman of the subcommittee.

Is it the intent of the committee that the Educational Research Policy Centers be funded at the level of last year?

Mr. FLOOD. Yes. That is so, yes.

The CHAIRMAN. The Chair recognizes the gentleman from Washington (Mr. MCCORMACK).

Mr. MCCORMACK. Mr. Chairman, I urge that all Members vote "No" on the amendment and on the amendment to the amendment.

The CHAIRMAN. The Chair recognizes the gentlewoman from Oregon (Mrs. GREEN).

Mrs. GREEN of Oregon. Mr. Chairman, I wish to state that I oppose this amendment.

I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin (Mr. FROEHLICH) to the amendment offered by the gentleman from New York (Mr. RONCALLO).

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

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

A recorded vote was refused.

So the amendment to the amendment was rejected.

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

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

RECORDED VOTE

Mr. RONCALLO of New York. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

PARLIAMENTARY INQUIRY

Mr. MCCORMACK. Mr. Chairman, I have a parliamentary inquiry.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. MCCORMACK. Mr. Chairman, may we, for the sake of clarity, have the amendment reread so we will all know exactly what we are voting on?

The CHAIRMAN. Without objection, the amendment will be reread. The Clerk will proceed to reread the amendment.

The Clerk proceeded to reread the amendment.

Mr. ANNUNZIO. Mr. Chairman, I object.

Mr. MOSS. Mr. Chairman, I object.

The CHAIRMAN. The Chair has ordered the Clerk to reread the amendment, and the Clerk is in the process of doing so.

Mr. MOSS. Mr. Chairman, the Chair had an objection before it before the Chair ordered the rereading.

The CHAIRMAN. The objection was not timely received by the Chair. The rereading by the Clerk had begun.

Mr. MOSS. Mr. Chairman, the objection was timely stated.

The CHAIRMAN. The gentleman would save time, in the interest of timeliness, if he were to permit the rereading of the amendment.

Mr. MOSS. And I submit, Mr. Chairman, we would save time if the Chair would observe the rules of the House.

The CHAIRMAN. The Chair is attempting, under somewhat difficult conditions, to observe the rules of the House.

It is the opinion of the Chair that the Clerk has been ordered to read the amendment, and the Chair can see no harm in that. The Chair suggests that some Members might glean some good from listening to the rereading.

The Clerk will read.

The Clerk reread the amendment, as follows:

Amendment offered by Mr. RONCALLO of New York: Amend H.R. 15580 by adding a new Section 412 on page 39 of the bill as follows:

SEC. 412. No part of the funds appropriated under this Act shall be used in any manner directly or indirectly to pay for abortions or abortion referral services, abortifacient drugs or devices, the promotion or encouraging of abortion, or the support of research designed to develop methods of abortion, or to force any State, school or school district or any other recipient of Federal funds to provide abortions or health or disability insurance abortion benefits.

RECORDED VOTE

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

A recorded vote has been ordered.

The vote was taken by electronic device, and there were—ayes 123, noes 247, not voting 64, as follows:

[Roll No. 346]

AYES—123

Abdnor	Green, Pa.	Powell, Ohio
Andrews, N. Dak.	Gross	Price, Ill.
Annunzio	Gubser	Quie
Archer	Guyer	Randall
Bafalis	Hanley	Rarick
Baker	Hanrahan	Regula
Barrett	Harsha	Rinaldo
Bauman	Hechler, W. Va.	Rodino
Beard	Hogan	Roe
Bennett	Huber	Roncallo, N.Y.
Bergland	Hudnut	Roush
Biaggi	Hunt	Rousselot
Boggs	Ichord	Runnels
Bray	Kazen	Ruth
Breaux	Kemp	Ryan
Brinkley	King	Sandman
Burke, Mass.	Lagomarsino	Scherle
Camp	Landgrebe	Sebelius
Carney, Ohio	Latta	Skubitz
Casey, Tex.	Lent	Snyder
Clancy	Long, La.	Spence
Clausen, Don H.	Lujan	Stanton, J. William
Clawson, Del	McEwen	Steele
Collins, Tex.	McKay	Stubblefield
Conlan	Maraziti	Sullivan
Crane	Mathis, Ga.	Symms
de la Garza	Mazzoli	Taylor, Mo.
Delaney	Melcher	Thone
Denholm	Miller	Traxler
Derwinski	Minish	Treen
Devine	Mitchell, N.Y.	Vanik
Donohue	Mizell	Walsh
Dulski	Moorhead, Calif.	Wilson, Bob
Eilberg	Murtha	Wydler
Erlenborn	Natcher	Wylie
Flynt	Nedzi	Young, Alaska
Froehlich	Nichols	Young, S.C.
Gaydos	O'Brien	Young, Tex.
Ginn	O'Hara	Zablocki
Goldwater	Patten	Zion
Gray	Perkins	
	Pettis	

NOES—247

Abzug	Conte	Hamilton
Adams	Conyers	Hanna
Alexander	Corman	Hastings
Anderson, Calif.	Coughlin	Hawkins
Anderson, Ill.	Cronin	Heckler, Mass.
Andrews, N.C.	Daniel, Dan	Heinz
Arends	Daniel, Robert W., Jr.	Helstoski
Armstrong	Danielson	Henderson
Ashbrook	Davis, S.C.	Hicks
Ashley	Davis, Wis.	Hillis
Badillo	Dellenback	Hinshaw
Bell	Dellums	Holt
Bevill	Dennis	Holtzman
Biester	Dent	Horton
Bingham	Dickinson	Hosmer
Blackburn	Dingell	Jarman
Boland	Downing	Johnson, Calif.
Bowen	Drinan	Johnson, Pa.
Brademas	Duncan	Jones, Ala.
Breckinridge	du Pont	Jones, N.C.
Brooks	Eckhardt	Jones, Okla.
Broomfield	Edwards, Calif.	Jordan
Brotzman	Eshleman	Kastenmeier
Brown, Calif.	Evans, Colo.	Ketchum
Brown, Ohio	Fascell	Koch
Broyhill, N.C.	Findley	Kuykendall
Broyhill, Va.	Fish	Kyros
Buchanan	Fisher	Landrum
Burgener	Flood	Leggett
Burke, Fla.	Flowers	Lehman
Burleson, Tex.	Foley	Litton
Burlison, Mo.	Ford	Long, Md.
Burton, John	Forsythe	Lott
Burton, Phillip	Fountain	Luken
Butler	Fraser	McClory
Byron	Frelinghuysen	McCloskey
Carter	Frenzel	McCollister
Cederberg	Frey	McCormack
Chamberlain	Gettys	McDade
Chappell	Giaimo	McFall
Chisholm	Gibbons	McKinney
Clay	Gilman	Madden
Cleveland	Gonzalez	Mahon
Cohen	Green, Oreg.	Mallary
Collins, Ill.	Gude	Mann
Conable	Haley	Martin, Nebr.
		Martin, N.C.

Mathias, Calif.	Robison, N.Y.	Taylor, N.C.
Matsunaga	Rogers	Teague
Mayne	Roncalio, Wyo.	Thomson, Wis.
Meeds	Rooney, Pa.	Tiernan
Metcalfe	Rose	Towell, Nev.
Mezvinsky	Roy	Ullman
Michel	Roybal	Van Deerlin
Milford	Ruppe	Vander Jagt
Mink	St Germain	Vander Veen
Mitchell, Md.	Sarasin	Veysey
Mollohan	Sarbanes	Vigorito
Montgomery	Satterfield	Waggonner
Morgan	Schneebeli	Waldie
Mosher	Schroeder	Wampler
Moss	Seiberling	Ware
Murphy, Ill.	Shipley	Whalen
Myers	Shriver	White
Nix	Shuster	Whitehurst
Obey	Sikes	Whitten
O'Neill	Sisk	Widnall
Owens	Slack	Wiggins
Parris	Smith, Iowa	Williams
Passman	Smith, N.Y.	Wilson,
Patman	Staggers	Charles H.,
Pepper	Stanton,	Calif.
Pickle	James V.	Wilson,
Pike	Stark	Charles, Tex.
Poage	Steed	Winn
Preyer	Steelman	Wolff
Price, Tex.	Steiger, Ariz.	Wright
Pritchard	Steiger, Wis.	Wyatt
Railsback	Stephens	Yates
Rangel	Stokes	Yatron
Rees	Stratton	Young, Fla.
Reuss	Stuckey	Young, Ga.
Rhodes	Studds	Young, Ill.
Riegle	Symington	
Robinson, Va.	Talcott	

NOT VOTING—64

Addabbo	Fuqua	Macdonald
Aspin	Goodling	Madigan
Blatnik	Grasso	Mills
Bolling	Griffiths	Minshall, Ohio
Brasco	Grover	Moakley
Brown, Mich.	Gunter	Moorhead, Pa.
Burke, Calif.	Hammer-	Murphy, N.Y.
Carey, N.Y.	schmidt	Nelsen
Clark	Hansen, Idaho	Peyser
Cochran	Hansen, Wash.	Podell
Collier	Harrington	Quillen
Cotter	Hays	Reid
Culver	Hébert	Roberts
Daniels,	Holifield	Rooney, N.Y.
Dominick V.	Howard	Rosenthal
Davis, Ga.	Hungate	Rostenkowski
Diggs	Hutchinson	Shoup
Dorn	Johnson, Colo.	Thompson, N.J.
Edwards, Ala.	Jones, Tenn.	Thornton
Esch	Karth	Udall
Evins, Tenn.	Kluczynski	Wyman
Fulton	McSpadden	Zwach

So the amendment was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN. The Clerk will read.

The Clerk concluded the reading of the bill.

Mr. FLOOD. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker pro tempore (Mr. O'NEILL) having assumed the chair (Mr. WRIGHT), 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. 15580) 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, had directed him to report the bill back to the House with sundry amendments, with the recommendations that the amendments be agreed to and that the bill as amended do pass.

Mr. FLOOD. Mr. Speaker, I move the previous question on the bill and all amendments thereto to final passage.

The previous question was ordered.

The SPEAKER pro tempore. Is a separate vote demanded on any amendment?

Mr. STEIGER of Wisconsin. Mr. Speaker, I demand a separate vote on the amendment on page 6 regarding exemption for employees under the Occupation Safety and Health Act, known as the Findley amendment.

The SPEAKER pro tempore. Is a separate vote demanded on any other amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER pro tempore. The Clerk will report the amendment on which a separate vote has been demanded.

The Clerk read as follows:

On page 6, after line 17, add the following: "None of the funds appropriated by this Act shall be expended to pay the salaries of any employees of the Federal Government who inspect firms employing twenty-five or fewer persons to enforce compliance with the Occupational Safety and Health Act of 1970."

The SPEAKER pro tempore. The question is on the amendment.

RECORDED VOTE

Mr. FINDLEY. Mr. Speaker, on that I demand a recorded vote.

A recorded vote was ordered.

The question was taken, and there were—ayes 190, noes 182, not voting 62, as follows:

[Roll No. 347]

AYES—190

Abdnor	Dennis	McClory
Alexander	Derwinski	McCollister
Andrews, N.C.	Devine	McEwen
Andrews,	Dickinson	Mahon
N. Dak.	Downing	Mallary
Archer	Duncan	Mann
Arends	Eshleman	Martin, Nebr.
Armstrong	Findley	Martin, N.C.
Ashbrook	Fisher	Mathias, Calif.
Bafalis	Flowers	Mathis, Ga.
Baker	Flynt	Mayne
Bauman	Fountain	Milford
Beard	Frey	Miller
Bennett	Froehlich	Mitchell, N.Y.
Blackburn	Gettys	Mizell
Bowen	Gilman	Montgomery
Bray	Ginn	Moorhead,
Breaux	Goldwater	Calif.
Brinkley	Gross	Myers
Broomfield	Gubser	Nichols
Brotzman	Guyer	O'Brien
Brown, Mich.	Haley	Parris
Broyhill, N.C.	Hamilton	Passman
Broyhill, Va.	Hanrahan	Pettis
Buchanan	Harsha	Pickle
Burgener	Hastings	Pike
Burke, Fla.	Henderson	Poage
Burleson, Tex.	Hinshaw	Powell, Ohio
Burlison, Mo.	Hogan	Preyer
Butler	Holt	Price, Tex.
Byron	Hosmer	Randall
Camp	Huber	Rarick
Carter	Hudnut	Regula
Casey, Tex.	Hunt	Rhodes
Cederberg	Ichord	Robinson, Va.
Chamberlain	Jarman	Robison, N.Y.
Chappell	Johnson, Pa.	Rogers
Clancy	Jones, N.C.	Roncalio, Wyo.
Clausen,	Jones, Okla.	Roncallo, N.Y.
Don H.	Kazen	Roush
Clawson, Del	Ketchum	Rousselot
Cleveland	King	Roy
Cohen	Kuykendall	Runnels
Collins, Tex.	Lagomarsino	Ruppe
Conlan	Landgrebe	Ruth
Crane	Landrum	Satterfield
Daniel, Dan	Latta	Scherle
Daniel, Robert	Lent	Schneebeli
W., Jr.	Litton	Sebelius
Davis, S.C.	Long, La.	Shipley
de la Garza	Lott	Shriver
Denholm	Lujan	Shuster
Sikes	Taylor, Mo.	White
Skubitz	Taylor, N.C.	Whitehurst
Snyder	Teague	Whitten
Spence	Thomson, Wis.	Widnall
Steed	Thone	Wilson, Bob
Steelman	Towell, Nev.	Winn
Steiger, Ariz.	Treen	Wylie
Stephens	Vander Jagt	Young, Alaska
Stubblefield	Veysey	Young, Fla.
Stuckey	Waggonner	Young, Ill.
Symington	Walsh	Young, S.C.
Symms	Wampler	Zion
Talcott	Ware	

NOES—182

Abzug	Grasso	Price, Ill.
Adams	Gray	Pritchard
Anderson,	Green, Oreg.	Quie
Calif.	Green, Pa.	Railsback
Anderson, Ill.	Gude	Rangel
Annunzio	Hanley	Rees
Ashley	Hanna	Reuss
Badillo	Hawkins	Riegle
Barrett	Hays	Rinaldo
Bell	Hechler, W. Va.	Rodino
Bergland	Heckler, Mass.	Roe
Bevill	Heinz	Rooney, Pa.
Biaggi	Helstoski	Rostenkowski
Biester	Hicks	Roybal
Bingham	Hillis	Ryan
Boggs	Holtzman	St Germain
Boland	Horton	Sandman
Brademas	Johnson, Calif.	Sarasin
Breckinridge	Jones, Ala.	Sarbanes
Brooks	Jordan	Schroeder
Brown, Calif.	Kastenmeier	Seiberling
Brown, Ohio	Kemp	Sisk
Burke, Mass.	Koch	Slack
Burton, John	Kyros	Smith, Iowa
Burton, Phillip	Leggett	Smith, N.Y.
Carney, Ohio	Lehman	Staggers
Chisholm	Long, Md.	Stanton,
Clay	Luken	J. William
Collins, Ill.	McCloskey	Stanton,
Conable	McCormack	James V.
Conte	McDade	Stark
Conyers	McFall	Steele
Corman	McKay	Steiger, Wis.
Coughlin	McKinney	Stokes
Cronin	Madden	Stratton
Danielson	Maraziti	Studds
Davis, Wis.	Matsunaga	Sullivan
Delaney	Mazzoli	Tiernan
Dellenback	Meeds	Traxler
Dellums	Melcher	Ullman
Dent	Metcalfe	Van Deerlin
Dingell	Mezvinsky	Vander Veen
Donohue	Michel	Vanik
Drinan	Minish	Vigorito
Dulski	Mink	Waldie
du Pont	Mitchell, Md.	Whalen
Eckhardt	Mollohan	Wiggins
Edwards, Calif.	Morgan	Williams
Eilberg	Mosher	Wilson,
Erlenborn	Moss	Charles H.,
Evans, Colo.	Murphy, Ill.	Calif.
Fascell	Murtha	Wilson,
Flood	Natcher	Charles, Tex.
Foley	Nedzi	Wolff
Ford	Nix	Wright
Forsythe	Obey	Wyatt
Fraser	O'Hara	Wydler
Frelinghuysen	O'Neill	Yates
Frenzel	Owens	Yatron
Gaydos	Patman	Young, Ga.
Giaimo	Patten	Young, Tex.
Gibbons	Pepper	Zablocki
Gonzalez	Perkins	

NOT VOTING—62

Addabbo	Fuqua	Mills
Aspin	Goodling	Minshall, Ohio
Blatnik	Griffiths	Moakley
Bolling	Grover	Moorhead, Pa.
Brasco	Gunter	Murphy, N.Y.
Burke, Calif.	Hammer-	Nelsen
Carey, N.Y.	schmidt	Peyser
Clark	Hansen, Idaho	Podell
Cochran	Hansen, Wash.	Quillen
Collier	Harrington	Reid
Cotter	Hébert	Roberts
Culver	Holifield	Rooney, N.Y.
Daniels,	Howard	Rose
Dominick V.	Hungate	Rosenthal
Davis, Ga.	Hutchinson	Shoup
Diggs	Johnson, Colo.	Thompson, N.J.
Dorn	Jones, Tenn.	Thornton
Edwards, Ala.	Karth	Udall
Esch	Kluczynski	Wyman
Evins, Tenn.	McSpadden	Zwach
Fish	Macdonald	
Fulton	Madigan	

So the amendment was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Davis of Georgia for, with Mr. Addabbo against.

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

Mr. Fuqua for, with Mr. Cotter against.

Mr. Grover for, with Mr. Fulton against.

Mr. Hammerschmidt for, with Mr. Harrington against.

Mr. Hutchinson for, with Mr. Kluczynski against.

Mr. McSpadden for, with Mr. Moorhead of Pennsylvania against.

Mr. Rose for, with Mr. Murphy of New York against.

Mr. Thornton for, with Mr. Podell against.

Mr. Wyman for, with Mr. Rosenthal against.

Mr. Zwach for, with Mr. Reid of New York against.

Mr. Collier for, with Mr. Brasco against.

Mr. Hébert for, with Mr. Carey of New York against.

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

Mr. Roberts for, with Mr. Clark against.

Until further notice:

Mr. Moakley with Mr. Diggs.

Mr. Howard with Mrs. Burke of California.

Mr. Holifield with Mr. Gunter.

Mr. Culver with Mr. Udall.

Mr. Evins of Tennessee with Mr. Aspin.

Mr. Jones of Tennessee with Mrs. Griffiths.

Mr. Karth with Mrs. Hansen of Washington.

Mr. Macdonald with Mr. Mills.

Mr. Hungate with Mr. Esch.

Mr. Blatnik with Mr. Shoup.

Mr. Cochran with Mr. Minshall of Ohio.

Mr. Edwards of Alabama with Mr. Nelsen.

Mr. Quillen with Mr. Rooney of New York.

The result of the vote was announced as above recorded.

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

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

MOTION TO RECOMMIT OFFERED BY MR. MICHEL

Mr. MICHEL. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. MICHEL. I am, Mr. Speaker.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. MICHEL moves to recommit the bill H.R. 15580 to the Committee on Appropriations.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The motion to recommit was rejected.

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

The question was taken.

RECORDED VOTE

Mr. FLOOD. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 329, noes 43, not voting 62, as follows:

[Roll No. 348]

AYES—329

Abdnor	Fraser	Mosher
Abzug	Frelinghuysen	Moss
Adams	Frenzel	Murphy, Ill.
Alexander	Frey	Murtha
Anderson, Calif.	Froehlich	Myers
Anderson, Ill.	Gaydos	Natcher
Andrews, N.C.	Giaimo	Nedzi
Andrews, N. Dak.	Gibbons	Nichols
Annunzio	Gilman	Nix
Armstrong	Ginn	Obey
Ashley	Gonzalez	O'Brien
Badillo	Grasso	O'Hara
Bafalis	Gray	O'Neill
Barrett	Green, Oreg.	Owens
Bell	Green, Pa.	Parris
Bennett	Gubser	Passman
Bergland	Gude	Patman
Bevill	Guyer	Patten
Biaggi	Haley	Pepper
Biester	Hamilton	Perkins
Bingham	Hanley	Pettis
Blackburn	Hanna	Pickle
Boggs	Hanrahan	Pike
Boland	Harsha	Poage
Bowen	Hastings	Preyer
Brademas	Hawkins	Price, Ill.
Bray	Hays	Price, Tex.
Breaux	Hechler, W. Va.	Pritchard
Breckinridge	Heckler, Mass.	Quie
Brinkley	Heinz	Railsback
Brooks	Helstoski	Randall
Broomfield	Henderson	Rangel
Brotzman	Hicks	Rees
Brown, Calif.	Hillis	Regula
Brown, Ohio	Hinshaw	Reuss
Broyhill, N.C.	Hogan	Rhodes
Broyhill, Va.	Holt	Riegle
Buchanan	Holtzman	Rinaldo
Burgener	Horton	Robison, N.Y.
Burke, Fla.	Huber	Rodino
Burke, Mass.	Hudnut	Roe
Burlison, Mo.	Hunt	Rogers
Burton, John	Ichord	Roncalio, Wyo.
Burton, Phillip	Jarman	Roncallo, N.Y.
Byron	Johnson, Calif.	Rooney, Pa.
Carney, Ohio	Johnson, Pa.	Rose
Carter	Jones, Ala.	Roush
Casey, Tex.	Jones, N.C.	Roy
Cederberg	Jones, Okla.	Roybal
Chamberlain	Jordan	Runnels
Chappell	Kastenmeier	Ruppe
Chisholm	Kazen	Ruth
Clancy	Kemp	Ryan
Clausen, Don H.	King	St Germain
Clay	Koch	Sandman
Cleveland	Kuykendall	Sarasin
Cohen	Kyros	Sarbanes
Collins, Ill.	Landrum	Scherle
Conte	Latta	Schroeder
Conyers	Leggett	Sebelius
Corman	Lehman	Seiberling
Coughlin	Lent	Shipley
Cronin	Litton	Shriver
Daniel, Robert W., Jr.	Long, La.	Sikes
Danielson	Long, Md.	Sisk
Davis, S.C.	Lott	Skubitz
de la Garza	Lujan	Slack
Delaney	Luken	Smith, Iowa
Dellenback	McClory	Smith, N.Y.
Dellums	McCloskey	Snyder
Denholm	McCormack	Spence
Dent	McDade	Staggers
Derwinski	McFall	Stanton, J. William
Devine	McKay	Stanton, James V.
Dickinson	McKinney	Stark
Dingell	Madden	Steed
Donohue	Mahon	Steele
Downing	Mallary	Steelman
Drinan	Mann	Steiger, Wis.
Dulski	Maraziti	Stephens
Duncan	Martin, N.C.	Stokes
du Pont	Mathias, Calif.	Stratton
Eckhardt	Matsunaga	Stubblefield
Edwards, Calif.	Mayne	Stuckey
Eilberg	Mazzoli	Studds
Erlenborn	Meeds	Sullivan
Eshleman	Melcher	Symington
Evans, Colo.	Metcalfe	Talcott
Fascell	Mezvinsky	Taylor, N.C.
Findley	Milford	Thomson, Wis.
Fisher	Minish	Thone
Flood	Mink	Tiernan
Flowers	Mitchell, Md.	Towell, Nev.
Foley	Mitchell, N.Y.	Traxler
Ford	Mizell	Ullman
Forsythe	Mollohan	Van Deerlin
Fountain	Montgomery	Vander Jagt
	Moorhead, Calif.	Vander Veen
	Morgan	Vanik
	Mosher	Veysey
	Moss	Vigorito
	Murphy, Ill.	Waggonner
	Murtha	Waldie
	Myers	Walsh
	Natcher	Wampler
	Nedzi	Ware
	Nichols	Whalen
	Nix	White
	Obey	Whitehurst
	O'Brien	Whitten
	O'Hara	Widnall
	O'Neill	Wiggins
	Owens	Williams
	Parris	Wilson, Bob
	Passman	Wilson, Charles H., Calif.
	Patman	Wilson, Charles, Tex.
	Patten	Winn
	Pepper	Wolff
	Perkins	Wright
	Pettis	Wyatt
	Pickle	Wydler
	Pike	Wylie
	Poage	Yates
	Preyer	Yatron
	Price, Ill.	Young, Alaska
	Price, Tex.	Young, Fla.
	Pritchard	Young, Ga.
	Quie	Young, Ill.
	Railsback	Young, S.C.
	Randall	Young, Tex.
	Rangel	Zablocki
	Rees	Zion
	Regula	
	Reuss	
	Rhodes	
	Riegle	
	Rinaldo	
	Robison, N.Y.	
	Rodino	
	Roe	
	Rogers	
	Roncalio, Wyo.	
	Roncallo, N.Y.	
	Rooney, Pa.	
	Rose	
	Roush	
	Roy	
	Roybal	
	Runnels	
	Ruppe	
	Ruth	
	Ryan	
	St Germain	
	Sandman	
	Sarasin	
	Sarbanes	
	Scherle	
	Schroeder	
	Sebelius	
	Seiberling	
	Shipley	
	Shriver	
	Sikes	
	Sisk	
	Skubitz	
	Slack	
	Smith, Iowa	
	Smith, N.Y.	
	Snyder	
	Spence	
	Staggers	
	Stanton, J. William	
	Stanton, James V.	
	Stark	
	Steed	
	Steele	
	Steelman	
	Steiger, Wis.	
	Stephens	
	Stokes	
	Stratton	
	Stubblefield	
	Stuckey	
	Studds	
	Sullivan	
	Symington	
	Talcott	
	Taylor, N.C.	
	Thomson, Wis.	
	Thone	
	Tiernan	
	Towell, Nev.	
	Traxler	
	Ullman	
	Van Deerlin	
	Vander Jagt	
	Vander Veen	
	Vanik	

NOES—43

Archer	Daniel, Dan	Miller
Arends	Davis, Wis.	Powell, Ohio
Ashbrook	Dennis	Rarick
Baker	Flynt	Robinson, Va.
Bauman	Goldwater	Rousselot
Beard	Gross	Satterfield
Brown, Mich.	Hosmer	Schneebeli
Burleson, Tex.	Ketchum	Shuster
Butler	Lagomarsino	Steiger, Ariz.
Camp	Landgrebe	Symms
Clawson, Del	McCollister	Taylor, Mo.
Collins, Tex.	McEwen	Teague
Conable	Martin, Nebr.	Treen
Conlan	Mathis, Ga.	
Crane	Michel	

NOT VOTING—62

Addabbo	Fuqua	Mills
Aspin	Goodling	Minshall, Ohio
Blatnik	Griffiths	Moakley
Bolling	Grover	Moorhead, Pa.
Brasco	Gunter	Murphy, N.Y.
Burke, Calif.	Hammer-schmidt	Nelsen
Carey, N.Y.	Hansen, Idaho	Peyser
Clark	Hansen, Wash.	Podell
Cochran	Harrington	Quillen
Collier	Hébert	Reid
Cotter	Holifield	Roberts
Culver	Howard	Rooney, N.Y.
Daniels, Dominick V.	Hungate	Rosenthal
Davis, Ga.	Hutchinson	Rostenkowski
Diggs	Johnson, Colo.	Shoup
Dorn	Jones, Tenn.	Thompson, N.J.
Edwards, Ala.	Karth	Thornton
Esch	Kluczynski	Udall
Evins, Tenn.	McSpadden	Wyman
Fish	Macdonald	Zwach
Fulton	Madigan	

Mr. Thompson of New Jersey with Mr. Jones of Tennessee.

Mr. Addabbo with Mr. Macdonald.

Mr. Roberts with Mr. Blatnik.

Mr. Rooney of New York with Mr. Aspin.

Mr. Hébert with Mr. Culver.

Mr. Holifield with Mr. Reid.

Mr. Rosenthal with Mrs. Griffiths.

Mr. Murphy of New York with Mrs. Hansen of Washington.

Mr. Moorhead of Pennsylvania with Mr. Collier.

Mr. Brasco with Mr. Minshall of Ohio.

Mr. Dominick V. Daniels with Mr. Madigan.

Mr. Diggs with Mr. Dorn.

Mr. Fulton with Mr. Nelsen.

Mr. Fuqua with Mr. Cochran.

Mr. Howard with Mr. Grover.

Mr. Kluczynski with Mr. Zwach.

Mr. Karth with Mr. Fish.

Mr. Moakley with Mr. Hutchinson.

Mr. Podell with Mr. Esch.

Mr. Udall with Mr. Hammerschmidt.

Mr. Carey of New York with Mr. Goodling.

Mrs. Burke of California with Mr. Gunter.

Mr. Cotter with Mr. Quillen.

Mr. Davis of Georgia with Mr. Shoup.

Mr. Evins of Tennessee with Mr. Wyman.

Mr. Hungate with Mr. Mills.

Mr. Rostenkowski with Mr. McSpadden.

Mr. Thornton with Mr. Harrington.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. FLOOD. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on H.R. 15580,

the bill just passed, and to include extraneous matter along with tables and charts.

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

ANNOUNCEMENT OF CHANGE IN LEGISLATIVE PROGRAM

Mr. McFALL. Mr. Speaker, I take this time to announce that on tomorrow we will call up by unanimous consent the conference report on the Senate bill, S. 3458, the Domestic Food Assistance Act. We will also call up the conference report on the bill, H.R. 7724, on biomedical research.

CONFERENCE REPORT ON S. 2893, PUBLIC HEALTH SERVICE ACT

Mr. STAGGERS submitted the following conference report and statement on the bill (S. 2893) to amend the Public Health Service Act to improve the national cancer program and to authorize appropriations for such program for the next 3 fiscal years:

CONFERENCE REPORT (H. REPT. NO. 1164)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 2893) to amend the Public Health Service Act to improve the national cancer program and to authorize appropriations for such program for the next 3 fiscal years, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the House amendment insert the following:

TITLE I—EXTENSION OF CANCER PROGRAM

SEC. 101. This title may be cited as the "National Cancer Act Amendments of 1974".

SEC. 102. Section 402(b) of the Public Health Service Act is amended—

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

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

SEC. 103. Section 407(b)(4) of the Public Health Service Act is amended by striking out "all data" and inserting in lieu thereof "information (including information respecting nutrition programs for cancer patients and the relationship between nutrition and cancer)".

SEC. 104. Section 407(b)(7) of the Public Health Service Act is amended by striking out "where appropriate".

SEC. 105. Section 407(b)(9)(A) of the Public Health Service Act is amended by inserting "(including an estimate of the number and type of personnel needed for the National Cancer Program)" after "budget estimate".

SEC. 106. Section 408(a) of the Public Health Service Act is amended by striking out "fifteen".

SEC. 107. (a) Subsection (a) of section 409 of the Public Health Service Act is amended by inserting before the period at the end thereof a comma and the following: "including programs to provide appropriate trials of programs of routine exfoliative cytology tests conducted for the diagnosis of uterine cancer".

(b) Subsection (b) of such section is amended by striking out "and" before "$40,000,000" and by inserting before the period at the end thereof a comma and the following: "$53,500,000 for the fiscal year ending June 30, 1975, $68,500,000 for the fiscal year ending June 30, 1976, and $88,500,000 for the fiscal year ending June 30, 1977".

SEC. 108. Section 410 of the Public Health Service Act is amended—

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

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

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

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

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

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

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

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

SEC. 109. Section 410C of the Public Health Service Act is amended by striking out "and" before "$600,000,000" and by inserting before the period at the end thereof a semicolon and the following: "$750,000,000 for the fiscal year ending June 30, 1975; $830,000,000 for the fiscal year ending June 30, 1976; and $985,000,000 for the fiscal year ending June 30, 1977".

SEC. 110. The part H of the Public Health Service Act relating to the appointment of the Directors of the National Institutes of Health and the National Cancer Institute is redesignated as part I, section 461 of such part is redesignated as section 471, and such part is amended by adding at the end the following new section:

"PEER REVIEW OF GRANT APPLICATIONS AND CONTRACT PROJECTS

"SEC. 472. (a) The Secretary, after consultation with the Director of the National Institutes of Health, and, where appropriate, the Directors of the National Institute of Mental Health, the National Institute on Alcohol Abuse and Alcoholism, and the National Institute on Drug Abuse, shall by regulation require appropriate scientific peer review of—

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

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

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

"(1) in a manner consistent with the system for scientific peer review applicable on the date of the enactment of this section to applications for grants under this Act for biomedical and behavioral research, and

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

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

SEC. 111. Section 301(h) of the Public Health Service Act is amended by striking out "during the fiscal year ending June 30, 1966, and each of the eight succeeding fiscal years".

SEC. 112. (a) The first sentence of section 471 of the Public Health Service Act (as so redesignated by section 110) is amended to read as follows: "The Director of the National Institutes of Health shall be appointed by the President by and with the advice and consent of the Senate; and the Director of the National Cancer Institute shall be appointed by the President."

(b) The amendment made by subsection (a) shall apply with respect to appointments to the office of Director of the National Institutes of Health made after the date of the enactment of this Act.

SEC. 113. Section 601 of the Medical Facilities Construction and Modernization Amendments of 1970 is amended by striking out "ending prior to July 1, 1974,".

TITLE II—BIOMEDICAL RESEARCH

SEC. 201. (a)(1) There is established the President's Biomedical Research Panel (hereinafter in this section referred to as the "Panel") which shall be composed of (A) the Chairman of the President's Cancer Panel (established under section 407(c) of the Public Health Service Act); and (B) six members appointed by the President who by virtue of their training, experience, and background are exceptionally qualified to carry out the duties of the Panel. At least five of the members of the Panel shall be distinguished scientists or physicians. The appointed members of the Panel shall be appointed for the life of the Panel.

(2) The President shall designate one of the appointed members to serve as Chairman of the Panel.

(3) Appointed members of the Panel shall each be entitled to receive the daily equivalent of the annual rate of basic pay in effect for grade GS–18 of the General Schedule for each day (including traveltime) during which they are engaged in the actual performance of duties vested in the Panel; and while away from their homes or regular places of business in the performance of services for the Panel, all members of the Panel shall be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as persons employed intermittently in the Government service are allowed expenses under section 5703(b) of title 5 of the United States Code.

(4) The Panel may appoint and fix the pay of such personnel as it deems necessary to carry out its duties.

(b) The Panel shall—

(1) review and assess,

(2) identify and make recommendations with respect to policy issues concerning the subject and content of, and

(3) identify and make recommendations with respect to policy issues concerning the organization and operation of,

biomedical and behavioral research conducted and supported under programs of the National Institutes of Health and the National Institute of Mental Health.

(c)(1) Not later than the expiration of the 15-month period beginning on the first day of the first month that follows the date

on which all of the appointed members of the Panel have taken office, the Panel shall submit simultaneously to the President and to the Congress a comprehensive report of (A) its findings made on the basis of the review and assessment conducted under clause (1) of subsection (b), and (B) the policy issues identified under clauses (2) and (3) of such subsection and the Panel's recommendations with respect to such issues.

(2) The Panel shall terminate upon the expiration of the 18-month period beginning on the first day of the first month that follows the date on which all of the appointed members of the Panel have taken office.

And the House agree to the same.

HARLEY O. STAGGERS,
PAUL G. ROGERS,
DAVID E. SATTERFIELD III,
PETER N. KYROS,
RICHARDSON PREYER,
JAMES W. SYMINGTON,
WILLIAM R. ROY,
SAMUEL L. DEVINE,
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Managers on the Part of the House.

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RICHARD S. SCHWEIKER,
JACOB K. JAVITS,
PETER H. DOMINICK,
J. GLENN BEALL, JR.,
ROBERT TAFT, JR.,
ROBERT T. STAFFORD,
Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 2893) to amend the Public Health Service Act to improve the national cancer program and to authorize appropriations for such program for the next 3 fiscal years, submit the following joint statement to the House and the Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report:

The House amendment struck out all of the Senate bill after the enacting clause and inserted a substitute text.

The Senate recedes from its disagreement to the amendment of the House with an amendment which is a substitute for the Senate bill and the House amendment. The differences between the Senate bill, the House amendment, and the substitute agreed to in conference are noted below, except for clerical corrections, conforming changes made necessary by agreements reached by the conferees, and minor drafting and clarifying changes.

INFORMATION RESPECTING NUTRITION AND CANCER

The Senate bill required the national cancer program in collecting, analyzing, and disseminating data to include, where appropriate, nutritional programs for cancer patients.

The House amendment changed the requirement that the cancer program collect, analyze, and disseminate "all data" useful with respect to cancer to a requirement that the program collect, analyze, and disseminate "information" useful with respect to cancer programs for cancer patients and the relationship between nutrition and cancer.

The conference substitute adopts the provision in the House amendment.

PERSONNEL FOR THE NATIONAL CANCER PROGRAM

The Senate bill required the President and the Office of Management and Budget to allocate to the National Cancer Institute all personnel requested by it to carry out the national cancer program.

The House amendment contained no comparable provision.

The conference substitute follows the House amendment. However, the conference committee noted its concern that the national cancer program and, particularly, the clinical center of the NIH have been inadequately staffed; its desire that this be corrected in the future; and its expectation that, when the President, the Office of Management and Budget, or the Department of Health, Education, and Welfare do not make available to the cancer program the personnel which it has requested, they will offer justification for such a failure to provide needed personnel.

PROGRAMS OF ROUTINE EXFOLIATIVE CYTOLOGY TESTS

The Senate bill contained a requirement that the national cancer control program include programs to provide routine exfoliative cytology tests (Papanicolaou or Pap tests) conducted for the diagnosis of uterine cancer, and authorized for the cancer control program $7 million for this purpose for each of the fiscal years 1975 through 1977.

The House amendment contained no comparable provision.

The conference substitute requires programs to provide appropriate trials of such programs of routine exfoliative cytology tests conducted for the diagnosis of uterine cancer. The conferees intend that of the sums authorized to be appropriated for each fiscal year for cancer control programs $3.5 million is to be considered as authorized to be appropriated for each fiscal year for trials of such programs.

Since controversy exists as to how routine exfoliative cytology tests in mass screening programs can be made effective, efficient and cost-beneficial, the conference committee felt that it would be appropriate to require appropriate trials of such programs before finally authorizing additional amounts of Federal money for them. There is genuine uncertainty as to the frequency with which such tests should be conducted, which parts of the female population should be included in screening programs utilizing such tests, the settings in which the programs will be most effective, and the nature of follow-up of each positive or possibly positive smear which should be required. It is these questions which the conference committee is hopeful will be answered by large scale trials of the relative merits of various types of screening programs.

INFORMATION PROGRAMS OF THE NATIONAL CANCER INSTITUTE

The Senate bill contained a requirement that the Director of the NCI conduct or contract for programs to disseminate and interpret on a current basis, for practitioners and other health professionals, scientists and the general public, scientific and other information respecting the cause, prevention, diagnosis and treatment of the disease or other health problems to which the activities of the Institute are directed. The director of the NCI was required to issue such regulations as proved necessary to carry out the requirement.

The House amendment contained a similar provision except that it was permissive rather than a requirement, applied only to new information rather than existing, did not require the director of the NCI to issue regulations, and did require the director to include in his annual report a report on the progress, activities and accomplishments of, and expenditures for the information services.

The conference substitute follows the House provision except that it is made a requirement rather than a permissive provision and to apply to both new and existing information.

PEER REVIEW OF GRANT APPLICATIONS AND CONTRACT PROJECTS

The Senate bill contained a requirement that the director of the NCI provide for proper scientific peer review of research contracts using, to the extent possible, appropriate peer review groups established within the NIH and composed principally of nonfederal scientists and other experts in the scientific and disease fields.

The House amendment contained a similar provision except that it applied to grants as well as contracts and to all Institutes of the NIH, the National Institute of Mental Health, the National Institute on Alcohol Abuse and Alcoholism, and the National Institute on Drug Abuse.

The conference substitute follows the House provision.

SENATE ADVICE AND CONSENT ON APPOINTMENT OF THE DIRECTOR OF THE NIH

The Senate bill contained a requirement that the Senate advise and consent to the appointment of the Director of the NIH.

The House amendment contained no comparable provision.

The conference substitute follows the Senate bill with the addition of language making it clear that the requirement applies only to appointments occurring after the date of enactment of the Act.

AVAILABILITY OF APPROPRIATIONS

The Senate bill contained a provision stating that notwithstanding any other provision of law, unless enacted after the date of enactment of the provision expressly in limitation of its requirements, funds appropriated for any fiscal year to carry out any program for which appropriations are authorized by the Public Health Service Act or the Mental Retardation Facilities and Community Mental Health Centers Construction Act were to remain available for obligation and expenditure until the end of such fiscal year.

The House amendment contained no comparable provision.

The conference substitute achieves the Senate policy by deleting from section 601 of the Medical Facilities Construction and Modernization Amendments of 1970 the expiration date, thereby making it a permanent provision of law.

PRESIDENT'S BIOMEDICAL RESEARCH PANEL

The Senate bill contained a requirement that there be established a President's Biomedical Research Panel with the following provisions:

(1) Composition—Five men including the Chairman of the President's Cancer Panel, four members appointed by the President, and at least three members who were distinguished scientists or physicians. The members were to be appointed with staggered terms and one of the appointed members was to serve as Chairman of the panel for a year at a time.

(2) Pay—Members of the panel were to be paid the daily equivalent of the rate for grade GS–18, and appropriate travel expenses.

(3) Meetings—The panel was to meet at the call of the chairman not less often than 12 times a year, with a transcript kept of the proceedings of each meeting and available to the public.

(4) Responsibilities and reports—The panel was to monitor the development and execution of the biomedical and behavioral

research programs of the NIH and related institutes, report immediately on any delays or blockages in rapid execution of the programs, submit periodic progress reports and an annual evaluation of the programs' efficacy with suggestions for improvements to the President, and, at the request of the President, submit for his consideration names for consideration for appointment as Director of the NIH.

(5) Term—The panel was to continue in office permanently.

The House amendment contained no comparable provision.

The conference substitute requires the establishment of a President's Biomedical Research Panel with the following provisions:

(1) Composition—Similar to the Senate bill except that members will serve for the life of the Panel and one member, designated by the President, will serve throughout its life as its Chairman.

(2) Pay—Same as the Senate bill.

(3) Meetings—At the discretion of the Panel.

(4) Responsibilities—The Panel is to:

(a) review and assess,

(b) identify and make recommendations with respect to policy issues concerning the subject and content of, and

(c) identify and make recommendations with respect to policy issues concerning the organization and operation of,

biomedical and behavioral research conducted and supported under the programs of the National Institutes of Health, the National Institute of Mental Health, the National Institute of Alcohol Abuse and Alcoholism, and the National Institute of Drug Abuse.

(5) Report—Not later than 15 months after the appointment of the Panel, it is to submit a report to the President and the Congress of its findings made on the basis of its review and assessment of the biomedical research programs, the policy issues which it has identified, and its recommendations with respect to these issues.

(6) Term—The Panel is to terminate 18 months after the appointment of its members.

HARLEY O. STAGGERS,
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ROBERT TAFT, JR.,
ROBERT T. STAFFORD,
Managers on the Part of the Senate.

EDUCATIONAL PROGRAMS FOR VETERANS, WIVES, AND WIDOWS

Mr. TEAGUE. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the Senate bill (S. 3705) to amend title 38, United States Code, to provide a 10-year delimiting period for the pursuit of educational programs by veterans, wives, and widows.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore (Mr. O'NEILL). Is there objection to the request of the gentleman from Texas?

Mrs. HECKLER of Massachusetts. Mr. Speaker, reserving the right to object, and I will not object, I should like to ask the chairman to explain the contents of the bill and the report on the bill.

Mr. TEAGUE. Mr. Speaker, I hope the Members will listen carefully to what this is. The gentlewoman from Massachusetts (Mrs. HECKLER) knows exactly what it is and she is for it 100 percent. We have passed a bill in the House and it has passed the Senate. As of today a veteran has 8 years to take advantage of his GI bill of rights. All this does is to extend that to 2 years. This part of our two bills has passed both Houses. We all agree on it. There are 200,000 veterans whose entitlement will expire on June 30 and this bill is to protect them. It is necessary for us to pass it today and get it to the White House so we can protect the 200,000 veterans. It has already passed both Houses and there is no controversy in the Veterans' Committee of the Senate or the Veterans' Committee of the House.

Mrs. HECKLER of Massachusetts. Will the gentleman from Texas explain what the situation is with respect to the larger veterans' bill?

Mr. TEAGUE. On that there are 28 points in disagreement. The House accepts 26 of the Senate's 28 but there are 2 we cannot agree on and we are going to go into conference on that as soon as we come back after the July 4 recess, but this is something which needs to be done, which needs to be passed now because those 200,000 veterans will lose their entitlement on June 30. That is the reason why this bill needs to be passed today.

Mrs. HECKLER of Massachusetts. I withdraw my objection, Mr. Speaker, and urge this body to unanimously support this legislation. Extension of the eligibility period from 8 to 10 years during which Vietnam veterans may take advantage of their GI educational benefits is the single most necessary legislative act which these veterans have sought and deserve. The men and women who served in Vietnam deserve complete equality and equity vis-a-vis educational and other benefits received by veterans of other wars.

The conference committee on which I am privileged to serve will deal in depth with redressing the inequities which these veterans face and will resolve the differences between House and Senate versions of Vietnam veterans' educational assistance. Unless we act tonight on this segment of the total legislative package, many veterans will not be able to continue in college. For many veterans, benefits will expire tomorrow on June 30, 1974. I urge the Members of this House to reassure the Vietnam veterans that these essential benefits will not lapse or expire by acting tonight to approve this 2-year extension of eligibility as a necessary first step in responding to the unique educational problems of veterans of the Vietnam era.

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

Mr. ARMSTRONG. Mr. Speaker, reserving the right to object, I wonder if I can inquire of the chairman why this has to be done tonight at midnight rather than tomorrow morning in the regular course of business?

Mr. TEAGUE. The Senate is going out as of tonight. The chairman of the Veterans' Affairs Committee of the Senate asked me to do this, and I went to the Speaker at 9 o'clock this morning and asked him to recognize me for this purpose and he said he would. With the President in Russia I do not know how we can get this to him for signature, but we must pass it tonight.

Mr. ARMSTRONG. Mr. Speaker, if the Speaker was aware of this at 9 o'clock this morning, can the gentleman explain why this has come to the attention of the House so late tonight, in fact after it was understood the business of this body had been completed and many Members have departed and when a quorum may not be present? Why is the gentleman proceeding in this fashion?

Mr. TEAGUE. The gentleman from Arkansas (Mr. HAMMERSCHMIDT) told me he would inform that side of the House about it.

In fact, I went to the gentleman from Iowa and told him about it. I think the gentleman will testify to that.

Mr. Speaker, if I may say to the gentleman, this is noncontroversial. It did not pass the Senate until late this afternoon, so it came up as early as we could possibly do it.

Mr. ARMSTRONG. I thank the gentleman for his explanation.

Mr. Speaker, if this is in order, I would like to say I think this is a very poor procedure, as I think the procedure under which we adopted the legislation so late tonight is not a procedure which reflects credit on this body either, but nonetheless on the basis of the explanation I will withdraw my reservation of objection.

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

Mr. DERWINSKI. Mr. Speaker, reserving the right to object, at the risk of oversimplification, I wish to be corrected by the gentleman from Texas if I have not stated the case properly. What we are about to do is to pass a necessary but slightly imperfect piece of legislation. We have no alternative because the Senate has already adjourned for its recess.

Mr. TEAGUE. Mr. Speaker, this piece of legislation is perfect. The 28 disagreements we could not agree on. This part of it everybody is agreed on. It passed the House here unanimously and it passed the Senate unanimously and the conferees agree completely on this, so on this piece of legislation there is nothing wrong with it.

Mr. DERWINSKI. But there is a further legislative process that must be adopted on behalf of our veterans on the other points.

Mr. TEAGUE. That is true and that will come up after the July recess, but this piece of legislation is so important to the 200,000 veterans whose entitlement expires on June 30 and we are doing this so their entitlement will not run out.

Mr. DORN. Mr. Speaker, I strongly support S. 3705, a bill that would increase the period of time during which veterans must complete their educational training from the present 8 to 10 years.

You will recall on May 31, 1974, the President signed into law a bill that provided for a 30-day emergency extension. This action was necessary since the eligibility period for many veterans would have expired on May 31. We felt the 30-day extension would allow the House and Senate time in which to reach agreement on a comprehensive education bill that would have included not only a 2-year eligibility extension provision, but also a much needed cost-of-living rate increase in monthly benefits as well as other amendments that would greatly benefit veterans. I continue to feel that a rate increase in monthly benefits is just as important as the 2-year extension provision in that veterans are losing millions of dollars every month that goes by without such increase. However, since it appears a comprehensive bill cannot be agreed to by June 30, I urge the House to accept the 2-year extension provision in S. 3705 and send it to the President. This will assure those veterans now enrolled in summer school that they can continue and make plans now for the fall school term.

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

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

There was no objection.

The Clerk read the Senate bill, as follows:

S. 3705

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1662 of title 38, United States Code, is amended—

(1) by deleting "eight" in subsection (a) and inserting in lieu thereof "10";

(2) by deleting "8-year" in subsection (b) and inserting in lieu thereof "10-year";

(3) by deleting "8-year" and "eight-year" in subsection (c) and inserting in lieu thereof "10-year", respectively; and

(4) by adding at the end thereof the following new subsection:

"(d) In the case of any veteran (1) who served on or after January 31, 1955, (2) who became eligible for educational assistance under the provisions of this chapter or chapter 36 of this title, and (3) who, subsequent to his last discharge or release from active duty, was captured and held as a prisoner of war by a foreign government or power, there shall be excluded, in computing his 10-year period of eligibility for educational assistance, any period during which he was so detained and any period immediately following his release from such detention during which he was hospitalized at a military, civilian, or Veterans' Administration medical facility.".

SEC. 2. Section 1712 of title 38, United States Code, is amended—

(1) by deleting "eight" in subsection (b) and inserting in lieu thereof "10"; and

(2) by deleting "eight" in subsection (f) and inserting in lieu thereof "10".

SEC. 3. Section 604 (a) and (b) of Public Law 92-540 (82 Stat. 1333, October 24, 1972) is amended by deleting "eight" and inserting in lieu thereof "10".

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

GENERAL LEAVE

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

The SPEAKER pro tempore (Mr. DANIELSON). Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

DISCLOSURE OF FINANCES OF TENO RONCALIO

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

Mr. RONCALIO of Wyoming. Mr. Speaker, today I am placing in the RECORD a complete listing of my personal finances including my net worth as of June 24, 1974, and information on the income taxes I have paid for the past 9 years.

To the best of my knowledge, no previous Congressman from Wyoming has taken this step. I feel that the public has a right to know whether their Representative in Congress is working for their best interests or for his own, and I think these figures should lay aside any doubts in my case.

This disclosure also exceeds the disclosure plank of the Wyoming State Democratic Party which states:

We feel that any public official or person running for public office who expects to enjoy the confidence of the people and the Democratic Party, will be expected to disclose his income and property holdings in a reasonable way to allow the public to determine the possibility of conflicts of interest, especially conflicts with the public interest.

The following figures will be available to the public for review in my Washington, D.C., Cheyenne, and Casper offices:

Financial statement of Congressman Teno Roncalio as of June 24, 1974

Assets

Cash in banks	$35,110
Checking accounts	20,110
Certificate of deposits	15,000
Stocks and bonds	136,325
100 UP Corporation	7,325
400 First National Bank of Gillette	40,000
800 C.I. mortgage group	4,600
900 Portland General Electric	14,000
U.S. Treasury bond	70,000
Life insurance, cash value	2,376
Prudential (face value, $5,000)	1,028
Prudential (face value, $5,000)	551
Equitable (face value, $1,000)	797
U.S. House of Representatives (face value, $45,000)	0
Real estate	700,000
Five acres unimproved commercial property in McLean, Va., with home	$600,000
Cheyenne, Wyo., home	60,000
Cheyenne Law Center, two commercial buildings (50% ownership)	40,000
Automobiles	1,600
1965 Oldsmobile	700
1968 Volkswagen	900
Other assets:	
Two units, Jasmin Groves	2,000
Five-eighths interest in 23 miles gold claims, Snake River	1
Total assets	877,412

Liabilities

Notes payable to banks	73,482
First National Bank of Gillette	60,000
American National Bank, Cheyenne	13,482
Real estate mortgages	167,974
Mortgage on McLean acreage and home	145,000
Mortgage on Cheyenne Law Center (50% ownership)	22,974
Total liabilities	241,456
Net worth	635,956

Year	Gross income	Net taxable income	Income taxes paid	Percent of gross income
1965	$49,720	$26,747	$6,649	13.4
1966	46,366	24,534	5,815	12.5
1967	53,239	36,758	9,980	18.7
1968	520,603	238,887	[1] 127,993	24.6
1969	61,372	7,708	971	1.6
1970	31,499	18,082	3,843	12.2
1971	53,915	16,486	2,144	4.0
1972	58,139	24,302	5,769	9.9
1973	64,031	32,126	6,660	10.4
Averages	104,320	47,292	18,869	11.9

[1] $8,798 of this figure actually paid as part of 1969 taxes.

LONG SOUGHT AMTRAK RAIL PASSENGER SERVICE FROM BOSTON TO CHICAGO, THROUGH BUFFALO, APPROVED BY SECRETARY BRINEGAR AND ANNOUNCED BY REPESENTATIVE JACK KEMP

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. KEMP) is recognized for 20 minutes.

Mr. KEMP. Mr. Speaker, I am pleased and gratified to bring to the attention of the House the Secretary of Transportation's formal approval this morning of Amtrak rail passenger service from Boston to and from Chicago, through Buffalo. This badly needed passenger service will run west from Buffalo to Cleveland and Chicago and east from Buffalo to Albany, New York City, and Boston.

Secretary Brinegar's decision—which he released this morning marks the beginning of a new era in efficient, environmentally sound and economically-stimulating surface transportation, further linking the growing Niagara Frontier of western New York with major cities along the Great Lakes and the eastern seaboard.

Today's announcement is the culmination of never-give-up, bipartisan efforts at every level of government, by labor and civic groups, business and trade as-

sociations, and thousands of citizens with whom I have had the privilege to work since I first introduced an amendment to the Rail Passenger Service Act—to provide for this service—only a month after I came to the Congress.

I am deeply aware of the many difficulties—technical and financial—that Secretary Brinegar and his able staff had to overcome to arrive at the decisions he announced today. All of us who have worked so long for this service are deeply appreciative of his efforts and those of others in the administration who have been responsive to our requests for this tremendous stride toward a truly great, balanced transportation system for this corridor.

My colleague, Congressman TED DULSKI, Buffalo Mayor Stanley Makowski, Senator BOB TAFT, JR., of Ohio, Erie County, N.Y., County Executive Ned Regan, New York Gov. Malcolm Wilson, and some 85 of my colleagues in the Congress are among those who must be given credit for their untiring help to provide this long-sought rail passenger service for 20 million Americans who live along the rail corridor.

Together with Senator TAFT—who ably handled coordination among Senators on this project—we—handling the House side—formed a Great Lakes Committee of Members on this matter. I think the "turning point" which led to today's announcement was last March 20 when 70 House and 15 Senate Members of that committee met personally with Secretary Brinegar on the need for the restoration of this rail passenger service. Along with Mayor Makowski of Buffalo, New York State Transportation Commissioner Raymond Schular, Cleveland Mayor Ralph Perk, and officials of other cities and States along the route, we were able to present convincing evidence why the Department of Transportation should approve this service.

Our first task was to win approval of the beginning of service—a service which by all indices promises to be successful and to expand in immediate years and decades ahead.

Amtrak's growth in patronage, supporting services, experience and ability to maintain schedules have made impressive improvements in the past year, especially in the Northeast. In contrast to the abortive service which was cut off between Buffalo and Chicago in January of 1972, innovations in train operations, the availability of improved equipment and aggressive marketing and advertising all promise to make this long-sought mode of transportation both efficient and successful.

The first experiment—from June 1, 1971, to January 5, 1972—was doomed from the outset because of the lack of adequate equipment, marketing and financing now available and in the offing to make this newest service a growing success.

Together with my colleague, Congressman BOB STEELE, of Connecticut, I have asked the Secretary to approve, as soon as possible, Amtrak's request to purchase an additional 14 turbine-powered trains, in addition to 6 such trains already approved, to service this and other rail corridors. Such an acquisition would help further modernize rail passenger service in the corridor throughout the Northeast and Midwest. This acquisition is imperative if we are to meet the current economic, energy, transportation and environmental needs of the region.

Commensurate with that request for additional equipment to the Secretary and his announcement of the service today, I have assured him, in return, that we will work with local and State officials to secure the most modern, convenient stations and other supporting facilities.

Mr. Speaker, I cannot emphasize too much how important this service is to those areas along its route. It is not only a decision which will make life easier for the millions who live along the route and will use these trains, but it also means a big boost—a needed shot in the arm—for the economy of these areas. It will mean new jobs for our work force, it will mean new commerce for our businesses. The cooperative efforts of labor and business in helping get this route approved stands out as an example of the successes which can be won through the attainment of mutual labor-business goals.

It is now up to Amtrak to announce a specific starting date for the service and the schedules for it. I hope this will be done at the earliest date, particularly in light of the heavy summer travel season.

As I indicated at the outset, the insuring of this important service marks a beginning of a new era in transportation for the Northeast and Midwest. It may well mark such a renewal for the Nation.

It is gratifying when Government responds to the wishes and needs of its people in such a responsible manner.

PROPOSED AMENDMENT TO SOCIAL SECURITY AMENDMENTS OF 1965

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

Mr. SCHNEEBELI. Mr. Speaker, when Congress passed the Social Security Amendments of 1965, it recognized that a child beneficiary over the age of 18 who is attending school full time is as much dependent as before he reached that age. A child who cannot look to a father for support, because his father has died or is disabled or retired, is at a disadvantage in completing his education as compared with the child who receives parental support. Accordingly, Congress determined that benefits should be continued for full-time students until the age of 22, in order that they might complete a 4-year college course.

All eligible students attending bona fide academic or vocational schools were to be covered by the 1965 amendment. In addition, both the Ways and Means and Senate Finance Committees expressly stipulated that benefits would be paid during normal vacation periods, as well as during the school year.

When House and Senate conferees set about defining the term "normal vacation periods," they based their decision on the school schedules as they existed in 1965. Since those schedules generally anticipated a summer vacation of about 4 months' duration, from May to September, they adopted a standard whereby students would be covered during vacation periods not exceeding 4 months.

This 4-consecutive-month standard for nonattendance created no special problems until recently, when a number of schools responded to various innovative developments in American education by altering the traditional patterns of attendance and nonattendance. In order to accommodate larger student bodies with diverse educational interests, some schools have opted for a year-round operational program, instead of the traditional 9-month school year which was the norm in 1965.

In a typical year-round operation, the traditional two-semester system is replaced with four 3-month terms. To graduate, a student must complete 11 of 15 quarterly terms and must attend one or more summer sessions. A year-round program in no way reduces a student's overall attendance obligations during a 4-year course of studies. But it does afford a student a greater measure of flexibility in arranging his schedule. For example, most programs permit students to take a full year of concentrated courses, and then to take two consecutive 3-month terms of leave.

This innovation enables students to weave their own special needs and interests into their college life. It is also an important financial step for the school: in a year-round program, a school can enlarge its enrollment, in some cases by going coeducational, without major capital expense.

Valuable as these progressive programs are, they raise a special problem for those students who are entitled to social security benefits. If such students elect to take two consecutive 3-month terms of leave, they will be deemed not to be full-time students during the period of nonattendance. This would cause a temporary denial of benefits to them.

Such a result was clearly not intended by Congress when it adopted the 4-month standard in 1965. Congress was merely attempting to define a "normal vacation period," given the prevalent scheduling practices of the day.

Since events have brought changes in those scheduling practices at some institutions, Congress should keep pace and redefine the term "normal vacation period" to encompass the programs of those institutions. The amendment which I offer today would permit the Secretary of HEW to consider the standards and practices of these institutions as he determines whether otherwise eligible students should be denied benefits during periods of nonattendance of up to 6 months' duration. Under my amendment, a full-time student at an institution of the type I have described would be permitted to take advantage of his school's progressive program without sacrificing the benefits to which he is entitled.

Mr. Speaker, this amendment is entirely in keeping with the purposes Congress sought to achieve in its 1965 social security amendments, and I urge its speedy enactment into law in order that many deserving young men and women

may be assured of their continuing entitlement to survivor benefits.

McKINNEY POSES ALTERNATIVE TO IRS STATE LOTTERY RULING

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, all I can say is "Here we go again." As you will recall, last week I took to the floor to speak out against a Department of the Treasury proposal which would impose a 20-percent withholding tax on individual State lottery winnings. That, in my view, was bad enough. Now it appears, however, that the Internal Revenue Service has found, and intends to implement, an antiquated statutory provision which places a 10-percent excise tax on the gross receipts of all lottery revenues, except those derived from horse racing. Today, I am introducing legislation to erase this provision from the books.

The implementation of this ruling would be totally inconsistent with the major thrust of this Congress; a Congress which has attempted to assist States in their efforts to hold the line on taxes while providing needed services. Revenue sharing, Mr. Speaker, is the cornerstone of this concept giving our cities and States the wherewithal and initiative to chart their own future, a course they know best. Several States have supplemented this concept with lotteries, and now the IRS finds itself in the position of possibly having to nullify these efforts.

A Federal excise tax on lottery operations would be devastating. First, the tax would be retroactive. For Connecticut this means an estimated $8,100,000 would be due in back taxes. And Connecticut's lottery is only 2 years old. What about New York, New Jersey, Massachusetts, Michigan, Pennsylvania and Maryland?

I would ask my colleagues from those States:

Can New York come up with $54,026,509 tomorrow?

Can New Jersey come up with $32,295,243 tomorrow?

Can Massachusetts come up with $16,550,000 tomorrow?

Can Pennsylvania come up with $31,600,000 tomorrow?

Can Michigan come up with $22,000,000 tomorrow?

Can Maryland come up with $3,771,175 tomorrow?

This is the price we must pay if we do not pass legislation which would eliminate the 10-percent excise tax on the gross income from all State lotteries. And where is this money going to come from? From the taxpayers in Connecticut, New York, New Jersey, Massachusetts, Pennsylvania, Michigan, and Maryland. For no good reason.

A tax on the gross income of State lotteries would be self-defeating. It would not only take needed income from the State, and therefore the taxpayer, it would also demand added administrative costs, again accountable to the taxpayer. This makes no sense.

Compounding this whole situation, the pending IRS ruling imposes a $50 per year occupation tax on all lottery vendors which, noting the return which the seller commands from lottery sales, makes selling tickets less than worthwhile. Further, I can only conclude that with fewer outlets there will be a diminishing effect on sales and therefore, a similar effect on revenues.

Connecticut's lottery in its 2-year history has grossed $81,000,000 and netted $36,150,000. This money was not spent frivolously. It was added to the Connecticut general fund, and helped the State balance the budget, and provide needed educational and medical services without new taxation.

Connecticut is not alone. Seven other States have instituted lotteries since 1964, all with similarly beneficial results.

The New Hampshire lottery has been operating for 10 years and has netted an estimated $20,000,000 which has been used for education. Pennsylvania has had a lottery for 2 years, netting $140,000,000 to provide property tax assistance to the elderly. Massachusetts has calculated their $72,547,029 net lottery profit on a per capita basis and distributes its funds to towns and cities. New York State netted $258,472,154 which has been used for education. New Jersey gained $152,197,548 which has also been used for education. Michigan's estimated $100,000,000 and Maryland's $16,116,200 have supplemented State revenues by being added to their State treasuries. Can these funds be taxed in good conscience?

The Connecticut lottery has been a lucrative venture for the State. I am not about to allow it to be dissolved by some outdated law that overlooks not only the facts, but what is essentially good business.

The taxpayer has paid his dues, and it is about time he was accorded the rights that go along with them. Thus, I urge my colleagues to support H.R. 15595, a bill which I have introduced, aimed at correcting the absurdities of the present IRS code.

Mr. Speaker, the Internal Revenue Service and lottery directors have been meeting in an attempt to avert a final ruling on this issue. Though there are differences of opinion, all parties agree that swift congressional action can solve this problem and avoid the establishment of an administrative nightmare which will only have to be dismantled. The Internal Revenue Service can continue to postpone a final ruling for only a few more months. I would repeat my request that all of my colleagues from States presently operating State lotteries and those Members from States contemplating lotteries join with me in seeing this enacted as quickly as possible.

Finally, I think it is about time that the lottery is recognized as a beneficial source of income for our State.

VETERANS' EDUCATION AND REHABILITATION ACT AMENDMENTS OF 1974

The SPEAKER pro tempore. Under a previous order of the House the gentleman from New York (Mr. WALSH) is recognized for 5 minutes.

Mr. WALSH. Mr. Speaker, both the House and the Senate have now passed very different versions of the Veterans' Education and Rehabilitation Act Amendments of 1974. As yet, these differences have not been resolved and I sincerely urge that all due speed be exercised in reaching final agreement.

The House bill increased education benefits some 13.6 percent. The Senate bill is far more comprehensive and increases these same benefits about 18 percent. In addition, a loan program is set up, the total number of months eligibility is increased from 36 to 45 months, and a program of tuition assistance is instituted.

All of these additional ideas have some merit, but I feel the tuition assistance program or tuition equalizer, is an important omission from the House bill. This is a concept which I originated in the House last October and which now has nearly 70 cosponsors. Hearings have been held and completed by the Subcommittee on Education and Training of the Veterans' Affairs Committee.

I felt, Mr. Speaker, that it is unfortunate that the Senate has assumed leadership in the area of the tuition equalizer since it did originate on the House side. That, however, does not make adoption of the proposal any less important.

The House has now requested a formal conference on this legislation and the conferees have been appointed. I applaud this action because I feel that informal attempts to resolve the differences would be unfair to the millions of veterans who would benefit from the resulting legislation.

I sincerely urge the House conferees to agree with the Senate version of the bill concerning the tuition equalizer. The entire Senate, and I feel the vast majority of the House membership, backs this proposal and would vote overwhelmingly to institute it if given the opportunity.

Every veterans organization in the country, and certainly every veteran, is behind this concept and overall support from other areas is astounding. Support from the academic community has been unanimous.

Mr. Speaker, we now have the chance to give the Vietnam veteran a part of what we owe him. He has served his nation and risked his life for it. My proposal will give this country the opportunity to help him achieve a quality education and thus equip him to better carry on his responsibilities. I sincerely feel that this proposal is needed and vitally necessary and urge that the House conferees adopt it in the near future.

NATIONAL SAFE BOATING WEEK

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

Mr. CHAMBERLAIN. Mr. Speaker, during my first term in Congress, back in June 1957, I introduced House Joint Resolution 378 which later became Public Law 85-455. This act sought to encourage public awareness of the need for boating safety and established the annual observance of National Safe Boating Week during the week of July 4. Since the enactment of this legislation, I have

reported, at this time of year, on the progress that has been made in promoting safe boating practices.

In the realm of recreational boating, where some 47 million Americans comprise the annual boating public, and where the number of leisure-time dollars devoted to the activity is in excess of $4 billion, Congress has, in fact, observed and acted. And, of necessity. With over 1,750 recreational boating facilities last year, boating safety is now a major cause of concern to those of us who strive to maintain a balance between the enjoyment inherent to any recreational activity, and the requirements necessary to keep fun-seeking Americans safe.

On several occasions, Congress has acted to insure that pleasure boating and safe boating are one and the same. In 1971 we saw the enactment of Public Law 92–75, the Federal Boat Safety Act of 1971, a major step in promoting boating safety, going well beyond the limited requirements of the Motorboat Act of 1940, and the Federal Boating Act of 1958. This year I have again introduced a small boat operators' licensing bill, H.R. 10417, to urge a concerted national effort to raise the boating practices of Americans to a uniformly high safety standard.

In accordance with Public Law 85–455, the President of the United States recently issued the following proclamation for National Safe Boating Week, 1974:

A PROCLAMATION

For many Americans, boating has become a major source of leisure-time pleasure. To avoid turning pleasure into tragedy, however, we must always be mindful of our shared responsibility to use our waterways in a safe manner. Furthermore, with the pressures of the energy crisis forcing a reduction in available fuel supplies, Americans who utilize our waterways should be mindful of the need to conserve fuel to aid in meeting our energy needs.

Aware of the need for boating safety, the Congress enacted the joint resolution of June 4, 1953 (72 Stat. 179), which requests that the President proclaim annually the week which includes July 4 as National Safe Boating Week.

Now, therefore, I, Richard Nixon, President of the United States of America, do hereby designate the week beginning June 30, 1974, as National Safe Boating Week.

All Americans who utilize our waterways for recreation should possess at least a minimum knowledge of safety afloat for their own protection and for the protection of their passengers and craft. I urge all Americans who engage in recreational boating to take advantage of the numerous safe boating courses sponsored by governmental and private organizations and I particularly urge inexperienced operators of small boats to enroll in educational programs designed to teach the fundamentals of safe boating since they seem more prone to boating accidents or tragedies.

I also invite the Governors of the States, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, and American Samoa, and the Commissioner of the District of Columbia to provide for observance of this week.

In witness whereof, I have hereunto set my hand this twenty-sixth day of February, in the year of our Lord nineteen hundred seventy-four, and of the Independence of the United States of America the one hundred ninety-eighth.

THE PROBLEM

If we examine the record for the past year, we can easily see why there is a concern for the safety of our Nation's boatmen. In compliance with the Federal Boat Safety Act of 1971, the Coast Guard has collected, anlyzed, and published statistical information obtained from various recreational boat numbering and casualty reporting systems. This is a continuation of the reports the Coast Guard has previously published under the mandate of the Federal Boating Act of 1958.

What did the most recent statistics reveal? First, and most important, there were seventeen hundred and fifty-four fatalities in boating accidents in 1973. This is three hundred and seventeen more fatalities than the previous year, and increase of over twenty-two percent. As in past years, the greatest single cause of these boating deaths was capsizings, followed by falls overboard. A total of sixteen hundred and four drownings resulted, accounting for over ninty-one percent of all boating fatalities. In over seventy percent of these cases, lifesaving devices were available, but of those who did have access to such devices, two thirds either did not use them properly, or did not use them at all.

In terms of property damage, the five thousand, three hundred and twenty-two reported recreational boating accidents resulted in a loss of over eleven and one third million dollars—an increase of over four million dollars over the previous years.

The Coast Guard, the States, and many fine volunteer organizations are dedicated to reversing the trend. And, with tools such as provided in the recent Federal Boat Safety Act of 1971, the task of protecting life and property of America's boatmen has been greatly assisted. In keeping with its mission to make pleasure boating safe, the Coast Guard is continuing to mount a four-pronged effort on boating safety.

NATIONAL CONSTRUCTION STANDARDS, ENFORCEMENT, EDUCATION, AND STATE LIAISON

National construction standards

Looking first at construction standards, the Federal Boat Safety Act of 1971 authorizes the Secretary of Transportation through the Coast Guard to issue regulations which establish minimum safety standards for recreational boats and boating-associated equipment. In addition, the Act gives the Coast Guard a mandate to conduct tests and establish procedures as necessary in order to insure manufacturers' compliance with the standards as they are established.

The first of these standards of which I speak involves such areas as: Displaying information regarding the maximum number of persons and weight which can be safely carried in a given boat; Establishing safe horsepower limits for specific hulls; Requiring that boats will continue to float even when full of water. These initial manufacturers' standards for boats under twenty feet in length have been promulgated.

Other standards and regulations are being developed to meet problems in such areas as navigation lights, emergency signaling devices, carriage of safety equipment, and prevention of fires and explosions.

Another section of the new law deals with defect notification responsibilities and is perhaps the most important aspect of the recent legislation. For the first time in any law, there is a requirement that if a manufacturer sells a product with a defect which creates a substantial risk of personal injury to the public, or is not in compliance with a standard, he must correct it at his sole cost and expense. With over eighteen hundred different boat manufacturers, it was felt that this law must specifically state the manufacturers' obligations to the public in order to provide for a sufficient degree of consumer protection.

Enforcement

It is the Coast Guard's responsibility to implement the laws and regulations covering the various aspects of recreational boating on waters under Federal control. The individual states are responsible for the enforcement of their state boating rules on waters where they have jurisdiction. For the Coast Guard's part, fifty-four Boating Safety Detachments around the country bear the major burden of enforcement. The four boarding officers attached to each Boating Safety Detachment, perform routine inspections of pleasure craft underway. As necessary, a boatman will be issued a warning and/or citation in the event that his boat is operated in some condition that is in violation of the safety requirements. In more severe cases, under the authority of the law, a Coast Guard boarding officer can require the correction of an especially hazardous condition, including ordering the operator of a recreational boat to return to the nearest safe mooring, should he, the Boarding Officer, consider that continued operation creates an especially hazardous condition. For example, use of a boat could be terminated if there is a lack of sufficient Coast Guard approved lifesaving or firefighting devices, or if the boat is being operated in an overloaded condition. However, a boarding officer cannot exercise this authority for mere failure to carry the required items. The Coast Guardsman must make a judgment determination that continued use creates an especially hazardous condition to the occupants. This places quite a burden on the boarding officers, but we are assured by extensive experience are behind every decision to require the correction of an especially hazardous condition.

Education

In the realm of education, the Coast Guard has undertaken a two-phased program. One phase is that of educating boating officials in various aspects of law enforcement, equipment operation, seamanship, and first aid. Such training is being made available not only to active duty Coast Guardsmen, but to other Federal, State, and municipal officials who are able to take advantage of the Regional Boating Safety Seminars, and the National Boating Safety School at Yorktown, Virginia.

The other phase of education is carried out not only by the Coast Guard, but also by the states, by the Coast Guard Auxiliary, by the U.S. Power Squadrons, by the Red Cross, by the National Safety Council, and by many other organizations who have undertaken to teach boating fundamentals to the public. By means of boating films, safety publications, classroom courses, and homestudy courses, every effort is being made to make the American boatman an educated boatman.

It is unfortunate, though, that in spite of the vast efforts being made toward that end, the majority of boatmen have yet to avail themselves of the many educational opportunities. Rear Admiral Thompson, Chief of the Coast Guard Office of Boating Safety recently noted, "We must strive harder to educate the boating population through voluntary means. In a survey, we found that only one in five boat operators had any form of safety training. And even more seriously, that most of the others were not even aware that such training was available . . . More than ever, we are concentrating on the problem of insuring that the average person who goes boating learns at least something of the hazards he might meet on the water, and what he should do about them when he does. . . . Our Coast Guard Auxiliary educates over two hundred thousand boatmen a year. But, since we estimate that some seven hundred and fifty thousand new boatmen appear on our waters each year, our level must increase. We will continue to work with the states and the voluntary groups in increasing their total teaching capabilities."

It seems to me that to meet the challenge, the Coast Guard has undertaken a significant educational program, using a variety of approaches, they are attempting to reach a substantial percentage of the boating public with a basic safety message. I share their hope that this expanded voluntary approach can reach an acceptable goal. But I am so convinced that there is this vital need for education that I will urge the Coast Guard to seek authority for a mandatory educational requirement if that appears to be the only effective means. The problem we face certainly is not new. It has been with us for many years and has been getting progressively worse. In fact, to call attention to the situation back in 1962, I introduced legislation, H.R. 11703, to require the licensing of operators of certain vessels on the navigable waters of the United States.

Because of the dramatic increase in recreational boating and the growing urgency to maintain the highest possible level of safety on our waterways, I have re-introduced a similar bill in each succeeding Congress, the 88th, 89th, 90th, and 91st. Currently pending before the House Merchant Marine and Fisheries Committee is my bill, H.R. 10417 to require the licensing by the states or the Federal Government of operators of certain vessels on navigable waters of the United States. I realize that there is a reluctance to force further regulations on what is really a form of recreation, and I share that reluctance. But, I cannot help but feel it is no favor to allow people to unwittingly place themselves and their families in dangerous situations they could easily avoid if only they were aware of their existence. If some form of licensing is the only way, the various interest groups should be more concerned that any program is accompanied by a meaningful education element, rather than opposing it on the grounds that there is no need—the fact that more than seventeen hundred and fifty Americans died in boating accidents last year speaks clearly that there *is*, in fact, a need.

State programs

The various States and jurisdictions in conjunction with the Coast Guard have the responsibility to ensure safe boating for the public. Through the grant-in-aid program a number of states have developed enlightened programs, however, the surface has been only slightly more than scratched, and much more needs to be accomplished to insure the safety of the participants in recreational boating.

COOPERATION: A MUST

National Safe Boating Week, itself, is the culmination of a cooperative effort on the part of twenty-one separate organizations devoted to focusing attention upon the necessity for pleasure boatmen to know and to comply with safe boating practices. In addition to those twenty-five organizations, there are over two thousand local groups such as Coast Guard Auxiliary flotillas, U.S. Power Squadrons, Boating Clubs, and other safety-minded organizations who have contributed their efforts toward publicizing National Safe Boating Week, toward making recreational boating safer. . . . more enjoyable.

To all of those national and local committees actively participating in the promotion of boating safety, I extend my thanks. . . . and congratulations. I urge all others interested in boating safety to join them in making this an even more effective National Safe Boating Week in terms of public awareness.

Certainly, the safe practices established during this commemorative week can be carried out during this boating season . . . and throughout the year.

REGULATION OF SPIRITS AND WINE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Kentucky (Mr. SNYDER) is recognized for 3 minutes.

Mr. SNYDER. Mr. Speaker, I am pleased to join with my distinguished colleagues, Mr. DERWINSKI, Mr. HASTINGS, Mr. KING, and Mr. WALSH, in introducing a concurrent resolution calling for a congressional study to determine whether additional regulatory requirements should be imposed on packages of distilled spirits and wine.

For the past 40 years, the production and distribution of distilled spirits and wine have been subject to a much higher degree of governmental supervision than any other consumer product. All standards of identity are prescribed by the Government; all ingredients, formulas, and labels are submitted to the Government for approval; and all production processes are inspected and supervised by the Government. These safeguards adequately protect the public against the use of any harmful ingredients or processees.

And yet, the Bureau of Alcohol, Tobacco, and Firearms now proposes to broaden its supervision over these highly regulated industries by requiring that all ingredients be listed on each label. There are some 300,000 active distilled spirits and wine labels. To require a separate listing of ingredients for each of these labels would impose a heavy and costly burden on Government as well as on industry, which costs ultimately must be borne by the consuming public, and there is serious doubt that it would serve any useful purpose.

No country in the world requires ingredient labeling of Government-standardized distilled spirits of wines. Such a unilateral action by the United States would generate serious problems in international trade.

Before our country adopts such a requirement, Congress should consider its broad implications and determine whether it truly is needed in the public interest. This is particularly important at this time, when we are attempting to reduce the costs of Government by eliminating unnecessary Federal programs. Meanwhile, until all relevant facts are assembled and carefully studied, the proposed administrative action by the Bureau of Alcohol, Tobacco, and Firearms should be deferred—not necessarily canceled, but merely postponed during a reasonable study period.

FINANCIAL DISCLOSURE

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

Mr. FISH. Mr. Speaker, I welcome the opportunity to join with my colleagues in the New York congressional delegation in submitting for the public record a financial disclosure statement.

My statement goes beyond the disclosure mandated by the House rules because I believe the public desires and deserves assurance that as an individual privileged to serve in elective office, I am not subject to any potential or actual conflicts of interest.

The New York congressional delegation established a special Committee on Financial Disclosures to give this matter the very careful consideration it deserved.

The committee, with my complete endorsement, reached the following conclusions with respect to the financial information that should be disclosed:

First. The sources of all noncongressional income whether for services rendered or not;

Second. The identity of the creditor of all indebtedness which is unsecured;

Third. The sources of all reimbursements for expenditures—other than from the U.S. Government;

Fourth. The identity of all stocks, bonds, and other securities owned outright or beneficially;

Fifth. The identity of all business entities—including partnerships, corporations, trusts, and sole proprietorships—professional organizations—of a noneleemosynary nature—and foundations in which the Member is a director, officer, partner, or serves in an advisory or managerial capacity, and the position held in each instance.

Further, the committee concluded, again with my strong endorsement, that the public is entitled to know whether the members of the New York congressional delegation have paid appropriate 1973 Federal, State, and local income taxes.

My statement follows:

FINANCIAL STATEMENT

1973 Sources of Income: U.S. Government—Congressional Salary, Dividends, Interest, Honorariums, Trustees Commissions, Capital gains, Income from interest in rental property.

Non-Secured Indebtedness: Note: Elizabeth S. Pyne (sister) $20,000.

Sources of Reimbursement for Expenditures over $100 (other than Government and other reported as campaign contributions): None.

Stocks and Bonds Ownership: 6/20/74—None.

Business or Professional entities in which I hold a leadership (Director, Manager, Partner) position: None.

1973 income taxes paid:

Federal	$5,522.95
State	2,630.80
Local	4,040.26
Total	12,194.01

Mr. Speaker, the New York congressional delegation's Committee on Financial Disclosure has addressed itself in a forthright manner to the financial disclosure question. I commend the committee for its conscientious work and I am pleased to be identified with this public reporting.

WHY ISRAEL MUST STRIKE BACK

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

Mr. PODELL. Mr. Speaker, two related events took place in the Middle East in the last 2 days. The Palestinian terrorists who killed three Western diplomats in the Sudan about a year ago were sentenced to 7 years in jail. Immediately after sentencing, they were released to a Palestinian terrorists group. While this judicial farce took place, another Israeli village, Nahariya, was attacked by Palestinian terrorists.

I wonder, Mr. Speaker, when the nations of the world will realize that the

only way to curb terrorism is to be as merciless and ruthless with them as they are with their victims? The Sudanese Government, by its action in releasing convicted murderers to safety in the Palestinian terrorist organization, has disgraced itself. Because she refused to deal firmly with the terrorists, Sudan can accept responsibility for the attack on Nahariya and other such attacks in the future.

The terrorists who invaded Nahariya had originally planned to go to the town's school and wait there for the children to arrive. Apparently, they wanted to re-enact the Ma'alot massacre. They were discovered before they could carry out this insane scheme, but they still managed to kill a young woman and her two children. This is the sort of people the Israelis are fighting against—lunatics who think there is a political point to be made in murdering mothers and children.

I cannot blame Prime Minister Rabin and his government for retaliating against the Palestinian terrorists. What else can they do? If they ignore these acts of aggression, more innocent civilians will be killed. They must strike back swiftly and severely, to show the Palestinians that such murders will not go unpunished.

It is regrettable that innocent civilians have been killed in these retaliatory raids. Every death represents another step farther away from the goal of peace. The Palestinian terrorists must take the blame not only for the deaths of Israeli women and children, but for their own women and children. After attacking Israeli towns, they run and hide among Palestinian civilians, hoping to use them as a shield of human bodies when the expected retaliation comes. They turn around and blame Israel for firing on civilians.

There will never be peace until the Lebanese Government demonstrates to the world that it has the courage and responsibility to control Palestinian terrorist activity. Lebanon has offered safe haven to the Palestinians. Lebanon must therefore expect to be the target of Israeli retaliation so long as the Palestinians are permitted to roam free and unhindered.

Unquestionably, the Israeli Government would rather direct its energies toward peace. But until Lebanon, the Sudan, and other Arab Governments stand up to the terrorists, Israel must continue her lonely fight to protect her people from these assassins.

The Israelis are doing the only thing possible in continuing their air raids over Lebanon. Those who criticize these raids miss the point. Why have they never raised their voices when the Palestinians attack Israeli civilians?

The responsibility for these attacks lies with Lebanon, the Sudan, and the other nations who foster and harbor terrorists. This encourages them to keep on fighting and killing. So long as this happens, there will never be peace in the Middle East. One day, and I fear it is coming soon, Israel will say, "Enough," and refuse to deal with the Arabs in any way. And I, for one, could not blame them. The way to peace must include a commitment by the Arab States to take a firm stand against terrorist activities, and to respect Israel's sovereignty and right to exist.

I hope that each raid, such as the one on Nahariya, will be the last. But until the world speaks out against Palestinian terrorism, and until the Arab States realize that they, too, have a responsibility in this matter, these attacks will continue, and more innocent civilians will die. Israel will not give up. She will not cave in to Palestinian terrorist pressure. She will continue to fight until the Arab States admit that the only true hope for peace depends on controlling the depredations of the Palestinian murderers.

FOOD SHORTAGE PRODUCES TRADE DEFICIT

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

Mr. ALEXANDER. Mr. Speaker, this week the U.S. Department of Commerce reported a trade deficit for May at $776.9 million, a swing deeply into the red as import costs remained high and farm exports fell dramatically.

Imports outran exports by $776.9 million, the second largest monthly deficit on record, surpassed only in October 1971, when the trade was stilled by a dock strike.

For the first time this century, the United States had its first full year trade deficits in 1971 and 1972. It is true that devaluations of the dollar helped to win back a surplus back in 1973. But this year, the increased cost of importing oil has produced a deficit again.

One solution to reestablishing a favorable balance of trade is to produce and export more food products. H.R. 15263, the 1974 Rice Act, is a step in that direction. The bill, if enacted into law, would unshackle the American rice farmer and permit him to produce more rice to meet the world market demand. I urge my colleagues to consider this as a viable alternative to a balance-of-trade deficit. Those Members who are interested in this approach are urged to contact Phil Moery in my office immediately—extension 5-4076—in order that you may be included in this effort.

PERSONAL EXPLANATION

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

Mr. HENDERSON. Mr. Speaker, on rollcall 331, final passage of H.R. 15572, on June 26, 1974, I was in the Chamber, placed my card in the box, but was not recorded.

Had I been recorded, I would have been shown as voting "yea."

PERSONAL EXPLANATION

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

Mr. BINGHAM. Mr. Speaker, on June 25, I missed roll No. 328. Had I been present, I would have cast my vote "aye."

HAWAII NATIVE CLAIMS SETTLEMENT ACT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Hawaii (Mr. MATSUNAGA) is recognized for 30 minutes.

Mr. MATSUNAGA. Mr. Speaker, as cosponsors, my distinguished colleague from Hawaii (Mrs. MINK) and I today introduced a bill to redress one of the most longstanding grievances held by any group of people. The people to whom I refer are the native Hawaiians, and the bill is the proposed "Hawaii Native Claims Settlement Act," H.R. 15666.

To most of my colleagues, the word "Hawaiian," may simply mean residents of my beautiful state. But the term "Hawaiian" carries a more specific meaning; it refers to those Polynesians who inhabited the Hawaiian Islands prior to their "discovery" by Captain Cook in 1778. To be "Hawaiian" in this sense is to be the bearer of an ancient and distinguished ethnic heritage which has shaped the character of the State of Hawaii as surely as its island geography. As each succeeding wave of newcomers arrived in the Islands, the Hawaiians imbued them with what has come to be called the "Aloha Spirit"—an indefinable, yet irresistible, spirit of openness and friendliness, a willingness to share with all the sense of community, which remains, to this day, Hawaii's most important resource.

This very openness and friendliness which characterized the Hawaiians has led to the need for the legislation we introduced today, Newcomers in the mid-nineteenth century brought with them European ideas of personal ownership of land for personal profit. The Hawaiians until that time considered the land as the "Sacred Hearth of the Gods," to be used by all for sustenance. Under the stewardship of the alii, or nobles, the land was to benefit all of the people. When the new system took hold, few Hawaiians were able to come to grips with it. Even those who received land during a general distribution in 1848, under the great mahele, acording to a 1970 Library of Congress study:

> Naive in matters of real estate value, sold their land soon after purchasing them . . . Many tenants failed to claim the lands . . . they occupied and to which they were entitled . . .

Nonetheless, thousands of acres of land remained available, in principle, for the benefit of Hawaiians in the form of Government and "crown" lands which were under the practical control of the monarch.

But in 1893, when the Hawaiian people were regaining a sense of strength and identity under the powerful leadership of Queen Liliuokalani, outside forces intervened again.

A small group of non-Hawaiians found ready allies in the U.S. Minister to

Hawaii and American gunboats offshore, and overthrew the legitimate native government of Hawaii. Almost immediately, a treaty providing for American annexation was "negotiated" with the new government, but that treaty was withdrawn from Senate consideration by President Grover Cleveland just after he took office. President Cleveland then sent a special envoy, the Honorable James H. Blount, to investigate the circumstances surrounding the so-called "revolution" which overthrew the monarchy. Mr. Blount, a longtime Georgia Congressman and former chairman of the House Foreign Affairs Committee, flatly concluded that the revolution was the result of a conspiracy between the U.S. Minister to Hawaii and revolutionary non-Hawaiian leaders in Hawaii.

In an official communication to the Congress about the affair, President Cleveland himself stated that—

But for the lawless occupation of Honolulu under false pretenses by the United States Forces. . . .

Hawaii would have remained a kingdom under Queen Liliuokalani.

The legislation which my colleague and I introduced today is to correct this historic wrongdoing. H.R. 15666 is the product of months and months of open, sometimes difficult efforts on the part of an organization known as Aboriginal Lands of Hawaiian Ancestry. The acronym for that name brings new meaning to the word "ALOHA." From the crucible of hearings on the various islands in Hawaii, discussions within the organization's leadership and membership, came legislation which would provide a degree of compensation to the descendants of the native Hawaiians for the lands of which they were deprived so long ago.

The bill calls for the creation of an independent corporation to manage the amounts to be paid by the Federal Government, $100 million annually for 10 years for a total of $1 billion. There is also a provision giving the corporation first rights on any land in Hawaii declared to be excess of its use by the Federal Government.

It is unfortunate that there is no practical way, in effect, to return the land to the Hawaiians. The sad fact is that there are only about 6,000 square miles in the entire State of Hawaii, compared with about 570,000 square miles in Alaska. Thus, there can be no large-scale return of land in settlement of these claims, as there was in the case of the Alaska Native Claims. In fact, the land returned to the Alaska Natives by itself is equal to about 10 times the total area of Hawaii. That is why the bill being introduced today focuses on money damages.

Mr. Speaker, I well realize—and the Hawaiian people realize—that this legislation will not be easy to enact. It involves a large amount of money, and is intended to redress a grievance which most Americans probably do not yet even know occurred. It is my hope, however, that the bill being introduced today will serve as a vehicle for discussion, a way to facts which more than justify this legisfocus public attention on the historical lation. The members of ALOHA, and the members of the Hawaii congressional delegation, will be very active in educating all Americans to the justness of the cause represented by the bill.

I trust that early hearings will be possible to further raise the public consciousness on this matter.

In this connection I wish to congratulate Mr. Kekoa Kaapu, president of ALOHA Association, Mrs. Louisa Rice, its founder and director and members of the board of directors, who have been in Washington for nearly a week on a special mission which they have accomplished beyond all expectations.

I include in the RECORD the text of the bill at this point:

H.R. 15666

A bill to provide for the settlement of historic claims of the Hawaiian Natives, and for other purposes

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 Hawaiian Native Claims Settlement Act.

DECLARATIONS

SEC. 2. Congress finds and declares that—

(a) It is necessary that a fair and just settlement now be made of all claims by Natives and Native Groups of Hawaii, which claims are based on the lawless, fraudulent and forceful acts of agents of the United States, by which acts the lawful and sovereign government of the Kingdom of Hawaii was overthrown, dominion and domain over the people and lands of Hawaii was ultimately assumed by the United States, and thus the independence and sovereignty of the Hawaiian people as a collective social, political, and economic entity was permanently terminated;

(b) The settlement should be accomplished rapidly, with finality and certainty, without litigation, in conformity with the existing economic and social needs of Hawaiian Natives, with maximum participation by Hawaiian Natives in decisions affecting their rights and property, and without creating a wardship or trusteeship on the part of the United States Government; and

(c) All claims against the United States, the State of Hawaii, and all other persons, that are based on acts of agents, agencies or instrumentalities of the United States which contributed to the overthrow of the government of the Kingdom of Hawaii and enabled the United States to establish dominion and domain over the people and lands of Hawaii, including all claims of aboriginal right, title, use, or occupancy of land or water areas in Hawaii, or that are based on any Statute or Treaty of the United States relating to annexation of Hawaii by the United States, or that are based on the laws of any other nation, including any such claims that are pending before any Federal or State tribunal, are hereby extinguished.

DEFINITIONS

SEC. 3. As used in this Act the term—

(a) "Hawaiian Native" means a citizen of the United States possessed of the blood of ancestors who were living on the Hawaiian Islands prior to 1778;

(b) "Hawaiian Islands" means the territory now included in the State of Hawaii;

(c) "Secretary" means the Secretary of the Interior;

(d) "Minor" means a person under the age of 18 years;

(e) "the Corporation" means the Hawaiian Native Corporation established by Section 6 of this Act;

(f) "ALOHA" means the A.L.O.H.A. Association, Inc., its successors and assigns.

(g) "person" means and includes an individual, firm, corporation, association, partnership, or other legal entity;

(h) "he" and "his" mean and include he, she, they and it, and his, hers, their and its.

HAWAIIAN NATIVE ROLL

SEC. 4. The Secretary shall prepare a roll of Hawaiian Natives within two years of the date of this Act and shall maintain such roll thereafter by eliminating the names of deceased Natives and by adding the names of after born Natives and, with the approval of the board of directors of the Corporation, of other persons previously omitted subsequently shown to qualify. The right to participate in the benefits of this Act shall belong to the living Hawaiian Natives listed on the roll from time to time and shall not be transferable *inter vivos* or upon death. In the absence of a sufficient genealogy to establish that an applicant for enrollment is an Hawaiian Native, he may nevertheless be enrolled, if he is generally acknowledged by Hawaiian Natives acquainted with him to be an Hawaiian Native.

HAWAIIAN NATIVE FUND

SEC. 5. (a) There is established in the Treasury of the United States the Hawaiian Native Fund into which the following shall be deposited:

(1) $1,000,000,000 from the general fund of the Treasury, hereby authorized to be appropriated as follows:

(A) $100 million during the fiscal year in which this Act becomes effective; and

(B) $100 million during each of the next nine fiscal years following.

(2) Interest at the rate of 5 per centum per annum, hereby authorized to be appropriated, on any amount authorized to be appropriated under section 5(a)(1) of this Act that is not deposited in the fund within six months after the end of the fiscal year in which due.

(b) Such fund shall be a trust fund and money on deposit therein shall earn interest and be invested and administered by the Secretary in the same manner as trust funds of Indian tribes.

(c) Upon completion of the organization of the Corporation, and the election of a board of directors by the members, all money in the fund from time to time shall be held subject to, and distributed to such corporation in accordance with, the orders of the board of directors.

HAWAIIAN NATIVE CORPORATION

SEC. 6. (a) There is hereby established a body corporate named the Hawaiian Native Corporation, whose principal place of business shall be located in the State of Hawaii. The corporation shall not be an instrumentality of the United States. The members of the Corporation shall be the Hawaiian Natives listed on the Hawaiian Native Roll from time to time.

(b) Within two and a half years from the date of this Act, the Secretary shall issue a certificate of membership in the Corporation to each Hawaiian Native listed on the roll as of the date of issue. Thereafter, he shall issue such a certificate to each Native added to the roll.

(c) Certificates of minors shall be issued in accordance with the Hawaii gifts to minors act.

(d) Certificates issued pursuant to this section, and rights and benefits appertaining thereto, shall not be sold, assigned, hypothecated, subject to liens or executions, or otherwise alienated. Upon the death of a member, his certificate shall be cancelled, but any benefits accrued to the time of his death shall be distributed in his name to his representatives.

(e) The purposes of the Corporation are to receive and administer the benefits provided by this Act for the Hawaiian Natives, and to engage in any and all enterprises, businesses, undertakings and activities that the board of directors deems promotive of their interests and welfare, whether or not directed to the making of monetary profits.

(f) The Corporation shall have all rights, powers, privileges and immunities usually possessed by business for profit corporations and by charitable institutions. Without limitation of the foregoing, the corporation shall have the following specific rights, powers, privileges and immunities:

(1) to adopt and amend bylaws providing for the structure and governance of the Corporation; provided that, for a period of 20 years from the date of this Act, such bylaws and amendments shall be subject to the approval of the Secretary;

(2) to adopt a corporate seal, which shall be judicially recognized;

(3) to sue and be sued in its corporate name;

(4) to engage in businesses and activities for profit and, without restriction, to pay dividends and make other distributions of money and property to members out of capital and earnings;

(5) to acquire, own, hold, manage, invest, hypothecate, and dispose of property, and interests therein, of every kind and description, real, personal and mixed, tangible and intangible;

(6) to provide professional and technical assistance to members and to groups and organizations in which members have substantial interests;

(7) to finance and conduct programs, and to aid others in financing and conducting programs, for the purposes, without limitation, of providing housing, education, and relief from distress to members and their families, and of promoting the economic and social advancement of members and their families and of groups and organizations in which members have substantial interests;

(8) to engage generally in programs and activities designed to enhance the health, wealth, welfare and education of members and their families;

(9) to be deemed a charitable, tax exempt, institution for the purpose of receiving donations of money and property from others;

(10) to be deemed a public instrumentality and body politic for the purpose of qualifying under acts of Congress authorizing loans, grants in aid, or other assistance to qualified entities for the purpose of carrying out various projects and programs, including, without limitation, housing, education, health and economic development.

(11) to be exempt for a period of 20 years from the date of this Act from the payment of any and all local, state and federal taxes;

(12) to make distributions of money and property to members exempt from any and all forms of taxation until the total of such distributions equals the amount authorized to be appropriated by section 5(a)(1) of this Act, after which members shall be subject to tax on distributions to the same extent as would the shareholders of any business corporation receiving distributions of like kinds.

(13) to be exempt for a period of 20 years from the date of this Act from all local, state and federal laws regulating corporations; provided that the Secretary shall require the Corporation to include in its bylaws such provisions for audits, reports, proxy solicitations, and other disclosures and controls as he deems necessary to inform and protect members, and others interested in the Corporation.

(14) to assume and discharge, in accordance with Section 8 of this Act, all fair and reasonable unpaid obligations incurred by ALOHA, under lawful written contracts with third persons for the purposes of preparing, presenting, or advocating or securing the enactment of legislation to settle the historic claims of, the Hawaiian Natives, including, without limitation, loans and advances of money or other things of value, and fees and expenses of attorneys and other consultants.

(g) The management of the Corporation shall be vested in a board of directors. Except for the initial board, which shall be constituted as provided in section 6(h) of this Act, the number, terms, qualifications and method of election of directors by the members shall be as prescribed in the bylaws of the Corporation.

(h) The initial board shall consist of 17 directors.

(1) At the time he first issues certificates of membership under section 6(b) of this Act, the Secretary shall call for the election of the initial board. Any member, except a minor, who shall submit to the Secretary a written nomination signed by not less than 100 adult members shall be a candidate for director. The Secretary shall prepare a ballot including the names of all persons so nominated.

(2) Such ballot shall be supplied each member, except a minor member for whom no custodian has been designated under the Hawaii Gifts to Minors Act, who shall be entitled to 17 votes, which he may distribute, as he sees fit, in whole votes, among any one or more of the candidates on the ballot, not to exceed 17.

(3) Candidates shall be declared elected in the following order:

(A) The candidate, if any, who is a resident of the Island of Hawaii, who receives more votes than any other candidates, if any, who are also residents of the Island of Hawaii.

(B) The candidate, if any, who is a resident of Maui, who receives more votes than any other candidates, if any, who are also residents of Maui.

(C) The candidate, if any, who is a resident of Lanai, who receives more votes than any other candidates, if any, who are also residents of Lanai.

(D) The candidate, if any, who is a resident of Molokai, who receives more votes than any other candidates, if any, who are also residents of Molokai.

(E) The candidate, if any, who is a resident of Oahu, who receives more votes than any other candidates, if any, who are also residents of Oahu.

(F) The candidate, if any, who is a resident of Kauai, who receives more votes than any other candidates, if any, who are also residents of Kauai.

(G) The candidate, if any, who is not a resident of the State of Hawaii, who receives more votes than any other candidates, if any, who are also not residents of the State of Hawaii.

(H) The remaining candidates receiving the most votes, without regard to residence, in number necessary, with those elected pursuant to paragraphs (A) through (G) above, to equal 17.

(i) The members of the initial board shall serve for a term of one year and until their successors are elected and qualified.

(j) (1) The initial board shall prepare and adopt bylaws subject to approval of the Secretary.

(2) Such bylaws, among other things, shall:

(A) Designate an office and agent of the Corporation for the receipt of process and other legal purposes;

(B) Provide for the composition and election of the board of directors subsequent to the initial board; and

(C) Designate and prescribe the duties of the officers of the Corporation, who shall be elected by the board and serve at its pleasure.

SURPLUS LANDS

SEC. 7. Any provision of law to the contrary not withstanding, the Administrator of the General Services Administration is hereby directed to give to the Corporation the first and prior right to acquire any Federal lands located within the State of Hawaii which have been determined by the Administrator, in accordance with law, to be "surplus" and not required for the needs and the discharge of the responsibilities of all Federal agencies. If the Corporation elects to exercise its right to acquire any surplus federal lands, the Administrator shall convey such surplus Federal lands to the Corporation unconditionally and without compensation therefor.

OBLIGATIONS INCURRED BY ALOHA

SEC. 8. (a) Within six months of the date of this Act, any person that claims that ALOHA is indebted to him on an unpaid written contractual obligation incurred by ALOHA for the purposes of preparing, presenting, or advocating or securing the enactment of, legislation to settle the historic claims of the Hawaii Natives, shall present his claim, together with appropriate documentation to ALOHA and the Corporation. In consultation with ALOHA, the Corporation shall review and prepare a schedule of all such claims, noting thereon which claims, if any, it questions or disputes, in whole or in part, together with the reasons therefor, which schedule, together with copies of the claims and supporting documents supplied by the claimants, it shall submit to the Secretary within nine months of the date of this Act. Claims not questioned or disputed by the Corporation, to which the Secretary takes no exception within one year from the date of this Act, shall thereafter be due and payable by the Corporation. In the event the Corporation, the claimant, and the Secretary, cannot agree on the settlement of a claim questioned or disputed by the Corporation, or to which the Secretary has taken an exception, the same may, upon the application of either the Corporation, the claimant or the Secretary, be determined by arbitration under Chapter 658 of the Hawaii Revised Statutes.

REPORTS TO CONGRESS

SEC. 9. During a period of 20 years from the date of this Act, the Secretary shall prepare and submit reports annually to Congress on the state of the Hawaiian Natives and the execution and effects of this Act. During the session of Congress next convened after the end of such period, the Secretary shall submit, through the President, a final report on the state of the Hawaiian Natives, which shall include a summary of actions taken and results achieved under this Act, together with such recommendations to Congress as he deems appropriate.

APPROPRIATIONS

SEC. 10. There are authorized to be appropriated such sums as may be necessary to carry out the provisions and purposes of this Act.

REGULATIONS

SEC. 11. The Secretary is authorized to issue and publish such regulations as may be necessary to carry out the provisions and purposes of this Act.

MISCELLANEOUS

SEC. 12. (a) No provision of this Act shall derogate from or diminish any right, privilege, or obligation of Hawaiian Natives as citizens of the United States, or of the State of Hawaii, or relieve, replace, or diminish any obligation of the United States or of the State of Hawaii to protect and promote the rights and welfare of Hawaiian Natives as citizens of the United States or of Hawaii;

(b) No provision of this Act shall be construed to constitute a jurisdictional act to confer jurisdiction to sue, nor to grant implied consent to Hawaiian Natives to sue the United States or any of its officers with respect to the claims extinguished by the operation of this Act.

SUPREMACY AND SEPARABILITY

SEC. 13. In the event of conflict between this Act and any other acts of Congress or other laws, the provisions of this Act shall control. If any provision of this Act is authoritatively determined to be invalid on its face or as applied, such holding shall not be

deemed to invalidate or affect any other provisions of this Act.

Mrs. MINK. Mr. Speaker, at the request of the ALOHA Association, today I am introducing the Hawaiian Native Claims Act.

The purpose of this bill is to seek reparations for the native Hawaiians for the loss of their land when the Hawaiian Islands became part of the United States.

The ALOHA—Aboriginal Lands of Hawaiian Ancestry—Association is composed of representatives of the native Hawaiian people who inhabited the Hawaiian islands before their discovery by Western man in the 18th century. A delegation of ALOHA members is in Washington this week for the historic occasion of the introduction of this legislation in the Congress.

Under the bill, $1 billion would be appropriated over a 10-year period. A corporation owned by all part-Hawaiian persons would be created by the bill, and all funds received would be used in perpetuity for the benefit of Hawaiian people in such areas as education, economic development, and housing. The bill would extinguish all future claims against the United States.

I am introducing this important legislation at the request of the ALOHA Association so that the process of congressional consideration of Hawaiian native claims can begin. While a considerable period of time may be required for completion of such action, I am hopeful that hearings can be scheduled in Hawaii by the House Committee on Interior of which I am a member, and the Hawaiian people can be offered an opportunity to testify as to the need and justification for adoption of this legislation as soon as possible.

The issue of native claims for the Hawaiian people is similar in some respect to the claims of Alaska natives. Congress enacted legislation granting $1 billion and a large amount of land to Alaskan Natives in satisfaction of their claims against the United States. I feel that the native inhabitants of both States originally lost their land under similar, but not identical circumstances.

Because of the loss of their land, native Hawaiians have suffered greatly, and collectively they have been deprived of their birthright. Although once the only inhabitants of the islands, their numbers as full blooded Hawaiians now constitute only a small percentage of the population.

The ALOHA Association states their claim on the forcible overthrow in 1893 of their last monarch, Queen Liliuokalani. I believe it is incumbent on the Congress to delve deeply into this subject and examine all the facts concerning their claim. The legislation introduced today will help furnish a vehicle for such consideration.

With utmost respect for the Hawaiian people and in hopes that their right to restitution for losses will receive all due attention by the Congress, I am joining in their quest by the introduction of this bill.

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

Mr. MATSUNAGA. I will be happy to yield to the gentleman from California.

Mr. STARK. Mr. Speaker, I would like to commend my distinguished colleague, the distinguished deputy whip, the gentleman from Hawaii (Mr. MATSUNAGA) for his brilliant presentation of this worthy legislation, and I wish to commend his colleague, the gentlewoman from Hawaii (Mrs. MINK).

I am sure that the gentleman's constituents and the native American-Hawaiians will be in good hands. I am equally sure the gentleman will guide this legislation speedily through the seas of legislation with the same care and distinction with which he has sponsored the 93d Club on this side of the aisle. I can only assure the gentleman's constituents that their interests are in the hands of two of the most able Members of the House of Representatives.

Mr. Speaker, I am moved to support the legislation that the gentleman has described this evening.

Mr. Speaker, I thank the gentleman for yielding.

Mr. MATSUNAGA. Mr. Speaker, I thank the gentleman for his kind remarks, and I shall look forward to working with him, with his full understanding and assistance.

Mr. YOUNG of Florida. Mr. Speaker, will the gentleman yield?

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

Mr. YOUNG of Florida. Mr. Speaker, I thank the gentleman for yielding.

I wish to compliment the gentleman on his presentation here this morning.

I know that were it not for the prohibition in the rules of the house against such practice, the gentleman would like to recognize the presence of many of his friends who are here this morning.

Mr. MATSUNAGA. Mr. Speaker, I thank the gentleman from Florida. I shall look forward to his understanding and his cooperation in enacting the legislation which my colleague and I introduced today.

BILL TO ALLOW UNITED STATES TO BARTER FOREIGN AID FOR RAW MATERIALS

(Mr. MILLER asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. MILLER. Mr. Speaker, yesterday I had the privilege of testifying before the House Foreign Affairs Committee on a bill I have sponsored that would allow the United States to barter its foreign aid. This proposal currently has 54 cosponsors in the House. Because of the great interest shown in this legislation, I would like to insert the testimony in the CONGRESSIONAL RECORD:

TESTIMONY OF CONGRESSMAN CLARENCE MILLER ON H.R. 14041, H.R. 14561, H.R. 15397

Mr. Chairman and members of the committee, I appreciate this opportunity to testify before you today on a proposal which I believe deserves a place in our foreign aid program. This concept is the "barter bill," H.R. 14041. Basically, it would allow the United States to exchange or barter its foreign aid for raw materials which we lack in this country or which are in short supply. I would like to take a few minutes explaining why I feel this barter idea is necessary; then a little about the bill itself, and finally direct myself to some of the obvious questions and criticism that the bill raises.

Since the end of World War II the United States has contributed over $158 billion in foreign aid and assistance. During the period immediately after the war up through the mid-60's an attitude prevailed in this country that since we were the richest country in the world we could give away large portions of our wealth to help the poorer nations. Today, however, this is no longer the case. We cannot afford to continue to give away our wealth with no strings attached. Our wealth is limited; our resources are limited. If we are to maintain and improve the quality of life in the United States, we must receive something in return for our foreign aid.

Our foreign assistance program has certainly not made the rest of the world love us. Many aid recipients gladly take foreign aid with one hand while slapping us with the other through the promotion of anti-U.S. policies. For example, Ecuador has received $340 million since 1964. They have returned our generosity by seizing U.S. fishing boats that come within 200 miles of their shores. Jamaica has received $86 million during that same period. Just last month the Jamaican government announced that it intends to increase the royalties and taxes it levies on bauxite by more than 500%. Presently Jamaica is the major source of bauxite ores for the U.S. aluminum industry. There are, of course, other examples: Peru, Uganda, India, and others. They all serve to illustrate the point that in many instances our aid has not brought stability to some parts of the world. It has not bought friendship for the United States. It has not, in many cases, filtered down to the poor man in the recipient countries. Often it has been wasted on showy office buildings or other extravagant trappings that are monuments to the waste of the American taxpayers' dollars.

While the United States has spent these billions of dollars in foreign assistance over the past 28 years we have been ignoring the crisis that we are heading for with regard to our own economic stability. Each year the Congress is called upon to raise the debt ceiling. Much of that debt is generated by borrowing to meet foreign aid outlays. Our balance of payments picture continues to look bleak for the future. At the same time that our national economy is saddled with these burdens American industry faces an uncertain future as the critical raw materials necessary to progress become more and more scarce. Of the 13 so-called "basic" materials vital to manufacturing, the United States must import all or part of its requirements for eleven of them. Unfortunately this picture will not get any better. There are almost no known large reserves of these minerals left in the United States—and they have been prospected for almost everywhere in the country. So as far as our ability to be mineral self-sufficient, we have reached our limits, barring the discovery in the distant future of substitutes. Of course, it is not just these eleven basic minerals that we are forced to import. There are many others that may be equally important such as platinum, cobalt, mica, magnesium—and the petroleum that we all know about now. Even assuming that our demand for these materials does *not* increase—an unlikely event—the United States will be out of most of these by the year 2000.

If we want to insure that our children and grandchildren are not brought to their knees by the type of economic blackmail that we have seen in the past year we must take steps now to provide mineral resources for the years ahead. Without such security American industry will be permanently

crippled, jobs will be lost and our standard of living will drop sharply. The longer we wait to take preventive action the closer to economic disaster we move. Just over the past six months we have seen the chaotic effect that spot shortages of certain critical raw materials can have on U.S. industry. Imagine what it could be like if industry had to be at the mercy of foreign mineral cartels for all of its crucial needs.

At the same time that the United States is running out of these strategic minerals, many of our aid recipients are sitting on mountains of untapped or partially developed natural wealth. Looking at a list of the known or speculative mineral reserves in the world you won't find nations such as the United States, France, Japan, or Germany on that list. Instead you will find nations such as Brazil with zinc, Indonesia with copper, Peru with lead, and Jamaica with bauxite. These are the same countries that in most instances receive U.S. aid in one form or another. With this situation in mind, it seems only right that the United States should begin to receive something in return for its aid. Twenty years ago it was a case of the "developed" nation giving aid to the "under-developed". As we run out of our strategic minerals it is time to barter our aid for these minerals we need. The position of "developed" and "under-developed" is being reversed.

I feel that the barter bill I have proposed would be that first necessary step to mineral security. In addition, the American people would begin to get something back for the billions of dollars of foreign aid we dispense. What I am proposing here is a fair exchange for mutual benefit. Last December, the Appropriations Committee stated in its report on foreign assistance that "some consideration should be given to the possibility of establishing certain arrangements with the underdeveloped countries receiving U.S. foreign aid concerning the exchange or barter of strategic or critical raw materials in their possession."

As the bill is worded the barter aspect of the foreign aid program would be discretionary. It would be used whenever the President "deems it to be in the national interest." This nonmandatory approach would enable us to continue aid to an especially needy area even when that particular country may be completely without any raw materials that we need. On the other hand, it is my feeling that under present circumstances the President should be encouraged to use his barter power at all other times. Whenever he would find that a nation receiving U.S. aid does in fact possess a strategic or critical raw material he should exercise the barter option and obtain something in return for our aid.

The second aspect of the bill concerns just what the United States would do with the raw material once it had successfully bartered for it. As I see it, there are two ways to approach it. The mineral could be stockpiled by the government and then sold at a time in the future when the shortages become more acute. As with the Commodity Credit Corporation, this sale would be done in a manner which did not disrupt the market or cause problems for U.S. industries. The other avenue of approach is to put the rights to the raw material up for bid. The successful bidder would then mine the raw material and sell it, subject only to the stipulation that the mineral must be sold to this country. The barter idea is broad enough in scope to cover either approach or even some third method.

I frankly admit that I do not have all of the answers as to how the specifics of the program would work in detail. However, with the expertise of this committee and its staff I am confident that the details can be worked out.

Those critical of the barter concept have mentioned several areas of concern. On criticism has been the idea that the program is unworkable. I don't think so. As I have mentioned, all of the details may not have been worked out but the thirty years of experience in foreign assistance of this committee and the executive departments can surely provide the guidance and answers that are needed. If we sit around and wait until every single contingency is covered, the idea will never be put into action. We must take that first step now. When the United States began its aid program no one could predict for sure where it would lead—and yet the U.S. took that first step because it was considered necessary. It is time now to head back up that road. To delay any longer will continue this needless expense of taxpayer's money and jeopardize our industrial future.

A second question on the barter approach has been that it allows the United States to prey on the poorer countries of the underdeveloped world. I cannot buy that argument. What we are proposing here is a fair exchange. We are not robbing anyone. These nations will also profit as development of their resources leads to increased employment and a stronger economy for them. If we do not follow the barter course we will pay dearly in 10 or 20 years, even as we are beginning to pay now. We have already seen the beginning of the formation of cartels by these mineral-rich nations. The longer we postpone facing these facts, the more difficult we will make our future. Admittedly this is a carrot-and-stick approach to the problem, but it is the most effective.

I think the time is right to incorporate the barter idea into our foreign aid program. The American public and the Congress are vigorously questioning the giveaway of aid. This sentiment was reflected in the House last January when the IDA authorization was voted down. I feel there is strong support for the barter idea in the House as evidenced by the 54 co-sponsors of this bill.

The barter proposal is not a plan for continuing the Foreign assistance program because my votes of not supporting the program strongly reflect that I would much prefer we stop giving away the taxpayers' dollars. But each year we find that the program continues so if it must continue then we should take the necessary steps to receive material of equal value.

Once again I would like to express my appreciation to the committee for this opportunity to testify. I think the barter concept is an extremely valid idea. I urge its careful consideration and inclusion as part of our foreign aid program.

Raw material	Percent metal needs imported by United States	Approximate current price	Aid recipient possessing metal	Aid received 1973 (millions)	Total aid since World War II (thousands)
1. Chrome (ore)	100	$50/LT	Philippines	$161.7	$2,274,700
2. Cobalt	98	$3.40/lb	Zaire	15.6	498,900
3. Aluminum (ore and metal)	96	$0.48/lb	Jamaica	8.4	127,800
4. Manganese	95	$0.38/lb	Gabon	1.9	7,600
5. Tin	78	$4.70/lb	Bolivia	31.4	602,100
6. Nickel	74	$1.62/lb	Columbia	107.2	1,342,600
7. Zinc	55	$0.35/lb	Brazil	71.5	2,959,900
8. Silver	44	$5.09/tr oz	Peru	9.8	507,600
9. Tungsten (ore)	43	$89/STU	Thailand	81.3	1,739,700
0. Beryllium	39	$30/STU	Brazil	71.5	2,959,900
1. Iron	30	$14/LT	Venezuela	12.0	316,800
2. Lead	27	$0.21/lb	Peru	9.8	507,600
3. Copper	17	$1.08/lb	Indonesia	358.0	1,783,600

COMMITTEE REFORM BILL

(Mr. ROUSH asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. ROUSH. Mr. Speaker, earlier today the gentleman from Illinois (Mr. ANDERSON) offered a privileged resolution which would have had, if it had prevailed, the effect of forcing the Select Committee on Committees, chaired by the gentleman from Missouri (Mr. BOLLING) to seek a rule on the committee reform bill reported by the Select Committee.

The Speaker, following the precedents of the House, ruled that the resolution offered by my colleague did not in fact have the status of being privileged. Mr. ANDERSON appealed the ruling of the Chair. This was a most unusual move. A motion to table the motion was made. Mr. Speaker, I voted "aye" on the motion to table. As was pointed out earlier in today's proceedings there have been only eight such appeals from the ruling of the Chair in almost 50 years. In every instance but one, the ruling of the Chair was sustained.

The integrity of the Chair and the authority of his rulings are important to the orderly conduct of the business of the House. I was pleased, and not at all surprised, to see the Republican leadership, except for Mr. ANDERSON, vote to table the appeal. I hasten to point out. Mr. Speaker, had Mr. ANDERSON's resolution been in order, I would have supported it. I have carefully considered the Select Committee's recommendations and find them not only desirable and acceptable but imperative. They represent the kind of reform in the House which is needed to meet the ever changing and increasing responsibilities of the House.

I share my colleague's disappointment that House action on the report and recommendations has been delayed but I am more optimistic than he is in my belief that the House will act during this session on this far reaching reform measure.

H. ELDRED WILSON

(Mr. ALBERT asked and was given permission to extend his remarks at this

point in the Record and to include extraneous matter.)

Mr. ALBERT. Mr. Speaker, at the end of this month one of our finest House employees, H. Eldred Wilson, assistant operation's officer in the House of Representatives bank, will retire.

I came to the House of Representatives in the 80th Congress, which convened in January of 1947 and El Wilson came to the House bank in the same year. We have shared a lot of history and we share a particular love for this great institution.

I am sure that all the Members and staff of the House join me in thanking El for his service, dedication, and hard work over the years, and wishing him the best on the occasion of his retirement.

I would like to include at this point in the RECORD the text of some very appropriate comments broadcast by Joe McCaffrey on Tuesday in tribute to Eldred Wilson:

JOSEPH MCCAFFREY NEWS BROADCAST—ABC NEWS, FRIDAY, JUNE 21, 1974

Many years ago, young H. Eldred Wilson was tagged by drama critics hereabouts as an actor with a glowing future. He was offered jobs by Arthur Godfrey, by Ethel Barrymore, and he participated in Lee DeForest's first successful telecast in 1927.

Family circumstances kept Wilson from accepting the alluring Godfrey and Barrymore offers. Instead, he entered the banking business with the old Lincoln National in Washington. Now 44 years later—17 with Lincoln, 27 on Capitol Hill, El Wilson is retiring as assistant cashier of the members' banking facility in the Office of the House Sergeant-at-Arms.

Wilson was drafted in early 1947 to reorganize and establish procedural routine in the House bank, at that time operated largely by non-professionals. His first move—insisting on periodic General Accounting Office audits of the facility—eliminated the frequent deficits existing in the bank's accounts before the auditing routine was set up.

Wilson since has become the confidante of scores of House members and staffers, a raconteur of distinction serving as a clearing house for humor from all parts of the nation, but still a professional insisting on professional operations of the House bank. He is retiring, reluctantly, on advice of his physicians.

Did Wilson's early experience as an actor benefit him in his Capitol Hill duties? "Sure did," Wilson says. "It made it possible for me to keep a straight face no matter how many ridiculous things I ran into, no matter how many weird problems I was called on to solve. If this place didn't exist, it couldn't have been invented."

ELVAN GEORGE WAS MORE THAN A COACH

(Mr. ALBERT asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. ALBERT. Mr. Speaker, Oklahoma lost one of its greatest coaches and teachers when Mr. Elvan George of Ada, Okla., died of an apparent heart attack at his home at Ada on Friday, June 21, 1974. During 21 years of high school coaching, Mr. George's football teams won 174 games, lost 52 and tied 9. His Ada High School teams won 6 State championships during the 7-year-period from 1951 through 1957. His East Central State College football teams notched a 93–36–5 record winning 4 straight Oklahoma Collegiate Conference titles from 1965 to 1968.

But, as Ray Soldan, reporter for the Oklahoma City Daily Oklahoman, pointed out in an article June 22, 1974, Elvan George was more than a coach. A copy of Mr. Soldan's article follows:

Quoting Napoleon, Elvan George dedicated a history he wrote about Ada High School football with the words: "Battles are usually won by the soldiers but the generals take the credit."

It was a dedication you just knew a man like Elvan George would write. He knew what it took to win. He knew how to prepare a team to win. But once that victory was achieved, he gave the credit to the players themselves.

Elvan George died Friday at the age of 62 of an apparent heart attack. Death was almost instantaneous, coming at his long-time home near his beloved Ada High School at 5:30 a.m. He had just completed his morning ritual of a 5 o'clock jog around the neighborhood.

George was not a complex man. Everything he did, he did enthusiastically and with as thorough preparation as could be mustered.

"Not many ministers could teach religion in college as well as he could," said long-time friend and fellow-coach Craig McBroom in giving an example of his dedication. "He was a Bible scholar. When he went at something, he went all the way."

Nor was George an outgoing man. For a coach, he was remarkably quiet spoken.

"I tried the hollering and ranting style when I first started coaching," George once said. "But it wasn't me. I couldn't tonguelash effectively. I had to be myself."

"He expected so much and he didn't make any bones about it," said Pat O'Neal, who both played and coached under George and succeeded Elvan as head coach at East Central State College. "He was a disciplinarian who demanded respect."

His coaching record clearly shows that he got that respect. During 21 years of high school coaching (two at Colgate and 19 at Ada), his teams won 174 games, lost 52 and tied nine. His Ada teams won six state championships during a seven-year period from 1951 through 1957.

Moving to East Central in 1959, George coached the Tigers 13 years and notched a 93–36–5 record, winning four straight Collegiate Conference titles from 1965 to 1968.

He retired from coaching following the 1971 season, but remained on the East Central faculty.

George was refreshingly honest in assessing his team's capabilities.

"I didn't see anyone last year who had a line like we think we'll have this year," he said at the outset of the 1955 season. The line literally carried the Cougars to another state title with the inexperienced backfield unable to generate more than two touchdowns a game until the season was eight weeks old.

In August of 1957 he said: "The boys should be able to do about what they want to do. We were fortunate to win the state the last two years, but honestly, we should be better this year." Only one team came within 20 points of Ada, which won all 13 of its games, outscoring three playoff foes, 174–33.

George spoke candidly about all things. "I really made a mistake in leaving Ada High," he said on several occasions while East Central coach. "It's just not nearly as rewarding to me. I enjoyed working with high school kids so much."

Ernest Thompson, who covered sports for the Ada Evening News through much of George's coaching career, has never considered him as merely a coach.

"I don't call him a coach," Thompson said. "I call him a teacher. I've taken several classes under him at East Central in several subjects. He's the greatest teacher I've ever known."

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. YOUNG of Florida) to revise and extend their remarks and include extraneous material:)

Mr. KEMP, for 20 minutes, today.
Mr. SCHNEEBELI, for 5 minutes, today.
Mr. WHALEN, for 10 minutes, today.
Mr. DON CLAUSEN, for 15 minutes, today.
Mr. MCKINNEY, for 5 minutes, today.
Mr. WALSH, for 5 minutes, today.
Mrs. HECKLER of Massachusetts, for 5 minutes, today.
Mr. CHAMBERLAIN, for 30 minutes, today.
Mr. SNYDER, for 3 minutes, today.
Mr. FISH, for 10 minutes, today.

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

Mr. PODELL, for 10 minutes, today.
Mr. GONZALEZ, for 5 minutes, today.
Mr. ALEXANDER, for 5 minutes, today.
Mr. HENDERSON, for 5 minutes, today.
Mr. BINGHAM, for 5 minutes, today.
Mr. ASPIN, for 5 minutes, today.
Mr. MATSUNAGA, for 3 minutes, today.
Mr. REUSS, for 30 minutes, on June 28.
Mr. FLOOD, for 60 minutes, on July 17.

EXTENSION OF REMARKS

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

Mr. FLOOD, to revise and extend his remarks immediately preceding the vote on the Symms amendment.

Mrs. HECKLER of Massachusetts to revise and extend her remarks during general debate following the remarks of Mr. MICHEL.

Mr. STEIGER of Wisconsin to include extraneous matter in his remarks during the debate on the appropriations bill.

Mr. RANDALL following the vote of the motion of Mr. O'NEILL to table the appeal on the point of order of Mr. ANDERSON of Illinois, and to revise and extend his remarks.

Mr. RANDALL, to insert his remarks at that point in the Record after the vote on the amendment of amendment of Mrs. GREEN of Oregon to reduce the National Institute of Health funding.

Mrs. HECKLER of Massachusetts to revise and extend her remarks following the comments of Mr. TEAGUE.

Mr. ALBERT to extend his own remarks in the body of the RECORD in two instances and to include extraneous matter.

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

Mr. RONCALLO of New York.
Mr. BELL.
Mr. HUNT in two instances.
Mr. THOMSON of Wisconsin.
Mr. SEBELIUS.

Mr. SHRIVER.
Mr. PETTIS.
Mr. HORTON in two instances.
Mr. HOSMER in two instances.
Mr. WYMAN in two instances.
Mr. HEINZ in two instances.
Mr. YOUNG of Alaska.
Mr. BIESTER.
Mr. MIZELL in five instances.
Mr. WYDLER.
Mr. REGULA.
Mr. BOB WILSON.
Mr. YOUNG of Illinois.
Mr. WALSH.
Mr. ANDERSON of Illinois.
Mr. DERWINSKI in three instances.
Mr. MCKINNEY.
Mr. CHAMBERLAIN.
Mr. FRELINGHUYSEN.
Mr. LOTT.
Mr. LANDGREBE.
Mr. GILMAN in two instances.
Mr. HUDNUT.
Mr. MCCLORY.

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

Mr. HUNGATE in three instances.
Mr. EDWARDS of California in two instances.
Mr. ASPIN in 10 instances.
Mr. HÉBERT in two instances.
Mr. GONZALEZ in three instances.
Mr. RARICK in five instances.
Mr. TIERNAN in two instances.
Mr. REID in two instances.
Mr. HAWKINS.
Mr. BADILLO in two instances.
Mrs. GRIFFITHS.
Mr. EVINS of Tennessee.
Mr. ANDERSON of California in two instances.
Mr. VANIK in three instances.
Mr. MURPHY of Illinois.
Mr. MURTHA.
Mr. BURKE of Massachusetts.
Mr. JAMES V. STANTON in two instances.
Mr. DAVIS of Georgia.
Mr. SYMINGTON.
Mr. MCCORMACK in 10 instances.
Mr. NIX.
Mr. ROGERS in five instances.
Mr. MEEDS.
Mrs. MINK.

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. 2001. An act to redesignate the Alamogordo Dam and Reservoir, New Mexico, as Sumner Dam and Lake Sumner, respectively; to the Committee on Interior and Insular Affairs.

ADJOURNMENT

Mr. STARK. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 18 minutes a.m.) the House adjourned until today, Friday, June 28, 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:

2497. A letter from the Secretary of the Navy, transmitting a draft of proposed legislation to amend title 10, United States Code, to permit persons from countries friendly to the United States to receive instruction at the U.S. Military Academy, the U.S. Naval Academy, and the U.S. Air Force Academy, and for other purposes; to the Committee on Armed Services.

2498. A letter from the Chairman, Indian Claims Commission, transmitting the final determination of the Commission in docket No. 49, *the Fort Sill Apache Tribe of the State of Oklahoma; the Warm Spring Band of Apaches, ex rel. Sam Haozous; the Chiricahua Band of Apaches, ex rel. James Kayaykla, Sr.; the Fort Sill Apaches, ex rel. Benedict Johze, Plaintiffs, v. The United States of America,* Defendant, pursuant to 25 U.S.C. 70t; to the Committee on Interior and Insular Affairs.

RECEIVED FROM THE COMPTROLLER GENERAL

2499. A letter from the Comptroller General of the United States, transmitting a list of reports issued or released by the General Accounting Office in May 1974, pursuant to 31 U.S.C. 1174; to the Committee on Government Operations.

2500. A letter from the Comptroller General of the United States, transmitting a report on the use of the economic order quantity principle by selected civil agenices and the Department of Defense; to the Committee on Government Operations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

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

[*Omitted from the Record of June 26, 1974*]

Mr. BRADEMAS: Committee on House Administration. Senate Concurrent Resolution 86. Concurrent resolution authorizing the printing of additional copies of the hearings and final report of the Senate Select Committee on Presidential Campaign Activities (Rept. No. 93–1159). Ordered to be printed.

[*Submitted June 27, 1974*]

Mr. EILBERG: Committee on the Judiciary. H.R. 14597. A bill to increase the limit on dues for U.S. membership in the International Criminal Police Organization (Rept. No. 93–1160). Referred to the Committee of the Whole House on the State of the Union.

Mr. STAGGERS: Committee on Interstate and Foreign Commerce. H.R. 14214. A bill to amend the Public Health Service Act and related laws to revise and extend programs of health revenue sharing and health services, and for other purposes; with amendment (Rept. No. 93–1161). Referred to the Committee of the Whole House on the State of the Union.

Mr. NEDZI: Committee on House Administration. S. 2137. An act to amend the act of October 15, 1966 (80 Stat. 953, 20 U.S.C. 65a), relating to the National Museum of the Smithsonian Institution, so as to authorize additional appropriations to the Smithsonian Institution for carrying out the purposes of said act. (Rept. No. 93–1162). Referred to the Committee of the Whole House on the State of the Union.

Mr. POAGE: Committee on Agriculture. H.R. 15283. A bill to provide for the Forest Service, Department of Agriculture, to protect, develop, and enhance the productivity and environmental values of certain of the Nation's lands and resources, and for other purposes; with amendment (Rept. No. 93–1163). Referred to the Committee of the Whole House on the State of the Union.

Mr. STAGGERS: Committee of conference. Conference report on S. 2893 (Rept. No. 93–1164). Ordered to be printed.

Mr. YOUNG of Texas: Committee on Rules. House Resolution 1208. Resolution providing for the consideration of H.R. 15427. A bill to amend the Rail Passenger Service Act of 1970 to provide financial assistance to the National Railroad Passenger Corporation, and for other purposes. (Rept. No. 93–1165). Referred to the House Calendar.

Mr. LONG of Louisiana: Committee on Rules. House Resolution 1209. Resolution providing for the consideration of H.R. 15465. A bill to provide for increased participation by the United States in the International Development Association and to permit U.S. citizens to purchase, hold, sell, or otherwise deal with gold in the United States or abroad. (Rept. No. 93–1166). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

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

By Mr. COLLINS of Texas:

H.R. 15654. A bill to amend title XI of the Social Security Act to repeal the recently added provision for the establishment of professional standards review organizations to review services covered under the medicare and medicaid programs; to the Committee on Ways and Means.

By Mr. CONTE:

H.R. 15655. A bill to provide for protection of franchised dealers in petroleum products; to the Committee on Interstate and Foreign Commerce.

By Mr. DAVIS of Georgia:

H.R. 15656. A bill to incorporate the United States Submarine Veterans of World War II; to the Committee on the Judiciary.

By Mr. DENT (for himself, Mr. BLACKBURN, Mrs. BURKE of California, Mr. CARNEY of Ohio, Mr. CONLAN, Mr. CRANE, Mr. DAN DANIEL, Mr. DERWINSKI, Mr. DICKINSON, Mr. DULSKI, Mr. FROEHLICH, Mr. GAYDOS, Mr. HUBER, Mr. ICHORD, Mr. KEMP, Mr. KETCHUM, Mr. MANN, Mr. ROE, Mr. ROUSSELOT, Mr. SHOUP, Mr. SPENCE, Mr. SYMMS, and Mr. ZION):

H.R. 15657. A bill to amend the Export Administration Act of 1969 to prevent the exportation and reexportation of American products, including technology, capital equipment, scientific accomplishments, and agricultural commodities to nonmarket economy countries and unfriendly nations, and to prevent the exportation of such products by American subsidiaries operating abroad to nonmarket economy countries and unfriendly nations; to the Committee on Banking and Currency.

By Mr. FRASER (for himself and Mr. UDALL):

H.R. 15658. A bill to establish the Potomac River National Historical Park in the Commonwealth of Virginia, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. GUDE (for himself, Mr. DRINAN, Mr. GILMAN, Ms. HOLTZMAN, Mr. BURGENER, Mr. ADAMS, and Mr. MAYNE):

H.R. 15659. A bill to amend section 502(b) of the Mutual Security Act of 1954 to reinstitute specific accounting requirements for foreign currency expenditures in connection with congressional travel outside the United States, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. GUNTER:

H.R. 15660. A bill to amend the Internal Revenue Code of 1954 to allow for a temporary period of deduction equal to the increase in residential electricity expenses after January 1, 1973; to the Committee on Ways and Means.

H.R. 15661. A bill to amend the Internal Revenue Code of 1954 to allow for a temporary period a tax credit equal to one-half of the increase in residential electricity expenses occurring after January 1, 1973; to the Committee on Ways and Means.

By Mr. KEMP:

H.R. 15662. A bill to require a vote in both Houses of Congress before any proposed agreement on the transfer of nuclear material or technology to any foreign entity by the United States, and for other purposes; to the Joint Committee on Atomic Energy.

By Mr. LEHMAN:

H.R. 15663. A bill to amend the National Housing Act to prohibit FHA insurance of blanket mortgages in condominium projects, and FNMA purchases of conventional condominium mortgages, where the developer retains or will retain a leasehold interest in the common areas and facilities of the project involved; to the Committee on Banking and Currency.

By Mr. LONG of Maryland (for himself, Mr. KOCH, Mr. NIX, Mr. ROE, Mr. HECHLER of West Virginia, Mr. DENHOLM, Ms. ABZUG, Mr. STUBBLEFIELD, Mr. GAYDOS, Mr. CHARLES H. WILSON of California, Mr. BADILLO, Mr. DUNCAN, Mr. PODELL, Mr. DU PONT, Mr. TIERNAN, Mr. BENNETT, Mr. STARK, Ms. GRASSO, Mr. BELL, Mr. SARBANES, Mr. ROSE, and Mr. HUBER):

H.R. 15664. A bill to prohibit the transfer of atomic technology to foreign powers without the express approval of the Congress; to the Joint Committee on Atomic Energy.

By Mr. MOAKLEY (for himself and Mr. GUNTER):

H.R. 15665. A bill to amend the Internal Revenue Code of 1954 to allow for a temporary period a tax credit equal to one-half of the increase in residential electricity expenses occurring after January 1, 1973; to the Committee on Ways and Means.

By Mr. MATSUNAGA (for himself and Mrs. MINK):

H.R. 15666. A bill to provide for the settlement of historic claims of the Hawaiian Natives, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. QUILLEN:

H.R. 15667. A bill to amend the Internal Revenue Code of 1954 to provide a limited exclusion of capital gains realized by taxpayers other than corporations on securities; to the Committee on Ways and Means.

By Mr. SHRIVER:

H.R. 15668. A bill to authorize recomputation at age 60 of the retired pay of members and former members of the uniformed services whose retired pay is computed on the basis of pay scales in effect prior to January 1, 1972, and for other purposes; to the Committee on Armed Services.

By Mr. STEIGER of Wisconsin (for himself, Mr. REGULA, Mr. OBEY, Mr. MURTHA, Mr. HECHLER of West Virginia, Mr. MEEDS, Mr. FRENZEL, Mr. COHEN, Mr. FOLEY, Mr. FRASER, and Mr. WHITE):

H.R. 15669. A bill to amend section 210 of the Federal Property and Administrative Services Act of 1949 by repealing the authority of the Administrator of General Services and of certain executive agencies to charge an occupant of a Federal building for the use of such building; to the Committee on Government Operations.

By Mr. TIERNAN:

H.R. 15670. A bill to provide for the reimbursement of regulated public utility companies engaged in the sale of electric power at the retail level for any amount expended for residual fuel oil which is more than $7.50 a barrel; to the Committee on Interstate and Foreign Commerce.

By Mr. VEYSEY (for himself, and Mr. DON H. CLAUSEN):

H.R. 15671. A bill to amend the Urban Mass Transportation Act of 1964 to insure that transportation facilities manufactured, constructed, or renovated with Federal funds will comply with minimum standards of accessibility and safety for the elderly and the handicapped; to the Committee on Banking and Currency.

By Mr. BOB WILSON:

H.R. 15672. A bill to amend title 10 of the United States Code in order to provide for the reduction in survivor annuities under the survivor benefit plan by reason of social security benefits based on military service only if such benefits are in fact received by the survivor; to the Committee on Armed Services.

By Mr. BOB WILSON (for himself, Mr. LUJAN, Mr. WALSH, Mr. COHEN, Mr. LAGOMARSINO, Mr. SYMMS, Mrs. COLLINS of Illinois, Mr. BUCHANAN, Mr. MURPHY of New York, Mr. THOMPSON of New Jersey, Mr. BURKE of Florida, Mr. HANNA, Mr. FISH, Mr. GILMAN, and Mr. GUNTER):

H.R. 15673. A bill to authorize recomputation at age 60 of the retired pay of members and former members of the uniformed services whose retired pay is computed on the basis of pay scales in effect prior to January 1, 1972, and for other purposes; to the Committee on Armed Services.

By Mr. BOB WILSON (for himself, Mr. SANDMAN, Mr. BAFALIS, Mr. REUSS, Mr. HICKS, Mr. COLLINS of Texas, Mr. YATRON, Mr. TIERNAN, Mr. PEPPER, Mr. WYDLER, Mr. FORSYTHE, Mr. FRELINGHUYSEN, Mr. DUNCAN, Mr. MOAKLEY, Mr. RANDALL, Mr. RODINO, Mr. WON PAT, and Mr. ROSE):

H.R. 15674. A bill to authorize recomputation at age 60 of the retired pay of members and former members of the uniformed services whose retired pay is computed on the basis of pay scales in effect prior to January 1, 1972, and for other purposes; to the Committee on Armed Services.

By Mr. BOB WILSON:

H.R. 15675. A bill to amend section 105(d) of the Internal Revenue Code of 1954 (which relates to wage continuation plans) to provide that the excludability from gross income of disability pension payments to an individual shall be continued when said individual reaches statutory retirement age; to the Committee on Ways and Means.

By Mr. ASPIN (for himself, Mr. TIERNAN and Mr. RONCALLO of New York):

H.R. 15676. A bill to prohibit the military departments from using dogs in connection with any research or other activities relating to biological or chemical warfare agents; to the Committee on Armed Services.

By Mr. BURKE of Massachusetts:

H.R. 15677. A bill exempting State lotteries from certain Federal prohibitions and for other purposes; to the Committee on Ways and Means.

By Mr. FISH:

H.R. 15678. A bill to amend the Internal Revenue Code of 1954 to exclude from gross income the interest on deposits in certain savings institutions; to the Committee on Ways and Means.

By Mr. GIAIMO (for himself, Mr. COTTER, Mrs. GRASSO, Mr. MCKINNEY, Mr. SARASIN, and Mr. STEELE):

H.R. 15679. A bill to provide one additional permanent district judgeship; to the Committee on the Judiciary.

By Mr. HANNA:

H.R. 15680. A bill to facilitate the transfer of science and technology and increase cooperation between the United States and other nations through the full utilization of global telecommunication services; to the Committee on Science and Astronautics.

By Mr. JOHNSON of Pennsylvania:

H.R. 15681. A bill to amend the Internal Revenue Code of 1954 and certain other provisions of law to provide for automatic cost-of-living adjustments in the income tax rates, the amount of the standard, personal exemption, and depreciation deductions, and the rate of interest payable on certain obligations of the United States; to the Committee on Ways and Means.

By Mr. LANDRUM:

H.R. 15682. A bill to amend the Internal Revenue Code of 1954 with respect to the treatment of gains in certain exchanges involving foreign corporations; to the Committee on Ways and Means.

By Mr. MOAKLEY:

H.R. 15683. A bill to amend the Internal Revenue Code of 1954 to exclude from gross income the amount of certain cancellations of indebtedness under student loan programs; to the Committee on Ways and Means.

By Mr. RANDALL for himself, Ms. ABZUG, Mr. ADAMS, Mr. ADDABBO, Mr. ANDERSON of California, Mr. ARENDS, Mr. BENNETT, Mr. BINGHAM, Mrs. BOGGS, Mr. BRASCO, Mr. BYRON, Mr. CAREY of New York, Mrs. CHISHOLM, Mrs. COLLINS of Illinois, and Mr. CONTE):

H.R. 15684. A bill to establish the Harry S. Truman memorial scholarships, and for other purposes; to the Committee on Education and Labor.

By Mr. RANDALL (for himself, Mr. CORMAN, Mr. DOMINICK V. DANIELS, Mr. DAVIS of South Carolina, Mr. DE LUGO, Mr. DENHOLM, Mr. DENT, Mr. DERWINSKI, Mr. DULSKI, Mr. EILBERG, Mr. FASCELL, Mr. FAUNTROY, Mr. FISHER, Mr. Flood, and Mr. FOLEY):

H.R. 15685. A bill to establish the Harry S. Truman memorial scholarships, and for other purposes; to the Committee on Education and Labor.

By Mr. RANDALL (for himself, Mr. FORD, Mr. FRASER, Mr. GETTYS, Mr. GONZALEZ, Mrs. GRASSO, Mr. GRAY, Mrs. GREEN of Oregon, Mr. GREEN of Pennsylvania, Mrs. GRIFFITHS, Mr. GUNTER, Mr. HANNA, Mr. HARRINGTON, Mr. HAWKINS, and Mr. HECHLER of West Virginia):

H.R. 15686. A bill to establish the Harry S. Truman memorial scholarships, and for other purposes; to the Committee on Education and Labor.

By Mr. RANDALL (for himself, Mr. HELSTOSKI, Mr. HOGAN, Mr. HOLIFIELD, Mrs. HOLT, Mr. HORTON, Mr. JOHNSON of California, Miss JORDAN, Mr. LEGGETT, Mr. LUKEN, Mr. MCCORMACK, Mr. MADDEN, Mr. MATHIS of Georgia, Mr. MATSUNAGA, Mr. MEEDS, and Mr. MELCHER):

H.R. 15687. A bill to establish the Harry S. Truman memorial scholarships, and for other purposes; to the Committee on Education and Labor.

By Mr. RANDALL (for himself, Mr. METCALFE, Mr. MILLS, Mr. MOAKLEY, Mr. MONTGOMERY, Mr. MOORHEAD of Pennsylvania, Mr. MURPHY of Illinois, Mr. MURPHY of New York, Mr. O'BRIEN, Mr. O'NEILL, Mr. PASSMAN, Mr. PERKINS, Mr. PICKLE, Mr. POAGE, Mr. PODELL, Mr. RANGEL and Mr. REES):

H.R. 15688. A bill to establish the Harry S. Truman memorial scholarships, and for other purposes; to the Committee on Education and Labor.

By Mr. RANDALL (for himself, Mr. RODINO, Mr. ROE, Mr. ROSENTHAL, Mr. ROY, Mr. ROYBAL, Mr. RYAN, Mr. SARBANES, Mr. SEBELIUS, Mr. JAMES V. STANTON, Mr. STOKES, Mr. STRATTON, Mr. STUBBLEFIELD, Mr. THOMPSON of New Jersey, Mr. THORNTON, and Mr. TIERNAN):

H.R. 15689. A bill to establish the Harry S. Truman memorial scholarships, and for other

purposes; to the Committee on Education and Labor.

By Mr. RANDALL (for himself, Mr. VAN DEERLIN, Mr. WALDIE, Mr. WARE, Mr. WHITE, Mr. WHITEHURST, Mr. CHARLES WILSON of Texas, Mr. WON PAT, and Mr. YOUNG of Georgia):

H.R. 15690. A bill to establish the Harry S. Truman memorial scholarships, and for other purposes; to the Committee on Education and Labor.

By Mr. SCHNEEBELI:

H.R. 15691. A bill to amend section 402 of title 42, United States Code; to the Committee on Ways and Means.

By Ms. ABZUG (for herself and Mr. KOCH):

H.R. 15692. A bill to prohibit discrimination on the basis of sex, marital status, and sexual orientation, and for other purposes; to the Committee on the Judiciary.

By Mr. LEHMAN (for himself and Ms. SCHROEDER):

H.R. 15693. A bill to amend the Internal Revenue Code of 1954 to provide an exemption from income taxation for cooperative housing corporations and condominium housing associations; to the Committee on Ways and Means.

By Mr. SYMINGTON (for himself, Mr. ROGERS, Mr. CARTER, and Mr. SEIBERLING):

H.J. Res. 1080. Joint resolution to authorize and request the President to issue annually a proclamation designating January of each year as March of Dimes Birth Defects Prevention Month; to the Committee on the Judiciary.

By Mr. SNYDER (for himself, Mr. DERWINSKI, Mr. HASTINGS, Mr. KING, and Mr. WALSH):

H. Con. Res. 553. Concurrent resolution expressing the sense of Congress that regulations, requiring statement of ingredients on bottles of distilled spirits and wine, be not promulgated until Congress has considered the matter fully; to the Committee on Ways and Means.

By Mr. ANDERSON of Illinois:

H. Res. 1203. Resolution directing the Chairman of the Select Committee on Committees to seek a rule making in order for consideration by the House, House Resolution 988; to the Committee on Rules.

By Mr. ASPIN:

H. Res. 1204. Resolution expressing the sense of the House of Representatives with respect to the completion of negotiations between the United States and Canada for the construction of a natural gas pipeline from Alaska to the continental United States through Canada; to the Committee on Foreign Affairs.

By Mr. GONZALEZ:

H. Res. 1205. Resolution creating a special committee to conduct an investigation and study into the legal, political, and diplomatic status of lands which were the subject of grants from the King of Spain and from the Government of Mexico prior to the acquisition of the American Southwest as a result of the Treaty of Guadalupe-Hidalgo concluding the Mexican-American War in 1848; to the Committee on Rules.

By Mr. KETCHUM (for himself, Mr. SARASIN, and Mr. GILMAN):

H. Res. 1206. Resolution expressing the sense of the House regarding the reclassification of servicemen listed as missing in action in Southeast Asia to presumptive finding of death status; to the Committee on Armed Services.

By Mr. MURPHY of New York:

H. Res. 1207. Resolution in support of continued undiluted U.S. sovereignty and jurisdiction over the U.S.-owned Canal Zone on the Isthmus of Panama; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. GONZALEZ:

H.R. 15694. A bill for the relief of Angela Barnett; to the Committee on the Judiciary.

By Mr. EILBERG:

H.J. Res. 1081. Joint resolution granting the status of permanent residence to certain aliens; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII,

453. The SPEAKER presented a petition of the Administration Committee, Board of Governors, American Bar Association, Chicago, Ill., relative to the confidentiality of the Federal Trade Commission's annual line of business reports; to the Committee on Interstate and Foreign Commerce.

EXTENSIONS OF REMARKS

LASER FUSION

HON. ROBERT O. TIERNAN

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 1974

Mr. TIERNAN. Mr. Speaker, it is generally accepted that the thermonuclear fusion is the ultimate solution to the world's energy problems. In the past few years there have been tremendous advances in the field, primarily in the areas of laser fusion, as opposed to the older theory of magnetic containment fusion. Researchers hit upon the idea of using intense laser beams to blast frozen pellets of hydrogen instantly to thermonuclear temperatures, with a potentially vast release of nuclear energy. Laser fusion eliminates the problems of magnetic containment fusion that scientists have been wrestling with for decades. Numerous problems must be overcome before it can be demonstrated that the laser technique is a practical source of energy. But these problems are somewhat smaller than those confronting magnetic containment.

From its inception, however, laser fusion development has been controlled by the Atomic Energy Commission—AEC—Division of Military Applications, where the tightest security reigns. In effect, the AEC has placed laser fusion in two compartments: one, the dominant military, is hermetically sealed, while the other, civilian, has been allowed a varying degree of flexibility. Under the terms of a 1958 international agreement, initiated by the Soviet Union, six nations agreed to end secrecy about controlled fusion in the interests of solving its problems faster. But when the possibility of laser fusion appeared, the United States tightened its security measures. Such details as the most powerful laser energies achieved and even the names of the new lasers themselves became state secrets.

Naturally, this administrative schizophrenia has inhibited the free flow of information that nourishes research and development. In preventing publication of the work of its own scientists, the United States has slowed its own progress several years. By sealing off information about the development of high-powered lasers, the AEC also excluded all independent researchers who lack security credentials. Yet history shows that new ideas in science most often come from brash youngsters, mavericks, or rank outsiders. It is all but impossible to keep independent minds from getting ideas, but the laser fusion program is studded with futile, harassing attempts to do so.

Last year the prestigious Physical Review Letters, the Journal in which physicists air new ideas and report discoveries, ran a notable editorial denouncing the treatment given laser fusion. "We don't know why it is so secret," wrote the Review Letters' editor, Samuel A. Goudsmit, a distinguished World War II physicist on the staff of Brookhaven National Laboratory. He also said:

All that we know about fusion is what we read in newspapers and journals. It is heralded as the energy source which will solve all the world's problems . . . keeping work toward this goal secret sounds like hiding progress in cancer research . . . Isn't it silly?

Should laser fusion be so classified? In an area with such vast potential for contributing to the benefit of all mankind, and with much intelligent discussion both for and against, there should at least be a full accounting of AEC action. We must adhere to the admonition of Edward H. Teller, a primary developer of the hydrogen bomb, that:

Secrecy, once accepted, becomes an addiction . . . difficult to kick.

Fusion research must not be allowed to suffocate in a vault of false secrecy. I am today calling upon the AEC to explain its classification of laser fusion research before Congress and the American people. It is only after a full accounting and review of the aforementioned that we can intelligently tackle the enormous problems and rewards of thermonuclear fusion.

CHARLES MILLARD ENGLISH

HON. JOHN P. MURTHA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 1974

Mr. MURTHA. Mr. Speaker, I want to thank Mrs. Beatrice Burns of Johnstown, Pa., for bringing to my attention the outstanding example set by Mr. Charles Millard English.

Mr. English was recently in Washington as the National Goodwill Worker of the Year. Mr. English is from Columbus,